

Gunpowder Incident

Dates in Historic Area

April 19 to 25, 2004

AMERICANS *Becoming* TODAY

NO. 1 FOR COLONIAL WILLIAMSBURG

Prelude to Independence

Dates in Historic Area

May 10 to 16, 2004

SPRING 1774

Newsline

EVENTS LEADING TO THE AMERICAN REVOLUTION

1763

February 10

French and Indian War ends with the Treaty of Paris

October 7

Proclamation of 1763 ends colonial westward migration

1764

April 5

Parliament passes the Sugar and Currency Acts

1765

March 22

Parliament passes the Stamp Act

1766

March 18

Parliament repeals the Stamp Act and passes the Declaratory Act

1767

June 29

Parliament passes the Townshend Acts

1768

June 8

British troops are sent to Boston

1770

March 5

Boston Massacre

April 12

Townshend duties are repealed, except for the duty on tea

1773

May 10

Parliament passes the Tea Act

December 16

Boston Tea Party

1774

March 31–June 22

Parliament passes the Coercive Acts and the Quebec Act

September 5–October 26

First Continental Congress meets in Philadelphia

1775

April 19

Battles of Lexington and Concord

April 20

The Gunpowder Incident in Williamsburg

Five Men Inform Burgesses about the Gunpowder Incident

Benjamin Waller and John Randolph were among five men who told members of the House of Burgesses about the Gunpowder Incident:

That the next Day Doctor *Pasteur* came to the said *Waller's* House, and informed him of the Governor's Threatening that if himself his Family or Captain *Collins* were insulted, he would declare liberty to the Slaves, and lay the Town in Ashes, and that the Governor had desired him to communicate this his Declaration to the Magistrates of the City, for that there was not an Hour to Loose. That these Declarations gave the said *Waller* and the other Inhabitants of the Town great uneasiness. That several Days afterwards his Excellency came to the said *Waller's* House on some private business, . . . whereupon he said *Waller* took the liberty to mention to his lordship that he was very sorry to tell his Excellency that he had lost the Confidence of the People not so much for having taken the Powder as for the declaration he made of raising and freeing the said Slaves to which he answered that he did say so and made no secret of it and that he would do that or any thing else to have defended himself in case he had been attacked.

THE GUNPOWDER INCIDENT



In the summer of 1774, Lord Dunmore, governor of Virginia, went west with two divisions of Virginia militia totaling nearly 2,500 men to protect the colony's interests and claims in the Ohio region. In December, he returned to Williamsburg a hero after successfully waging a brief campaign and brokering a treaty with the Ohio country Indians. Among the correspondence awaiting his return was a copy of his Majesty's Order in (privy) Council, dated October 19, 1774, which forbade all exportation from England of arms or ammunition. Accompanying the order, which was sent to all colonial governors, was a circular letter from Lord Dartmouth, Secretary to the Colonies, instructing all governors to "take the most effectual measures for arresting, detaining and securing any Gunpowder, or any sort of Arms or Ammunition which may be attempted to be imported into the Province under your Government." (It is certainly possible that any of the colonial governors could have stretched this instruction to include the detaining and securing of arms and ammunition currently stored within their colony.)

The letter, published in Purdie and Dixon's *Virginia Gazette* in January 1775, along with rumors of a slave uprising and Dunmore's proclamation attempting to forbid the meeting of the Second Virginia Convention (at which Patrick Henry gave his "liberty or death" speech), prompted town volunteers to keep a watch on the Magazine. At length, however, they grew negligent, and on the evening of April 20 the guards were not to be found. Dunmore took advantage of this security lapse. At about 4 in the morning of April 21, he

dispatched Lt. Collins of H.M.S. *Magdalen* with a squad of 15 to 20 seamen to remove 15 half barrels of gunpowder from the Public Magazine. They were to convey them to the schooner moored at Burwell's Ferry, just this side of Carter's Grove.

As the *Gazette* reported, "the whole city was alarmed, and much exasperated; and numbers got themselves in readiness to repair to the palace, to demand from the Governor a restoration of what so justly supposed was deposited in this magazine for the country's defense." The crowd was calmed and chose Peyton Randolph and mayor John Dixon as their spokesmen. They escorted the delegation to the Palace where Randolph presented the city's concerns. Dunmore, playing on the colonists' fear of a slave uprising, justified his action by saying that he "had removed the Powder lest the Negroes might have seized upon it."

Needless to say, the governor's explanation was not received favorably. Independent companies, gentlemen volunteers for the most part, mustered throughout Virginia, ready to march on Williamsburg to force a return of the gunpowder. Patrick Henry marched a force of 150 of these men from Hanover County, just north of Richmond, to Doncastle's Ordinary, 15 miles outside of Williamsburg. Eventually intermediaries negotiated payment for the powder but were unable to secure its actual return. On May 4, Carter Braxton, a moderate patriot, met Henry with the payment. Henry then offered the services of his armed men to protect the colony's treasury in Williamsburg. Treasurer Robert Carter Nicholas politely refused the offer, and Henry returned with his men to Hanover County.

Gordon S. Wood, *The American Revolution: A History* (New York: Modern Library Edition, 2002), 52–54

By the beginning of 1775 the British government was already preparing for military action. By this time North's supporters and the king himself saw no choice but force to bring the colonists back in line. As early as November 1774, George III had told North that "Blows must decide whether they are to be subject to the Country or Independent." The British government thus built up its army and navy and began restraining the commerce first of New England and then of the other colonies. . . .

By April 1775 fighting had broken out in Massachusetts. Since the British government had long assumed that Boston was the center of the disturbances in America, it believed that isolating and punishing that port city would essentially undermine all Colonial resistance. The Coercive Acts of

1774 had rested on this assumption, and the British military actions of 1775 were simply a logical extension of the same assumption. The British government, thinking that it was dealing only with mobs led by a few seditious instigators, therefore ordered its commander in Massachusetts, General Gage, to arrest the rebel leaders, to break up their bases, and to reassert royal authority in the colony. On April 18–19, 1775, Gage's army attempted to seize rebel arms and ammunition stored at Concord, a town northwest of Boston. Colonial scouts, including the silversmith Paul Revere, rode ahead of the advancing redcoats, warned patriot leaders John Hancock and Samuel Adams to flee, and roused the farmers of the countryside—the minutemen—to arms. No one knows who fired first at Lexington, but shots between the colonial militia and British troops were exchanged there and later at nearby Concord, where the British found only a few supplies.

Unlike our usual format, the content of this issue focuses on two specific events. They are two of the most important events to take place in Williamsburg during the march to Revolution and independence. From April 19 to 25, the Historic Area programming will present the story of the Gunpowder Incident; from May 10 to 16, programming will focus on the Prelude to Independence. We hope you find these documents useful in your efforts to support the programming and enrich the experience of our guests.

AN UNEASY STANDOFF

After Governor Dunmore promised to return the colony's gunpowder if it were needed and Peyton Randolph was able to persuade the city's independent company to disperse, an uneasy calm settled over Williamsburg. It did not last. The next day, Saturday, April 22, the governor deliberately let it be known that if any harm came to Captain Foy or Lieutenant Collins, he would raise the royal standard, free the slaves, and reduce Williamsburg to ashes.

As if that were not enough, urgent inquiries about Williamsburg's plight began arriving. The most alarming came on April 27. A number of independent companies had been drilling at Fredericksburg when news of the Gunpowder Incident reached them on Monday, April 24. After a day's debate, the volunteers decided to send three riders to Williamsburg to see if the capital needed military assistance. The messengers rode hard through the night, arriving in the capital at 1 P.M., April 27. Peyton Randolph assured the men that no action was needed and sent them back to Fredericksburg with a letter urging calm. During their return trip, they may have passed a post rider racing eastward.

Sometime late Friday night, April 28, or early Saturday morning, the rider galloped into the city and stopped at the several printing offices to convey distressing news: British troops had fired on the Massachusetts militia at Lexington and Concord on April 19. Pressmen were awakened, and *Gazette* supplements and broadsides were printed. The surprising coincidence that efforts to disarm the two colonies leading the protest against the ministry occurred at almost the same time was the topic of feverish conversation. What would happen next was anyone's guess.

Meanwhile, Governor Dunmore began to take decisive action. When he learned that the independent companies gathered at Fredericksburg might march on Williamsburg, he again let it be known that he would carry out his threats of April 22 if the troops came within 30 miles of the city. He also began to fortify the Palace. It is likely that he sent his wife and children to safety aboard H.M.S. *Fowey* when he heard about Lexington and Concord.

On May 3 Dunmore issued a proclamation urging all Virginians to submit dutifully to the laws of the land. Within hours of this action, however, news arrived that Patrick Henry and an independent company of 150 men were only 15 miles outside Williamsburg. Immediately Dunmore ordered that a detachment of 40 marines and sailors be dispatched to the Palace. They arrived at 10 A.M., May 4. Furthermore, Captain Montague of the *Fowey* threatened to bombard Yorktown if his men were attacked.

Only a compromise worked out between Carter Braxton, Richard Corbin, and Patrick Henry to pay for the missing gunpowder diverted a military confrontation. Nevertheless, Dunmore could not resist one parting shot: on May 6 he had Henry virtually outlawed. In less than a month, the colonists' world had changed.

[Submitted by Kevin Kelly]

SPRING 1775

Newsline

EVENTS LEADING TO THE AMERICAN REVOLUTION

1775

May 10

American forces capture Fort Ticonderoga on Lake Champlain

May 10

Second Continental Congress convenes

June 15

George Washington appointed commander of the Continental Army

June 17

Battle of Bunker Hill

August 23

King George III declares the colonies in open rebellion

December 31

Colonists defeated at Quebec

1776

March 17

British troops evacuate Boston

May 15

Fifth Virginia Convention passes resolution declaring the colonies free and independent of Great Britain

June 7

Richard Henry Lee presents Virginia's resolution to the Continental Congress

June

Members of the fifth Virginia Convention develop the Virginia Declaration of Rights under the leadership of George Mason

July 2

Continental Congress adopts the Virginia Resolution for Independence

July 4

Continental Congress approves the Declaration of Independence

July 6

Virginia Convention adopts a constitution for the new commonwealth

NICHOLAS' DILEMMA

In early April, captured letters to Governor Eden of Maryland, revealing that a large invasion force was on the way, provoked a general outrage that pushed many Virginians toward independence. On April 12, 1776, John Page wrote to Richard Henry Lee, "I think almost every man, except the Treasurer, is willing to declare for Independence." In case there was any doubt about local sentiment regarding the issue, on April 24, 1776, the freeholders of James City County met at Allen's ordinary and agreed to instruct their delegates, the said Treasurer Robert Carter Nicholas and William Norvell, to "exert your utmost ability, in the next Convention, towards dissolving the connexion between America and Great Britain, *totally, finally, and irrevocably.*" There was less certainty, however, about what Nicholas' response would be. Although he was a passionate supporter of American rights, his considered opinion was that the differences with Great Britain could be settled by less drastic means. A man known for his "strictest veracity and honour," he would be unlikely to vote against his conscience.

When the Convention met in May, it debated a resolution for independence for two days before finally adopting it. Nicholas "demonstrated his title to popularity by despising it" and did not vote for the resolution. He was, his son-in-law Edmund Randolph wrote, "dubious of the competency of America in so arduous a contest." Immediately after the vote was taken, however, Nicholas stated that he "would rise or fall with his country" and allowed himself to be appointed a member of the committee charged with writing a declaration of rights and a plan of government for Virginia.

[Submitted by Cathy Hellier]

PRELUDE TO INDEPENDENCE
THE FIFTH VIRGINIA CONVENTION

Resolved [in Philadelphia] unanimously that the delegates appointed to represent this colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent states absolved from all allegiances to or dependence upon the crown or parliament of Great Britain and that they give the assent of this Colony to such declaration.

With these words the Revolution was consummated. We say consummated and not begun since, for such notables as Thomas Jefferson and John Adams, the real revolution was the change in sentiments and attitudes in the hearts and minds of the populace between 1765 and 1776. The Declaration of Independence and military actions were but the end results of this transition.

Since August 1774, elected delegates from across Virginia had gathered in a series of meetings called *Conventions* to argue over the continuing dispute with Great Britain. Governor Dunmore had dissolved the House of Burgesses in May 1774 for officially supporting the city of Boston, whose port was to be closed by the British ministry in retribution for the Tea Party. It was obvious to the burgesses that Dunmore would not allow the House to become an arena to contest the king's policies; thus was born the Virginia Conventions.

The Conventions performed a variety of functions: they elected representatives to the general congresses that met in Philadelphia, arranged economic embargos of British goods, organized military preparations (first promoted by Patrick Henry's famous "Give me liberty or give me death" speech at the second Convention in Richmond), and generally provided for unified action in the impending crisis.

The fifth Virginia Convention met on the heels of a House of Burgesses that had been adjourned in October 1775 and was never reconstituted due to a lack of quorum. About the middle of the morning of Monday, May 6, 1776, about 45 men filed into the House chamber. There, the "Several Members met, but did neither proceed to Business, nor adjourn, as a House of Burgesses." Edmund Pendleton stated simply that they "let that body die."

The former burgesses then filed out of the room, joined with a second group waiting outside the building, and reentered as the fifth Virginia Convention. Chaired by Edmund Pendleton, it was the only Convention to meet in the Capitol. Over the next several days the delegates saw to the administration of Virginia and deliberated such matters as the fate of loyalists. Their real purpose, however, was to discuss and vote on a motion to declare independence from Great Britain.

The Convention periodically resolved itself into a committee of the whole, whereupon Archibald Cary took the chair and the 120-man body debated the question of independence. The debate was not so much for or against independence as it was over what form it would take. The Convention considered three separate resolutions and on May 15 unanimously approved a version Pendleton had cobbled together by in-

A DECLARATION OF RIGHTS made by the good people of Virginia in the exercise of their sovereign powers, which rights do pertain to them and their posterity, as the basis and foundation of government.

Article I. That all men are by Nature equally free and independent, and have certain inherent Rights, of which, when they enter into a State of Society, they cannot, by any compact, deprive, divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Article II. That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them.

corporating portions of each. Only Treasurer Robert Carter Nicholas is known to have taken the floor in opposition to the resolutions, openly questioning the "competency of America in so arduous a contest." In the end, he added his support for the sake of unanimity.

Thomas Nelson Jr. delivered the Virginia Resolution for Independence to Philadelphia, and on June 7 the colony's senior delegate, Richard Henry Lee, presented it for the consideration of the second Continental Congress. The Declaration of Independence was the result.

But the fifth Virginia Convention's work was not yet finished. During the next month, under the guidance of Fairfax County delegate George Mason, that body created the first Declaration of Rights to be adopted in America. It contained ringing statements of individual liberty and the right to self-government as well as a pioneering statement of religious freedom that owed much to James Madison. The Virginia Declaration was to influence such future documents as the federal Bill of Rights; the Declaration of Rights of Man and the Citizen, issued in the early days of the French Revolution; and, more than a century and a half later, the Statement on Human Rights in the United Nations Charter.

By the time the fifth Virginia Convention dispersed on July 6, 1776, it had adopted a constitution for the soon-to-be commonwealth (over the objections of an absent Thomas Jefferson, who felt that the freeholders of Virginia should vote on the final form of the document). In addition to establishing a republican form of government, the Convention chose Patrick Henry as Virginia's first elected governor. A new state, soon to be joined by others united under a congress against a common foe, had been born.



VIRGINIA DECLARATION OF RIGHTS: LOOK FAMILIAR?

Article III. The Government is, or ought to be, instituted for the common Benefit, Protection, and Security of the People, Nation, or community, of all the various Modes and Forms of Government, that is best which is capable of producing the greatest Degree of Happiness and Safety, and is most effectually secured against the Danger of Maladministration, and, whenever any Government shall be found inadequate or contrary to these purposes, a Majority of the Community hath an indubitable, inalienable, and indefeasible Right to reform, alter, or abolish it, in such Manner as shall be judged most conducive to the public Weal.

Article IV. That no Man, or set of Men, is entitled to exclusive or separate Emoluments or Privileges from the Community, but in Consideration of Public Services, which not being descendible, neither ought the Offices of Magistrate, Legislator, or Judge to be hereditary.

Article V. That the legislative, executive and Powers of the State should be separate and distinct from the Judicative; and that the Members thereof may be restrained from Oppression, by feeling and participating the Burthens of the People, they should at fixed Periods, be reduced to a private Station, return into that Body from which they were originally taken, and the Vacancies be supplied by regular Elections, in which all or any Part of the former Members to be again eligible, or ineligible, as the Laws may direct.

WHO GETS TO VOTE WHEN?

1776-1830: THE VOTE IN VIRGINIA

And be it further enacted, That no feme, sole or covert, infant under the age of twenty-one, recusant, convict, or any person convicted in Great Britain or Ireland, during the time for which he is transported, or any Negro, mulatto or Indian, although such persons be freeholders, shall have a vote, or be permitted to poll, at any election of burgesses, or capable of being elected."

Virginia Statutes at Large, 1762

Despite the new constitution, voting rights did not change until 1830.

EVOLUTION OF VOTING RIGHTS

The U.S. Constitution

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of Chusing Senators.

Amendment XV

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous conditions of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Passed February 27, 1869,
ratified March 30, 1870.

Amendment XIX

The right of a citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have the power to enforce this article by appropriate legislation.

Passed June 5, 1919,
ratified August 26, 1920

Article VI. That Elections of Members to serve as Representatives of the People, in Assembly, ought to be free; and that all Men, having sufficient Evidence of permanent common Interest with, and Attachment to, the Community, have the Right of Suffrage, and cannot be taxed or deprived of their Property for public Uses without their own Consent or that of their Representatives so elected, nor bound by any law to which they have not, in like Manner, assented, for the public Good.

Article VIII. That in all capital or criminal Prosecutions a Man hath a Right to demand the Cause and nature of his Accusation, to be confronted with the Accusers and Witnesses, to call for Evidence in his Favour, and to a speedy Trial by an impartial Jury of his Vicinage, without whose unanimous Consent he cannot be found guilty, nor can he be compelled to give Evidence against himself; that no Man be deprived of his Liberty except by the Law of the Land, or the Judgment of his Peers.

[Note: These protections were not given to enslaved people in Virginia; enslaved individuals continued to be tried in lesser Courts of Oyer and Terminer without the benefit of a jury.]

Article XII. That the Freedom of the Press is one of the greatest Bulwarks of Liberty and can never be restrained but by despotic Governments.

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