



Becoming Americans

Our Struggle to Be Both Free and Equal

Choosing Revolution



Resource Book



George the Third, attributed to the school of Allan Ramsay, oil on canvas, Great Britain, 1761-1770. Botetourt ordered portraits of the king and queen for the Palace. Upon their arrival he wrote, "I have the Satisfaction to find that the King and Queen's Pictures are arrived perfectly safe - Mr. Ramsey never did two better - We are all delighted with the them." (Acc. No. 1936-375).

George Washington (1732-1799), Charles Willson Peale, oil on canvas, Philadelphia, 1780. One of a number of artists' replicas of the portrait originally commissioned by the Supreme Executive Council of Pennsylvania to honor the hero, this version is said to have hung at Shirley Plantation since at least the early 19th century. (Acc. No. G1933-502).

Lord Dunmore. Detail of Portrait of John Murray, 4th Earl of Dunmore, by Reynolds. Courtesy of Scottish National Portrait Gallery. (#PGL 163).

Patrick Henry (1736-1799). Thomas Sully, oil on canvas, America, 1815. Painted from a miniature for William Wirt and given to Henry's son John. (Acc. No. 1958-3).

The Revolution lasted a long while. The extent of the mobilization it required exceeded any effort Virginians had previously undertaken. In government and economic affairs they never had to do so much so expeditiously. They proved capable of periodic bursts of intense energy in defense of their land right up to the end of the struggle. After the initial years, however, the attempt to fashion a lasting economic and administrative structure collapsed completely. Four invasions in the last three years of fighting proved more than the system could handle. Many contemporaries believed the root of the failure to be moral, and the resulting recriminations probably did as much to diminish the earlier idealism and weaken the cause as the actual suffering that successive defeats, inflation, and scarcities inflicted. Victory in the end came from a combination of French intervention and British ineptitude. The Virginians' contribution came from hanging on as long as they did until they won.

The Revolution in Virginia 1775-1783, John E. Selby,
The Colonial Williamsburg Foundation, Williamsburg,
VA, 1988, p. xii



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CHOOSING REVOLUTION

Traces the development of the new nation by exploring the complex decisions every Virginian faced: continued loyalty to the crown or separation.

KEY POINTS

- **Background.** The primary focus of this story is choice. It is not just the single choice for or against armed rebellion. This story describes a series of choices, made by individuals, to express their sense of freedom, liberty, and popular sovereignty. The approaching revolution was not one choice, but a series of individual decisions over a fifteen- to twenty-year span. During these years Virginians reacted to issues arising from the Seven Years War, the Stamp Act, internal crises like the Robinson Affair in 1766, the Townsend Duties, the Associations of 1769, 1770, and 1774, Virginia Conventions, Continental Congresses, mobilizing and supporting an army in the field, and a host of other issues and events.
- **The Contenders.** The British ministry, backed by Parliament, sought active management of a widespread empire in the wake of the Seven Years War. Virginia's political leaders, gathered in the General Assembly, determined to protect their prerogative to draft legislation for the colony.
- **The British Constitution.** Under the British constitutional settlement of 1688, supreme authority rested with Parliament, where royalty, nobility, and the commons were all represented. Liberty was the power to act freely within laws enacted fairly by a balance of three interests.
- By the beginning of the 1760s, many Americans and British perceived that ministerial corruption and the buying of Parliamentary elections breached the integrity of the commons and resulted in unfairly enacted laws, which in turn threatened the natural rights of subjects (including personal security, personal liberty, and private property).
- **Virginia Politics.** The younger, more aggressive leadership urged a forceful and direct protest against British policies, but this was possible only with the support of the yeomanry. Increasingly diverse in ethnicity and religion, the yeomanry responded to the gentry leadership's appeal to

property ownership as a common economic interest between the two groups and became increasingly politically active.

- **Choosing Sides.** Whites of all social ranks, free blacks, slaves, and Native Americans considered both ideology and self-interest as they chose, or did not choose, Revolution.
- **The Story Continues.** The war years transformed the political rhetoric of protest into the political principles that guided nation building, including conflicting imperatives to honor individual liberty and uphold the public good.
- The Virginia elite's efforts to bond with the yeomanry produced far-reaching consequences. Their promotion of property ownership as nearly a sacred right ultimately protected the practice of slavery. Some sought common ground with the yeomanry by portraying African Americans as inferior to whites and as a potentially explosive element in society. These attitudes continue to reverberate in contemporary society.
- Our written constitution is a legacy of the Revolution. By means of the form of government it established, we continue to interpret the balance between individual liberty and public good, for each issue as it arises. Through these channels of government, we continue to extend full rights to groups within our society who have not had them before, as we redefine the reality of our liberty, freedom, and equality.

I NARRATIVE

Background and Thesis

Visitors are generally acquainted with the "Choosing Revolution" story from classes and textbooks on American history. At Colonial Williamsburg they can discover how the onset of events leading to the outbreak of the War of Independence appeared to the eyes of Virginians, great and small, black and white, men and women, patriots and loyalists. The action of the story can be simply described: to show how many free colonial Virginians came to believe that separation from Great Britain was preferable to remaining a colony. Yet it is not a simple story.

When Richard Bland and other political leaders began expressing concern about imperial policies in the early 1760s, none could yet imagine a separate nation. Nor did they regard themselves as revolutionaries. But as the debate wore on, ideas derived from the British constitutional settlement of 1688 evolved into a revolutionary, American political philosophy based on freedom, liberty, and popular sovereignty.

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First and foremost, this is a story of choice, but not a single, obvious, straightforward choice for or against armed rebellion. The gathering crisis with Great Britain presented individuals with a series of choices. Individuals made choices that expressed their own ideas of freedom, liberty, and popular sovereignty, and were reflective of their different circumstances. The choice led some to take up arms and others to take alternate paths. Loyalists believed many of the same principles that patriots espoused, but fulfilled them by giving their allegiance to the Crown. Slaves who escaped to the British Army also expressed a yearning for freedom. But they were rebelling against Virginia masters, not against royal authority. The choices that so dramatically separated loyalists and patriots have long intrigued historians and captured the popular imagination. In reality many colonists sat out the war, never committing themselves to one political principle or another. Equivocation was their strategy for surviving the turmoil of the times from day to day.

So many complicated choices, none clearly right or wrong, require from visitors a sophisticated understanding of the times, the people, and the events. The approaching revolution involved a series of crises and decisions over a period of fifteen to twenty years. A decade separated the Stamp Act Crisis of 1765 from the 1775 Gunpowder Incident. Six years of war led finally to the Battle of Yorktown in 1781. Over this period Virginians reacted to issues arising from the Seven Years War, the Stamp Act, the Robinson Affair in 1766, the Townshend Duties, the Associations of 1769, 1770 and 1774, Virginia Conventions, Continental Congresses, mobilization of an army, and taxation to support it in the field. Three royal governors and two elected governors of the commonwealth served Virginia during these troubled years.

The Contenders

Two contending groups figured prominently in these events. The British ministry, backed by Parliament, sought active management of the vast empire that Britain acquired after the Seven Years War. The ministers were one group. Their policies often came into conflict with the other. Powerful political leaders in Virginia, gathered in the General Assembly, were determined to protect their prerogative to write legislation for the colony. Leadership in the colony was generally united on the basic issues at stake after 1765. It divided over the best course to follow. The younger, more aggressive leaders, including Patrick Henry, advocated a forceful and direct protest. Their conservative, "responsible" elders, headed by Peyton Randolph, counseled moderation. Henry and his supporters were scorned as the "popular" faction, because they sought to make common cause with the yeomanry. The hot heads argued that the British assault on the gentry's legislative autonomy endangered the interests of the middling sorts as well.

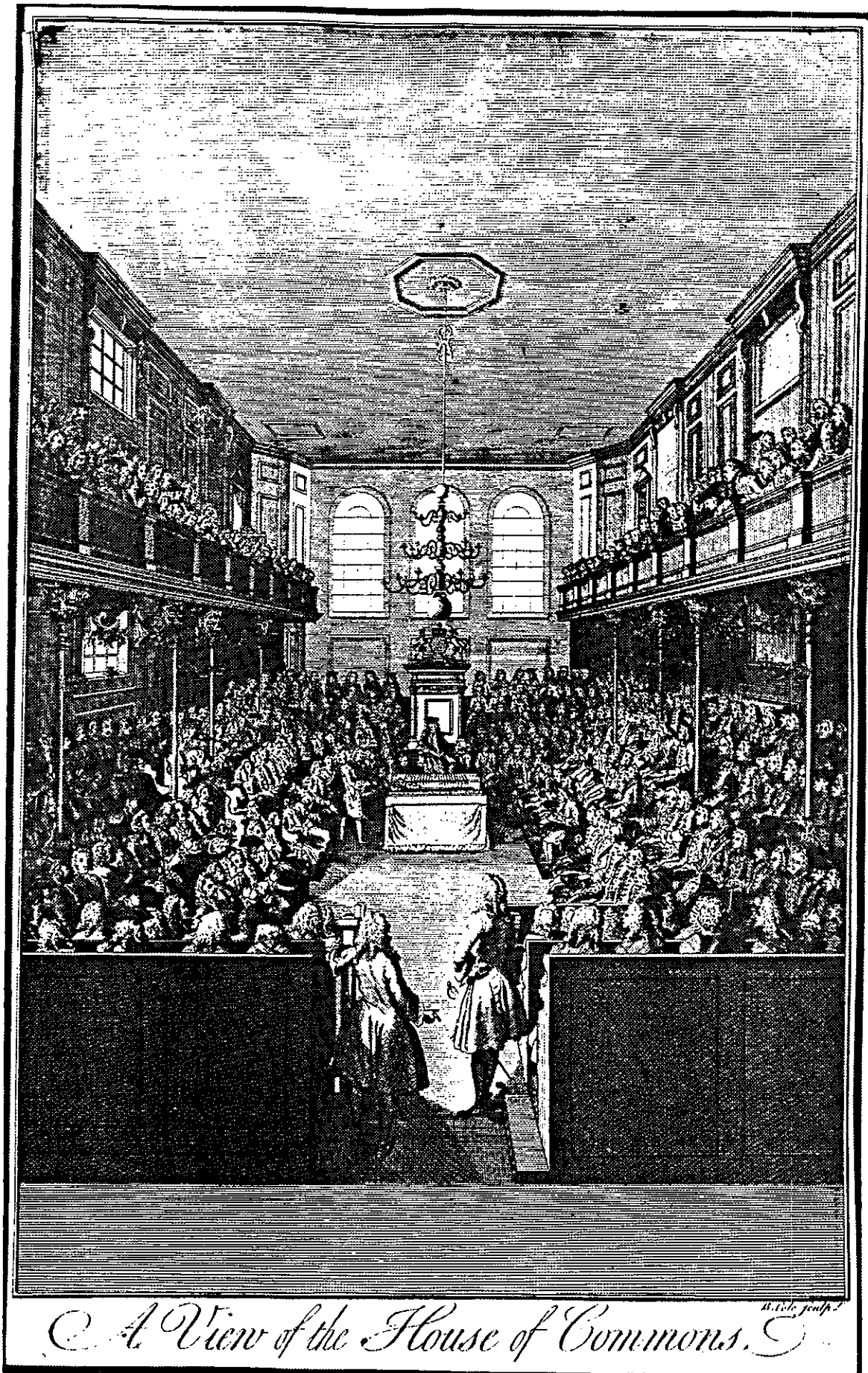
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The British Constitution

Virginians had revered the British constitution as the protector of their British liberties. It was not a written document, but the constituted (meaning "existing") system of government defined by law and custom. Moral rights, reason, and justice were considered the animating principles behind its laws and institutions. Promoting the public good was its ultimate goal. Ideally, the British constitution held the three orders of society in balance: royalty, nobility, and commons. Royalty represented monarchy, which unchecked could degenerate into tyranny. The nobility represented aristocracy, which always threatened to become an oligarchy. The commons represented democracy, which, left unrestrained, tended toward mob rule. As long as each order protected its proper sphere against encroachment by the other two, the rights of all were assured. The constitutional settlement of 1688 invested supreme authority (or sovereignty) in Parliament. There all three orders were represented. Liberty, accordingly, was the power to act freely within a system of laws enacted fairly by a balance of the three interests.

Beginning in the 1760s Americans (as well as a few British and European observers) expressed the opinion that the colonies preserved British liberties better than the Mother Country herself. They warned that ministerial corruption and the buying of Parliamentary elections had compromised the integrity of the commons and resulted in unfairly enacted laws, a threat to liberty. In this atmosphere of political uncertainty, Americans feared that their natural rights, including personal security, personal liberty, and private property, were endangered by the shift in government policy following the Seven Years War.

Little by little Americans began to question whether the constitution was strong enough to safeguard British liberties when reason and justice, the guiding principles essential to it, were overcome by corruption. Moreover, Americans began to doubt the protection afforded by an unwritten constitution, one easily altered by circumstances. The ideal constitution, some argued, should be a written document that defined the form of government and determined how the authority of government should be shared among its branches. They conceived, for example, that the legislature should derive its power from the constitution, not the other way around as in British practice. The ideal constitution would not *grant* rights, but would *guarantee* the natural rights men possessed by reason of their humanness. Thus, new American political principles took shape partly in the contest of wills between the leadership in Virginia and British officials. They were also refined in the debate between those same leaders in the colony and their own constituents.



A View of the House of Commons. B. Cole sculp.

A View of the House of Commons, B. Cole. black and white line engraving, England, ca. 1755. (Acc. No. 1932-109). viii-a



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Virginia Politics

Since the late seventeenth century Virginia's political leaders had maintained their control of society by persuading middling planters that they all shared a common set of values grounded on social deference, familial patriarchy, marketplace patronage, and slavery. That alliance began to unravel in the 1760s as the yeomanry became more ethnically and religiously diverse. Gentlemen adjusted their appeal to the yeomanry accordingly. They began to celebrate property ownership as the link that bound gentry and freeholder interests together. They warned that, if Virginians lost control of their property (symbolized by the threat of taxation imposed by Parliament), they were little better than slaves. It was a threat that no white, property-owning Virginian could misunderstand. Their firm identification of themselves as "not slaves" perpetuated the social chasm between whites and blacks.

This appeal to a shared economic interest and the political discourse that followed from it revealed that the political system in Virginia had diverged from the British model in significant respects. New economic and social opportunities in Virginia, unencumbered by the restraints of an inherited hierarchy, encouraged ambitious individuals to advance their own self-interests regardless of background. Furthermore, free Virginians had greater access to land than did their British counterparts. As a result, the franchise was more widely held in the colony. The frequently repeated gentry claim that elected assembly in Virginia represented the "peoples' interests" rang true, especially in contrast to a corrupt, interest-ridden (and their own former) Parliament. Williamsburg voters self-consciously elevated their own election behavior above British practice in July 1774 by instructing their representative to forego the ancient expedient of "treating" the voters, lest it taint the forthcoming election by implying that the suffrage of a free people could be bought for a few cups of bumbo. Portraying Virginia as a freehold republic bestowed an unassailable virtue on the idea of separation from the mother country for the gentry and yeomanry alike. When Virginians codified their newly forged principles in the "Declaration of Rights," the idea of independence became an act of moral rectitude.

To imagine a nation independent from Great Britain, Virginians first had to believe themselves capable of self-government. The systems of local and provincial governance that had been evolving in colonial Virginia strengthened the conviction that they were ready. Gentry control of local institutions, especially the county court and the vestry, led to strength in provincial affairs. By the mid-eighteenth century the House of Burgesses had consolidated its power at the expense of the royal governor.

Even as the political leadership concentrated power in its own hands, grassroots politics was shifting toward a more popular style. Virginia's newspapers helped create a public political forum shared by literate yeomen and gentry. Circulated and discussed at taverns, stores, and other informal meeting places, they linked together a widely

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separated readership and fostered a new informed citizenry. The House of Burgesses, at the center of events between 1765 and 1776, came to stand for the ideal of self-government for all free Virginians. The importance of the assembly as the "peoples' forum" was demonstrated in 1775 and 1776 when yeomen voters, flexing their new civic muscle, instructed their elected burgesses how to vote as the imperial crisis worsened. On 24 April 1776, the James City County freeholders, meeting at Allen's Ordinary outside Williamsburg, declared that the time had come for the colonies to sever their connection with Great Britain. They ordered their representatives to the Fifth Convention, William Norvell and Robert Carter Nicholas, to exert their "utmost" abilities to see that it happened.

Virginia was a highly stratified society on the eve of Revolution, yet social advancement was still possible because of the availability of land. Restrictions on settlement of the frontier following the Seven Years War had struck at the heart of Virginians' hopes for economic and social advancement. In fact, land ownership was broadly enough shared that yeomen embraced the leadership's conception of Virginia as a freehold republic. As small planters experienced growing difficulties securing land during the war years, shortages only enhanced their aspirations to become land and property owners that much more. Virginians reaffirmed their belief in the primacy of landownership in the Declaration of Rights, which proclaimed that all men were entitled to the "enjoyment of Life and liberty with the means of acquiring and possessing property."

But all men and women were not thought to be equally free. Virginia lived uneasily with the paradox of celebrating freedom while condoning slavery. Political rhetoric defending personal freedom was belied by the reality of 200,000 enslaved blacks who were denied the most basic liberties. The same rhetoric that defended private property, and thereby gave official sanction to racism, prevented colonists who were troubled by the contradiction between principle and practice from making any effective response. Fear also blocked reform. Virginians feared slaves insurrections; they also feared the social chaos, economic disruption, and loss of property should slavery end. Governor Dunmore played on these fears when he summoned Virginia slaves to join the British cause against the rebel slave masters. In the end, the paradox of slavery was simply acknowledged and removed from political discourse.

Choosing Sides

Going to war against Great Britain was a bold—some said suicidal—act. That decision stands as a defining moment in the "Becoming Americans" story just as it came as a moment of truth for every man, woman, and child—slave or free—in Virginia. Once war was declared, individuals made responsible, expedient, considered choices as they took the measure of their political loyalties—or declined to do so, preferring to

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hedge their bets. Some Virginians, including John Randolph and George Pitt, believed that war with the Mother Country was such a reckless, misguided course of action that they exiled themselves to England rather than participate. Other loyalists chose to remain in Virginia, where they suffered hardship and persecution for their devotion to Great Britain.

Still others gladly embraced the idea of independence. James Innes, usher at the College, became captain of the Williamsburg company of volunteers. Edward Digges of Williamsburg left the College before he was sixteen to join the soldiery. Some people reluctantly joined ranks with the more fervent patriots.

A significant number chose to defer a decision until the military success of one side or another seemed assured or until local pressure made further indecision untenable. A few, like Williamsburg printer William Hunter and lawyer James Hubbard, switched sides. In most cases, dependent family members followed the choice of the head of the household (whether man or woman) and shared in the consequences willy-nilly. Occasionally sons or slaves made opposite choices. Edmund Randolph, for example, did not share his father's loyalty to the king's cause and remained in Virginia. Slaves from several Williamsburg households, including Betty Randolph's, the Cockes', and the McClurges', defected to the British army in 1781.

Economics as well as ideology figured in the choice for or against revolution. Merchants dependent on commerce with Great Britain, for example, stood to lose by a declaration of war. Milliner Catherine Rathell closed her business and boarded a ship for Great Britain. By contrast, trades that produced the materiel of war stood to prosper from the conflict. James Anderson, blacksmith, and Peter Powell, wheelwright, were Williamsburg tradesmen who expanded their operations to supply the American army. The dependent family members of those absent during the conflict had to assume additional, and often unfamiliar, responsibilities for the management of businesses, farms, and plantations. Increased home manufacture of goods such as textiles affected the duties of women and slaves.

Native American groups also chose sides during the war, basing their decisions on the outcome they believed would serve the group's interest best. Many hoped that the upheaval between the whites would enable them to regain some ground. In 1775 Dunmore tried unsuccessfully to combine Native Americans with British forces to cut Virginia off from the northern colonies further inflaming anti-British sentiments in the colony. To the northward, British Major Henry Hamilton allied with Indians to harass the frontier. Ultimately the captured Hamilton was brought to the public gaol in Williamsburg.

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British forces and Americans committed atrocities against the other's Indian allies, sometimes causing the allies to change sides. The Cherokee supported by the British, attacked the southern frontier, but, when their towns were ravaged by the Americans, the Cherokee sued for peace. After a preliminary treaty had been negotiated with that nation, forty Cherokee men and women came to Williamsburg in 1777 on a goodwill visit.

George Rogers Clark with relatively few troops kept the British and Indians sufficiently occupied, so that American armies in the east were not needed in the west. Neither British nor Americans won decisive victory in the west, and the Native Americans obtained no permanent advantage from their participation. The Cherokee, in fact, were forced to negotiate away even more land.

Conclusion

Every Virginian knew that, if the patriots prevailed, thirteen separate colonies would form a new, independent nation. Victory would turn rebellion into revolution. The war years transformed the political rhetoric of protest into the political philosophy that later guided nation-building. It left unresolved the irreconcilable tension between individual liberty and the public good, the twin promises of freedom and equality. What emerged in Virginia was a society dedicated to widespread property ownership among free whites. Their relatively easy access to land gave rise to the fundamental American belief that, despite great disparities in wealth and reputation, this was "the best poor man's country" where hard work and enterprise could produce a "decent competence."

The balance between individual liberty and the public good remains unresolved in American society. It never can be. Each generation gives the edge to one or the other as new issues arise, usually through legislation or judicial review. Each reinterpretation reopens the ancient contest, as the current debates about both freedom of religion and freedom of expression illustrate. Invariably these issues push roots deep into the soil of Revolutionary ideals. The issue of use of private property versus environmental protection traces its origins to Revolutionary ideas about the inviolability of private property in the land of opportunity on the one hand and the greater good of all on the other.

The efforts of Virginia gentlemen to make common cause with the yeomanry produced far-reaching consequences. Their promotion of property ownership almost as a sacred right ultimately protected the practice of slavery. Belief in the sanctity of property posed an unsolvable dilemma for many revolutionary Virginians. They knew that slavery was wrong, but they also believed that legislation to free slaves without just compensation to the slaves' owners, would be tantamount to confiscation and, therefore, equally wrong. Other Virginians, whose self-interest embraced slave ownership,



THE ALTERNATIVE OF WILLIAMS-BURG.

Plate IV.

London Printed for R. Sayer, & J. Bennett, N^o. 33 Fleet Street as the Act directs in Feb 1775.

The Alternative to Williamsburg, attributed to Philip Dawe, black and white mezzotint, England, February 16, 1775. Virginia loyalists are being forced to sign either the Association or the Resolutions drawn up by the Williamsburg Convention of August 1774. The alternative is to be tarred and feathered. (Acc. No. 1960-131). Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976. xii-a



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defended slavery as compatible with democratic republican ideals. They cited the example of ancient Rome. They noted that any group of people who could be bent to the will of another were unworthy of citizenship in a republic. This definition included the poor and dependent. And who was poorer or more dependent than a slave? They concluded that the preservation of the republic ultimately protected the poor and dependent. This line of reasoning forestalled any serious abolition movement in Virginia, and it later became a keystone in Virginians' definition of republicanism. Furthermore, to cement their alliance with the yeomanry, some wealthy landowners deliberately preyed on the fears and prejudices that most whites harbored about African Americans. This racist view of African Americans as inferior to whites and as a potentially explosive element in society kept them disenfranchised well into the twentieth century. It continues to reverberate in contemporary society.

A country founded on an armed rebellion finds itself in a quandary. Its government is obliged to legitimize its origins, while discouraging and suppressing later imitators who would raise the banner of civil war. From the Whiskey Rebellion through the Civil War to modern "militia groups," some dissenters in American society have used the American Revolution to justify violent rebellion against the federal government.

Yet most change in our society has been channeled through the institutions of government that our written constitution established after the Revolutionary War. Even so, social change has often been slow in coming. The franchise or equal treatment under the law have been extended to women, racial and ethnic minorities, immigrants, and children only in the twentieth century. Some groups still seek freedom from discrimination. As Americans we struggle ceaselessly to redefine the reality of liberty, freedom, and equality.

CHOOSING REVOLUTION

2

"CHOOSING REVOLUTION" AND THE BECOMING AMERICANS THEME

Diverse Peoples

The most obvious protagonists of the "Choosing Revolution" storyline were the British ministers, backed by Parliament, and Virginia's political leaders. Faced with the need to manage a widespread empire after the Seven Years War, British bureaucrats became convinced that the central government must have ultimate authority over imperial affairs even in the colonies. At issue for Virginians was their continued "right" to legislate (and tax) on matters concerning Virginia. Two groups emerged in the Virginia leadership—an older, more conservative clique of powerful planters and a younger "popular" group of burgesses who felt that the colony should mount a forceful protest against British importunities. For that purpose, the leadership needed the backing of the middling sort. The yeomanry was not as homogeneous in the 1760s and 'seventies as it once had been. Backcountry German and Ulster Scots settlers, as well as growing numbers of religious dissenters, shared few of the values of the Virginia gentry.

Clashing Interests

The interests of the Virginia yeomanry and the gentlemen freeholders were often in conflict. Planters flooding into southside Virginia faced different economic needs than tidewater planters. Germans and Ulster Scots settling the backcountry brought different ethnic values with them. Growing numbers of religious dissenters in the 1760s and 1770s openly condemned the dissipation and extravagance of gentry culture. The slaves' desire for personal freedom and white people's perception of slaves as chattel property produced unresolvable conflicts of interest.

Shared Values

The colony's most powerful gentlemen emphasized property ownership as the fundamental link between themselves and yeomanry, enabling them to make common cause against British policies that assailed property rights and diminished opportunities to acquire land. Land was a symbol of social and economic advancement for all whites. Emphasis on property further solidified the institution of slavery, as did the shared racial prejudice of most white Virginians.

Formative Institutions

The hint that their interests mattered politically encouraged yeomen to participate actively in the public political forum. Newspapers allowed them to share their views in

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a common, broadly based, political discourse. Extralegal county-wide meetings of freeholders presented immediate opportunities for yeoman participation and influence. The House of Burgesses became increasingly significant as a body of the people's representatives.

Partial Freedoms

White property holders who espoused the Revolutionary cause enjoyed the lion's share of privileges in Virginia. They were the voters and office holders. As the alternatives narrowed down to a war for independence in 1775 and 1776, and during the ensuing conflict many Virginians became increasingly intolerant of dissenting political viewpoints and sought to forge a consensus by the raw exercise of the majority's power. Those who could not bring themselves to accept the patriots' position suffered accordingly. Some were forced into silence. Others were exiled and their property confiscated. Still other losers were those Virginians who were defined by political theorists of the day as undeserving of participation in civic society. Women, free African Americans, and poor, propertyless white men were judged too dependent and too deficient in good sense to make the morally responsible decisions necessary to exercise the full rights of citizenship. Slaves who did not attain freedom by escape remained enmeshed in a system that treated them as property.

Revolutionary Promise

Before delegates to the Fifth Virginia Convention adopted George Mason's draft of the Declaration of Rights, which declared "all men to be born equally free and independent," they added a clause stating that men were entitled to rights only "when they enter into a state of society." This addition made explicit the exclusionary principle that disenfranchised women and African Americans until the twentieth century. The promises of freedom and equality have remained elusive for some subcultures in American society.

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3

CONNECTIONS WITH OTHER STORYLINES

Taking Possession

Imperial prohibitions against settlement west of the Alleghenies were little heeded by colonial Virginians who staked their fortunes and futures on western lands. The larger franchise was a reflection of widespread land ownership in the colony. Individual choices for or against revolution were powerfully influenced by the promise and reality of owning land. Westward expansion also brought conflict with Native Americans.

Enslaving Virginia

Critics on both sides of the Atlantic, including Englishman Samuel Johnson, were quick to point out the hypocrisy of white Virginians who insisted on their own liberty while denying it to slaves. The advent of revolution nevertheless presented them with alternatives. Some chose loyalty to England as a path to freedom; others fought for the American cause.

Transforming Family

The centuries-old image of the father as patriarch was gradually superseded during the eighteenth century by a new ideal that stressed liberality governed by affection. This important shift in family relationships carried a political message as well insofar as it undercut one prop supporting monarchical authority. As political protest turned to war, women and children often acted as heads of households, running farms and businesses in the absence of fathers and husbands. The revolution also divided families and disrupted family life. Choices split siblings and generations. Sometimes lesser family members were forced to accede to the patriarch's preferences. Other times members willfully severed familial ties. Sons made choices independent of and different from their fathers. Slaves who ran away from their white masters often left behind their own kin.

Buying Respectability

Virginia's protest leaders shrewdly calculated the importance of the consumer market when they planned the boycotts of British goods. High demand for manufactured and imported consumer goods was a consequence of an expanding middle-class market for commodities once thought appropriate only for the gentry class. Americans in every colony shared the consumer experience. Taxes on imported goods gave colonists reason to regard themselves all as victims of British tyranny. Consumer goods became potent

CHOOSING REVOLUTION

political symbols. Non-importation associations emphasized local production bringing forward changes in the household economy, including production of cloth by women.

Freeing Religion

Religious dissenters after mid-century resented laws that required state support for the Anglican church. Their grievances opened a dialogue that eventually led to disestablishment. Evangelicals who decried the immorality of the social elite in Virginia rehearsed a revolutionary rhetoric that contrasted English corruption with American virtue. The evangelicals influenced politicians. A new political style developed that celebrated common people gathered together in popular assemblies.

Storyline Team: Bill White, Harvie Bakari, Carol Dozier, Jan Gilliam, Tom Hay, Cathy Hellier, Russ Lawson, Nancy Milton, Ken Schwarz.

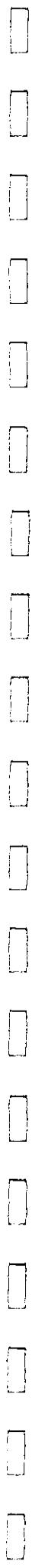
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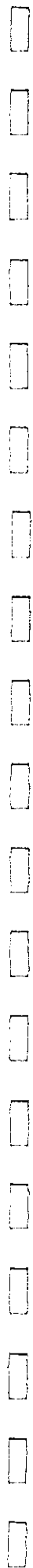
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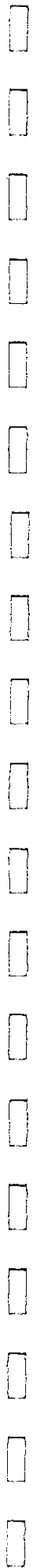
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PART I

The End of the Seven Years War





Introduction

With his ascension to the throne in 1760, the young monarch George III had begun a reshuffling of the key cabinet posts. By the end of the war in 1763 the man who emerged as the chief minister and principal architect of imperial policy was George Grenville, chancellor of the exchequer. Step by step he and his associates moved to meet each exigency with a series of administrative orders and acts of Parliament. Over a brief span of two years an unprecedented variety of colonial regulatory measures unfolded.

Grenville took over, too, in the face of a new crisis that made the presence of an army in North America seem fortunate. In May 1763 a full-scale Indian uprising under the leadership of the Ottawa chieftain Pontiac erupted in the region near Detroit and spread quickly eastward as far as the frontiers of Pennsylvania and Virginia. Although virtually every western post fell except Detroit and Fort Pitt, both of which were besieged, British forces under Colonel Henry Bouquet were able to relieve Fort Pitt by August and force the Indians to raise their siege of Detroit. The unrest placed greater urgency on the task of organizing civil government and evolving Indian and land policies for the newly secured territories. The result was the King's Proclamation of October 7, 1763, which established several new British colonial governments, including Quebec. It also excluded from both Quebec and the older seaboard colonies all of the vast region between a line drawn roughly along the crest of the Alleghenies and the Mississippi River, closed it to white settlers, and "for the present, and until our further pleasure be known" reserved it to the Indians who lived there. The competing interest on one side or the other of the question -- those of the Indians themselves, Indian traders, colonial and military officials, land speculators from England and various colonies -- were unusually complex, but it was the speculators who saw their ambitions particularly thwarted by the establishment of the Proclamation Line.

Colonial Virginia: A History, Warren M. Billings, John E. Selby, Thad W. Tate, KTO Press, White Plains, New York, pp. 286-287.

* * * * *

The Proclamation of 1763 (7 October 1763)

The Proclamation of 1763 had a dual purpose. The first was to provide for the establishment of governments in the new territories acquired as a result of the Seven Years War. The second was to provide for imperial control of Indian affairs in the new lands acquired by the Crown. This question had been under consideration during the war and was given point by the news of a great Indian uprising in the west, Pontiac's Rebellion, which began in May 1763, and resulted in the capture of all the British posts in the west except Fort Pitt and Detroit. The rebellion was suppressed in 1764, but the news of it had influence on the Proclamation of 1763. It drew a boundary line along the headwaters of rivers running into the Atlantic. The colonists were

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forbidden to settle beyond it, although some had already established themselves there. The right to purchase land west of the line was reserved to the Crown. The Indian trade, which had caused so much discontent among the Indians, was to be regulated by imperial officers. The British attitude towards the Indians and westward expansion was to be less consistent than almost any other phase of policy in the years after 1763.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, M.A., Ph.D., Professor of History at the University of Wisconsin, Oxford University Press, New York, 1955.

* * * * *

Royal Proclamations.

1763, October 7.

[Establishing New Governments in America.]

BY THE KING.

A PROCLAMATION

George R.

Whereas We have taken into Our Royal Consideration the extensive and valuable Acquisitions in America, secured to Our Crown by the late Definitive Treaty of Peace, concluded at Paris the Tenth Day of February last; and being desirous, that all Our loving Subjects, as well of Our Kingdoms as of Our Colonies in America, may avail themselves, with all convenient Speed, of the great Benefits and Advantages which must accrue therefrom to their Commerce, Manufactures, and Navigation; We have thought fit, with the Advice of Our Privy Council, to issue this Our Royal Proclamation, hereby to publish and declare to all Our loving Subjects, that We have, with the Advice of Our said Privy Council, granted Our Letters Patent under Our Great Seal of Great Britain, to erect within the Countries and Islands ceded and confirmed to Us by the said Treaty, Four distinct and separate Governments, stiled and called by the Names of Quebec, East Florida, West Florida, and Grenada, and limited and bounded as follows; viz.

First. The Government of Quebec, bounded on the Labrador Coast by the River St. John, and from thence by a Line drawn from the Head of that River through the Lake St. John to the South End of the Lake nigh Pissin; from whence the said Line crossing the River St. Lawrence and the Lake Champlain in Forty five Degrees of North Latitude, passes along the High Lands which divide the Rivers that empty themselves into the said River St. Lawrence, from those which fall into the Sea; and also along the North Coast of the Baye des Chaleurs, and the Coast of the Gulph of St. Lawrence to Cap Rosieres, and from thence crossing the Mouth of the River St. Lawrence by the West End of the Island of Anticosti, terminates at the aforesaid River of St. John.

PROCLAMATION OF 1763

Secondly. The Government of East Florida, bounded to the Westward by the Gulph of Mexico, and the Apalachicola River; to the Northward, by a Line drawn from that Part of the said River where the Chatahouchee and Flint Rivers meet, to the Source of St. Mary's River, and by the Course of the said River to the Atlantick Ocean; and to the Eastward and Southward, by the Atlantick Ocean, and the Gulph of Florida, including all Islands within Six leagues of the Sea Coast.

Thirdly. The Government of West Florida, bounded to the Southward by the Gulph of Mexico, including all Islands within Six Leagues of the Coast from the River Apalachicola to Lake Pentchartrain; to the Westward, by the said Lake, and Lake Mauripas, and the River Mississippi; to the Northward, by a Line drawn due East from that Part of the River Mississippi which lies in the Thirty one Degrees North Latitude, to the River Apalachicola or Chatahouchee; and to the Eastward by the said River.

Fourthly. The Government of Grenada, comprehending the Island of that Name, together with the Grenadines, and the Islands of Dominico, St. Vincents, and Tobago.

And, to the end that the open and free Fishery of Our Subjects may be extended to and carried on upon the Coast of Labrador and the adjacent Islands, We have thought fit, with the Advice of Our said Privy Council, to put all that Coast, from the River St. John's to Hudson's Streights, together with the Island of Anticosti and Madelaine, and all other smaller Islands lying upon the said Coast, under the Care and Inspection of Our Governor of Newfoundland.

We have also, with the Advice of Our Privy Council, thought fit to annex the Islands of St. John's, and Cape Breton or Isle Royale, with the lesser Islands adjacent thereto, to Our Government of Nova Scotia.

We have also, with the Advice of Our Privy Council aforesaid, annexed to Our Province of Georgia all the Lands lying between the Rivers Attamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling Our said new Governments, that Our loving Subjects should be informed of Our Paternal Care for the Security of the Liberties and Properties of those who are and shall become Inhabitants thereof; We have thought fit to publish and declare, by this Our Proclamation, that We have, in the Letters Patent under Our Great Seal of Great Britain, by which the said Governments are constituted, given express Power and Direction to Our Governors of Our said Colonies respectively, that so soon as the State and Circumstances of the said Colonies will admit thereof, they shall, with the Advice and Consent of the Members of Our Council, summon and call General Assemblies within the said Governments respectively, in such Manner and Form as is used and directed in those Colonies and Provinces in America, which are under Our immediate Government; and We have also given Power to the said Governors,

Powers of
Governors in
new regions

PROCLAMATION OF 1763

with the Consent of Our said Councils, and the Representatives of the People, so to be summoned as aforesaid, to make, constitute, and ordain laws, Statutes, and Ordinances for the Publick Peace, Welfare, and Good Government of Our said Colonies, and of the People and Inhabitants thereof, as near as may be agreeable to the Law of England, and under such Regulations and Restrictions as are used in other Colonies: And in the mean Time, and until such Assemblies can be called as aforesaid, all Persons inhabiting in, or resorting to Our said Colonies, may confide in Our Royal Protection for the Enjoyment of the Benefit of the Laws of Our Realm of England; for which Purpose, We have given Power under Our Great Seal to the Governors of Our said Colonies respectively to erect and constitute, with the Advice of Our said Councils respectively, Courts of Judicature and Publick Justice, within Our said Colonies, for the hearing and determining all Causes, as well Criminal as Civil, according to Law and Equity, and as near as may be agreeable to the Laws of England, with Liberty to all Persons who may think themselves aggrieved by the Sentences of such Courts, in all Civil Cases, to appeal, under the usual Limitations and Restrictions, to Us in Our Privy Council.

We have also thought fit, with the Advice of Our Privy Council as aforesaid, to give until the Governors and Councils of Our said Three New Colonies upon the Continent, full Power and Authority to settle and agree with the Inhabitants of Our said New Colonies, or with any other Persons who shall resort thereto, for such Lands, Tenements, and Hereditaments, as are now, or hereafter shall be in Our Power to dispose of, and them to grant to any such Person or Persons, upon such Terms, and under such moderate Quit-Rents, Services, and Acknowledgements as have been appointed and settled in Our other Colonies, and under such other Conditions as shall appear to Us to be necessary and expedient for the Advantage of the Grantees, and the Improvement and Settlement of our said Colonies.

As whereas We are desirous upon all Occasions, to testify Our Royal Sense and Approbation of the Conduct and Bravery of the Officers and Soldiers of Our Armies, and to reward the same, We do hereby command and empower Our Governors of Our said Three New Colonies, and all other Our Governors of Our several Provinces on the Continent of North America, to grant, without Fee or Reward, to such Reduced Officers as have served in North America during the late War, and to such Private Soldiers as have been or shall be disbanded in America, and are actually residing there, and shall personally apply for the same, the following Quantities of Lands, subject at the Expiration of Ten Years to the same Quit-Rents as other Lands are subject to in the Province within which they are granted, as also subject to the same Conditions of Cultivation and Improvement; viz.

To every Person having the Rank of a Field Officer, Five thousand Acres. -- To every Captain, Three thousand Acres. -- To every Subaltern or Staff Officer, Two thousand Acres. -- To every Non-Commission Officer, Two hundred Acres. -- To every Private

Land reserved
to Soldiers

PROCLAMATION OF 1763

Man, Fifty Acres.

We do likewise authorize and require the Governors and Commanders in Chief of all Our said Colonies upon the Continent of North America, to grant the like Quantities of Land, and upon the same Conditions, to such Reduced Officers of Our Navy, with like Rank, as served on Board Our ships of War in North America at the Times of the Reduction of Louisbourg and Quebec in the late War, and who shall personally apply to Our respective Governors for such Grants.

And whereas it is just and reasonable, and essential to Our Interest and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds; We do therefore, with the Advice of Our Privy Council, declare it to be Our Royal Will and Pleasure, that no Governor or Commander in Chief in any of Our Colonies of Quebec, East Florida, or West Florida, do presume upon any Pretence whatever, to grant Warrants of Survey, or pass any Patents for Lands beyond the Bounds of their respective Governments, as described in their Commissions; as also, that no Governor or Commander in Chief in any of Our other Colonies or Plantations in America, do presume, for the present, and until Our further Pleasure be known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantick Ocean from the West and North-West, or upon any Lands whatever, which, not having been ceded to, or purchased by Us as aforesaid, are reserved to the said Indians, or any of them,

Land
Restrictions

And We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under Our Sovereignty, Protection, and Dominion, for the Use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three New Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West, as aforesaid, and We do hereby strictly forbid, on Pain of Our Displeasure, all Our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without Our especial Leave and Licence for that Purpose first obtained.

Indian
Land

And We do further strictly enjoin and require all Persons whatever, who have either wilfully or inadvertently seated themselves upon any Lands within the Countries above described, or upon any other Lands, which, not having been ceded to, or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such Settlements.

PROCLAMATION OF 1763

And whereas great Frauds and Abuses have been committed in the purchasing Lands of the Indians, to the great Prejudice of Our Interests, and to the great Dissatisfaction of the said Indians; in order therefore to prevent such Irregularities for the future, and to the End that the Indians may be convinced of Our Justice, and determined resolution to remove all reasonable Cause of Discontent, We do, with the Advice of Our Privy Council, strictly enjoin and require, that no private Person do presume to make any Purchase from the said Indians of any Lands reserved to the said Indians, within those Parts of Our Colonies where We have thought proper to allow Settlement; but that if, at any Time, any of the said Indians should be included to dispose of the said Lands, the same shall be purchased only for Us, in Our name, at some publick Meeting or Assembly of the said Indians to be held for that Purpose by the Governor or Commander in Chief of Our Colonies respectively, within which they shall lie: and in case they shall lie within the Limits of any Proprietary Government, they shall be purchased only for the Use and in the Name of such Proprietaries, conformable to such Directions and Instructions as We or they shall think proper to give for that Purpose: And we do, by the Advice of Our Privy Council, declare and enjoin, that the Trade with the said Indians shall be free and open to all our Subjects whatever; provided that every Person, who may incline to trade with the said Indians, do take out a Licence for carrying on such Trade from the Governor or Commander in Chief of any of Our Colonies respectively, where such Person shall reside; and also give Security to observe such Regulations as We shall at any Time think fit, by Ourselves or by Our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade; And We do hereby authorize for the Benefit of the said Trade; And we do hereby authorize, enjoin, and require the Governors and Commanders in Chief of all Our Colonies respectively, as well Those under Our immediate Government as those under the Government and Direction of Proprietaries, to grant such Licenses without Fee or Reward, taking especial Care to insert therein a Condition, that such Licence shall be void, and the Security forfeited, in Case the Person, to whom the same is granted, shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.

And We do further expressly enjoin and require all Officers whatever, as well Military as those employed in the Management and Direction of Indian Affairs within the Territories reserved as aforesaid for the Use of the said Indians, to seize and apprehend all Persons whatever who, standing charged with Treasons, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice, and take Refuge in the said Territory, and to send them under a proper Guard to the Colony where the Crime was committed of which they stand accused, in order to take their Tryal for the same.

Given at Our Court at St. James's, the Seventh Day of October; One thousand seven hundred and sixty three, in the Third Year of Our Reign.

PROCLAMATION OF 1763

GOD SAVE THE KING.

London: Printed by Mark Baskett, Printer to the King's most Excellent Majesty; and by the Assigns of Robert Baskett. 1763.

Transactions and Collections of the American Antiquarian Society, Vol. 12, 1911.

* * * * *

By the Treaty of Paris that ended the French and Indian War in 1763, Great Britain had expelled France from the North American mainland and more than doubled the area of the British American empire to include Canada and all the territory east of the Mississippi River, except the city of New Orleans. Faced with the added expense of these new possessions on top of the crushing debts of the war, the British government asserted the right of Parliament to tax the American colonies to help pay for their own defense and administration. The virtually unanimous reply from America was that by ancient right colonists could be taxed only by their representatives in colonial legislatures. There followed more than ten years of abstract but acrimonious debate over the extent of Parliament's authority, debate punctuated by death and destruction of property as colonists upon occasion resisted British claims by force.

The Revolution in Virginia 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988.

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Instructions to Board of Trade

Between 1763 and 1765 there came a series of administrative decisions and parliamentary Acts which sought to improve the enforcement of the Acts of Navigation and the collection of customs. While this was an end in itself, it had the additional purpose of increasing revenue to the point where the colonial customs service would pay for itself and, in addition, provide some portion of the cost of the army in America. It was obvious, however, that even a completely reformed and efficient customs organization would not produce enough to materially assist in the payment of military expenditures. Barring the improbable solution of voluntary support by the colonies, the only alternative was parliamentary taxes levied upon them, and this too was tried.

In 1763 the first step was an Act of Parliament authorizing the use of naval vessels to help enforce the Acts of trade and navigation. Meanwhile the Treasury investigated the colonial customs service and issued a report stating what it had done in the way of reform and urging new legislation. The Privy Council enacted this report as an Order in Council. The Proclamation of 1763 established policies for regulating affairs

PROCLAMATION OF 1763

with the western Indians and for the organization and control of new areas acquired as a result of the war. In 1764 the so-called "Sugar Act" was enacted. It made some changes in duties and drawbacks and declared the Molasses Act of 1733 to be perpetual. But above all, it was a sweeping reform of colonial customs procedures and of the methods of trying cases of violation. The Currency Act of 1764 forbade the colonies to issue any more legal tender paper currency. In 1765 came the Stamp Act, which was the first attempt to raise money within the colonies through direct taxes levied by Parliament. During the same year a Quartering Act set forth regulations requiring colonial legislatures to pay for certain specified articles used by the British troops in the colonies.

Shortly after the completion of this administrative and legislative program the Grenville ministry was forced from power, for reasons that had nothing to do with colonial affairs, and was replaced by one headed by the Marquis of Rockingham. The new ministry was thus left to face the storm of opposition which had been brewing ever since 1763 in the colonies, and which became violent with the news of the passage of the Stamp Act.

English Historical Documents - American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955.

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Marc Egnal, in his article "The Origins of the Revolution in Virginia: A Reinterpretation," argues that expansionists were the leaders of the Revolutionary movement.

Expansionism, as used here, is the belief that the colonies should be rapidly growing commonwealths, unrestricted by hostile Indians or unfriendly European nations. This outlook has at its nub a willingness to take forthright measures against any power that hindered the colonies from becoming prosperous, self-assertive states and should be distinguished from the more widely shared desire to speculate in western lands.

The expansionists, a faction that included the Lees, Masons, and Washingtons, held that aggressive actions were justified if they helped assert provincial rights. These men also shared a belief in a glorious future for America. Such views, which emerged in the late 1740s and in the 1750s, were rooted in self-interest. The expansionists lived near the frontier and along the Potomac River, and were most immediately threatened by French advances in the Ohio Valley. Clashes with the Bourbons engendered in these planters the attitude that forceful moves

PROCLAMATION OF 1763

were necessary to extend colonial sovereignty. This point of view continued to guide the expansionists through the 1760s and 1770s, and thus helped determine not only the faction's bellicose response to the French and natives, but also its firm opposition to the British. Such attitudes ramified into a strong concern for the domestic economy and a readiness to take drastic steps to counter the depression of the 1760s.

William and Mary Quarterly, 3rd Series, Vol. XXXVII, 1980, published by the Institute of Early American History and Culture, Williamsburg, VA.

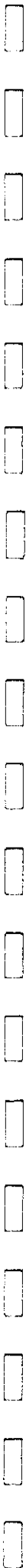
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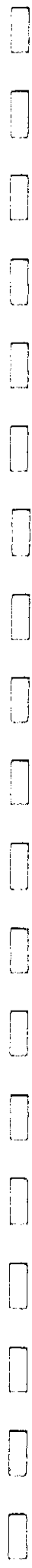


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PART II

Taxation and Colonial Scandal



Introduction

Taxation and the Stamp Act

Lord Chancellor Camden...declared...that for some time he had beheld with silent indignation the arbitrary measures which were pursuing by the ministry;...that, however, he would do so no longer, but would openly and boldly speak his sentiments...In a word, he accused the ministry...of having formed a conspiracy against the liberties of their country. (Report of Speech in the House of Lords, 1770)

*A series of occurrences, many recent events,...afford great reason to believe that a deep-laid and desperate plan of imperial despotism has been laid, and partly executed, for the extinction of all civil liberty...The august and once revered fortress of English freedom - the admirable work of ages -- the **BRITISH CONSTITUTION** seems fast tottering into fatal and inevitable ruin. The dreadful catastrophe threatens universal havoc, and presents an awful warning to hazard all if, peradventure, we in these distant confines of the earth may prevent being totally overwhelmed and buried under the ruins of our most established rights.* (Boston Town Meeting to its Assembly Representatives, 1770)

It is the meaning imparted to the events after 1763 that lies behind the colonists' rebellion. In the context of these ideas, the controversial issues centering on the question of Parliament's jurisdiction in America acquired as a group new and overwhelming significance. The colonists believed they saw emerging from the welter of events during the decade after the Stamp Act a pattern whose meaning was unmistakable. They saw in the measures taken by the British government and in the actions of officials in the colonies something for which their peculiar inheritance of thought had prepared them only too well, something they had long conceived to be a possibility in view of the known tendencies of history and of the present state of affairs in England. They saw about them, with increasing clarity, not merely mistaken, or even evil, policies violating the principles upon which freedom rested, but what appeared to be evidence of nothing less than a deliberate assault launched surreptitiously by plotters against liberty both in England and in America. The danger to America, it was believed, was in fact only the small, immediately visible part of the greater whole whose ultimate manifestation would be the destruction of the English constitution, with all the rights and privileges embedded in it.

This belief transformed the meaning of the colonists' struggle, and it added an inner accelerator to the movement of opposition. For, once assumed, it could not be easily dispelled: denial only confirmed it, since what conspirators profess is not what they believe; the ostensible is not the real; and the real is deliberately malign.

It was this -- the overwhelming evidence, as they saw it, that they were faced with conspirators against liberty determined at all costs to gain ends which their words dissembled -- that was signaled to the colonists after 1763, and it was this above

STAMP ACT

this above all else that in the end propelled them into Revolution.

The Ideological Origins of the American Revolution, Bernard Bailyn, The Belknap Press of Harvard University Press, Cambridge, MA; London, England; 1967.

The Stamp Act

An act for granting and applying certain stamp duties, and other duties, in the British colonies and plantations in America, towards further defraying the expences of defending, protecting, and securing the same; and for amending such parts of the several acts of parliament relating to the trade and revenues of the said colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned.

WHEREAS by an act made in the last session of parliament, several duties were granted, continued, and appropriated, towards defraying the expences of defending, protecting, and securing, the British colonies and plantations in America: and whereas it is just and necessary, that provision be made for raising a further revenue within your Majesty's dominions in America, towards defraying the said expences: we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have therefore resolved to give and grant unto your Majesty the several rates and duties herein after mentioned; and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of November, stamp duties one thousand seven hundred and sixty five, there shall be raised, levied, collected, and paid unto his Majesty, his heirs, and successors, throughout the colonies and plantations in America which now are, or hereafter may be, under the dominion of his Majesty, his heirs and successors,

Preamble

The following stamp duties to take place from and after 1 Nov. 1765.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be ingrossed, written or printed, any declaration, plea, replication, rejoinder, demurrer, or other pleading, or any copy thereof, in any court of law within the British colonies and plantations in America, a stamp duty of three pence.

On all declarations, pleas,... 3d. per sheet.

any special bail and appearance upon such bail in any such court, a stamp duty of two shillings.

Special bail... 2s. per sheet.

any petition, bill, answer, claim, plea, replication, rejoinder, demurrer, or other pleading in any court of chancery or equity within the said colonies and plantations, a stamp duty of one shilling and six pence.

Petitions, bills... 1s. 6d. per sheet

STAMP ACT

any copy of any petition, bill, answer, claim, plea, replication, rejoinder, demurrer, or other pleading in any such court, a stamp duty of three pence.

Copies of
petitions....
3d. per sheet.

any monition, libel, answer, allegation, inventory, or renunciation in ecclesiastical matters in any court of probate, court of the ordinary, or other court exercising ecclesiastical jurisdiction within the said colonies and plantations, a stamp duty of one shilling.

Monitions,
libels....
1s. per sheet.

any copy of any will (other than the probate thereof) monition, libel, answer, allegation, inventory, or renunciation in ecclesiastical matters in any such court, a stamp duty of six pence.

Copy of wills,
monitions....
6d. per sheet.

any donation, presentation, collation, or institution of or to any benefice, or any writ of instrument for the like purpose, or any register, entry, testimonial, or certificate of any degree taken in any university, academy, college, or seminary of learning within the said colonies and plantations, a stamp duty of two pounds.

Donations,
presentations...
£2 per sheet.

any monition, libel, claim, answer, allegation, information, letter of request, execution, renunciation, inventory, or other pleading, in any admiralty court within the said colonies and plantations, a stamp duty of one shilling.

Monitions,
libels, claims....
1s. per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any copy of any such monition, libel, claim, answer, allegation, information, letter of request, execution, renunciation, inventory, or other pleading shall be ingrossed, written, or printed, a stamp duty of six pence.

Copies of any
such monitions,
libels, &c.
6d. per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be ingrossed, written, or printed, any appeal, writ of error, writ of dower, *Ad quod damnum*, *certiorari*, statute merchant, statute staple, attestation, or certificate, by any officer, or exemption of any record or proceeding in any court whatsoever, within the said colonies and plantations (except appeals, writs or error, *certiorari*, attestations, certificates, and exemptions, for or relating to the removal of any proceedings from before a single justice of the peace) a stamp duty of ten shillings.

Appeals, writs
of error and
dower....
10s. per sheet.

any writ of covenant for levying of fines, writ of entry for suffering a common recovery, or attachment issuing out of, or returnable into, any court within the said colonies and plantations, a stamp duty of five shillings.

Writs of
Covenant....
5s. per sheet.

any judgement, decree, sentence, or dismissal, or any record of *Nissi Prius* or *Postea*, in any court within the said colonies and plantations, a stamp duty of four shillings.

Judgements,
decrees....
4s. per sheet.

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any affidavit, common bail or appearance, interrogatory deposition, rule, order, or warrant of any court, or any *Dedimus Potestatem, Capias, Subpoena*, summons, compulsory citation, commission, recognizance, or any other writ, process, or mandate, issuing out of, or returnable into, any court of any office belonging thereto, or any other proceeding therein, whatsoever, or any copy thereof, or of any record not herein before charged, within the said colonies and plantations (except warrants relating to criminal matters, and proceedings thereon or relating thereto) a stamp duty of one shilling.

Affidavits,
Common bail or
appearance...
1s. per sheet.

any licence, appointment, or admission of any counsellor, solicitor, attorney, advocate, or proctor, to practice in any court, or of any notary within the said colonies and plantations, a stamp duty of ten pounds.

Licences,
appointments,...
£10 per sheet.

any note or bill of lading, which shall be signed for any kind of goods, wares, or merchandize, to be exported from, or any cocket or clearance granted within the said colonies and plantations, a stamp duty of four pence.

Bills of Lading...
4d. per sheet.

letters of mart, or commission for private ships of war, within the said colonies and plantations, a stamp duty of twenty shillings.

Letters of Mart...
20s. per sheet.

any grant, appointment, or admission of or to any publick beneficial office or employment, for the space of one year, or any lesser time, of or above the value of twenty pounds per annum sterling money, in salary, fees, and perquisites, within the said colonies and plantations, (except commissions and appointments of officers of the army, navy, ordnance, or militia, of judges, and of justices of the peace) a stamp duty of ten shillings.

Grants,
appointments...
10s. per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any grant of any liberty, privilege, or franchise, under the seal of any of the colonies or plantations, or under the seal or sign manual of any governor, proprietor, or publick officer alone, or in conjunction with any other person or persons, or with any council, or any council and assembly, or any exemplication of the same, shall be ingrossed, written, or printed, within the said colonies and plantations, a stamp duty of six pounds.

Grants of
Liberties,
privileges,...
£6 per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be ingrossed, written, or printed, any licence for retailing of spirituous liquors, to be granted to any person who shall take out the same, within the said colonies and plantations, a stamp duty of twenty shillings.

Retailing of
Spirituos
Liquors
20s. per sheet.

any licence for retailing of wine, to be granted to any person who shall not take out a licence for retailing of spirituous liquors, within the said colonies and plantations, a stamp duty of four pounds.

Retailing of
Wine only
£4 per sheet.

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any licence for retailing of wine, to be granted to any person who shall take out a licence for retailing of spirituous liquors, within the said colonies and plantations, a stamp duty of three pounds.

Licences for retailing wine...
£3 per sheet.

any probate of a will, letters of administration, or of guardianship for any estate above the value of twenty pounds sterling money; within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands, a stamp duty of five shillings.

Probates of wills, letters...
5s. per sheet.

any such probate, letters of administration or of guardianship, within all other parts of the British dominions in America, a stamp duty of ten shillings.

Letters of administration...
10s. per sheet.

any bond for securing the payment of any sum of money, not exceeding the sum of ten pounds sterling money, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands, a stamp duty of six pence.

Bond on sums less than £10
6d. per sheet.

any bond for securing the payment of any sum of money above ten pounds, and not exceeding the sum of twenty pounds sterling money, within such colonies, plantations, and islands, a stamp duty of one shilling.

More than £10 less than £20
1s. per sheet.

any bond for securing the payment of any sum of money above twenty pounds, and not exceeding forty pounds sterling money, within such colonies, plantations, and islands, a stamp duty of one shilling and six pence.

More than £20 less than £40
1s. 6p. per sheet.

any order or warrant for surveying or setting out any quantity of land, not exceeding one hundred acres, issued by any governor, proprietor, or any public officer alone, or in conjunction with any other person or persons, or with any council, or any council and assembly, within the British colonies and plantations in America, a stamp duty of six pence.

Warrants for surveying less 100 acres...
6d. per sheet.

any such order or warrant for surveying or setting out any quantity of land, above one hundred, and not exceeding two hundred acres, within the said colonies and plantations, a stamp duty of one shilling.

More than 100 acres less than 200 acres

any such order or warrant for surveying or setting out any quantity of land above two hundred, and not exceeding three hundred and twenty acres, and in proportion for every such order or warrant for surveying or setting out every other three hundred and twenty acres, within the said colonies and plantations, a stamp duty of one shilling and six pence.

Warrants for more than 200 acres less than 320 acres
1s. 6d. per sheet.

any original grant, or any deed, mesne conveyance or other instrument whatsoever by

STAMP ACT

which any quantity of land not exceeding one hundred acres shall be granted, conveyed, or assigned, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands (except leases for any term not exceeding the term of twenty one years), a stamp duty of one shilling and six pence.

Original grants,
or deeds...
less than 100
acres...
1s. 6d. per sheet.

any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever by which any quantity of land above one hundred, and not exceeding two hundred acres, shall be granted, conveyed, or assigned, within such colonies, plantations, and islands, a stamp duty of two shillings.

Original grants...
more than 100 acres
less than 200 acres
2s. per sheet.

any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above two hundred, and not exceeding three hundred and twenty acres, shall be granted, conveyed, or assigned, and in proportion for every such grant, deed, mesne conveyance, or other instrument, granting, conveying, or assigning, every other three hundred and twenty acres, within such colonies, plantations, and islands, a stamp duty of two shillings and six pence.

Original grants...
more than 200 acres
less than 320 acres
2s. 6d. per sheet.

any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land not exceeding one hundred acres shall be granted, conveyed, or assigned, within all other parts of the British dominions in America, a stamp duty of three shillings.

Within all other
parts of America
less than 100 acres
3s. per sheet.

any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, by which any quantity of land above one hundred, and not exceeding two hundred acres, shall be granted, conveyed, or assigned, within the same parts of the said dominions, a stamp duty of four shillings.

More than 100 acres
less than 200 acres
4s. per sheet.

any such original grant, or any such deed, mesne conveyance, or other instrument whatsoever, whereby any quantity of land above two hundred, and not exceeding three hundred and twenty acres, shall be granted, conveyed, or assigned, and in proportion for every such grant, deed, mesne conveyance, or other instrument, granting, conveying, or assigning, every other three hundred and twenty acres, within the same parts of the said dominion, a stamp duty of five shillings.

More than 200 acres
less than 320 acres
5s. per sheet.

any grant, appointment, or admission, of or to any publick beneficial office or employment, not herein before charged, above the value of twenty pounds per annum sterling money in salary, fees and perquisites, or any exemption of the same, within the British colonies and plantations upon the continent of America, the islands belonging thereto, and the Bermuda and Bahama islands (except commissions for officers of the army, navy, ordnance, or militia, and of justices of the peace) a stamp duty of four pounds.

GRANTS,
appointments...
above £20
£4 per sheet.

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any such grant, appointment, or admission, of or to any such public beneficial office or employment, or any exemplification of the same, within all other parts of the British dominions of America, a stamp duty of six pounds.

Grants...in
other parts of
America
£6 per sheet.

any indenture, lease, conveyance, contract, stipulation, bill of sale, charter party, protest, articles of apprenticeship, or covenant (except for the hire of servants not apprentices, and also except such other matters as are herein before charged) within the British colonies and plantations in America, a stamp duty of two shillings and six pence.

Indentures,
leases...
2s. 6d. per sheet

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any warrant or order for auditing any publick accounts, beneficial warrant, order, grant, or certificate, under any publick seal, or under the seal or sign manual of any governor, proprietor, or publick officer alone, or in conjunction with any other person or persons, or with any council, or any council and assembly, not herein before charged, or any passport or let-pass, surrender of office, or policy of assurance, shall be ingrossed, written, or printed, within the said colonies and plantations (except warrants or orders for the service of the navy, army, ordnance, or militia, and grants of offices under twenty pounds per annum in salary, fees, and perquisites) a stamp duty of five shillings.

Warrant for
auditing...
5s. per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be ingrossed, written, or printed, any notarial act, bond, deed, letter of attorney, procuration, mortgage, release, or other obligatory instrument, not herein before charged, within the said colonies and plantations, a stamp duty of two shillings and three pence.

Notarial acts...
2s. 3d. per sheet.

any register, entry, or inrollment of any grant, deed, or other instrument whatsoever herein before charged, within the said colonies and plantations, a stamp duty of three pence.

Registers, entries...
3s. per sheet.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be ingrossed, written, or printed, any register, entry, or inrollment of any grant, deed, or other instrument whatsoever not herein before charged, within the said colonies and plantations, a stamp duty of two shillings.

Register, entries...
not herein before
charged...
2d. per sheet.

And for and upon every pack of playing cards, and all dice, which shall be sold or used within the said colonies and plantations, the several stamp duties following (that is to say)

For every pack of such cards, the sum of one shilling.

Cards 1s.

And for every pair of such dice, the sum of ten shillings.

Dice 10s. pair

And for and upon every paper, commonly called a pamphlet, and upon every news

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paper, containing publick news, intelligence, or occurrences, which shall be printed, dispersed, and made publick, within any of the said colonies and plantations, and for and upon such advertisements as are herein after mentioned, the respective duties following (that is to say)

For every such pamphlet and paper contained in half a sheet, or any lesser piece of paper, which shall be so printed, a stamp duty of one halfpenny, for every printed copy thereof.

Pamphlets of half sheet or less one halfpenny

For every such pamphlet and paper (being larger than half a sheet, and not exceeding one whole sheet) which shall be so printed, a stamp duty of one penny, for every printed copy thereof.

More than half, less than whole sheet

For every pamphlet and paper being larger than one whole sheet, and not exceeding six sheets in octavo, or in a lesser page, or not exceeding twelve sheets in quarto, or twenty sheets in folio, which shall be so printed, a duty after the rate of one shilling for every sheet of any kind of paper which shall be contained in one printed copy thereof.

More than 1 sheet less than 20

For every advertisement to be contained in any gazette, news paper, or other paper, or any pamphlet which shall be printed, a duty of two shillings.

Advertisements... 2s.

For every almanack or calendar, for any one particular year, or for any time less than a year, which shall be written or printed on one side only of any one sheet, skin, or piece of paper, parchment, or vellum, within the said colonies and plantations, a stamp duty of two pence.

Almanacks-1 yr. 1 side of sheet 2d.

For every other almanack or calendar for any one particular year, which shall be written or printed within the said colonies and plantations, a stamp duty of four pence.

Every other 1 yr. Almanacks 4d.

And for every almanack or calendar written or printed within the said colonies and plantations, to serve for several years, duties to the same amount respectively shall be paid for every such year.

Almanacks for more than 1 yr.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any instrument, proceeding, or other matter or thing aforesaid, shall be ingrossed, written, or printed, within the said colonies and plantations, in any other than the English language, a stamp duty of double the amount of the respective duties before charged thereon.

Instruments, proceedings...

And there shall be also paid in the said colonies and plantations, a duty of six pence for every twenty shillings, in any sum not exceeding fifty pounds sterling money which

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shall be given, paid, contracted, or agreed for, with or in relation to any clerk or apprentice, which shall be put or placed to or with any master or mistress to learn any profession, trade, or employment.

Fees paid
less than £50

II. And also a duty of one shilling for every twenty shillings, in any sum exceeding fifty pounds, which shall be given, paid, contracted, or agreed, for, with, or in relation to any such clerk, or apprentice.

Sums exceeding
£50

III. And be it further enacted by the authority aforesaid, That: every deed, instrument, note, memorandum, letter, or other minument or writing, for or relating to the payment of any sum of money, or for making any valuable consideration for for upon the loss of any ship, vessel, goods, wages, money, effects, or upon any loss by fire, or for any other loss whatsoever, or for or upon any life or lives, shall be construed, deemed, and adjudged to be policies of assurance, within the meaning of this act: and if any such deed, instrument, note, memorandum, letter, or other minument or writing, for insuring, or tending to insure, any more than one ship or vessel for more than any one voyage, or any goods, wages, money, effects, or other matter or thing whatsoever, for more than one voyage, or in more than one ship or vessel, or being the property of, or belonging to, any more than one person, or any particular number of persons in general partnership, or any more than one body politick or corporate, or for more than one risque; then, in every such case, the money insured thereon, or the valuable consideration thereby agreed to be made, shall become the absolute property of the insured, and the insurer shall also forfeit the premium given for such insurance, together with the sum of one hundred pounds.

Policies of
Assurance

Insurance and
premium
forfeited

IV. every deed, instrument, note, memorandum, letter, or other minument or writing, between the captain or master or owner of any ship or vessel, and any merchant, trader, or other person, in respect to the freight or conveyance of any money, goods, wares, merchandizers, or effects, laden or to be laden on board of any such ship or vessel, shall be deemed and adjudged to be a charter party within the meaning of this act.

Charter party...

V. all books and pamphlets serving chiefly for the purpose of an almanack, by whatsoever name or names intituled or described, are and shall be charged with the duty imposed by this act on almanacks, but not with any of the duties charged by this act on pamphlets, or other printed papers; any thing herein contained to the contrary notwithstanding.

Books serving
chiefly as
almanacks

VI. **Provided always:** That this act shall not extend to charge any bills of exchange, accompts, bills of parcels, bills of fees, or any bills or notes not sealed for payment of money at sight, or upon demand, or at the end of certain days of payment.

Exceptions

VII. That nothing in this act contained shall extend to charge the probate of any will

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or letters of administration to the effects of any common seaman or soldier, who shall die in his Majesty's service; a certificate being produced from the commanding officer of the ship or vessel, or troop or company in which such seaman or soldier served at the time of his death, and oath, or if by a quaker a solemn affirmation, made of the truth thereof, before the proper judge or officer by whom such probate or administration ought to be granted; which oath or affirmation such judge or officer is hereby authorized and required to administer, and for which no fee or reward shall be taken.

VIII. That until after the expiration of five years from the commencement of the said duties, no skin or piece of vellum or parchment, or sheet or piece of paper on which any instrument, proceeding, or other matter of thing, shall be ingrossed, written, or printed, within the colonies of Quebec or Granada, in any other than the English language, shall be liable to be charged with any higher stamp duty than if the same had been ingrossed, written, or printed in the English language.

Other than
English
language

IX. That nothing in this act contained shall extend to charge with any duty, any deed, or other instrument, which shall be made between any Indian nation and the governor, proprietor of any colony, lieutenant governor, or commander in chief alone, or in conjunction with any other person or persons, or with any council, or any council and assembly of any of the said colonies or plantations, for or relating to the granting, surrendering, or conveying, any lands belonging to such nation, to, for, or on behalf of his Majesty, or any such proprietor, or to any colony or plantation.

Instruments
made with any
Indian nation
not chargeable

X. That this act shall not extend to charge any proclamation, forms of prayer and thanksgiving, or any printed votes of any house of assembly in any of the said colonies and plantations, with any of the said duties on pamphlets or news papers; or to charge any books commonly used in any of the schools within the said colonies and plantations, or any books containing only matters of devotion or piety; or to charge any single advertisement printed by itself, or the daily accounts or bills of goods imported and exported, so as such accounts or bills do contain no other matters than what have been usually comprized therein; any thing herein contained to the contrary notwithstanding.

Forms of prayer,
votes...school
books, books of
piety,

advertisements...
not chargeable

XI. That nothing in this act contained shall extend to charge with any of the said duties, any vellum, parchment, or paper, on which shall only be engrossed, written, or printed, any certificate that shall be necessary to intitle any person to receive a bounty granted by act of parliament.

XII. And be it further enacted by the authority aforesaid, That the said several duties shall be under the management of the commissioners, for the time being, of the duties charged on stamped vellum, parchment, and paper, in Great Britain: and the said commissioners are hereby empowered and required to employ such officers under them, for that purpose, as they shall think proper; and to use such stamps and marks, to denote

Under management
of commissioners

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the stamp duties hereby charged, as they shall think fit; and to repair, renew, or alter the same, from time to time, as there shall be occasion; and to do all other acts, matters, and things, necessary to be done, for putting this act in execution with relation to the duties hereby charged.

XIII. That the commissioners for managing the said duties, for the time being, shall and may appoint a fit person or persons to attend in every court or publick office within the said colonies and plantations, to take notice of the vellum, parchment, or paper, upon which any of the matters or things hereby charged with a duty shall be ingrossed, written, or printed, and of the stamps or marks thereupon, and of all other matters and things tending to secure the said duties; and that the judges in the several courts, and all other persons to whom it may appertain, shall, at the request of any such officer, make such offers, and do such other matters and things, for the better securing of the said duties, as shall be lawfully or reasonably desired in that behalf: and every commissioner and other officer, before he proceeds to the execution of any part of this act, shall take an oath in the words, or to the effect following (that is to say)

Appoint officer
to attend court
of publick office

I A.B. do swear, That I will faithfully execute the trust reposed in me, pursuant to an act of parliament made in the fifth year of the reign of his majesty King George the Third, for granting certain stamp duties, and other duties, in the British colonies and plantations in America, without fraud or concealment; and will from time to time true account make of my doing therein, and deliver the same to such person or persons as his Majesty, his heirs, or successors, shall appoint to receive such account; and shall take no fee, reward, or profit, for the execution or performance of the said trust, or the business relating thereto, from any person or persons, other than such as shall be allowed by his Majesty, his heirs, and successors, or by some other person or persons under him or them to that purpose authorized.

The Oath

Or if any such officer shall be of the people commonly called Quakers, he shall take a solemn affirmation to the effect of the said oath; which oath or affirmation shall and may be administered to any such commissioner or commissioners by any two or more of the same commissioners, whether they have or have not previously taken the same: and any of the said commissioners, or any justice of the peace, within the kingdom of Great Britain, or any governor, lieutenant governor, judge, or other magistrate, within the said colonies or plantations, shall and may administer such oath or affirmation to any subordinate officer.

Oath by whom
to be
administered

XIV. And be it further enacted by the authority aforesaid, That the said commissioners, and all officers to be employed or entrusted by or under them as aforesaid, shall, from time to time, in and for the better execution of the several places and trusts, observe such rules, methods, and orders, as they respectively shall, from time

Commissioners/
officers under
them to observe

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to time, receive from the high treasurer of Great Britain, or the commissioners of the treasury, or any three or more of such commissioners of the treasury, or any three or more of such commissioners for the time being; and that the said commissioners for managing the stamp duties shall take especial care, that the several parts of the said colonies and plantations shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped or marked with the said respective duties.

Care taken that colonies... furnished with stamps

XV. That if any person or persons shall sign, ingross, write, print, or sell, or expose to sale, or cause to be signed, ingrossed, written, printed, or sold, or exposed to sale, in any of the said colonies or plantations, or in any other part of his Majesty's dominions, any matter or thing, for which the vellum, parchment, or paper, is hereby charged to pay any duty, before the same shall be marked or stamped with the marks or stamps to be provided as aforesaid, or upon which there shall not be some stamp or mark resembling the same; or shall sign, ingross, write, print, or sell, or expose to sale, or cause to be signed, ingrossed, written, printed, or fold, or expose to sale, any matter or thing upon any vellum, parchment, or paper, that shall be marked or stamped for any lower duty than the duty by the act made payable in respect thereof; every such person so offending shall for every such offence forfeit the sum of ten pounds.

Persons signing, writing, printing, or selling...

before the same shall be duly stamped,

of which shall be stamped for a lower duty, forfeit £10.

XVI. That no matter or thing whatsoever, by this act charged with the payment of a duty, shall be pleaded or given in evidence, or admitted in any court within the said colonies and plantations, to be good, useful, or available in law or equity, unless the same shall be marked or stamped, in pursuance of this act, with the respective duty hereby charged thereon, or with an higher duty.

No instrument chargeable ...

XVII. Provided nevertheless, and be it further enacted by the authority aforesaid, That if any vellum, parchment, or paper, containing any deed, instrument, or other matter or thing, shall not be duly stamped in pursuance of this act, at the time of the signing, sealing, or other execution, or the entry or inrollment thereof, any person interested therein, or any person on his or her behalf, upon producing the same to any one of the chief distributors of stamp vellum, parchment, and paper, and paying to him the sum of ten pounds for every such deed, instrument, matter, or thing, and also double the amount of the duties payable in respect thereof, shall be intitled to receive from such distributor, vellum, parchment, or paper, stamped pursuant this act, to the amount of the money so paid; a certificate being first written upon every such piece of vellum, parchment, or paper, expressing the name and place of abode of the person by or on whose behalf such payment is made, the general purport of such deed, instrument, matter, or things, the names of the parties therein, and of the witnesses (if any) thereto, and the date thereof, which certificate shall be signed by the said distributor; and the vellum, parchment, or paper, shall be then annexed to such deed, instrument, matter, or thing, by or in the presence of such distributor, who shall impress a seal upon wax, to be affixed on the part where such annexation shall be made, in the presence of a

But if any instrument not duly stamped...

annex the same to the deed, &c.

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magistrate, who shall attest such signature and sealing; and the deed, instrument, or other matter or thing, from thenceforth shall and may, with the vellum, parchment, or paper, so annexed, be admitted and allowed in evidence in any court whatsoever, and shall be as valid and effectual as if the proper stamps had been impressed thereon at the time of the signing, sealing, or other execution, or entry or inrollment thereof: and the said distributor shall, once in every six months, or oftener if required by the commissioners for managing the stamp duties, send to such commissioners true copies of all such certificates, and an account of the number of pieces of vellum, parchment, and paper, so annexed, and of the respective duties impressed upon every such piece.

After which it shall be admitted as evidence.

Copies of such certificates, &c. to be transmitted half yearly...

XVIII. That if any person shall forge, counterfeit, erase, or alter, any such certificate, every such person so offending shall be guilty of felony, and shall suffer death as in cases of felony without the benefit of clergy.

Penalty for forging or altering...

XIX. That if any person or persons shall, in the said colonies or plantations, or in any other part of his Majesty's dominions, counterfeit or forge any seal, stamp, mark, type, device, or label, to resemble any seal, stamp, mark, type, device, or label, which shall be provided or made in pursuance of this act; or shall counterfeit or resemble the impression of the same upon any vellum, parchment, paper, cards, dice, or other matter or thing, thereby to evade the payment of any duty hereby granted; or shall make, sign, print, utter, vend, or sell, any vellum, parchment, or paper, or other matter or thing, with such counterfeit mark or impression thereon, knowing such mark or impression to be counterfeited; then every person so offending shall be adjudged a felon, and shall suffer death as in cases of felony without the benefit of clergy.

Penalty of counterfeiting of forging...

or the impressions thereof;

or making, signing, printing or entering...

XX. And it is hereby declared, That upon any prosecution or prosecutions for such felony, the dye, tool, or other instrument made use of in counterfeiting or forging any such seal, stamp, mark, type, device, or label, together with the vellum, parchment, paper, cards, dice, or other matter, or thing having such counterfeit impression, shall, immediately after the trial or conviction of the party or parties accused, be broke, defaced, or destroyed, in open court.

Counterfeit stamps, &c....

XXI. And be it further enacted by the authority aforesaid, That if any register, publick officer, clerk, or other person in any court, registry, or office within any of the said colonies or plantations, shall, at any time after the said first day of November, one thousand seven hundred and sixty five, enter, register, or inroll, any matter or thing hereby charged with a stamp duty, unless such register, publick officer, clerk, or other person, shall, for every such office, forfeit the sum of twenty pounds.

Penalty of inrolling, &c.

XXII. That from and after the said first day of November, one thousand seven hundred and sixty five, if any counsellor, clerk, officer, attorney, or other person, to whom it shall appertain, or who shall be employed or intrusted, in the said colonies or

Counsellors, or others ...

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plantations, to enter or file any matter or thing in respect whereof any duty shall be payable by virtue of this act, shall neglect to enter, file, or record the same, as by law the same ought to be entered, filed, or recorded, within the space of four months after he shall have received any money for or in respect of the same, or shall have promised or undertaken so to do; or shall neglect to enter, file, or record, any such matter or thing, before any subsequent, further or other proceeding, matter, or thing, in the same suit, shall be had, entered, filed, or recorded; that then every such counsellor, clerk, officer, attorney, or other person so neglecting or offending, in each of the cases aforesaid, shall forfeit the sum of fifty pounds for every such offence.

XXIII. That if any person or persons, at any time after the said first day of November, one thousand seven hundred and sixty five, shall write, ingross, or print, or cause to be written, ingrossed, or printed, in the said colonies or plantations, or any other part of his said Majesty's dominions, either the whole or any part of any matter or thing whatsoever in respect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there shall have been before written any other matter of thing in respect whereof of any duty was payable by this act; or shall fraudulently erase, or cause to be erased, the name or names of any person or persons, or any sum, date, or other thing, ingrossed, written, or printed, in such matter or thing as aforesaid; or fraudulently cut, tear, or get off, any mark or stamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to use such stamp or mark for any other matter or thing in respect whereof any duty shall be payable by virtue of this act; that then, and so often, and in every such case, every person so offending shall, for every such offence, forfeit the sum of forty pounds.

Penalty of writing, &c. any matter for which a duty is payable...

XXIV. That every matter and thing, in respect whereof any duty shall be payable in pursuance of this act, shall be ingrossed, written, or printed, in such manner, that some part thereof shall be either upon, or as near as conveniently may be, to the stamps or marks denoting the duty; upon pain that the person who shall ingross, write, or print, or cause to be ingrossed, written, or printed, any such matter or thing in any other manner, shall, for every such offence, forfeit the sum of five pounds.

Part of all writings, &c. to be upon, or as near to,...

XXV. That every officer of every court, and every justice of the peace or other person within the said colonies and plantations, who shall issue any writ or process upon which a duty is by this act payable, shall, at the issuing thereof, set down upon such writ or process the day and year of his issuing the same, which shall be entered upon a remembrance, or in a book to be kept for that purpose, setting forth the abstract of such writ or process; upon pain to forfeit the sum of ten pounds for every such offence.

Day and year of issuing any writ...

XXVI. And, for the better collecting and securing the duties hereby charged on pamphlets containing more than one sheet of paper as aforesaid, be it further enacted by the authority aforesaid, That from and after the said first day of November, one thousand

Printed copy of every pamphlet ...

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seven hundred and sixty five, one printed copy of every pamphlet which shall be printed or published within any of the said colonies or plantations, shall within the space of fourteen days after the printing thereof, be brought to the chief distributor in the colony or plantation where such pamphlet shall be printed, and the title thereof, with the number of the sheets contained therein, and the duty hereby charged thereon, shall be registered or entered in a book to be there kept for that purpose; which duty shall be thereupon paid to the proper officer or officers appointed to receive the same, or his or their deputy or clerk, who shall thereupon forthwith give a receipt for the same on such printed copy, to denote the payment of the duty hereby charged on such pamphlet; and if any such pamphlet shall be printed or published, and the duty hereby charged thereon shall not be duly paid, and the title and number of sheets shall not be registered, and a receipt for such duty given on one copy, where required so to be, within the time herein before for that purpose limited; that then the author, printer, and publisher, and all other persons concerned in or about the printing or publishing of such pamphlet, shall, for every such offence, forfeit the sum of ten pounds, and shall lose all property therein, and in every other copy thereof, so as any person may freely print and publish the same, paying the duty payable in respect thereof by virtue of this act, without being liable to any action, prosecution, or penalty for so doing.

To be registered,
and duty...

Receipt to be
given...

Pamphlet without
duty paid...

author, printer,
and publisher, &c.,
to forfeit £10...

XXVII. And it is hereby further enacted by the authority aforesaid, That no person whatsoever shall sell or expose to sale any such pamphlet, or any news paper, without the true respective name or names, and place or places of abode, of some known person or persons by or for whom the same was really and truly printed or published, shall be written or printed thereon; upon pain that every person offending therein shall, for every such offence, forfeit the sum of twenty pounds.

Penalty of selling
any pamphlet...

XXVIII. That no officer appointed for distributing stamped vellum, parchment, or paper, in the said colonies or plantations, shall sell or deliver any stamped paper for printing any pamphlet, or any publick news, intelligence, or occurrences, to be contained in one sheet, or any lesser piece of paper, unless such person shall give security to the said officer, for the payment of the duties for the advertisements which shall be printed therein or thereupon.

Security to be
given for paying
the duties...

XXIX. And whereas it may be uncertain how many printed copies of the said printed news papers or pamphlets, to be contained in one sheet or in a lesser piece of paper, may be sold; and to the intent the duties hereby granted thereupon may not be lessened by printing a less number than may be sold, out of a fear of a loss thereby in printing more such copies than will be sold; it is hereby provided, and be it further enacted by the authority aforesaid, That the proper officer or officers appointed for managing the said stamp duties, shall and may cancel, or cause to be cancelled, all the stamps upon the copies of any impression of any news paper or pamphlet contained in one sheet, or any lesser piece of paper, which shall really and truly remain unsold, and of which no profit

News papers and
pamphlets as
shall remain
unfold...

Person tendering
the same, being
examined...

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or advantage has been made; and upon oath, or if by a quaker, upon solemn affirmation, made before a justice of the peace, or other proper magistrate, that all such copies, containing the stamps so tendered to be cancelled, are really and truly remaining unsold, and that none of the said copies have been fraudulently returned or rebought, or any profit or advantage made thereof; which oath or affirmation such magistrate is hereby authorized to administer, and to examine upon oath or affirmation into all circumstances relating to the selling or disposing of such printed copies, shall and may deliver, or cause to be delivered, the like number of other sheets, half sheets, or less pieces of paper, properly stamped with the same respective stamps, upon payment made for such paper, but no duty shall be taken for the stamps thereon; any thing herein contained to the contrary notwithstanding: and the said commissioners for managing the stamp duties for the time being are hereby impowered, from time to time, to make such rules and orders for regulating the methods, and limiting the items, for such cancelling and allowance as aforesaid, with respect to such news papers and pamphlets, as they shall, upon experience and consideration of the several circumstances, find necessary or convenient, for the effectual securing the duties thereon, and doing justice to the persons concerned in the printing and publishing thereof.

Officers to allow
a like number of
stamps in lieu...

Commissioners to
make orders...

XXX. Provided always, and be it further enacted by the authority aforesaid, That any officer or officers employed by the said commissioners for managing the stamp duties, shall and may deliver to any person, by or for whom any almanack or almanacks shall have been printed, paper marked or stamped according to the true intent and meaning hereof, for the printing such almanack or almanacks, upon his or her giving sufficient security to pay the amount of the duty hereby charged thereon, within the space of three months after such delivery and that the said officer or officers, upon bringing to him or them any number of the copies of such almanacks, within the space of three months from the said delivery and request to him or them in that behalf made, shall cancel all the stamps upon such copies, and abate to every such person so much of the money due upon such security as such cancelled stamps shall amount to.

Stamps may be
delivered by the
officer...

Allow for almanacks
brought to be
cancelled...

XXXI. That where any almanack shall contain more than one sheet of paper, it shall be sufficient to stamp only one of the sheets or pieces of paper upon which such almanack shall be printed, and to pay the duty accordingly.

Where almanacks
contain more
than one sheet...

XXXII. And it is hereby further enacted by the authority aforesaid, That from and after the said first day of November, one thousand seven hundred and sixty five, in case any person or persons, within any of the said colonies or plantations, shall sell, hawk, carry about, utter, or expose to sale, any almanack, or calendar, or any news paper, or any book, pamphlet, or paper, deemed or construed to be, or serving the purpose of, an almanack or news paper, within the intention and meaning of this act, not being stamped or marked as by this act is directed; every such person, shall for every such offence, forfeit the sum of forty shillings.

Person selling or
hawking almanacks...

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XXXIII. That from and after the said first day of November, one thousand seven hundred and sixty five, the full sum or sums of money, or other valuable consideration received, or in any wise directly or indirectly given, paid, agreed, or contracted, for, with, or in relation to any clerk or apprentice, within any of the said colonies or plantations, shall be truly inserted, or written in words at length, in some indenture or other writing which shall contain the covenants, articles, contracts, of agreements, relating to the service of such clerk or apprentice; and shall bear date upon the day of the signing, sealing, or other execution of the same, upon pain that every master or mistress to or with whom, or to whose use, any sum of money, or other valuable consideration whatsoever, shall be given, paid, secured, or contracted, for or in respect of any such clerk or apprentice, which shall not be truly and fully so inserted and specified in some such indenture, or other writing, shall, for every such offence, forfeit double the sum, or double the amount of any other valuable consideration so given, paid, agreed, secured, or contracted for; to be sued for and recovered at any time, during the term specified in the indenture or writing for the service of such clerk or apprentice, or within one year after the determination thereof; and that all such indentures, or other writings, shall be brought, within the space of three months, to the proper officer or officers, appointed by the said commissioners for collecting the said duties within the respective colony or plantation; and the duty hereby charged for the sums, or other valuable consideration inserted therein, shall be paid by the master or mistress or such clerk or apprentice to the said officer or officers, who shall give receipts for such duty on the back of such indentures or other writings; and in case the duty shall not be paid within the time before limited, such master or mistress shall forfeit double the amount of such duty.

Sums given with clerks or apprentices to be inserted in the indentures.

Bear date the day of execution.

Indentures to be brought to the proper officer...

on forfeiture of double the amount

XXXIV. That all indentures or writings within the said colonies and plantations, relating to the service of clerks or apprentices, wherein shall not be truly inserted or written the full sum or sums of money, or other valuable consideration, received, or in any wise directly or indirectly given, paid, agreed, secured, or contracted for, with, or in relation to any such clerk or apprentice, and a receipt given for the same by the officer or officers aforesaid, or whereupon the duties payable by this act shall not be duly paid or lawfully tendered, according to the tenor and true meaning of this act, within the time herein for that purpose limited, shall be void and not available in any court or place, or to any purpose whatsoever.

Indentures declared void...

XXXV. That if any master or mistress of any clerk or apprentice shall neglect to pay the said duty, within the time herein before limited, any and such clerk or apprentice shall in that case pay, or cause to be paid, to the amount of double the said duty, either during the term of such clerkship or apprenticeship, or within one year after the determination thereof, such master or mistress not having then paid the said double duty although required by such clerk or apprentice so to do; then, and in such case, it shall and may be lawful to and for any such clerk or apprentice, within three months after

Where master, &c. neglect to pay the duties...

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such payment of the said double duty, to demand of such master or mistress, or his or her executors or administrators, such sum or sums of money, or valuable consideration, as was or were paid to such master or mistress, for or in respect of such clerkship or apprenticeship; and in case such sum or sums of money, or valuable consideration, shall not be paid within three months after such demand thereof made, it shall and may be lawful to and for any such clerk or apprentice, or any other person or persons on his or her behalf, to sue for and recover the same, in such manner as any penalty hereby inflicted may be sued for and recovered; and such clerks or apprentices shall, immediately after payment of such double duty, be and are hereby discharged from their clerkships or apprenticeships, and from all actions, penalties, forfeitures, and damages for serving the time for which they were respectively bound, contracted for, or agreed to serve, and shall have such and the same benefit and advantage of the time they shall respectively have continued with and served such master or mistress, as they would have been intitled to in case such duty had been paid by such master or mistress, within the time herein before limited for that purpose.

and to be discharged.

XXXVI. That all printed indentures, or contracts for binding clerks or apprentices, after the said first day of November, one thousand seven hundred and sixty five, within the said colonies and plantations, shall have the following notice or memorandum printed under the same, or added thereto, *videlicet*,

Printed indentures

The indenture must bear date the day it is executed, and the money or other thing, given or contracted for with the clerk or apprentice, must be inserted in words at length, and the duty paid, and a receipt given on the back of the indenture, by the distributor of stamps, or his substitute, within three months after the execution of such indentures, under the penalties inflicted by law.

The notice.

And if any printer, stationer, or other person or persons, within any of the said colonies or plantations, or any other part of his Majesty's dominions, shall sell, or cause to be sold, any such indenture or contract, without such notice or memorandum being printed under the same, or added thereto; then, and in every such case, such printer, stationer, or other person or persons, shall, for every such offence, forfeit the sum of ten pounds.

Penalty of selling indenture...

XXXVII. And, for the better securing the said duty on playing cards and dice; be it further enacted by the authority aforesaid, That from and after the said first day of November, one thousand seven hundred and sixty five, no playing cards or dice shall be sold, exposed to sale, or used in play, within the said colonies or plantations, unless the paper and thread inclosing, or which shall have inclosed, the same, shall be or shall have been respectively sealed and stamped, or marked, and unless one of the cards of each pack or parcel of cards, so sold, shall be also marked or stamped on the spotted or painted side thereof with such mark or marks as shall have been provided in pursuance of this act, upon pain that every person who shall sell, expose to sale, any such cards or

No unstamped cards or dice...

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dice, which shall not have been so respectively sealed, marked, or stamped, as hereby is respectively required, shall forfeit for every pack or parcel of cards, and every one of such dice so sold or exposed to sale, the sum of ten pounds.

penalty of £10

XXXVIII. And it is hereby enacted by the authority aforesaid, That if any person within the said colonies or plantations, or any other part of his Majesty's dominions, shall sell or buy any cover or label which has before been made use of for denoting the said duty upon cards, in order to be made use of for the inclosing any pack or parcel of cards; every person so offending shall, for every such offence, forfeit twenty pounds.

Penalty of buying or selling covers ...is £20.

XXXIX. Provided always, and be it enacted by the authority aforesaid, That if either the buyer or seller of such cover or label shall inform against the other party concerned in buying or selling such cover or label, the party so informing shall be admitted to give evidence against the party informed against, and shall be indemnified against the said penalties.

Buyer or seller informing....

XL. And be it further enacted by the authority aforesaid, That if any person or persons shall fraudulently inclose any parcel or pack of playing cards in any outside paper so sealed and stamped as aforesaid, the same having been made use of for the purpose aforesaid; then, so often, and in every such case, every person so offending in any of the particulars before-mentioned, shall, for every such offence, forfeit the sum of twenty pounds.

Penalty of fraudulently inclosing cards...

XLI. That from and after the said first day of November, one thousand seven hundred and sixty five, every clerk, officer, and other person employed or concerned in granting, making out, or delivering licences for retailing spirituous liquors or wine within any of the said colonies or plantations, shall, and he is hereby required and directed, within two months after delivering any such licences, to transmit to the chief distributor of stamped vellum, parchment, and paper, a true and exact list or account of the number of licences so delivered, in which shall be inserted the names of the persons licensed, and the places where they respectively reside; and if any such clerk, officer, or other person shall refuse or neglect to transmit any such list or account to such distributor, or shall transmit a false or untrue one, then, and in every such case, such clerk, officer, or other person, shall, for every such office, forfeit fifty pounds.

Officers delivering out licences...

on forfeiture of £50.

XLII. That licences for selling or uttering by retail spirituous liquors or wine within any of the said colonies and plantations, shall be in force and serve for no longer than one year from the date of each licence respectively.

Such licences in force for one year only.

XLIII. Provided nevertheless, and be it enacted by the authority aforesaid, That if any person licenced to sell spirituous liquors or wines, shall die or remove from the house or place wherein such spirituous liquors or wine shall, by virtue of such licence, be sold,

Where a person licenced shall die...

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it shall and may be lawful for the executors, administrators, or assigns of such person so dying or removing, who shall be possessed of such house or place, or for any occupier of such house or place, to sell spirituous liquors or wine therein during the residue of the term for which such licence shall have been granted, without any new licence to be had or obtained in that behalf; any thing to the contrary thereof in any wise notwithstanding.

XLIV. And it is hereby enacted by the authority aforesaid, That if any person or persons shall sell or utter by retail, that is to say, in any less quantity than one gallon at any one time, any kind of wine, or any liquor called or reputed wine, or any kind of spirituous liquors, in the said colonies or plantations, without taking out such licence yearly and every year, he, she, or they so offending shall, for every such offence, forfeit the sum of twenty pounds.

Persons selling wine or spirits...

XLV. And be it further enacted by the authority aforesaid, That every person who shall retail spirituous liquors or wine in any prison or house of correction, or any workhouse appointed or to be appointed for the reception of poor persons within any of the said colonies or plantations, shall be deemed a retailer of spirituous liquors or wine within this act.

Persons retailing spirituous liquors or wine...

XXLVI. Provided always, and be it further enacted by the authority aforesaid, That if at any time after the said first day of November, one thousand seven hundred and sixty five, there shall not be any provision made for licensing the retailers of wine or spirituous liquors, within any of the said colonies or plantations; then, and in every such case, and during such time as no provision shall be made, such licences shall and may be granted for the space of one year, and renewed from time to time by the governor or commander in chief of every such respective colony or plantation.

If no provision shall be made...

Licences may be granted...

XLVII. And it is hereby further enacted by the authority aforesaid, That every person who shall at any one time buy of any chief distributor within any of the said colonies or plantations, vellum, parchment, or paper, the duties whereof shall amount to five pounds sterling money of Great Britain, or upwards, shall be allowed after the rate of four pounds *per centum*, upon the prompt payment of the said duties to such chief distributor.

Persons buying at any one time....

XLVIII. And be it further enacted by the authority aforesaid, That all publick clerks or officers within the said colonies or plantations, who shall from time to time have in their custody any publick books, or other matters or things hereby charged with a stamp duty, shall, at any seasonable time or times, permit any officer or officers thereunto authorized by the said commissioners for managing the stamp duties, to inspect and view all such publick books, matters, and things, and to take thereof such notes and memorandums as shall be necessary for the purpose of ascertaining or securing the said

Commissioners officers to be allowed to inspect...

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duties, without fee or reward; upon pain that every such clerk or other officer who shall refuse, shall, for every such refusal or neglect, forfeit the sum of twenty pounds.

on penalty of £20.

XLIX. That the high treasurer of Great Britain, or the commissioners of his Majesty's treasury, or any three or more of such commissioners, for the time being, shall once in every year at least, set the prices at which all sorts of stamped vellum, parchment, and paper, shall be sold by the said commissioners for managing the stamp duties, and their officers; and that the said commissioners for the said duties shall cause such prices to be marked upon every such skin and piece of vellum and parchment, and sheet and piece of paper: and if any officer or distributor to be appointed by virtue of this act, shall sell, or cause to be sold, any vellum, parchment, or paper, for a greater or higher price or sum, than the price or sum so set or affixed thereon; every such officer or distributor shall, for every such offence, forfeit the sum of twenty pounds.

Treasury to set annually the price of stamps;

the prices so set to be marked thereon;

Officers selling them at higher price...

L. That the several officers who shall be respectively employed in the raising, receiving, collection, or paying, the several duties hereby charged, within the said colonies and plantations, shall every twelve months, or oftener, if thereunto required by the said commissioners for managing the said duties, exhibit his and their respective account and accounts of the said several duties upon oath, or if a quaker upon affirmation, in the presence of the governor, or commander in chief, or principle judge of the colony or plantation where such officers shall be respectively resident, such manner as the high treasurer, or the commissioners of the treasury, or any three or more of such commissioners for the time being, shall, from time to time, direct and appoint, in order that the same may be immediately afterwards transmitted by the said officer or officers to the commissioners for managing the said duties, to be comptrolled and audited according to the usual course and form of comptrolling and auditing the accounts of the stamp duties arising within this kingdom: and if any of the said officers shall neglect or refuse to exhibit any such account, or to verify the same upon oath or affirmation, or to transmit any such account so verified to the commissioners for managing the said duties, in such manner, and within such time, as shall be so appointed or directed; or shall neglect or refuse to pay, or cause to be paid, into the hands of the receiver general of the stamp duties in Great Britain, or to such other person or persons as the high treasurer, or commissioners of the treasury, or any three or more of such commissioners for the time being, shall, from time to time, nominate or appoint, the monies respectively raised, levied, and received, by such officers under the authority of this act, at such times, and in such manner, as they shall be respectively required by the said high treasurer, or commissioners of the treasury; or if any such officers shall divert, detain, or misapply, all or any part of the said monies so by them respectively raised, levied, and received, or shall knowingly return any person or persons *insuper* for any monies or other things duly answered, paid, or accounted for, by such person or persons, whereby he or they shall sustain any damage or prejudice; in every such case, every such officer shall be liable to pay treble the value of all and every sum and sums of money

Officers employed in raising or paying...

in order that the same be transmitted...

Officers refusing to do so...

or diverting or misapplying...

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so diverted or misapplied; and shall also be liable to pay treble damages to the party grieved, by returning him *insuper*.

LI. That the commissioners, receiver, or receivers general, or other person or persons, who shall be respectively employed in Great Britain, in the directing, receiving, or paying, the monies arising by the duties hereby granted, shall, and are hereby required, between the tenth day of October and the fifth day of January following, and so from year to year, yearly, at those times, to exhibit their respective accounts thereof to his Majesty's auditors of the imprest in England for the time being, or one of them, to be declared before the high treasurer, or commissioners of the treasury and chancellor of the exchequer for the time being, according to the course of the exchequer.

Receivers general of the duties to exhibit their accounts...

to be declared before the Treasury...

LII. And be it further enacted by the authority aforesaid, That if the said commissioners for managing the said duties, or the said receiver or receivers general, shall neglect or refuse to pay into the exchequer all or any of the said monies, in such manner as they are required by this act to pay the same, or shall divert or misapply any part thereof; then they; and every of them so offending, shall be liable to pay double the value of all and every sum and sums of money so diverted or misapplied.

Commissioners or receivers general not duly paying...

or misapplying any part thereof....

LIII. That the comptroller or comptrollers for the time being of the duties hereby imposed, shall keep perfect and distinct accounts in books fairly written of all the monies arising by the said duties; and if any such comptroller or comptrollers shall neglect his or their duty therein, then he or they, for every such offence, shall forfeit the sum of one hundred pounds.

Comptroller of the duties...

LIV. And be it further enacted by the authority aforesaid, That all the monies which shall arise by the several rates and duties hereby granted (except the necessary charges of raising, collecting, recovering, answering, paying, and accounting for the same, and the necessary charges from time to time incurred in relation to this act, and the execution thereof) shall be paid into the receipt of his Majesty's exchequer, and shall be entered separate and apart from all other monies, and shall be there reserved to be from time to time disposed of by parliament, towards further defraying the necessary expences of defending, protecting, and securing, the said colonies and plantations.

Monies arising by the duties...

to be paid in to the exchequer

LV. And whereas, it is proper that some provision should be made for payment of the necessary expences which have been, and shall be incurred in relation to this act, and the execution thereof; and of the orders and rules to be established under the authority of the same, before the said duties shall take effect, or the monies arising thereby shall be sufficient to discharge such expences; be it therefore enacted by the authority aforesaid, That his Majesty may, and he is hereby empowered by any warrant or warrants under his royal sign manual, at any time or times before the twentieth day of April, one thousand seven hundred and sixty six, to cause to be issued and paid out of any of the surpluses,

Charges attending the execution of this act...

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excesses, overplus monies, and other revenues composing the fund commonly called The sinking fund (except such monies of the said sinking fund as are appropriated to any particular use or uses, by any former act or acts of parliament in that behalf) such sum and sums of money as shall be necessary to defray the said expences; and the monies so issued, shall be reimbursed, by payment into the exchequer of the like sum or sums out of the first monies which shall arise by virtue of this act; which monies, upon the payment thereof into the exchequer, shall be carried to the account, and made part of the said fund.

LVI. And it is hereby further enacted and declared, That all the powers and authorities by this act granted to the commissioners for managing the duties upon stamped vellum, parchment, and paper, shall and may be fully and effectually carried into execution by any three or more of the said commissioners; any thing herein before contained to the contrary notwithstanding.

Three commissioners
empowered to act.

LVII. And be it further enacted by the authority aforesaid, That all forfeitures and penalties incurred after the twenty ninth day of September, one thousand seven hundred and sixty five, for offences committed against an act passed in the fourth year of the reign of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America; for continuing, amending, and making perpetual, an act passed in the sixth year of the reign of his late majesty King George the Second, intituled, An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America; for applying the produce of such duties, and of the duties to arise by virtue of the said act, towards defraying the expences of defending, protecting, and securing, the said colonies and plantations; for explaining an act made in the twenty fifth year of the reign of King Charles the Second, intituled, An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade; and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain, and for offences committed against any other act or acts of parliament relating to the trade or revenues of the said colonies or plantations; shall and may be prosecuted, sued for, and recovered, in any court of record, or in any court of admiralty, in the respective colony of plantation where the offence shall be committed, or in any court of vice admiralty appointed or to be appointed, and which shall have jurisdiction within such colony, plantation, or place, (where courts of admiralty or vice admiralty here hereby respectively authorized and required to proceed, hear, and determine the same) at the election of the informer or prosecutor.

Penalties and forfeitures
incurred

where to be
prosecuted and
recovered.

LVIII. And it is hereby further enacted and declared by the authority aforesaid, That all sums of money granted and imposed by this act as rates or duties, and also all sums of money imposed as forfeitures or penalties, and all sums of money required to be paid,

The monies granted
as duties and
impositions, &c.
to be ...sterling
money of Great
Britain..

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and all other monies herein mentioned, shall be deemed and taken to be sterling money of Great Britain, and shall be collected, recovered, and paid, to the amount of the value which such nominal sums bear in Great Britain; and that such monies shall and may be received and taken, according to the proportion and value of five shillings and six pence the ounce in silver; and that all the forfeitures and penalties hereby inflicted, and which shall be incurred, in the said colonies and plantations, shall and may be prosecuted, sued for, and recovered, in any court of record, or in any court of admiralty, in the respective colony or plantation where the offence shall be committed, or in any court of vice admiralty appointed or to be appointed, and which shall have jurisdiction within such colony, plantation, or place, (which courts of admiralty or vice admiralty are hereby respectively authorized and required to proceed, hear, and determine the same,) at the election of the informer or prosecutor; and that from and after the twenty ninth day of September, one thousand seven hundred and sixty five, in all cases, where any suit or prosecution shall be commenced and determined for any penalty or forfeiture inflicted by this act, or by the said act made in the fourth year of his present Majesty's reign, or by any other act of parliament relating to the trade or revenues of the said colonies or plantations, in any court of admiralty in the respective colony or plantation where the offence shall be committed, either party, who shall think himself aggrieved by such determination, may appeal from such determination to any court of vice admiralty appointed or to be appointed, and which shall have jurisdiction within such colony, plantation, or place, (which court of vice admiralty is hereby authorized and required to proceed, hear, and determine such appeal) any law, custom, or usage, to the contrary notwithstanding; and the forfeitures and penalties hereby inflicted, which shall be incurred in any other part of his Majesty's dominions, shall and may be prosecuted, sued for, and recovered, with full costs of suit, in any court of record within the kingdom, territory, or place, where the offence shall be committed, in such and the same manner as any debt or damage, to the amount of such forfeiture or penalty, can or may be sued for and recovered.

Penalties and forfeitures in the colonies and plantations...

persons aggrieved by the determinations of any of the said courts...

Penalties and forfeitures...

LIX. And it is hereby further enacted, That all the forfeitures and penalties hereby inflicted shall be divided, paid, and applied, as follows; (that is to say) one third part of all such forfeitures and penalties recovered in the said colonies and plantations, shall be paid into the hands of one of the chief distributors of stamped vellum, parchment, and paper, residing in the colony or plantation wherein the offender shall be convicted, for the use of his Majesty, his heirs, and successors; one third part of the penalties and forfeitures, so recovered, to the governor or commander in chief of such colony or plantation; and the other third part thereof, to the person who shall inform or sue for the same; and that one moiety of all such penalties and forfeitures recovered in any other part of his Majesty's dominions, shall be to the use of his Majesty, his heirs, and successors, and the other moiety thereof, to the person who shall inform or sue for the same.

Forfeitures, &c., in the colonies and plantations to be paid over...

In other parts...

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LX. And be it further enacted by the authority aforesaid, That all the offences which are by this act made felony, and shall be committed within any part of his Majesty's dominions, shall and may be heard, tried, and determined, before any court of law within the respective kingdom, territory, colony, or plantation, where the offence shall be committed, in such and the same manner as all other felonies can or may be heard, tried, and determined, in such court.

LXI. That all the present governors or commanders in chief of any British colony of plantation, shall, before the said first day of November, one thousand seven hundred and sixty five, and all who hereafter shall be made governors or commanders in chief of the said colonies or plantations, or any of them, before their entrance into their government, shall take a solemn oath to do their utmost, that all and every the clauses contained in this present act be punctually and *bone fide* observed, according to the true intent and meaning thereof, so far as appertains unto the said governors or commanders in chief respectively, under the like penalties, forfeitures, and disabilities, either for neglecting to take the said oath, or for wittingly neglecting to do their duty accordingly, as are mentioned and expressed in an act made in the seventh and eighth year of the reign of King William the Third, intituled, An act for preventing frauds, and regulating abuses, in the plantation trade; and the said oath hereby required to be taken, shall be administered by such person or persons as hath or have been, or shall be, appointed to administer the oath required to be taken by the said act made in the seventh and eighth year of the reign of King William the Third.

Governors to be sworn.

Penalty on not taking such oath.

or not discharging their duty...

Oath by whom to be administered.

LXII. That all records, writs, pleadings, and other proceedings in all courts whatsoever, and all deeds, instruments, and writings whatsoever, hereby charged, shall be ingrossed and written in such manner as they have been usually accustomed to be ingrossed and written, or are now ingrossed and written within the said colonies and plantations.

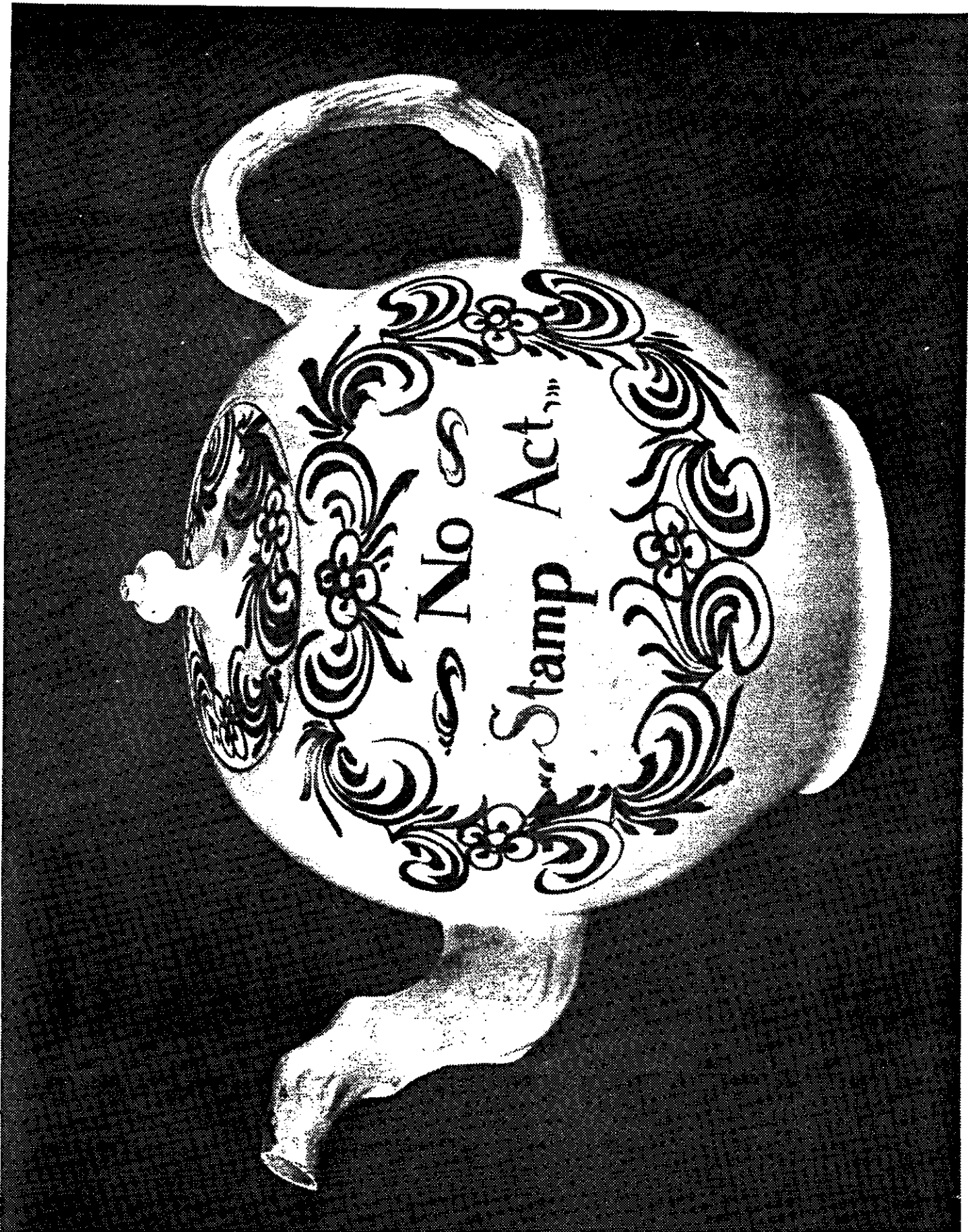
Records and other writings...

LXIII. And it is hereby further enacted, That if any person or persons shall be sued or prosecuted, either in Great Britain or America, for any thing done in pursuance of this act, such person and persons shall and may plead the general issue, and give this act and the special matter in evidence; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his or their action after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants shall recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.

General issue.

Treble costs.

Statutes at Large: from Magna Charta to the End of the Eleventh Parliament of Great Britain, Anno 1761,
Pickering, Danby, fl. 1769, pp. 179-204.



Teapot with cover, Derbyshire factory, decorated at Leeds, lead-glazed earthenware with red decoration, England, ca. 1770. The saying "No Stamp Act" appears on both sides of the pot. (Acc. No. 1953-417).



STAMP ACT

Address, Memorial, and Remonstrance of the General Assembly to King, Lords, and Commons Respectively in Opposition to a Proposed Stamp Act 18 December 1764

By 1763 His Britannic Majesty's first minister and chancellor of the exchequer, the Right Honourable George Grenville, was studying the possibility of imposing a stamp tax on the American colonies. To him it seemed only just that they pay a share in reducing the enormous national debt incurred in winning the French and Indian war. He was not ready, however, to propose legislation toward that end, for none of his advisers understood enough about colonial judicial processes to determine what documents might be taxed. But possibly to prepare the colonial mind, and certainly to make public record of the right of Parliament to levy such a tax, he on 9 March 1764 moved in the House of Commons "that, toward further defraying the said expence, it may be proper to charge certain Stamp duties in the said Colonies and Plantations." At the same time, he threw out hints that this might be rendered unnecessary should the colonial legislatures suggest an "equivalent" alternative or levy on their respective constituencies a tax that was "adequate." Yet here was a puzzle: what would be "equivalent" or "adequate" if no one was to know how large a sum Grenville thought to raise, or how that sum was to be prorated among the colonies? On that subject he had been as silent as time was to prove him insincere.

Parliament followed Grenville, never doubting its legislative competence, but in Virginian eyes the resolution raised a grave constitutional question. None could deny that for generations the Crown had levied customs and duties in the regulation of imperial shipping and commerce. On the other hand, a great majority would stoutly contend that to extend that power to include purely internal objects would be usurpation.

The course of events in London was closely followed and reported by Edward Montague, an English lawyer. In 1759 he had been appointed agent to represent Virginia's interests in the mother country, by the same act that created a joint standing committee to correspond with him and direct his efforts. (William Waller Hening, The Statutes at Large; Being a Collection of the Laws of Virginia, from the First Session of the Legislature, in the Year 1619 [13 vols., Richmond, etc., 1809-23; facsimile reprint, Charlottesville, 1969], VII, 276-77, 375-77.)

In 1764, the committee was composed of five councilors and seven burgesses, of whom the most eminent were John Blair, Sr., chairman and president of the Council of State; Thomas Nelson, secretary of state; John Robinson, speaker of the House of Burgesses and treasurer; and Peyton Randolph, attorney general.

Randolph on 7 November laid before the Burgesses the most recent

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correspondence with Montague. The result of the ensuing discussion was that a week later the speaker appointed Randolph, Richard Henry Lee, Landon Carter, George Wythe, Edmund Pendleton, Benjamin Harrison, Archibald Cary, and John Fleming a special committee to prepare an address to the king and a memorial and a remonstrance to the Lords and the Commons respectively. Randolph introduced all three documents on 30 November. They appear to have been mainly the work of Carter. At least the crotchety colonial from Sabine Hall claimed them for his own and saw in himself the hero who gave "the first breath for Liberty in America." In so claiming and seeing, he developed a great detestation for Patrick Henry, who, appearing on the stage at a more propitious time, stole the show. But whereas Henry made his entry with magnificent timing and could hold an audience in his palm, Carter was scarcely the sort to bring men to their feet. "His speeches," Thomas Jefferson recalled years later, "like his writings, were dull, vapid, verbose, egotistical, smooth as the lullaby of the nurse, and commanding, like that, the repose only of the hearer." (Jack P. Greene, ed., The Diary of Colonel Landon Carter of Sabine Hall, 1752-1778 [2 vols., Charlottesville, 1965], II, 1057, 1063, 1082-83; Paul Leicester Ford, Comp. and ed., The Works of Thomas Jefferson [12 vols., New York, 1904-5], XI, 413, n.1.)

The House made no changes in the address, but a considerable number of amendments was made in the drafts of the memorial and the representation -- in Committee of the Whole House on 13 December, by the Council of State on 17 December, and by the House in formal session the next day. Then satisfied, Council and House adopted the documents by unanimous votes. (Kennedy, Journals of the House of Burgesses, 1761-1765, pp. 240, 254, 257, 279, 293, 299, 300, 301, 302.)

The sole value of the address lies in the fact of its existence. That of the memorial and the representation is to be found in the clarity with which the Virginia constitutional contention was expounded. Otherwise, these papers constituted exercises in futility. Not king, Lords, or Commons deigned so much as to receive, let alone scan them. By the date of the arrival in London, Grenville had long since determined to implement his resolution of March by pressing for the passage of a stamp act; and Parliament was irritated by the knowledge that colonials had presumed to question its authority. But in the light of subsequent events, it was not the Burgesses who failed. (Edmund S. Morgan and Helen M. Morgan, The Stamp Act Crisis: Prologue to Revolution [Chapel Hill, 1953], pp. 53-64; Edmund S. Morgan, "The Postponement of the Stamp Act," William and Mary Quarterly, 3d ser., VII [1950], 353-92.)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, A Documentary Record, compiled by William J. Van Schrenven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 9-10.

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[18 December 1764]

*To the King's Most Excellent Majesty.
Most gracious Sovereign,*

We your Majesty's dutiful and loyal Subjects, the Council and Burgesses of your ancient Colony and Dominion of Virginia, now met in General Assembly, beg leave to assure your Majesty of our firm and inviolable Attachment to your sacred Person and Government; and as your faithful Subjects here have at all Times been zealous to demonstrate this Truth, by a ready Compliance with the Royal Requisitions during the late War, by which a heavy and oppressive Debt of near Half a Million hath been incurred, so at this Time they implore Permission to approach the Throne with humble Confidence, and to intreat that your Majesty will be graciously pleased to protect your People in the Colony in the Enjoyment of their ancient and inestimable Right of being governed by such Laws respecting their internal Polity and Taxation as are derived from their own Consent, with the Approbation of their Sovereign or his Substitute: A Right which as Men, and Descendants of Britons, they have ever quietly possessed since first by Royal Permission and Encouragement they left the Mother Kingdom to extend its Commerce and Dominion.

Your Majesty's dutiful Subjects of Virginia most humbly and unanimously hope that this invaluable Birthright, descended to them from their Ancestors, and in which they have been protected by your Royal Predecessors, will not be suffered to receive an Injury under the Reign of your Sacred Majesty, already so illustriously distinguished by your gracious Attention to the Liberties of the People.

That your Majesty may long live to make Nations happy is the ardent Prayer of your faithful Subjects, the Council and Burgesses of Virginia.

*To the Right Honorable the Lords Spiritual and Temporal in Parliament assembled:
The Memorial of the Council and Burgesses of Virginia, now met in General Assembly,
Humbly represents,*

That your Memorialists hope on Application to your Lordships, the fixed and hereditary Guardians of British Liberty, will not be thought improper at this Time, when Measures are proposed subversive, as they conceive, of that Freedom which all Men, especially those who derive their Constitution from Britain, have a Right to enjoy; and they flatter themselves that your Lordships will not look upon them as Objects so unworthy your Attention as to regard any Impropriety in the Form or Manner of their Application, for your Lordships Protection of their just and undoubted Rights as Britons.

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It cannot be Presumption in your Memorialists to call themselves by this distinguished Name, since they are descended from Britons who left their native Country to extend its Territory and Dominion, and who happily for Britain, and as your Memorialists once thought for themselves too, effected this Purpose. As our Ancestors brought with them every Right and Privilege they could with Justice claim in their Mother Kingdom, their Descendants may conclude they cannot be deprived of those Rights without Injustice.

Your Memorialists conceive it to be a fundamental Principle of the British Constitution, without which Freedom can no where exist, that the People are not subject to any Taxes but such as are laid on them by their own consent, or by those who are legally appointed to represent them: Property must become too precarious for the Genius of a free People which can be taken from them at the Will of others, who cannot know what Taxes such People can bear, or the easiest Mode of raising them; and who are not under that Restraint, which is the greatest Security against a burthensome Taxation, when the Representatives themselves must be affected by every Tax imposed on the People.

Your Memorialists are therefore led into an humble Confidence that your Lordships will not think any Reason sufficient to support such a Power in the British Parliament, where the Colonies cannot be represented; a Power never before constitutionally assumed, and which if they have a Right to exercise on any Occasion must necessarily establish this melancholy Truth, that the Inhabitants of the Colonies are the Slaves of Britons, from whom they are descended, and from whom they might expect every Indulgence that the Obligations of Interest and Affection can entitle them to.

Your Memorialists have been invested with the Right of taxing their own People from the first Establishment of a regular Government in the Colony, and Requisitions have been constantly made to them by their Sovereigns on all Occasions when the Assistance of the Colony was thought necessary to preserve the British Interest in America; from when they must conclude they cannot now be deprived of a Right they have so long enjoyed, and which they have never forfeited.

The Expenses incurred during the last War, in Compliance with the Demands on this Colony by our late and present most gracious Sovereigns, have involved us a Debt of near Half a Million; a Debt not likely to decrease under the continued Expense we are at in providing for the Security of the People against the Incursions of our savage Neighbours, at a Time when the low state of our Staple Commodity, the total Want of Specie, and the late Restrictions upon the Trade of the Colonies, render the Circumstances of the People extremely distressful, and which, if Taxes are accumulated upon them by the British Parliament will make them truly deplorable.

Your Memorialists cannot suggest to themselves any Reason why they should not still be trusted with the Property of their People, with whose Abilities, and the least

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burthensome Mode of taxing (with great Deference to the superior Wisdom of Parliament) they must be best acquainted.

Your Memorialists hope they shall not be suspected of being actuated on this Occasion by any Principles but those of the purest Loyalty and Affection as they always endeavoured by their Conduct to demonstrate that they consider their Connexions with Great Britain, the Seat of Liberty, as their greatest Happiness.

The Duty they owe to themselves and their Posterity lays your Memorialists under the Necessity of endeavouring to establish their Constitution upon its proper Foundation; and they do most humbly pray your Lordships to take this Subject into your Consideration with the Attention that is due to the Well being of the Colonies, on which the Prosperity of Great Britain does in a great Measure depend.

To the Honorable the Knights, Citizens, and Burgesses of Great Britain, in Parliament assembled:

The Remonstrance of the Council and Burgesses of Virginia.

It appearing by the printed Votes of the House of Commons of Great Britain in Parliament assembled that in a Committee of the whole House, the 17th Day of March last, it was resolved that towards defending, protecting, and securing the British Colonies and Plantations in America, it may be proper to charge certain Stamp Duties in the said Colonies and Plantations; and it being apprehended that the same Subject, which was then declined, may be resumed and further pursued in a succeeding Session, the Council and Burgesses of Virginia, met in General Assembly, judge it their indispensable Duty, in a respectful Manner, but with decent Firmness, to remonstrate against such a Measure, that at least a Cession of those Rights, which in their Opinion must be infringed by that Procedure, may not be inferred from their Silence, at so important a Crisis.

They conceive it is essential to British Liberty that Laws imposing Taxes on the People ought not to be made without the Consent of Representatives chosen by themselves; who, at the same Time that they are acquainted with the Circumstances of their constituents, sustain a Proportion of the Burthen laid on them. This Privilege, inherent in the Persons who discovered and settled these Regions, could not be renounced or forfeited by their Removal hither, not as Vagabonds or Fugitives, but licensed and encouraged by their Prince and animated with a laudable Desire of enlarging the British Dominion, and extending its Commerce: On the contrary, it was secured to them and their Descendants, with all other Rights and Immunities of British Subjects by a Royal Charter, which hath been invariably recognized and confirmed by his Majesty and his Predecessors in their Commissions to the several Governours, granting a Power, and prescribing a Form of Legislation; according to which, Laws for the Administration of Justice, and for the

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Welfare and good Government of the Colony, have been hitherto enacted by the Governour, Council, and General Assembly, and to them Requisitions and Applications for Supplies have been directed by the Crown. As an Instance of the Opinion which former Sovereigns entertained of these Rights and Privileges, we beg Leave to refer to three Acts of the General Assembly passed in the 32d Year of the Reign of King Charles II (one of which is entitled An Act for raising a Publick Revenue for the better Support of the Government of his Majesty's Colony of Virginia, imposing several Duties for that Purpose) which they thought absolutely necessary, were prepared in England, and sent over by their then Governour, the Lord Culpeper, to be passed by the General Assembly, with a Full Power to give the Royal Assent thereto; and which were accordingly passed, after several Amendments were made to them here: Thus tender was his Majesty of the Rights of his American Subjects; and the Remonstrants do not discern by what Distinction they can be deprived of that sacred Birthright and most valuable Inheritance by their Fellow Subjects, not with what Propriety they can be taxed or affected in their Estates by the Parliament, wherein they are not, and indeed cannot, constitutionally be represented.

And if it were proper for the Parliament to impose Taxes on the Colonies at all, which the Remonstrants take Leave to think would be inconsistent with the fundamental Principles of the Constitution, the Exercise of that Power at this Time would be ruinous to Virginia, who exerted herself in the late War it is feared beyond her Strength, insomuch that to redeem the Money granted for the Exigence her People are taxed for several Years to come: This, with the large Expenses incurred for defending the Frontiers against the restless Indians, who have infested her as much since the Peace as before, is so grievous that an Increase of the Burthen will be intolerable; especially as the People are very greatly distressed already from the Scarcity of circulating Cash amongst them, and from the little Value of their Staple at the British Markets.

And it is presumed that adding to that Load which the Colony now labours under will not be more oppressive to her People than destructive of the Interests of Great Britain: For the Plantation Trade, confined as it is to the Mother Country, hath been a principal Means of multiplying and enriching her Inhabitants; and, if not too much discouraged, may prove an inexhaustible Source of Treasure to the Nation. For Satisfaction in this Point, let the present State of the British Fleets and Trade be compared with what they were before the Settlement of the Colonies; and let it be considered that whilst Property in Land may be acquired on very easy Terms, in the vast uncultivated Territory of North America, the Colonists will be mostly, if not wholly, employed in Agriculture; whereby the Exportation of their Commodities of Great Britain, and the Consumption of their Manufactures supplied from thence, will be daily increasing. But this most desirable Connexion between Great Britain and her Colonies, supported by such a happy Intercourse of reciprocal Benefits as is continually advancing the Prosperity of both, must be interrupted, if the People of the latter, reduced to extreme Poverty, should be compelled to manufacture those Articles they have been hitherto furnished with from the

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former.

From these Considerations, it is hoped that the Honourable House of Commons will not prosecute a Measure which those who may suffer under it cannot but look upon as fitter for Exiles driven from their native Country after ignominiously forfeiting her Favours and Protection, than for the Prosperity of Britons who have at all Times been forward to demonstrate all due Reverence to the Mother Kingdom, and are so instrumental in promoting her Glory and Felicity; and that British Patriots will never consent to the Exercise of anticonstitutional Power, which even in this remote Corner may be dangerous in its Example to the interiour Parts of the British Empire, and will certainly be detrimental to its Commerce. Kennedy, (Journals of the House of Burgesses of Virginia, 1761-1765, pp. 302-4.)

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Resolutions Offered by Patrick Henry in Condemnation of the Stamp Act 29-30 May 1765

On 6 February George Grenville, justifiably confident, rose in the House of Commons and offered fifty-five resolutions spelling out the items proposed to be taxed in the American colonies by the enactment of his Stamp Bill. A motion to receive and read the remonstrance of 18 December 1764 by the Virginia legislature, along with petitions from other colonies, was overborne. The bill was passed on 17 February. The Lords approved it on 8 March. Two weeks later His Majesty accorded it his gracious assent, with the proviso that the act become operative on 1 November. (Mortimer J. Adler et. al., eds., The Annals of America [20 vols., Chicago, 1968], II, 143-147.)

For a while it appeared that Grenville's assessment of the colonial psychology had been correct -- that previously notified of the probable passage of a stamp tax, the colonists would protest; but that when their objections proved futile, they would, however grumblingly, acquiesce. This assessment did not, however, comprehend the individual psyche of one Patrick Henry, soon to be elected to the Burgesses from Hanover County.

After Henry's death, there was discovered with his will a sealed document inscribed: "*Inclosed are the resolutions of the Virginia Assembly in 1765, concerning the Stamp Act. Let my executors open this paper.*" When the executors did so, they found the copy of the resolutions, apparently in the hand of John Fleming, in 1765 a burgess for Cumberland County, and on the verso of the sheet a statement in Henry's own hand. Upon entering the General Assembly, Henry explained, he was "young, inexperienced, unacquainted with the forms of the House, and the members that composed it" -- hardly the man, it would seem, to contest control with the established tidewater leadership. But

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finding that once the Stamp Act had been passed, no one appeared willing to challenge its constitutionality, he determined to do so himself, "and alone, unaided, and unassisted," he wrote the original resolutions "on a blank leaf of an old law-book."

If so, he was not "unassisted" for long, being soon in consultation with Fleming and George Johnston, a capable burgess for Fairfax County. Thus on 29 May - - coincidentally Henry's twenty-ninth birthday -- there was played a game of legislative battledore and shuttlecock: Johnson moved that the House resolve itself into Committee of the Whole; Henry seconded; the motion carrying, Henry produced his resolutions; Johnson seconded them. The timing was perfect. For years the House had been transacting business according to a standing rule whereby only 24 percent of the full membership constituted a quorum and on this day the forces that the leadership might ordinarily have marshaled were riddled by absenteeism; of 116 burgesses, twenty-eight a quorum, only thirty-nine were present. (*William and Mary Quarterly*, 2d ser., VII [1927], 92.)

That notwithstanding, there ensued a "long and warm contest," with "threats" and "much abuse" cast upon Henry "by the party for submission." Many of that party had not hesitated to vote for the petitions of 18 December past. Now some of them argued that further agitation was useless. Others contended that the time to review the struggle lay in the future. But all were horrified by the fifth resolution, which a young student observer from the College of William and Mary (his name was Thomas Jefferson) later recollected occasioned a "most bloody debate." In that no remembered voice had ever heretofore been raised in the Burgesses to assert that the General Assembly possessed the "*only and sole exclusive* Right and Power" to lay a tax of any nature on the colony -- well, the resolution was plainly revolutionary. Nevertheless, borne along by "torrents of sublime eloquence from Henry, backed by the solid reasoning of Johnston," all five resolutions emerged from the committee and were passed by the House (the fifth by a majority of one) on 30 May. "My God," Jefferson heard Peyton Randolph exclaim, "I would have given one hundred guineas for a single vote."

With affairs at this pass, Henry withdrew from the House and, exchanging cloth breeches for a pair made of leather, packed other effects in a brace of saddlebags, mounted a nag, and rode home. His leavetaking has been judged on the one hand to have been motivated by the belief that the battle was won, on the other by a conviction that as soon as he learned of the action of the Burgesses, the lieutenant governor would dissolve the Assembly. That dissolution did not follow immediately probably resulted from the conservative leaders' finding Fauquier's ear and promising to make every effort to have the resolutions rescinded.

They did make the attempt the next day, 31 May, and, with Henry gone, succeeded in expunging the obnoxious fifth resolution, but they failed to muster strength sufficient to rescind the first four.

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Historians have debated as to whether Henry and his colleagues offered a sixth and a seventh resolution. Fauquier reported that the young radicals "had two more resolutions in their pockets" but abstained from introducing them after the fifth had been passed with such difficulty. The sixth declared that Virginians were "not bound to yield obedience to any law or ordinance whatever designed to impose any taxation whatsoever upon them," unless made by their own representatives. The seventh decreed that anyone presuming to oppose the doctrines laid down in the preceding resolution should "be deemed an enemy to his majesty's colony."

Our knowledge of the contents of the sixth and seventh resolutions does not result from the known existence of any contemporary manuscript. It results rather, from their being printed, along with a preamble and the five other resolutions, in newspapers published in other colonies, first in Rhode Island, in the *Newport Mercury* of 24 June 1765. It is fairly obvious, therefore, that Henry, Fleming, Johnston, and possibly others transcribed all of the resolutions originally contemplated and posted them broadcast throughout the colonies. Because the time at which they did so is unknown, their motives can only be conjectured. One thing alone is certain: Joseph Royle, the public printer and publisher of the colony's only newspaper, the *Williamsburg Virginia Gazette*, was fiercely a king's man. To entrust to him the printing of the resolutions for copying by other newspapers, by which means important news was disseminated throughout the colonies, would have been equivalent to entrusting the cardinal virtues to the devil for the edification of man.

Thus one may suppose that Henry and his allies at the time they committed their communications to the posts were confident that the entire package of resolutions would be adopted, and that Virginians would learn of what the Burgesses had wrought from friendly gazettes published outside Virginia. Or one may suppose that the transcribers willfully undertook the creation of a myth, that of heroic legislators resolutely hurling defiance at tyranny across the sea. The lag in time between the probable date or dates of posting and the date of first publication is explicable when it is remembered that to print the resolutions without adverse comment could be construed as endorsing sedition. A loyalist publisher would hardly publicize them, and a radical one could not editorially decry them; but when the publisher of the *Newport Mercury* did risk printing them and escaped without reprisal, he breached the dam.

In this wise, it was the myth that was seized upon as being fact, so that the "alarm spread throughout **America** with astonishing quickness," and the acquiescence for which Grenville at first had reason to hope perished in blasts of fiery denunciation.

Even without the sixth and seventh, Henry saw in his resolutions the beginning of the Revolution and all that it portended. "Whether this will prove a

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blessing or a curse," he wrote in a timeless message, "will depend upon the use our people make of the blessing which a gracious God hath bestowed on us. If they are wise, they will be great and happy. If they are of a contrary character, they will be miserable." (Robert Douthat Meade, *Patrick Henry* [2 vols., Philadelphia and New York, 1957-69], I, 159, 169-82; George F. Williston, *Patrick Henry and His World* [Garden City, NY, 1969], pp. 119-29; E.S. and H.M. Morgan, *Stamp Act Crisis*, 88-98).

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, A Documentary Record, compiled by William J. Van Schrenven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 9-10.

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[29-30 May 1765]

Resolved,

That the first Adventurers and Settlers of this his Majesties Colony and Dominion brought with them and transmitted to their Posterity and all other his Majesties Subjects since inhabiting in this his Majesties said Colony all the Privileges, Franchises and Immunities that have at any Time been held, enjoyed, and possessed by the People of Great Britain.

Resolved, That by two royal Charters granted by King James the first the Colonists aforesaid are declared intituled to all the Privileges, Liberties and Immunities of Denizens and natural born Subjects to all Intents and Purposes as if they had been abiding and born within the Realm of England.

Resolved, That the Taxation of the People by themselves or by Persons chosen by themselves to represent them who can only know what Taxes the people are able to bear and the easiest Mode of raising them and are equally directed by such Taxes Themselves of the distinguishing Characteristick of British Freedom and without which the ancient Constitution cannot subsist.

Resolved, That his Majestie's liege People of this most ancient Colony have uninterruptedly enjoyed the Right of being thus governed by their own assembly in the Article of their Taxes and internal Polity and that the same hath never been forfeited or any other Way given up but hath been constantly recognized by the Kings and People of Great Britain.

Resolved, Therefore that the General Assembly of this Colony have the only and sole exclusive Right and Power to lay Taxes and Impositions upon the Inhabitants of this

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Colony and that every Attempt to vest such Power in any Person or Persons whatsoever other than the General Assembly aforesaid has a manifest Tendency to destroy British as well as American Freedom. (Henry's Manuscript-Colonial Williamsburg Foundation)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, A Documentary Record, compiled by William J. Van Schrenven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 17-18.

The two resolutions not passed are as follows:

Resolved, that his Majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws or ordinances of the General Assembly aforesaid.

Resolved, that any person who shall, by speaking or writing, assert or maintain that any person or persons other than the General Assembly of this colony, have any right or power to impose or lay any taxation on the people here, shall be deemed an enemy of his Majesty's colony.

English Historical Documents-American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, pp. 669-670.

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STAMP ACT RIOT

The Official Papers of Francis Fauquier
Lieutenant Governor of Virginia
1758-1768

To the Board of Trade

My Lords,

Wmsburgh, Novr. 3d 1765

The present unhappy State of this Colony will, to my great concern, oblige me to trouble your Lordships with a long and very disagreeable Letter. We were for some time, in almost daily expectations of the arrival of Colonel Mercer with the Stamps for the use of this Colony. And Rumours were industriously thrown out, that at the Time of the General Court, Parties would come down from most parts of the Country to seize on, and destroy all Stamp'd papers. At these Courts persons engaged in Business of any kind constantly attend, as well as those who have Suits depending before the Court; it being the Time when all accompts of Transactions of moment are settled, payments made, and Bills of Exchange on Great Brittain are drawn: So that there is always a vast Concourse of people then in Town. These Rumours were little regarded or credited.

The first disagreeable Thing that happened, was the application to me in Council from two Counties by memorials or petitions, that I would order new Commissions to be made out for their respective Counties, as the present Justices were determined not to act, after the Day the Act directing Stamp'd papers to be used in the processes of their Courts, took place. These were ordered to lie on the Table. In order for your Lordships to judge the propriety of that Conduct in the Council, it will be necessary to observe to you, that in few Counties there are Gentlemen enough properly educated and qualified to execute that Trust. Therefore if any Notice had been taken of these papers the present set of Justices must have been removed; the Consequence of which wou'd have been either; that the Courts must have been filld with a meaner Sort of people, or there would have been no Courts at all: the last of which was to be expected, for if the first Gentlemen of the Counties refused to act, it would have become a fashion for the others to follow their Examples; indeed, they would hardly have dared to have done otherwise. And if these Gentlemen had been removed, without a proper Submission they could never have been re-instated. Which Submission was not be expected. And a general Resolution was taken not to issue any new Commissions of the peace, till affairs were better settled, and peace should take place of Disorder and Confusion: as we had the greatest Reason to believe that many Gentlemen who are qualifying under the Commissions now subsisting, would take the advantage of new Commissions not to qualify, in which Case the Benches would not be fill'd and the inferior Courts of Justice stop'd. To remedy these Evils and to prevent this dreadful Calamity from falling on the Country as much as lay in our power, We took the Measures above related.

STAMP ACT RIOT

Very unluckily Colonel Mercer arrived at the time this Town was the fullest of Strangers. On Wednesday the 30th October he came up to Town. I then thought proper to go the Coffee house (where I occasionally sometimes go) which is situated in that part of the Town which is call'd the Exchange tho' an open Street, where all money business is transacted. My particular Reason for going then was, that I might be an Eye witness of what did really pass, and not receive it by Relation from others. The mercantile people were all assembled as usual, the first word I heard was "One and all." Upon which as at a word agreed on before between themselves, they all quited the place to find Colonel Mercer at his Fathers Lodgings where it was known he was. This concourse of people I should call a Mob, did I not know that it was chiefly if not altogether composed of Gentlemen of property in the Colony some of them at the Head of their Respective Counties, and the Merchants of the Country, whether English Scotch, or Virginians; for few absented themselves. They met Colonel Mercer on the way just at the Capitol, there they stop'd and demanded of him an Answer whether he would resign or act in his Office as Distributor of the Stamps. He said it was an affair of great moment to him, He must consult his Friends, and promised to give them an answer at 10 o'Clock on Friday morning at that place. This did not satisfy them, and they followed him to the Coffee house, in the porch of which I had seated my self with many of the Council and the Speaker who had posted himself between the Crowd and my self. We all received him with the greatest Marks of welcome; with which if one may be allowed to judge by their Countenances they were not well pleased, tho' they remained quiet and were silent. Now and then a Voice was heard from the Crowd, that Friday was too late, the act would take place, they would have an answer tomorrow. Several Messages were brought to Mr. Mercer by the leading Men of the Crowd, to whom he constantly answered he had already given an answer and he would have no other extorted from him. After some little time, a Cry was heard "let us rush in" upon this we, that were at the Top of the Steps knowing the advantage our Situation gave us to repell those who should attempt to mount them, advanced to the Edge of the Steps, of which number I was one. I immediately heard a Cry see the Governor take care of him, those who before were pushing up the Steps immediately fell back and left a small Space between me and them. If your Lordships will not accuse me of Vanity I would say that I believe this to be partly owing to the Respect they bore to my character, and partly to the Love they bore to my person. After much entreaty of some of his Friends Mr. Mercer was against his own Inclination prevailed upon to promise them an answer at the Capitol the next Evening at five. The Crowd did not yet disperse, it was growing dark and I did not think it safe to leave Mr. Mercer behind me, so I again advanced to the Edge of the Steps, and said aloud I believed no man there would do me any hurt, and turned to Mr. Mercer and told him if he would walk with me through the people I believed I could conduct him safe to my house, and we accordingly walked side by side through the thickest of the people who did not molest us; tho' there was some little murmurs. By my thus taking him under my protection I believe I saved him from being insulted at least. When we got home we had much discourse on the Subject. He asked me what he should do; in return I asked him

STAMP ACT RIOT

whether he was afraid for his Life, if he was, it was too tender a point for me to advise him; if not, his honor and Interest both demanded he should hold the office; and if that should be his resolution he must not regard the reasonings of his Father and Brother two Lawyers attending the Court, who were both frighted out of their Senses for him. He left me that night in a state of uncertainty what part he should act.

Accordingly Mr. Mercer appeared at the Capitol at 5 as he had promised. The number of People assembled there was much encreased by messengers having been sent into the neighbourhood for that purpose. Colonel Mercer then read to them the answer which is printed in the Supplement of the Gazette, of which I inclose your Lordships a Copy, to which I beg Leave to refer.

*On Friday the first instant the Judges of the General Court met according to their adjournment as usual. Proclamation was made, and the Lawyers not appearing at the Bar to do any Business excepting the Kings Attorney who was at his Place at the Table within the Bar; I waited some time and then ordered proclamation to be made again once in the Cryers place and once at the Door. And upon no Suitors appearing, I call'd for Colonel Mercer and asked him in open Court, whether he could supply the court with proper Stamps that the Business might be carried on according to Law; he replied he could not, and gave the substance of the answer he had given the Evening before. I then asked the Clerk whether he could carry on the Business without them, he said he could not without subjecting himself to such penalties as he would not expose himself to. I then took the Opinions of my Brother Judges on the Bench *seriatim* whether we might not legally adjourn to the 10 of April next as there was no Business before us. I was asked by one of the Gentlemen whether I had received any particular Instructions or Directions how to act on this Occasion: I replied I had not. Then the Court was unanimous that we might adjourn to the next Court in Course which was accordingly done.*

Before the Adjournment Colonel Mercer offered to resign his Commission to me, I did not expect this: but thinking my self obliged to give some answer, I said I did not think my self authorized to accept it, and that I thought all Commissions and appointments ought to be resigned into the hands of those, from whom they were received. That I thought I ought to accept Resignations of all appointments made by my self, but not of those of his Majesty or his Ministers at home. I was taken by Surprize, and the Reasons that then occurred to me beside that which I thought proper to give in public (for the Court was filled with people) were, that if I accepted the Resignation I must appoint another; and I was well convinced, I could not find one to accept of it, in those circumstances, which would render the office cheap. Besides if I left Mr. Mercer in possession of the place, he would be always ready to distribute the stamp'd papers, whenever peoples Eyes should be open'd, and they should come to their Senses so as to receive them.

STAMP ACT RIOT

The first and most obvious Consequences of all this must be, the shutting up all the ports, and stopping all proceedings in the Courts of Justice. A most melancholy prospect at first View, for what Ideas can we well form of a more miserable Condition, than a State of general Outlawry. What other Consequences may follow from these, are so buried in obscurity that it requires a Sagacity and Judgment much superior to my own even to guess at them; with any of least degree of Certainty. But it seems to me that Disorder, confusion, and Misery are before us, unless this poor unhappy deluded People in the colonies in general should change their Plan.

I had an Opportunity of speaking my Sentiments on this point to many of the Merchants who came to me for Registers for their Shipping. I represented the absurdity of their Conduct who were concerned in Shipping and had large Debts owing to them, which they could not now recover; but the Flame had spread so universally through the Colonies, and every man was so heated thereby that no Reasons could find admittance.

On the Saturday Evening the naval officers came to me for my advice how they were to act, being before apprized of this I had an answer ready prepared in my pocket which I gave them in writing in these words.

"Gentlemen.

I have been sworn in Council to use my best Endeavors to put in Execution an act pass'd in the last Session of Parliament of Great Britain, directing what Stamps are to be used in your Offices in carrying on the Business thereof from the 1st instant: that act therefore is to be your Guide and I have no advice to give you but that you act in Conformity thereto. Every Deviation from it must be at your peril.

Fran: Fauquier."

Colonel Mercer has informed me that he proposes to apply to the Commanders of his Majesty's Ships of war, to take the Stamp'd papers on board their Ships for his Majesty's Service; it being the place of the greatest if not the only Security for them: for I am convinced as well as himself that it would be extremely dangerous to attempt to land them during the present fermented State of the Colony. If these Gentlemen should refuse to take Charge of them, and Mr. Mercer should apply to me; I will do my Duty to his Majesty and save them from being destroyed to the best of my power, tho' I can by no means answer for the Success of my Endeavors.

Thus my Lords I have in a candid and undisguised Manner set the naked Truth before you: and submit my conduct through this whole affair to your Lordships Judgment. I must confess that I have never in the course of my Life been in a Situation which required so much Circumspection. I have often been at a Loss to form a Judgment for myself how to proceed; and have often been dissatisfy'd with my determinations; and should have

STAMP ACT RIOT

been glad to your Lordships superior abilities to assist me in my conduct. If I shall be so fortunate as to have gone through this very difficult affair, with a tolerable Share of Prudence, I shall think my self happy indeed. but if my conduct should meet with the Disapprobation of my Royal Master or his Ministers; I must rely on your Lordships Candor, and beg Leave to represent to you that I was left to my self, without any Instructions or Directions from your right honourable Board to guide me through this wilderness. Your Lordships will I hope forgive me in saying that I even had not the common Notice of there being such an Act, as it has never been sent to me, but my Zeal to promote his Majesty's Service never let me take this into Consideration. I am with the greatest Respect & Esteem My Lords Your Lordships most Obedient and devoted Servant

Fran: Fauquier

To the right Honble. the Lords of Trade &ct.

The Official Papers of Francis Fauquier Lieutenant Governor of Virginia 1758-1768, Vol. III, 1764-1768, edited by George Reese, Published for The Virginia Historical Society by The University Press of Virginia, Charlottesville, VA, 1983, pp. 1290-95.

DECLARATORY ACT

Colonial Opposition and British Retreat, 1764-1766

Act repealing the Stamp Act (18 March 1766)

Printed: Pickering, Statutes at Large, XXVII, p. 19.

Whereas an Act was passed in the last session of Parliament entitled, An Act for granting and applying certain stamp duties, and other duties in the British colonies and plantations in America towards further defraying the expenses of defending, protecting, and securing the same; and for amending such parts of the several Acts of Parliament relating to the trade and revenues of the said colonies and plantations as direct the manner of determining and recovering the penalties and forfeitures therein mentioned; and whereas the continuance of the said Act would be attended with many inconveniences, and may be productive of consequences greatly detrimental to the commercial interests of these kingdoms; may it therefore please your most excellent Majesty that it may be enacted; and be it enacted by the king's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that from and after the first day of May, one thousand seven hundred and sixty-six, the above-mentioned Act, and the several matters and things therein contained, shall be, and is and are hereby repealed and made void to all intents and purposes whatsoever.

English Historical Documents - American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, pp. 701-702.

* * * * *

The Declaratory Act (18 March 1766)

The Declaratory Act (6 Geo. III, c. 12) asserting the absolute sovereignty of Parliament received royal assent the same day as the Act repealing the Stamp Act.

Printed: Pickering, Statutes at Large, XXVII, pp. 19-20.

Whereas several of the houses of representatives in his Majesty's colonies and plantations in America, have of late, against law, claimed to themselves, or to the general assemblies of the same, the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said colonies and plantations; and have, in pursuance of such claim, passed certain votes, resolutions, and orders, derogatory to the legislative authority of Parliament, and inconsistent with the dependency of the said colonies and plantations upon the Crown of Great Britain; may it therefore please your most excellent Majesty that it may be declared; and be it declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the said colonies and plantations in America have been, are, and of right ought to be, subordinate unto, and dependent upon the imperial Crown and Parliament of Great Britain; and that

DECLARATORY ACT

the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of Great Britain, in Parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the Crown of Great Britain, in all cases whatsoever.

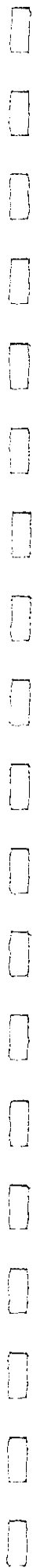
II. And be it further declared and enacted by the authority aforesaid, that all resolutions, votes, orders, and proceedings, in any of the said colonies or plantations, whereby the power and authority of the Parliament of Great Britain, to make laws and statutes as aforesaid, is denied, or drawn into question, are, and are hereby declared to be, utterly null and void to all intents and purposes whatsoever.

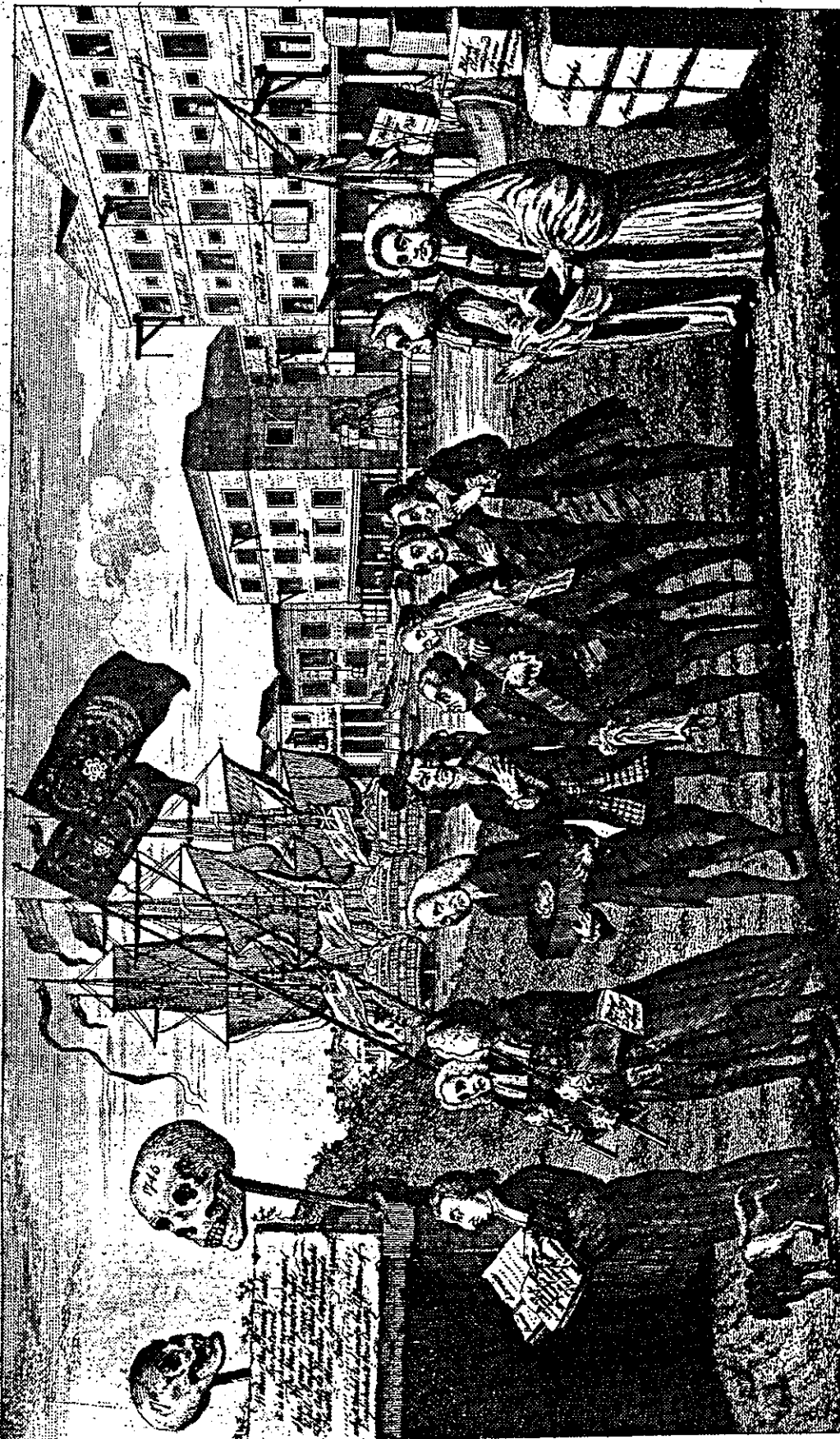
English Historical Documents - American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, pp. 695-696.

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Worthy of Liberty, Mr. Pitt scorns to invade the Liberties of other Peoples, Charles Willson Peale, black and white mezzotint engraving, England, ca. 1768. This engraving is based on a painting by Peale commissioned by a group of men in Westmoreland County, VA, as an effort to compliment Pitt on his opposition to the Stamp Act. (Acc. No. 1953-747).



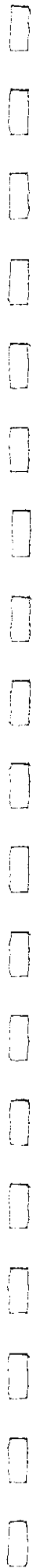


THE REPEAL, or the General Procession of Miss America-Stamp.

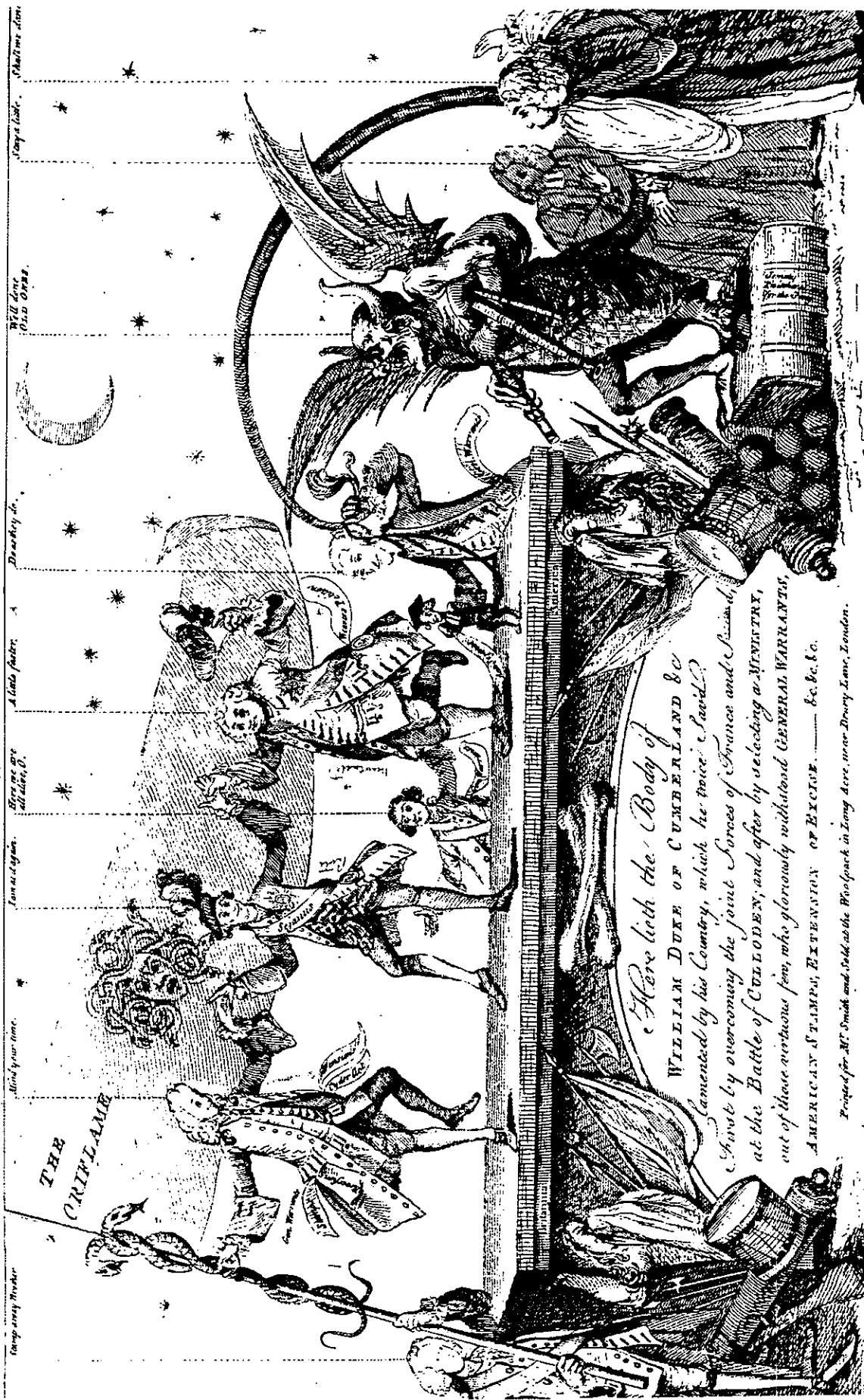
The scene is a funeral procession in a city street. In the foreground, a woman in a dark dress carries a large skull on a pole. Behind her, a group of men in formal attire follows, some holding flags and banners. One banner reads "REPEAL OF THE STAMP ACT". In the background, a large building is visible with a sign that says "Miss America-Stamp".

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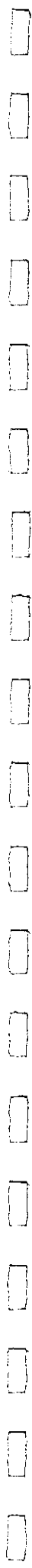
The Repeal, or the Funeral Procession of Miss America-stamp, possibly B. Wilson, black and white line engraving, England, 1766. This satire celebrates the demise of the Stamp Act. This print became one of the most copied satires of the period. The mourners represent Grenville, Bute, and Temple. (Acc. No. 1960-36.) Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



T H E T O M B = S T O N E .



The Tomb-Stone, attributed to Benjamin Wilson, printed for Mr. Smith, black and white engraving, England, 1765. The tombstone of William Duke of Cumberland is surrounded by mourners who supported his ministry which was opposed to the Stamp Act. The Duke's enemies, Grenville, Bute, and Temple, dance on top of the tomb. (Acc. No. 1960-35). Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



ROBINSON

Introduction to Robinson and Chiswell

Many of the most prominent attorneys were associated with the central administration that the Robinson affair so badly besmirched. To compound the image, shortly after Robinson's death, his father-in-law killed a man in a tavern brawl, and when authorities followed custom in capital cases and refused bail, three members of the General Court overrode them to order his release. So blatant an exercise of class privilege generated a torrent of outrage and became the cause célèbre of the decade.

The Revolution in Virginia 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, p. 36.

Robinson's Death

Williamsburg, May 16, 1766

On Sunday last died JOHN ROBINSON, Esq, Member of the General Assembly for the county of King and Queen. He had been almost 30 years Speaker of the Burgesses, every one allowing to his indisputable merit, not the second, but the first place in that House, which post he filled with sufficient ability, and equal dignity So that the publick is deprived of a most useful servant And the many amiable virtues which adorned his private station, whilst they consecrate his memory among his friends, dependents, and acquaintance, mark his death a calamity to be lamented by the unfortunate and indigent who were wont to be relieved and cherished by his humanity and liberality.

Virginia Gazette (Purdie and Dixon) May 16, 1766.

Condition of Robinson's Estate

Williamsburg, June 13, 1766

THE subscribers having administered on the estate of JOHN ROBINSON, Esq; late Treasurer of this colony, hereby give notice to all persons indebted to him that they must make immediate payment, the affairs of the estate being so circumstanced as not to admit of delay or indulgence; and as the deceased Gentleman, in his lifetime, from a goodness of heart and benevolent disposition peculiar to himself, could not refuse the importunities of the distressed, but advanced large sums of money to assist and relieve his friends, and others in that situation that applied to him, and was always ready to advance his credit and fortune to assist such as really stood in need of it, his administrators now hope that all those that have received favours from him will, in honour and gratitude to the memory

ROBINSON

of so kind a friend and benefactor, pay immediately what they owe, without further trouble or application; and even cheerfully sell their own estates to discharge it, rather than suffer the estate of their friend to be distressed for the payment of their debts: And should it be in the power of the administrators to indulge any of the persons indebted to the estate, they will only extend it to those that appear most forward and ready to pay them. All persons that have any demands against the estate are desired to make them known, that they may be adjusted. Any payments made to Mr. James Cocke, of Williamsburg, will be allowed.

*Peyton Randolph
Edmund Pendleton
Peter Lyons* *Administrators*

Virginia Gazette (Purdie and Dixon) June 13, 1766.

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Freeholders

Williamsburg, October 30, 1766

*An Address of the Freeholders of James City
County to LEWIS BURWELL, Esq;
their Representative.*

SIR,

WE a majority of the freeholders of this his Majesty's most ancient county in Virginia, thinking ourselves to have an indisputable right of directing our Members to vote according to our own sentiments, when any thing material is to be offered to a General Assembly touching the welfare of the colony, and as the next session will decide whether the weighty offices of Speaker and Treasurer are to remain united in one person or be separated, we have thought proper to communicate to you our opinion on so important a subject, which is as follows:

First. We think it self-evident that the possessing of any high office of dignity or trust gives weight and authority to the possessor, and that where two such offices are enjoyed by one person it must convey a great degree of power and superiority, which may lay a foundation for such undue influence as is inconsistent with the liberty of a free people.

Secondly. We doubt not but that the House of Burgesses will choose a person for their Speaker whose abilities and merit will sufficiently support his dignity, and we are of opinion that the House will find ways and means to make him a handsome compensation

FREEHOLDERS

for his extraordinary trouble, without either imposing any burthen on the people, which need give just cause of complaint, or yet annexing the Treasury to the Chair by way of Salary.

Thirdly. We are not at all apprehensive of the Crown's claiming any right to the disposal of the office of Treasurer, from the separation proposed; because it is certain that those who grant money may lodge it in what hands they please, for if this privilege is denied them they may refuse to give. Besides, we have the fullest confidence in the present Assembly that they will always resolutely follow the example of the last, in their noble and spirited manner of supporting every right and privilege which hath always been claimed by, and constantly yielded, to this ancient colony.

For these reasons, we hereby signify to you our desire that you endeavour to bring about a separation of the offices of Speaker and Treasurer, both by your vote and interest; and that you earnestly and steadily strive to promote every measure which may be proposed in the House for the more effectual collecting of the taxes, and for the preventing any future misapplication of publick monies.

[Signed by a majority of the freeholders of JAMES CITY county.]

Virginia Gazette (Purdie and Dixon), October 30, 1766

Chiswell Scandal

To the PRINTER

Upon an inquisition taken before the Coroner in Cumberland county, Robert Routledge was found to be murdered (June 3d) by a sword in the hand of John Chiswell, Esq; whereupon he was committed to the county prison, and the examining Court, upon full evidence (refusing to bail him on a motion for that purpose) ordered him to the publick prison, as the law directs, to be tried for murder. But before he was delivered to the keeper of the publick prison, the Judges of the General Court, out of sessions, took him from the sheriff who conveyed him from Cumberland, and admitted him to bail, without seeing the record of his examination in the county, or examining any of the witnesses against him. I ask, whether this act of the three Judges of the General Court be legal. If it is legal, I have nothing more to say. If it is not legal, then I ask whether the act of these Judges has not a tendency to overturn the laws and constitution of the country, by their exercising an extrajudicial power and controlling the course of law in a case of the highest consequence to the safety of the subject? Whether the bail taken by these Judges in an extrajudicial manner can be liable on their recognizances, if Mr. Chiswell should not appear to take his trial? If they are not liable, whether it is not in fact a rescue, under pretence of law, of a person charged with an atrocious crime? And further, if it is a rescue, whether the sheriff, Mr. Jeffe Thomas, is not still liable to a prosecution, for not taking those measures to recover his prisoner as are proper to be taken when a

CHISWELL

prisoner is rescued.

Virginia Gazette (Purdie and Dixon)
June 20, 1766

Williamsburg, June 11.

To the *PRINTER*.

It is the excellence of our most happy constitution that the prerogative of the Crown, and the rights of the people, are so fully ascertained that no insult can be offered to the one, or encroachment made on the other, without either directly or indirectly interfering with some universally acknowledged custom or statute.

In either of these cases the Sovereign and the subject are equally interested in redressing the disorder, the well-being of each depending upon a just exercise and enjoyment of those powers and franchises long since chalked out by the wisdom and courage of our ancestors.

This being premised, with what amazement must the publick have been informed that three Judges of the General Court (out of sessions) have dared to do a most flagrant injury, both to Prince and people, by presuming to rescue a person, charged with the murder of his fellow subject, from the custody of a sheriff, who, by order of an examining court, was conveying him to the publick prison in Williamsburg; and that they had discharged the criminal from custody, under pretence of admitting him to bail?

This measure must assuredly meet with the warmest disapprobation of every unbiassed mind, and the more, if (as it is by some suggested) the recognisances given (on account of the non-existence of any authority to take them, to the prejudice of a stronger security, appointed by the laws) are not recoverable. Here his Majesty's dignity is affronted, the authority of his courts contemned, the safety of the subject endangered, and a power of licensing homicides (such is the force of this pernicious precedent) reserved to the J_____ of the G_____ C_____.

A murder may be committed (even ordered) the murderer taken from the sheriff of the county, and enlarged by one, two, three, or any number of Judges, on his entering into a recognisance to appear and take his trial, under the penalty of any, even the smallest sum; such, in short, as the Judge, or Judges, shall please to require. Thus precariously may we enjoy the privilege of breathing! But, after all, should it be found than even that sum, small or great, was not recoverable.....?

CHISWELL

Had the three Judges in question, or their adviser, deigned an answer to the queries, made, on this subject, in a former paper, they would have had no trouble from me.

If the bail allowed was illegal, I did not dispute but the Governour would order immediately, and the Attorney General commence, prosecutions against the violators of laws which so intimately concern the personal security of every individual. Was the measure, by any strange inconsistency in the laws, found warrantable, I concluded the next Assembly would, with ardour, enter upon, and establish, a wiser regulation.

In either of these cases, I had been satisfied; but no answer appearing to those queries, I cannot forbear declaring that (not being disposed to hold my life by the indulgence of particulars) there ought to be a judicial inquiry into this matter. I say a judicial inquiry, for, abhorring tumults of every kind, I hope no body will dream of any other. I repeat it (for it cannot be said too often) that an inquiry is necessary. To pass over, without attention, so new, so important a transaction, would be a proof of great deficiency of publick virtue, insomuch as to leave us but a melancholy prospect of futurity. Animated by the warmest love to my country, without pique or partiality against, or toward, any person concerned, I have presumed to deliver my sentiments on this matter by your Gazette. I persuade myself I have done my duty; and if all be happy to find those from whom we have expectations of redress, act as conscientiously. It is probable I may hereby bring on myself a load of hatred, that I may be severely treated by some persons; I expect it, and am contented: I have my own applause, and am sure of that of every honest Virginian.

Virginia Gazette (Purdie and Dixon), July 11, 1766.

Williamsburg, July 3, 1766.

WHEREAS the admitting Colonel CHISWELL to bail is much censured by many people, I hear, and an anonymous publication in the Gazette before last shows the warm zeal of the author against it; for publick information, and to remove the bad impression it may make on some, for want of a true knowledge of the motives that prevailed on the Judges of the General Court to take that unusual step, I do hereby certify that it was not done without first having it under the hands of three eminent Lawyers of the Court that it was lawful for us to do it; nor, as to the expediency, was it done until two depositions were taken before us, by which it appeared that though it was a most unhappy drunken affair, and very culpable, yet there was no malice prepense, but a long intimate friendship between them; that the first assault was from the deceased, who threw a glass of wine in Colonel Chiswell's face, both much in liquor, which was returned with a bowl of punch, and so assaults on both sides were reiterated until Routledge took up a chair

CHISWELL

to knock Chiswell down, on which he sent his man for his sword; but when brought to him naked, he got his back to the wall, and stood on his defence, pointing it out, and calling several times to take Routledge out of the room; that accordingly one was carrying him out of the room, and at the same time two men seized Chiswell's sword arm, and held it so strongly that it was impossible for him to push forward; that Routledge broke from the man that was carrying him out, and rushed suddenly back, the candles being then out, and to all appearance rushed upon the sword that was pointed out. How this unhappy affair may appear upon the trial, I cannot say; but, upon the whole, we were induced to think, from the opinions and facts laid before us, that his case wasailable; and having that satisfaction as to the legality and propriety of it, we did, on four worthy Gentlemen entering into a recognisance with him before us, he in 2000£. and they in 1000£. each, admit him to bail.

Waving the dignity of our stations, which to some perhaps might seem to forbid this popular address, it can, I think, ill become no man to remove publick misapprehensions; and so leave it.

JOHN BLAIR

Virginia Gazette (Purdie and Dixon), July 4, 1766.

Williamsburg, July 25.

To J.B. Esquire

HONOURABLE SIR,

You have no reason to complain of your intelligence: The admission of Col. Chiswell to bail (but more the manner of it) is very much, and very justly, censured by many people; it seems to have given universal alarm. Whatever motives prevailed on yourself, William Byrd, and Presly Thornton, Esquires, to take that unusual step, are of little consequence to the publick. All the publick is concerned in is to examine how far itself is affected thereby; the result of such examination, in many, is that nothing less than a legal determination against you can quiet their apprehensions. In the present state of things, your fellow subjects in Virginia live only at discretion of your sublime Board; a Board, which having an unreasonable power by law already, should at least be prevented from usurping one, subversive both of law and reason.

You cannot believe, Sir, that the intelligent publick, in a point of this interesting nature, will find its dissatisfaction removed by hearing your admission of Col. Chiswell to bail was in pursuance of the advice of three eminent lawyers. I am sorry you found three such advisers among the eminent professors of that science; but, whatever they advised,

CHISWELL

you should by no means have omitted to consider that, being selected by Col. Chiswell's friends, they were ex parte, and that no decisive judgment was to be expected from them. And, moreover, that the Sheriff had an absolute authority for conducting to prison the unfortunate Gentleman in question, viz. the authority of a legal warrant. Had he (the Sheriff) interrupted your deliberations, by ordering you to be aiding and assisting in the execution of that warrant, your Honours might, on your disobedience, have been severely fined. Surely, Sir, you will not imagine your triumvirate had (whatever it assumed) a Regal power; if it had not, you were, no less than others of his Majesty's subjects, bound to obey his legal commands, given by the mouth of his officer, and punishable for a neglect of that duty, when imposed. Hence, it would seem, the Sheriff, at the time you received his prisoner, was actually your superior; and that his prisoner was, if not by violence, at least be artifice, rescued from his custody.

Permit me, Sir, to declare your piece altogether insufficient, a palliative, with respect to your intentions, but no justification of the proceeding.

As to the expediency of allowing the bail, you say that two depositions were taken! Sir, I esteem and revere you, and feel the most sensible anxiety in seeing, what I apprehend my duty, and those feelings so much at variance on this occasion; but here you constrain me to make a defence. The author of the unanswered queries knew well who were examined, and from that knowledge ventured to say no dispositions were taken; little imagining the mockery, he forbore to mention as unworthy notice, would have been seriously exposed as the basis of your conduct. In taking depositions both parties ought to be present, that the deponents may be counter-examined. In this case his Majesty was a party; but nobody, not even his Attorney General, appeared for him: So that he sustained an injury, from which the meanest of his subjects, in the most trivial civil dispute, is secure. Can we, besides, suppose Mr. Jeffe Thomas and Mr. John Wayles capable of giving testimony with respect to a matter at the transaction of which neither was present? Could their declarations influence you so far as to give you entire satisfaction? It is true they were present at the Examining Court, the first in execution of his office of Under Sheriff, the second as Attorney for the prisoner; but when once you admit hearsay testimony (when better is at hand) where will you stop? Would not the declarations of two persons, who had privately heard what Mess. Wayles and Thomas had to say, have been as conclusive, &c. ad infinitum? but the truth is, such testimonies are not admissible but in default of better; and to be rejected altogether, on any glaring variation between them. I believe, Sir, you must remember there was a great variation between the Sheriff and the Attorney.

The falsity of almost every circumstance of your short narrative of what preceded Mr. Routledge's death is an evidence unanswerable, that you were ill informed. The Gentlemen who were present on that occasion are no doubt surprised to see such perversion of facts and circumstance.

CHISWELL

** I could, from the best authority, contradict that narrative, in almost every particular; but, wishing not to see Col. Chiswell prejudged, or do him the least injury (my design being altogether of a publick nature) I shall save it, unless I am hereafter constrained to act otherwise. I will only say that, had matters appeared in the light you represent them to the Court of Cumberland, far from judging his case unailable, they scarce would have ordered him down for further trial.*

Upon the whole, you say you were induced to think, from the opinions and facts laid before you, that his case wasailable. Suppose it was, the Court of Cumberland had judged otherwise, and that too from a very different kind of testimony from that which you were contented to receive. Besides, the authority was not allowed by which you, Sir, and the two other Judges (three particulars) undertook to reverse the judgment of that Court, set aside the warrant with which the sheriff was furnished, and grant that bail.

The County Courts, and the General Court, are constituted by the same authority, -- by acts of Assembly; these acts have formed a determinate relation between them, a relation that cannot be altered by the General Court, or its members, without a strong implied denial of those powers, by which alone the General Court, and all our Courts, exist. There can be no County, or General Court, or they must be such precisely, as the Assembly has constituted them. To alter the connexion between them is to effect a revolution; we become another people. These acts are the very basis of our civil jurisdiction, the sacred chain of our society! I find no where a power granted by any act of Assembly to particular members of the General Court over the decisions of the County Courts; but I find the law expressly infringed, which gives a validity to the proceedings of an Examining Court, and directs the manner of a criminal's being conveyed from the county to the publick prison: Consequently the relation between the County and General Courts altered, and the constitution so far unhinged. These matters require (here being the grievance) the fullest explanation. But if it should be found, in fact, that you had allowed bail to the perpetrator of a crime not legallyailable; if three Judges of our Supreme Court; from precipitation and (as many think) partiality, neglected to procure proper satisfaction, with respect to a point on which they pretended to dodge, and in consequence judged wrong; they must expect to appear before an impartial tribunal themselves, to see their conduct scrutinized, and (according to its merit) justified or censured.

What you say with respect to the dignity of your stations gives me fresh surprise! I begin to think myself an inhabitant of some other country than Virginia. Is there a dignity in this land which exempts any person whatever from a duty to satisfy, if possible, a people which conceives itself injured? Methinks I hear a general negative from every part of Virginia. Sir, you have, and well deserve, great dignity. You claim it from a long life, spent in the practice of virtue; from your benevolence, your humanity,

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*your integrity. You have a right to, and possess, all the dignity which the finest and most truly amiable character can deserve; but nevertheless men of equal merit have (while you are not dispensing justice in the General Court) a right to an equal dignity with yourself. If these are few in number, it is to me a matter of sorrow. For my part, I disclaim an idea of dignity founded merely on the abject spirit of particulars, and regard the pretenders of such dignity with a degree of contempt proportioned to their arrogance. So haughty a sentiment as the above flows not naturally from your bosom, or from those excellent qualities for which you are conspicuous. You demonstrate *this* by showing a solicitude to satisfy your countrymen, and by your attempt to vindicate yourself to their good opinion.*

I am sincerely sorry that the worthy, the venerable President of the Council, hath been (though I hope inadvertently) involved in circumstances which seem to require defense, and are yet indefensible, but upon principles subversive of that constitution of which he hath been so long the support.

I am, &c.

P.S. Let not my being anonymous give you offence. I write on a publick matter, and attacking nobody's reputation (but a wrong measure, as I conceive it.) I have a right to speak thereon, I think, without bringing my name into question. The thing written should doubtless be regarded, not the writer. It is no matter whether he live in Northampton or Buckingham; it is enough that he values and tries to serve his country. For this endeavour hath he been traduced (by a Gentleman, without much gentleness) and threatened with a prosecution. A prosecution will he never regard, while a consciousness of being governed by the most honest motives shall support him under that destiny.

**This piece (being written before the publication of [Jikephilo's narration) it may be thought should have been altered in this place; but the author leaves it as it was, being willing the publick should know that he disapproves of that publication, not for its want or merit, but because it [] what he himself has studiously avoided, -- precondemn Cl. Chiswell.*

Virginia Gazette (Purdie and Dixon), July 25, 1766.

Williamsburg, October 17.

On Wednesday last, about 11 o'clock in the afternoon, died, at his house in this city, Col. John Chiswell, after a short illness. The cause of this death, by the judgment of the physicians, upon oath, were nervous fits, owing to a constant uneasiness of the mind.

Virginia Gazette (Purdie and Dixon), October 17, 1766.

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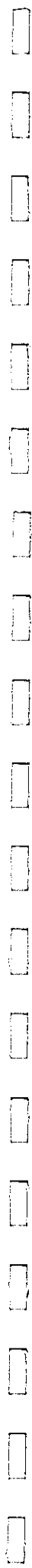


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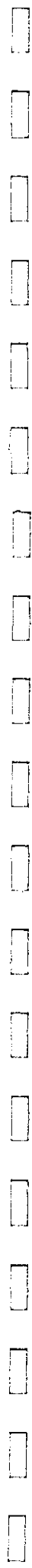


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PART III

Townshend



REVENUE ACT

In the eyes of George III the Rockingham ministry was a stopgap affair and throughout its existence he was engaged in tortuous negotiations to bring William Pitt back into power. An agreement was at last arrived at and Pitt took office in August 1766, with the Duke of Grafton as the nominal head of the ministry. Pitt himself went into the House of Lords as the Earl of Chatham and shortly thereafter became ill and went into seclusion and refused to see his supporters or to make political decisions. The formation of the ministry had little or no relation to the question of colonial policy, although nominally it could be regarded as friendly to the colonies since Pitt himself had supported the repeal of the Stamp Act. Shelburne, as Secretary of State for the southern department, was in charge of colonial affairs, and he too was looked upon as, and proved himself to be, a friend of the colonies. Nevertheless within a few months after taking office, the ministry embarked on a program that was to irritate the colonies anew, and by 1768 it was to be controlled by men who insisted on coercion of the colonies.

English Historical Documents: American Colonial Documents to 1776, Vol. IX, edited by Merrill Jensen, Oxford University Press, New York, 1955, p. 699.

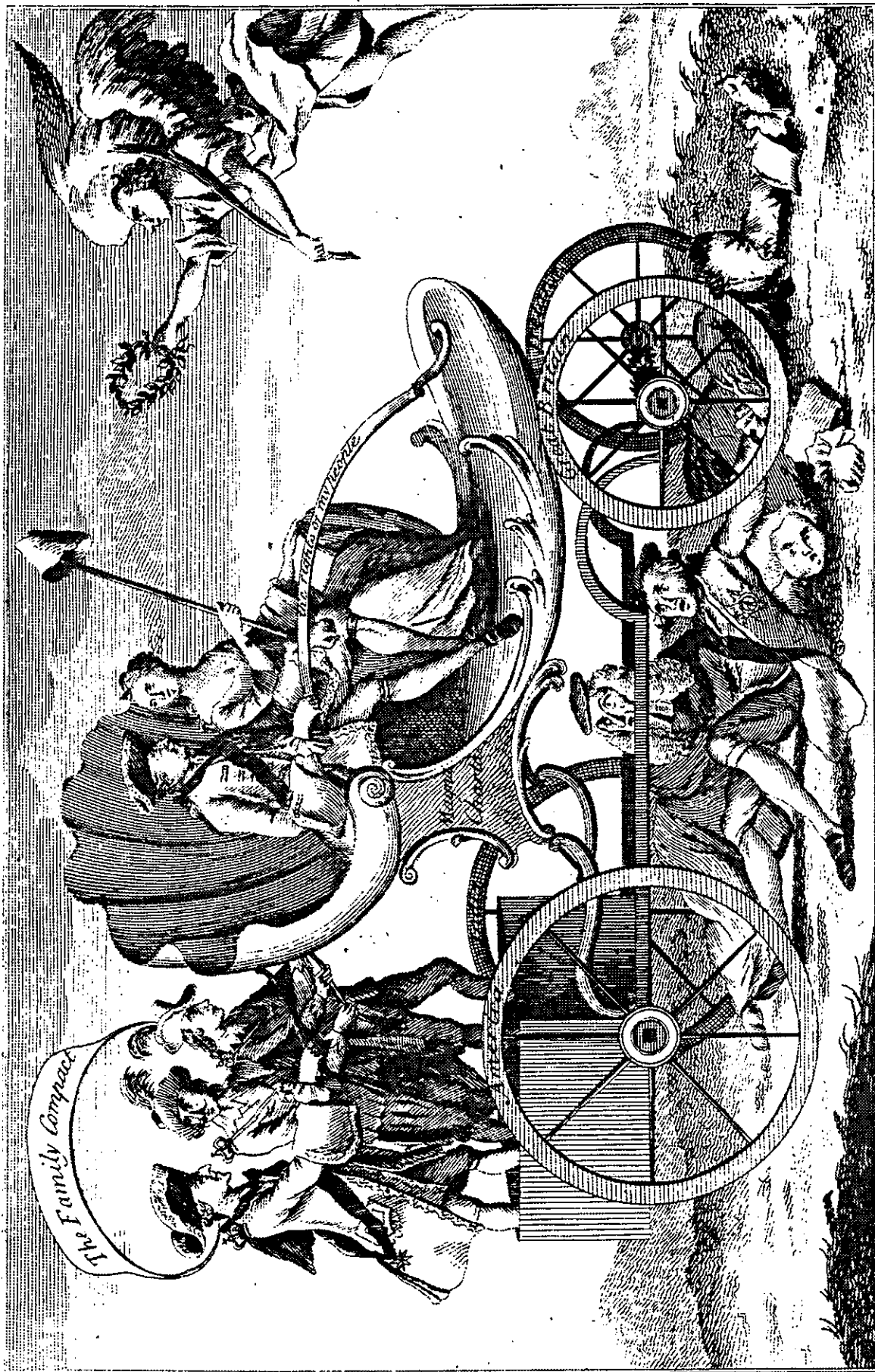
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The Revenue Act of 1767 (26 June 1767)

This Act (7 Geo. III, c. 46) marks the renewal of the effort to raise additional funds in the colonies by Parliamentary taxation. This time the method was to collect colonial import duties on certain British manufactures and on tea. Unlike the Stamp Act, the funds to be raised were for the support of civil government in the colonies. In addition, it legalized the use of writs of assistance in the colonies, and like the Revenue Act of 1764, virtually exempted British officials in the colonies from suits in colonial courts. (Printed: Pickering, Statutes at Large, XXVII, pp. 505-512, *passim*.)

Whereas it is expedient that a revenue should be raised, in your Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government in such provinces where it shall be found necessary, and towards further defraying the expenses of defending, protecting, and securing the said dominions; we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in Parliament assembled, have therefore resolved to give and grant unto your Majesty the several rates and duties hereinafter mentioned: and do most humbly beseech your Majesty that it may be enacted, and be it enacted...that from and after the twentieth day of November, one thousand seven hundred and sixty seven, there shall be raised, levied, collected, and paid, unto his Majesty, his heirs and successors, for and upon the respective goods hereinafter mentioned, which shall be imported from Great Britain into any colony or plantation in America which now is, of hereafter may be, under the dominion of his Majesty, his heirs





The Machine to go without Asses.

The Machine to go without Asses, unknown maker, black and white line engraving, England, 1769. Published in the *Political Register*. The artist of this satire suggests that the king should take control of the country's affairs and dismiss the ministers who wanted to destroy freedom in England and the colonies. (Acc. No. 1960-43). *Rebellion and Reconciliation: Satirical Prints of the Revolution* at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



REVENUE ACT

or successors, the several rates and duties following [on glass, red and white lead, painters' colours, three pence a pound on tea, and on many varieties of paper].

IV. And it is hereby further enacted by the authority aforesaid, that the said rates and duties, charged by this Act upon goods imported into any British American colony or plantation, shall be deemed, and are hereby declared to be, sterling money of Great Britain; and shall be collected, recovered, and paid, to the amount of the value which such nominal sums bear in Great Britain; and that such monies may be received and taken, according to the proportion and value of five shillings and sixpence the ounce in silver....

V. And be it further enacted by the authority aforesaid, that his Majesty and his successors shall be, and are hereby, empowered, from time to time, by any warrant or warrants under his or their royal sign manual or sign manuals, countersigned by the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause such monies to be applied out of the produce of the duties granted by this Act, as his Majesty or his successors shall think proper or necessary, for defraying the charges of the administration of justice, and the support of the civil government within all or any of the said colonies or plantations....

X. [Because earlier Acts to prevent frauds in trade authorized writs of assistance but did not expressly provide for any particular court to grant them to the officers of the customs in the colonies] it is doubted whether such officers can legally enter houses and other places on land, to search for and seize goods, in the manner directed by the recited Acts: To obviate which doubts for the future, and in order to carry the intention of the said recited Acts into effectual execution, be it enacted,...that from and after the said twentieth day of November, one thousand seven hundred and sixty-seven, such writs of assistance, to authorize and empower the officers of his Majesty's customs to enter and go into any house, warehouse, shop, cellar, or other place, in the British colonies or plantations in America, to search for and seize prohibited or uncustomed goods, in the manner directed by the said recited Acts, shall and may be granted by the said superior or supreme court of justice having jurisdiction within such colony or plantation respectively.

English Historical Documents - American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, pp. 701-702.

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Massachusetts Circular Letter to the Colonial Legislatures
(11 February 1768)

As early as August 1767 popular leaders in Boston proposed a non-consumption policy to oppose the Townshend Revenue Act of 1767, but the majority of Boston merchants were opposed. The Boston leaders then demanded a special session of the legislature, but Governor Bernard refused to call one. Before the legislature met in regular session in December the Boston town meeting instructed its delegation to urge measures to encourage domestic manufactures, to discourage imports, and to object to the Revenue Act of 1767 on both economic and constitutional grounds. When the legislature met, it appointed a committee on the state of the province which wrote letters to various members of the ministry and prepared a petition to the king. The committee then proposed a circular letter to be sent to the other colonies urging them to join with Massachusetts in defeating the Revenue Act. At first this motion was rejected two to one, but within two weeks it was passed and all mention of the previous defeat erased from the journals. The circular letter marks a step forward in the control of the popular party, for it based Massachusetts objections on constitutional as well as on economic grounds, a stand which the Boston town meeting took as early as 1764, but which the legislature had refused to accept. (Printed: Bradford, ed., *Speeches of the Governors of Massachusetts...*, pp. 134-136.)

The House of Representatives of this province have taken into their serious consideration the great difficulties that must accrue to themselves and their constituents by the operation of several Acts of Parliament, imposing duties and taxes on the American colonies.

As it is a subject in which every colony is deeply interested, they have no reason to doubt but your house is deeply impressed with its importance, and that such constitutional measures will be come into as are proper. It seems to be necessary that all possible care should be taken that the representatives of the several assemblies, upon so delicate a point, should harmonize with each other. The House, therefore, hope that this letter will be candidly considered in no other light than as expressing a disposition freely to communicate their mind to a sister colony, upon a common concern, in the same manner as they would be glad to receive the sentiments of your or any other house of assembly on the continent.

The House have humbly represented to the ministry their own sentiments, that his Majesty's high court of Parliament is the supreme legislative power over the whole empire; that in all free states the constitution is fixed, and as the supreme legislative derives its power and authority from the constitution, it cannot overleap the bounds of it without destroying its own foundation; that the constitution ascertains and limits both

CIRCULAR LETTER 1768

sovereignty and allegiance, and, therefore, his Majesty's American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the British constitution; that it is an essential unalterable right in nature, engrafted into the British constitution, as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent; that the American subjects may, therefore, exclusive of any consideration of charter rights, with a decent firmness, adapted to the character of free men and subjects, assert this natural and constitutional right.

It is, moreover, their humble opinion, which they express with the greatest deference to the wisdom of the Parliament, that the Acts made there, imposing duties on the people of this province, with the sole and express purpose of raising a revenue, are infringements of their natural and constitutional rights; because, as they are not represented in the British Parliament, his Majesty's commons in Britain, by those Acts, grant their property without their consent.

This House further are of opinion that their constituents, considering their local circumstances, cannot, by any possibility, be presented in the Parliament; and that it will forever be impracticable, that they should be equally represented there, and consequently, not at all; being separated by an ocean of a thousand leagues. That his Majesty's royal predecessors, for this reason, were graciously pleased to form a subordinate legislature here, that their subjects might enjoy the unalienable right of a representation; also, that considering the utter impracticability of their ever being fully and equally represented in Parliament, and the great expense that must unavoidably attend even a partial representation there, this House think that a taxation of their constituents, even without their consent, grievous as it is, would be preferable to any representation that could be admitted for them there.

Upon these principles, and also considering that were the right in Parliament ever so clear, yet, for obvious reasons, it would be beyond the rules of equity that their constituents should be taxed on the manufactures of Great Britain here, in addition to the duties they pay for them in England, and other advantages arising to Great Britain, from the Acts of trade, this House have preferred a humble, dutiful, and loyal petition, to our most gracious sovereign, and made such representations to his Majesty's ministers, as they apprehended would tend to obtain redress.

They have also submitted to consideration, whether any people can be said to enjoy and degree of freedom if the Crown, in addition to its undoubted authority of constituting a governor, should appoint him such a stipend as it may judge proper, without the consent of the people, and at their expense; and whether, while the judges of the land, and other civil officers, hold not their commissions during good behavior, their having salaries

CIRCULAR LETTER 1768

appointed for them by the Crown, independent of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.

In addition to these measures, the House have written a letter to their agent which he is directed to lay before the ministry; wherein they take notice of the hardships of the Act for preventing mutiny and desertion, which requires the governor and council to provide enumerated articles for the king's marching troops, and the people to pay the expenses; and also, the commission of the gentlemen appointed commissioners of the customs, to reside in America, which authorizes them to make as many appointments as they think fit, and to pay the appointees what sum they please, for whose misconduct they are not accountable; from whence it may happen that officers of the crown may be multiplied to such a degree as to become dangerous to the liberty of the people, by virtue of a commission, which does not appear to this House to derive any such advantages to trade as many have supposed.

These are the sentiments and proceedings of this House; and as they have too much reason to believe that the enemies of the colonies have represented them to his Majesty's ministers, and to the Parliament, as factious, disloyal, and having a disposition to make themselves independent of the mother country, they have taken occasion, in the most humble terms, to assure his Majesty, and his ministers, that, with regard to the people of this province, and, as they doubt not, of all the colonies, the charge is unjust. The House is fully satisfied that your assembly is too generous and liberal in sentiment to believe that this letter proceeds from an ambition of taking the lead, or dictating to the other assemblies. They freely submit their opinions to the judgment of others; and shall take it kind in your house to point out to them anything further that may be thought necessary.

This House cannot conclude, without expressing their firm confidence in the king, our common head and father, that the united and dutiful supplications of his distressed American subjects will meet with his royal and favourable acceptance.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, New York, 1955, pp. 714-716.

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The Colonies Reduced.

Designed & Engraved for the Political Register.



Its Companion.



The Colonies Reduced: Its Companion, unknown maker, black and white line engraving, England, 1768. Published in the *Political Register*. The design for the top picture originated with Benjamin Franklin during his stay in London as colonial agent working for the repeal of the Stamp Act. (Acc. No. 1960-39).



HILLSBOROUGH LETTER

Hillsborough Letter to the Governors in America

(21 April 1768)

When the Massachusetts circular letter reached London in April, it was laid before the Cabinet. A few days later Hillsborough wrote Governor Bernard ordering him to have the Massachusetts legislature rescind the circular letter at its next session. He told Bernard that if the legislature refused, he wanted a complete account of its proceedings to be laid before Parliament so that steps could be taken to prevent such extraordinary and unconstitutional conduct in the future. In addition, the following circular letter was sent to the other governors on the mainland.

The Massachusetts legislature refused to rescind the letter on 30 June 1768 by a vote of 92 to 17, and Governor Bernard dissolved it the next day. The other colonial legislatures refused to obey their governors' orders. Thus Hillsborough's letter achieved the result which the Massachusetts circular letter had not been able to: common defiance by the colonial legislatures. In addition, it greatly strengthened the position of the popular leaders in Massachusetts. (Printed: *New York Colonial Documents*, VIII, pp. 58-59.)

I have his Majesty's commands to transmit to you the enclosed copy of a letter from the speaker of the House of Representatives of the colony of Massachusetts Bay, addressed by order of that House to the speaker of the assembly of each colony upon the continent of North America.

As his Majesty considers this measure to be of a most dangerous and factious tendency, calculated to inflame the minds of his good subjects in the colonies, to promote and unwarrantable combination, and to excite and encourage an open opposition to and denial of the authority of Parliament, and to subvert the true principles of the constitution; it is his Majesty's pleasure that you should immediately upon the receipt hereof exert your utmost influence to defeat this flagitious attempt to disturb the public peace by prevailing upon the Assembly of your province to take no notice of it, which will be treating it with the contempt it deserves.

The repeated proofs which have been given by the Assembly of [] of their reverence and respect for the laws, and of their faithful attachment to the constitution, leave little room in his Majesty's breast to doubt of their showing a proper resentment of this unjustifiable attempt to revive those distractions which have operated so fatally to the prejudice of this kingdom and the colonies; and accordingly his Majesty has the fullest confidence in their affections. But if, notwithstanding these expectations and your most earnest endeavours, there should appear in the Assembly of your province a disposition to receive or give any countenance to this seditious paper, it will be your duty to prevent any proceeding upon it by an immediate prorogation or dissolution.

BOTETOURT'S INSTRUCTIONS

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, New York, 1955, pp. 716-717.

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Botetourt's Instructions

The king had supplied Botetourt with special instructions for handling the political situation he would find in Virginia. His first step was to be to dissolve the assembly if there happened to be one in session when he arrived (there had been no assembly meeting since April 1768). He was then to issue writs for a new assembly to convene if he thought fit. In the same letter of 1 November Botetourt informed Hillsborough that he had complied with this instruction and had issued writs for a new assembly returnable the 15th of December, it was not, however, his or the council's intention that they should then meet, since it was not a convenient season, but they hoped in this way to stop the growing and considerable expense of the elections. On 24 November Botetourt reported that he had by proclamation ordered the assembly to meet on 8 May 1769, since he was assured by the council that that time would be generally approved and was himself of the opinion that it would be the best time for promoting those measures to which his attention had been particularly directed by his instructions from the king.

The king had also instructed Botetourt that, before the meeting of the council and the burgesses in general assembly, he was to make inquiries into the character, views, and connections of these men, and to converse with the council and the principle men of the colony, separately and personally, and to try to convince them that the principles they seemed to have adopted were erroneous and dangerous and that they should return to a sense of their duty founded upon just ideas of the English constitution. He also was to point out the fatal consequences that might ensue if they continued to espouse unjustifiable and unconstitutional distinctions that could do nothing but weaken the authority and lessen the influence of the British empire and which would deprive Virginia and the whole empire of the benefits of this wise constitution. In these conversations Botetourt was also to be allowed to reflect on the unwarrantable conduct of the last assembly in presuming to consider laws that in no way related to the colony and to intimate that its invitation to the other colonies by circular letter to concur with them was factious, unjustifiable, and extremely offensive to the king.

"The Official Letters of Norborne Berkeley, Baron de Botetourt, Governor of Virginia, 1768-1770," Thesis by Dianne J. McGaan, 1971, pp. 12-13.

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To the General Assembly of Virginia, this Plate is
most humbly Inscribed by their Obliged humble Servant

H. Ashby.

The Right Honble. Norborne Berkeley, Baron de Bottetourt, late Governor of Virginia, H. Ashby, sepia mezzotint, England, 1774. The print states that the portrait was done from a medallion of the same size in the possession of John Norton, Esqr. (Acc. No. 1954-130).



ASSEMBLY DISSOLVED

Botetourt Dissolves the Assembly

Williamsburg
Wednesday, the 17th May, 1769

About 12 o'Clock his Excellency the Governor was pleased, by his Messenger, to command the Attendance of the House of Burgesses in the Council Chamber, whereupon, in Obedience to his Lordship's Command, the House, with their Speaker, immediately waited upon his Excellency, when he thought fit to dissolve the General Assembly.

The late Representatives of the People then judging it necessary that some Measures should be taken in their distressed Situation, for preserving the true and essential Interests of the Colony, resolved upon a Meeting for that very salutary Purpose, and therefore immediately, with the greatest Order and Decorum, repaired to the House of Mr. Anthony Hay in this City, where being assembled, it was first proposed, for the more decent and regular Discussion of such Matters as might be taken into Consideration, that a Moderator should be appointed, and, on the Question being put, Peyton Randolph, Esq; late Speaker of the House of Burgesses, was unanimously elected.

The true State of the Colony being then opened and fully explained, and it being proposed that a regular Association should be formed, a Committee was appointed to prepare the necessary and most proper Regulations for that Purpose, and they were ordered to make their Report to the General Meeting the next Day at 10 o'Clock.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

* * * * *

Nonimportation Resolutions of the Former Burgesses 18 May 1769

The House of Burgesses was dissolved after having been in session for little more than a week. But though Governor Botetourt had carried out his instructions, the conditions under which he did so were not exactly those he might have wished. For one thing, the resolves of the preceding day would soon be in print, with the aura of an official document. For another, convocation of the General Assembly had of itself brought together many of the most influential men in the colony, and there was no way to induce them to scatter to their homes, especially as a goodly number were to attend the festivities at the Palace on 19 May in honor of Queen Charlotte's birthday.

Soon after the former representatives, so abruptly returned to a private status, went back to their chamber to retrieve their effects, word was around that there would be a

ASSOCIATION OF 1769

meeting at Anthony Hay's "Home" - the Raleigh Tavern. The great majority of them went there and, assembling in the Apollo Room, they subsequently described their activity in the document below, which they caused to be printed.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

* * * * *

The Association of 1769

Thursday, May 18.

At a farther Meeting, according to Adjournment, the Committee appointed Yesterday, made their Report, which being read, seriously considered and approved, was signed by a great Number of the principle Gentlemen of the Colony then present, and is as follows:

We his Majesty's most dutiful Subjects, the late Representatives of all the Freeholders of the Colony of Virginia, avowing our inviolable and unshaken Fidelity and Loyalty to our most gracious Sovereign, our Affection for all our Fellow Subjects of Great Britain, protesting against every Act or Thing, which may have the most distant Tendancy to interrupt, or in any wise disturb his Majesty's Peace, and the Risque of our Lives and Fortune, to maintain and defend; but at the same Time being deeply affected with the Grievances and Distresses, with which his Majesty's American Subjects are oppressed, and dreading the Evils which threaten the ruin of ourselves and our Prosperity, by reducing us from a free and happy People to a wretched and miserable State of Slavery; and having taken into our most serious Consideration the present State of the Trade of this Colony, and of the American Commerce in general, observe with Anxiety, that the Debt due to Great Britain for Goods imported from thence is very great, and that the Means of paying this Debt, in the present Situation of Affairs, are likely to become more and more precarious; that the Difficulties, under which we now labour, are owing to the Restrictions, Prohibitions, and ill advised Regulations in several late Acts of Parliament of Great Britain, in particular, that the late unconstitutional Act, imposing Duties on Tea, Paper, Glass, &c. for the sole Purpose of raising a Revenue in America, is injurious to Property, and destructive to Liberty, hath a necessary Tendancy to prevent the Payment of the Debt due from this Colony to Great Britain, and is, of Consequence, ruinous to Trade; that, notwithstanding the many earnest Applications already made, there is little Reason to expect a Redress of those Grievances: Therefore, in Justice to ourselves and our Posterity, as well as to the Traders of Great Britain concerned in the American Commerce, we, the Subscribers, have voluntarily and unanimously entered into the following Resolutions, in Hopes that our Example will induce the good People of this Colony to be frugal in the Use and Consumption of British Manufacturers, and that the Merchants and Manufacturers of Great Britain may, from Motives of Interest, Friendship

ASSOCIATION OF 1769

and Justice, be engaged to exert themselves to obtain for us a Redress of those Grievances, under which the Trade and Inhabitants of America at present labour: We do therefore most earnestly recommend this our Association to the serious inhabitants of this Colony, in Hopes, that they will very readily and cordially accede thereto.

First, It is UNANIMOUSLY agreed on and resolved this 18th day of May, 1769, that the Subscribers, as well by their own Example, as all other legal Ways and Means in their Power, will promote and encourage Industry and Frugality, and discourage all Manner of Luxury and Extravagance.

Secondly, That they will not at any Time hereafter, directly or indirectly import, or cause to be imported, any Manner of Goods, Merchandise, or Manufactures, which are, or shall thereafter be taxed by Act of Parliament, for the Purpose of raising a Revenue in America (except Paper, not exceeding Eight Shillings Sterling per reem, and except such Articles only, as Orders have been already sent for) nor purchase any such after the First Day of September next, or any Person whatsoever, but that they will always consider such Taxation, in every Respect, as an absolute Prohibition, and in all future Orders, direct their Correspondents to ship them no Goods whatever, taxed as aforesaid, except as is above excepted.

Thirdly, That the subscribers will not hereafter, directly or indirectly, import or cause to be imported from Great Britain or any part of Europe (except such Articles of the Produce of Manufacture of Ireland as may be immediately and legally brought from thence, and except also all such Goods as Orders have been already sent for) any of the Goods hereinafter enumerated, viz. Spirits, Wine, Cyder, Perry, Beer, Ale, Malt, Barley, Pease, Beef, Pork, Fish, Butter, Cheese, Tallow, Candles, Oil, Fruit, Sugar, Pickles, Confectionary, Pewter, Hoes, Axes, Watches, Clocks, Tables, Chairs, Looking Glasses, Carriages, Joiner's and Cabinet Work, all Sorts, Upholstery of all Sorts, Trinkets and Jewelry, Plate and Gold, and Silversmith's Work of all Sorts, Ribbon and Millinery of all Sorts, Lace of all Sorts, India Goods of all Sorts, except Spices, Silks of all Sorts, except Sewing Silk, Cambrick, Lawn, Muslin, Gauze, except Boulting Cloths, Callico or Cotton Stuffs of more than Two Shillings per Yard, Linens of more than Ten Shillings per Yard, Woolens, Worsted Stuffs of all Sorts of more than One Shilling and Six Pence per Yard, Broad Cloths of all Kinds at more than Eight Shillings per Yard, Narrow Cloths of all Kinds at more than Three Shillings per Yard, Hats, Stockings (Plaid and Irish Hose excepted) Shoes and Boots, Saddles, and all Manufactures of Leather and Skins of all Kinds, until the late Acts of Parliament imposing duties on Tea, Paper, Glass, &c., for the Purpose of Raising a Revenue in America are repealed, and that they will not, after the First of September next, purchase any of the above enumerated Goods of any Person whatsoever, unless the above mentioned Acts of Parliament are repealed.

Fourthly, That in all Orders, which any of the Subscribers may hereafter send to Great

ASSOCIATION OF 1769

Britain, they shall, and will expressly direct their Correspondents not to ship them any of the before enumerated Goods, until the before mentioned Acts of Parliament are repealed: and if any Goods are shipped to them contrary to the Tenor of this Agreement, they will refuse to take the same, or make themselves chargeable therewith.

Fifthly, That they will not import any Slaves, or purchase any imported, after the First day of November next, until the said Acts of Parliament are repealed.

Sixthly, That they will not import any wines of any Kind whatever, or purchase the same from any Person whatever, after the First Day of September next, except such Wines as are already ordered, until the Acts of Parliament imposing Duties thereon are repealed.

Seventhly, For the better Preservation of the Breed of Sheep, That they will not kill or suffer to be killed, any Lambs, that shall be weaned before the First Day of May, in any Year, nor dispose of such to any Butcher or other Person, whom they have reason to expect intends to kill the same.

Eighthly, and lastly, That these Resolves Shall be binding on all and each of the Subscribers, who do hereby each and every Person for himself, upon his Word and Honour, agree that he will strictly and firmly adhere to and abide by every Article in this Agreement, from the Time of his signing the same, for and during the Continuance of the before mentioned Acts of Parliament, or until a general Meeting of the Subscribers, after one Month's public Notice, shall determine otherwise, the second Article of this Agreement still and forever continuing in full Power and Force.

*Peyton Randolph,
Robert Carter Nicholas,
Richard Bland,
Archibald Cary,
Richard Henry Lee,
Charles Carter,
Lancaster
George Washington,
Carter Braxton,
Severn Eyre,
Richard Randolph,
George Ball,
Thomas Harrison,
Thomas Claiborne,
John Blair, Jun.
Thomas Mason,*

*Josias Payne, Jun.
Burwell Bassett,
Richard Anderson,
James Scott, Jun.
John Green,
Wilson Miles Cary,
Gabriel Jones,
Willis Riddick,
Thomas Glascock,
John Woodson,
Benjamin Howard,
Isaac Read,
William Roane,
David Mason,
Foushee Tebbs,
William Acrill,*

*Richard Lee,
Edward Osborne,
Hartwell Cocke,
Joseph Hutchings,
Francis Peyton,
Joseph Cabell,
John Ackiss,
Abraham Hite,
Alexander Trent,
James Bridger,
James Wood,
John Mayo,
Peter Poythress,
Richard Baker,
William Macon, Jun.
Peter Johnson,*

ASSOCIATION OF 1769

*Edwin Gray,
Robert Munford, Amelia,
Henry Taylor,
Nathaniel Edwards, Jun.
Robert Rutherford,
Thomas Barbour,
Charles Lynch,
Southey Simpson,
Philip Ludwell Grymes,
Richard Starke,
Clerk to the Association.
William Clayton,
Thomas Bailey,
John Harmanson,
Cornelius Thomas,*

*Hugh Innes,
Bolling Starke,
Robert Bolling,
John Alexander,
Paul Carrington,
Thomas Walker,
William Cabell, Jun.
John Talbott,
Patrick Henry, Jun.
Thomas Nelson, Jun.
Champion Travis,
Robert Munford, Mecklenburg,
Thomas Scott,
Thomas Parramore,
Thomas Johnson,*

*Henry Lee,
Nathaniel Terry,
Thomas Whiting,
David Meade,
James Hamilton,
James Walker
Edward Hack
Moseley, Jun.
Thomas Jefferson,
John Alexander,
John Wilson,
Augusta,
Lewis Burwell,
John Donelson,
John Lewis, Jun.
Charles Carter, King
George.*

The Business being finished, the following TOASTS were drank, and the Gentlemen retired.

*The KING,
The QUEEN and ROYAL FAMILY.*

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

* * * * *

The Association of 1770

On June 22nd an Association was entered into by various members of the House of Burgesses and by a large number of merchants of Williamsburg and vicinity. Governor Botetourt writing to the Secretary of State on June 30th following, called particular attention to this Association, which had been presented to him in the form of a petition. He stated that the purpose was to effect the repeal of the act which granted certain duties for the purpose of raising a revenue, and to be relieved from hardships resulting from the unlimited jurisdiction of the Courts of Admiralty.

In commenting upon this Association, Governor Botetourt was of the Opinion the merchants of England were largely responsible for its adoption, and that various letters intended to promote distress had emanated from America with this object in view.

A printed copy of the Association was forwarded at the time by Governor Botetourt to the Secretary of State. Numerous copies were likewise circulated throughout the colony and many received the signatures of prominent residents in their respective counties. Several copies of this Association, so endorsed, are on file in the Library of Congress.

*The Association Entered Into Last Friday, the 22^d Instant,
by the Gentlemen of the House of Burgesses,
and the Body of Merchants, Assembled in this City.*

We his Majesty's most dutiful and loyal subjects of Virginia, declaring our inviolable and unshaken Fidelity and attachment to our gracious sovereign, our affection for all our fellow subjects of Great Britain, and our firm determination to support, at the hazard of our lives and fortunes, the laws, the peace, and good order of government in this colony; but at the same time affected with great and just apprehensions of the fatal consequences certainly to follow from the arbitrary imposition of taxes on the people of America, for the purpose of raising a revenue from them, without the consent of the representatives; and as we consider it to be the indispensable duty of every virtuous member of society to prevent the ruin, and promote the happiness, of his country, by every lawful means, although in the prosecution of such a laudable and necessary design some unhappy consequences may be derived to many innocent fellow subjects, whom we wish not to injure, and who we hope will impute our conduct to the real necessity our affairs: Influenced by these reasons, we do most earnestly recommend is our association to the serious attention of all Gentlemen, merchants, traders, and other inhabitants of this colony, not doubting but that they will readily and cordially accede thereto. And at the

ASSOCIATION OF 1770

same time we, and every of us, do most solemnly oblige ourselves, upon our word and honour, to promote the welfare and commercial interests of all those truly worthy merchants, traders, and others, inhabitants of this colony, who shall hereafter conform to the spirit of this association; but that we will upon all occasions, and at all times hereafter, avoid purchasing any commodity or article of goods whatsoever from any importer or seller of British merchandise or European goods whom we may know or believe, in violation of the essential interests of this colony, to have preferred their own private emolument, by importing or selling articles prohibited by this association, to the destruction of the dearest rights of the people of this colony. And for the more effectual discovery of such defaulters, it is resolved,

That a committee of five be chosen in every county, by the majority of associators in each county, who, or any three of them, are hereby authorized to publish the names of such signers of the association as shall violate their agreement; and when there shall be an importation of goods into any county, such committee, or any three of them, are empowered to convene themselves, and in a civil manner apply to the merchant or importers concerned and desire to see the invoices and papers respecting such importation, and if they find any goods there in contrary to the association to let the importers know that it is the opinion and request of the county that such goods shall not be opened or stored, but reshipped to the place from whence they came: And in case of refusal, without any manner of violence, inform them of the consequence, and proceed to publish an account of their conduct.

Secondly. That we the subscribers, as well by our own example as all other legal ways and means in our power, will promote and encourage industry and frugality, and discourage a manner of luxury and extravagance.

Thirdly. That we will not hereafter, directly or indirectly, import, or cause to be imported from Great Britain, any of the goods hereafter enumerated, either for sale or for our own use; to wit, spirits, cider, perry, beer, ale, pease, beef, fish, butter, cheese, tallow, candles, fruit, pickles, confectionary, chairs, tables, looking glasses, carriages, joiner's work and cabinet work of all sorts, riband, India goods of all sorts, except spices and callico of more than 3s. sterling per yard, upholstery (by which is meant paper hangings, bed ready made, furniture for beds, and carpeting) watches, clocks, silversmiths work of all sorts, silks of all sorts (except womens bonnets and hats, sewing silk and netting silk), cotton stuffs of more than 8s. sterling per yard, linens of more than 2s. sterling per yard (except Irish linens) gauze, lawns, cambrick of more than 6s. sterling per yard, woolens and worsted stuffs of all sorts of more than 2s. sterling per yard, broadcloths of more than 8s. sterling per yard, narrow cloths of all kinds of more than 4s. sterling per yard, not less than 7-8^h yard wide, hats of greater value than 10s. sterling, stockings of more than 36s. sterling per dozen, shoes of more than 5s. sterling per pair, boots, saddles, mens exceeding 25s. and womens exceeding 40s. sterling,

ASSOCIATION OF 1770

exclusive of bridles, which are allowed, portmanteaus, saddle bags, and all other manufactured leather, neither oil or painters colours, if both, or either of them, to be subject to any duty after the 1st of December next. And that we will not import, or cause to be imported, any horses, nor purchase those which may be imported by others after the 1st of November next.

Fourthly., That we will not import or bring into the colony or cause to be imported or brought into the colony, either by sea or land, any slaves, or make sale of any upon commission, or purchase any slave or slaves that may be imported by others after the 1st day of November next, unless the same have been twelve months upon the continent.

Fifthly. That we will not import any wines, on which a duty is laid by act of Parliament for the purpose of raising a revenue in America, or purchase such as may be imported by others, after the 1st day of September next.

Sixthly. That no wine be imported by any of the subscribers or other person, from any of the colonies on this continent, or any other place, from the time of signing this association, contrary to the terms thereof.

Seventhly. That all such goods as may or shall be imported into this colony, in consequence of their having been rejected by the association committees in any of our sister colonies, shall not be purchased by any associator; but that we will exert every lawful means in our power absolutely to prevent the sale of all such goods, and to cause the same to be exported as quickly as possible.

Eighthly. That we will not receive from Great Britain, or make sale of, upon commission, any of the articles above excepted to after the first day of September next, nor any of those articles which may have been really and bone fide ordered by us, after the 25th of December next.

Ninthly. That we will not receive into our custody, make sale of, or become chargeable with any of the articles aforementioned, that may be ordered after the 15th of June instant, nor give orders for any from this time; and that in all orders which any of us may hereafter send to Great Britain we will expressly direct and request our correspondents not to ship us any of the articles before excepted, and if any such goods are shipped contrary to the tenour of this agreement we will refuse to take the same or make ourselves chargeable therewith.

Provided nevertheless, that such goods as are already on hand, or may be imported according to the true intent and meaning of this Association, may be continued for sale.

Tenthly. That a committee of merchants, to be named by their own body, when called

ASSOCIATION OF 1770

together by their chairman, be appointed to take under their consideration the general state of the trade in this colony, and report to the association, at their next meeting, a list of such other manufactures of **Great Britain**, or commodities of any kind whatever, now imported, as may reasonably, and with benefit to the colony, be excepted to.

Eleventhly. That we do hereby engage ourselves, by those most sacred ties of honour and love to our country, that we will not, either upon the goods which we have already upon hand or may hereafter import within the true meaning of this association, make any advance in price, with a view to profit by the restrictions hereby laid on the trade of this colony.

Twelfthly. That we will not at any time hereafter, directly or indirectly, import, or cause to be imported, or purchase from any person who shall import, any merchandise or manufactures exported from **Great Britain**, which are, or hereafter shall be, taxed by act of Parliament for the purposes of raising a revenue in **America**.

Resolved, That a meeting of the associators shall be called at the discretion of the Moderator, or at the request of twenty members of the association, signified to him in writing; and in case of the death of the present Moderator, the next person subscribing hereto be considered as Moderator, and act as such until the next general meeting.

Lastly. That these resolves shall be binding in all and each of the subscribers, who do hereby, each and every person for himself, agree that he will strictly and firmly adhere to and abide by every article of this association from the time of this signing the same until the act of Parliament which imposes a duty on tea, paper, glass, and painters colours, be totally repealed, or until a general meeting of one hundred associators, after one month's publick notice, shall determine otherwise, the twelfth article of this agreement still and for ever continuing in force, until the contrary be declared by a general meeting of the members of this association.

Signed in Williamsburg, this 22^d of June, 1770.

*Peyton Randolph.
Andrew Sprowle,
Chairman of the
Trade.
Ro. C. Nicholas.
Richard Bland.
Edmund Pendleton.
Archibald Cary.
Richard Henry Lee.
Henry Lee.*

*Charles Carter,
Corotoman.
Thomas Jefferson.
Severn Eyre.
Thomas Whiting.
Edward Hack Moseley,
jun.
George Washington.
Burwell Bassett.
Spencer M. Ball.*

*James Walker.
Edward Osborn.
Southy Simpson.
Richard Lee.
John Alexander.
John Burton.
William Clayton.
Richard Randolph.
Benjamin Harrison.
P. Carrington.*

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James Pride.
 William Acrill.
 Peter Poythress.
 James Mercer.
 N. Edwards, jun.
 Richards Adams.
 Thomas Newton, jun.
 Francis Peyton.
 Thomas Barber.
 Lewis Burwell.
 James Cocke.
 Richard Baker.
 Benjamin Howard.
 R. Rutherford.
 Archibald Campbell.
 James Balfour.
 W. Cabell, jun.
 Daniel Barraud.
 James Mills.
 David Jameson.
 Charles Duncan.
 John Wayles.
 John Bell.
 Thomas Adams.
 Henry Taylor.
 Alexander Shaw.
 John Banister.
 Thomas Bailey.
 William Robinson.
 James Wood.
 Bolling Stark.
 Thomas Pettus.
 John Woodson.
 Henry Field, jun.
 Wilson Miles Cary.
 John Blair.
 James Wallace.
 Richard Mitchell.
 Cornelius Thomas.
 James Dennistone.
 William Snodgrass.
 Benjamin Baker.

Patrick Coutts.
 Neill Campbell.
 John Donelson.
 Neil M'Coull.
 Thomas Jett.
 Samuel Kerr.
 James Robinson.
 Archibald Ritchie.
 Samuel Eskridge.
 Thomas Stith.
 James Edmonson.
 Anthony Walke.
 John Wilson,
 of Augusta.
 George Logan.
 John Hutchings.
 W. Lyne.
 Edward Ker.
 Alexander Trent.
 John Talbot.
 Joseph Cabell.
 Gardner Fleming.
 Samuel Harwood.
 Humphrey Roberts.
 Thomas M. Randolph.
 Robert Wormeley
 Carter.
 Jerman Baker.
 John Gilchrist.
 James Archdeacon.
 Robert Donald.
 James M'Dowall.
 Alexander Baine.
 John Smith.
 Purdie & Dixon.
 James Buchanan,
 Thomas Scott.
 Alexander Banks.
 John Johnson.
 Archibald Govan.
 Hugh M'Mekin.
 Foushee Tebbs.

Archibald M'Call.
 Daniel Hutchings.
 Henry Morse.
 Nathaniel Terry.
 Isaac Read.
 William Rind.
 Benjamin Harrison, jun.
 Josiah Granbery
 James Robb.
 Neil Jamieson.
 Walter Peter.
 Robert Crooks.
 John Winn.
 John Esdale.
 Nathaniel Lyttleton
 Savage.
 Jacob Wray.
 John Fisher.
 Hartwell Cocke.
 Edwin Gray.
 Daniel M'Callum.
 James Donald.
 Thomas Nelson, jun.
 Robert Gilmour.
 George Riddell.
 John Bland.
 Robert Miller.
 Francis Lightfoot Lee.
 Meriwether Smith.
 Ro. Munford,
 Mecklenburg.
 Roger Atkinson.
 J.H. Norton.
 Lewis Burwell,
 of Gloucester.
 Abraham Hite.
 James Parker.
 Edward Brisbane.
 James Baird.
 Neill Buchanan.
 Archibald Buchanan.
 Andrew Mackie.

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Thomas Everard.
George Purdie.
John Tabb.
Robert Andrews.
John Prentis.
Haldenby Dixon.

Patrick Ramsay.
Richard Booker.
John Tayloe Corbin.
William Holt.
William Russell.

Walter Boyd.
John Page, jun.
John Tazewell.
John Greenhow.
Thomas Hornsby.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

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FAILURE OF ASSOCIATION

Failure of 1770 Association Imports Increase

Before the end of 1770 it was obvious that the nonimportation associations were on their way to failure. To hold colonial publics at an emotional pitch necessary to sustain a principle, the upholding of which entailed manifold inconveniences, and the ignoring of which cost no more than a trifling tax on tea, was impossible.

The Virginia associators of 1770 attempted to hold a second meeting in Williamsburg on 14 December, but so few of them attended that they deferred further consideration until the following summer, "which," wrote William Nelson, now president of the Council of State, to Lord Hillsborough, "discovers such lukewarmness as convinces me that this Engagement will soon die away and come to nought." (Kennedy, Journals of the House of Burgesses of Virginia, 1770-1772, edited by John Pendleton Kennedy, p. xxxi). His conviction was well based, for "many Persons became indifferent, as to the Association, and, at a general Meeting of the Associates, the Whole was dissolved except as to the Article of Tea"; and how one treated that "Article" soon became a matter left to the individual conscience.

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, A Documentary Record, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independent Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, p. 85.

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Enforcement and Breakdown of Non-Importation

In the plantation provinces, non-importation and the problems of its enforcement were much less a part of the fabric of everyday life than in the commercial provinces. The agreements and associations had been promoted by the planting class in opposition to the small, active mercantile class; and in the general absence of trading centres, it was difficult for the planting element to implant the fear of discipline in the hearts of the merchants. The geographical distribution of southern society deprived the planters of the opportunity of exerting their influence compactly, except at the periodical meetings of the legislative assemblies. Furthermore, since the economic discontent in the South was not directly traceable to the Townshend duties and restrictions, a literal obedience to the agreements did not always seem imperative to the planters themselves. The result was that imports from England to the plantation provinces actually increased somewhat in the years 1769 and 1770, whereas, in the commercial provinces, they declined two-thirds in the year 1769 as compared with the year 1768, and fell below the level of 1768 even in the year 1770 when the agreements collapsed. Virginia appears to have been the worst offender quantitatively.

FAILURE OF ASSOCIATION

The Colonial Merchants and the American Revolution 1763-1776, Arthur Meier Schlessinger, Facsimile Library, Inc., New York, 1939, pp. 197-198.

Year	Virginia and Maryland		North & South Carolina and Georgia		British West Indies	
	Exports	Imports	Exports	Imports	Exports	Imports
1762	£415,709	£417,599	£188,217	£217,931	£2,590,020	£1,404,659
1763	642,294	555,391	296,835	295,040	3,268,485	1,149,596
1764	559,408	515,192	373,052	324,146	2,467,492	918,480
1765	505,671	383,224	420,101	363,874	2,286,173	1,029,173
1766	461,693	372,548	346,661	364,000	2,821,604	1,037,644
1767*	437,926	437,628	430,883	267,427	2,705,623	1,049,853
1768	406,048	475,954	550,510	346,430	2,956,848	1,183,932
1769	361,892	488,362	469,384	364,940	2,710,684	1,263,604
1770*	435,094	717,782	334,439	202,466	3,131,880	1,268,468
1771*	577,848	920,326	484,121	479,662	2,716,569	1,151,357
1772*	528,404	793,910	492,006	542,016	3,304,452	1,378,021
1773	589,803	328,904	541,904	407,791	2,764,642	1,265,789
1774*	612,030	528,738	499,949	435,634	3,454,614	1,350,906
1775	758,356	1,921	682,996	120,022	3,411,200	1,634,002

*Figures from MacPherson, *Annals of Commerce*, III.

The Colonial Merchants and the American Revolution 1763-1776, Arthur Meier Schlessinger, Facsimile Library, Inc., New York, 1939, p. 393.

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SLAVE TRADE

Introduction to Ending Slave Trade

His Lordship's (Dunmore's) first General Assembly was convened on Thursday, 6 February 1772. Two weeks later the subject of reviving duties on the purchase of slaves was taken up by the House and seems to have touched off debate unrecorded in the journal. The stage was set, however, and in all probability it was Benjamin Harrison who on 20 March successfully moved "that an humble Address be prepared to his Majesty" asking the sovereign's assistance in averting "a Calamity of a most alarming Nature." Speaker Peyton Randolph then appointed Harrison chairman of a special committee (the other members being Archibald Cary, Edmund Pendleton, Richard Henry Lee, Robert Carter Nicholas, and Richard Bland) to prepare such an address. (Journals of the House of Burgesses of Virginia, 1770-1772, edited by John Pendleton Kennedy, pp. 256-257.)

Harrison introduced the present document on 1 April. It was unanimously adopted on the same day, along with a resolution requesting the governor to transmit it to the King and to "support it in such Manner as he shall think most likely to promote the desirable End proposed." (ibid. pp. 283-284).

Address of the House of Burgesses to the King in Opposition to the Slave Trade 1 April 1772

Most Gracious Sovereign,

We, you Majesty's dutiful and loyal Subjects, the Burgesses of Virginia, now met in General Assembly, beg Leave, with all Humility, to approach your Royal Presence.

The many Instances of your Majesty's benevolent Intentions and most gracious Disposition to promote the Prosperity and Happiness of your Subjects in the Colonies, encourage us to look up to the Throne and implore your Majesty's paternal Assistance in averting a Calamity of a most alarming Nature.

The Importation of Slaves into the Colonies from the Coast of Africa hath long been considered as a Trade of great Inhumanity, and, under its present Encouragement, we have too much Reason to fear will endanger the very Existence of your Majesty's American Dominions.

We are sensible that some of your Majesty's Subjects in Great-Britain many reap Emoluments from this Sort of Traffic, but when we consider that it greatly retards the Settlement of the Colonies, with more useful Inhabitants, and may, in Time, have the

SLAVE TRADE

most destructive Influence, we presume to hope that the Interest of a few will be disregarded when placed in Competition with the Security and Happiness of such Numbers of your Majesty's dutiful and loyal Subjects.

Deeply impressed with these Sentiments, we most humbly beseech your Majesty to remove all those Restraints on your Majesty's Governors of this Colony, which inhibit their assenting to such Laws as might check so very pernicious a Commerce.

Your Majesty's antient Colony and Dominion of Virginia hath, at all Times, and upon every Occasion, been entirely devoted to your Majesty's sacred Person and Government, and we cannot forego this Opportunity of renewing those Assurances of the truest Loyalty, and warmest Affection, which we have so often, with the greatest Sincerity, given to the best of Kings, whose Wisdom and Goodness we esteem the surest Pledges of the Happiness of all his People.

Journals of the House of Burgesses of Virginia, 1770-1772, edited by John Kennedy Pendleton, pp. 283-284.

* * * * *



The BLOODY MASSACRE perpetrated in King Street BOSTON on March 5th 1770 by a party of the 29th REG^t



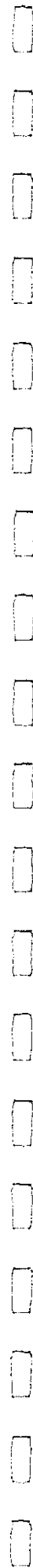
Unhappy Boston! see thy Sons deplore,
 Thy hallow'd Walks bein car'd with guiltless Gore:
 While faithless F—n and his savage Bands,
 With murderous Rancour stretch their bloody Hands:
 Like fierce Barbarians grinning o'er their Prey,
 Approve the Carnage and enjoy the Day.

If falling drops from Rage from Anguish Wring,
 If speechless Sorrow lab'ring for a Tongue,
 Or if a weeping World can ought appear
 The plaintive Ghosts of Victims such as these:
 The Patriot's copious Tears for ends are shed,
 A glorious Tribute which embalms the Dead.

But know Excessions to that wild Goal,
 Where Justice strips the Murderer of his Soul:
 Should venia— to the scandal of the Land,
 Snatch the relentless Villain from her Hand,
 Keen Execrations on this Plate inscrib'd,
 Shall reach a JUDGE who never can be brib'd.

*The unhappy Sufferers were Messrs SAM^l GRAY, SAM^l MAVERICK, JAM^s CALDWELL, CRISPUS ATTUCKS & PAT^r CAREY
 Killed. Six wounded two of them (CHRIST^o MONE & JOHN^o CLARK, & Hestley)*

The Bloody Massacre Perpetuated in King Street Boston on March 5th 1770, Paul Revere from a drawing attributed by Henry Pelham, hand-colored line engraving, Boston, 1770. (Acc. No. 1966-1)



BOSTON MASSACRE

The Boston Massacre (5 March 1770)

British troops arrived in Boston October 1768. From then on, there was a continuous antagonism between the populace and the soldiers. Every kind of delaying tactic was used to prevent the troops from being quartered. The newspapers, week after week, printed accounts of the "atrocities" committed by the soldiers. The town meeting denounced them. Mobs hooted at them and attacked them from time to time. British officers made every effort to prevent trouble, but minor difficulties were unavoidable. Meanwhile the presence of the troops made it safe for the customs commissioners and other British officials to remain in the town, something that had not been true previous to their arrival. Governor Bernard commented that while the troops might protect the person of the governor, they could not restore the authority of the government although they might in time enable the governor to pursue the means to do so.

Antagonism between the populace and the troops came to a head in the spring of 1770. During several days, fighting between groups of soldiers and the people of the town had been almost continuous. Then on 5 March came the "massacre." The evidence as to what happened is completely contradictory. About the only thing that the accounts agree upon is that the event took place on 5 March and that several men were killed.

There was danger of open warfare, but Thomas Hutchinson, who had succeeded Bernard as governor, acted with firmness. Captain Preston and some of the soldiers were arrested and held for trial. The two regiments were removed to Castle William, an old fort on an island in Boston harbour. One regiment was soon removed from the colony, while one regiment was maintained at Castle William until the outbreak of the war for independence. Meanwhile, the popular leaders demanded that the soldiers be tried at once. But Hutchinson delayed the trials until October to allow passions to cool. When the trials were held, John Adams acted as one of the defence counsel. Captain Preston and six of the soldiers were acquitted and two were convicted of manslaughter.

The removal of the troops and the trial had a healthy effect. Substantial people in the town were thoroughly disgusted with the violence that had been almost continuous since 1765. The merchants defied the popular leaders and broke the non-importation agreement. For the next two years Boston was relatively quiet, although the popular leaders continued their agitation. In doing so, the Boston Massacre was an invaluable source of propaganda.

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BOSTON MASSACRE

Newspaper Account of the Boston Massacre

Printed: *The Boston Gazette and Country Journal* 12 March 1770.

The town of Boston affords a recent and melancholy demonstration of the destructive consequences of quartering troops among citizens in a time of peace, under a pretence of supporting the laws and aiding civil authority; every considerate and unprejudiced person among us was deeply impressed with the apprehension of the consequences when it was known that a number of regiments were ordered to this town under such a pretext, but in reality to enforce oppressive measures; to awe and control the legislative as well as executive power of the province, and to quell a spirit of liberty, which however it may have been basely opposed and even ridiculed by some, would do honour to any age or country. A few persons amongst us had determined to use all their influence to procure so destructive a measure with a view to their securely enjoying the profits of an American revenue, and unhappily both for Britain and this country they found means to effect it.

It is to Governor Bernard, the commissioners, their confidants and coadjutors, that we are indebted as the procuring cause of a military power in this capital. The Boston Journal of Occurrences, as printed in Mr. Holts New York Gazette, from time to time, afforded many striking instances of the distresses brought upon the inhabitants by this measure; and since those Journals have been discontinued, our troubles from that quarter have been growing upon us. We have known a party of soldiers in the face of day fire off a loaden musket upon the inhabitants, others have been pricked with bayonets, and even our magistrates assaulted and put in danger of their lives, when offenders brought before them have been rescued; and why those and other bold and base criminals have as yet escaped the punishment due to their crimes may be soon matter of enquiry by the representative body of this people. It is natural to suppose that when the inhabitants of this town saw those laws which had been enacted for their security, and which they were ambitious of holding up to the soldiery, eluded, they should more commonly resent for themselves; and accordingly it has so happened. Many have been the squabbles between them and the soldiery; but it seems their being often worsted by our youth in those encounters, has only served to irritate the former. What passed at Mr. Gray's rope-walk has already been given to the public and may be said to have led the way to the late catastrophe. That the rope-walk lads, when attacked by superior numbers, should defend themselves with so much spirit and success in the club-way, was too mortifying, and perhaps it may hereafter appear that even some of their officers were unhappily affected with this circumstance. Divers stories were propagated among the soldiery that served to agitate their spirits; particularly on the Sabbath that one Chambers, a sergeant, represented as a sober man, had been missing the preceding day and must therefore have been murdered by the townsmen. An officer of distinction so far credited this report that he entered Mr. Gray's rope-walk that Sabbath; and when required of by that gentleman as soon as he could meet him, the occasion of his so doing, the officer replied that it was

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to look if the sergeant said to be murdered had not been hid there. This sober sergeant was found on the Monday unhurt in a house of pleasure. The evidences already collected show that many threatenings had been thrown out by the soldiery, but we do not pretend to say that there was any preconcerted plan. When the evidences are published, the world will judge. We may, however, venture to declare that it appears too probable from their conduct that some of the soldiery aimed to draw and provoke the townsmen into squabbles, and that they then intended to make use of other weapons than canes, clubs, or bludgeons.

Our readers will doubtless expect a circumstantial account of the tragical affair on Monday night last; but we hope they will excuse our being so particular as we should have been, had we not seen that the town was intending an enquiry and full representation thereof.

On the evening of Monday, being the fifth current, several soldiers of the 29th Regiment were seen parading the streets with their drawn cutlasses and bayonets, abusing and wounding numbers of the inhabitants.

A few minutes after nine o'clock four youths, named Edward Archbald, William Merchant, Francis Archbald, and John Leech, jun., came down Cornhill together, and separating at Doctor Loring's corner, the two former were passing the narrow alley leading to Murray's barrack in which was a soldier brandishing a broad sword of an uncommon size against the walls, out of which he struck fire plentifully. A person of mean countenance armed with a large cudgel bore him company. Edward Archbald admonished Mr. Merchant to take care of the sword, on which the soldier turned round and struck Archbald on the arm, then pushed at Merchant and pierced through his clothes inside the arm close to the armpit and grazed the skin. Merchant then struck the soldier with a short stick he had; and the other person ran to the barrack and brought with him two soldiers, one armed with a pair of tongs, the other with a shovel. He with the tongs pursued Archbald back through the alley, collared and laid him over the head with the tongs. The noise brought people together; and John Hicks, a young lad, coming up, knocked the soldier down but let him get up again; and more lads gathering, drove them back to the barrack where the boys stood some time as it were to keep them in. In less than a minute ten or twelve of them came out with drawn cutlasses, clubs, and bayonets and set upon the unarmed boys and young folk who stood them a little while but, finding the inequity of their equipment, dispersed. On hearing the noise, one Samuel Atwood came up to see what was the matter; and entering the alley from the dock square, heard the latter part of the combat; and when the boys had dispersed he met the ten or twelve soldiers aforesaid rushing down the alley towards the square and asked them if they intended to murder people? They answered Yes, by G_d, root and branch! With that one of them struck Mr. Atwood with a club which was repeated by another; and being unarmed, he turned to go off and received a wound on the left shoulder which

BOSTON MASSACRE

reached the bone and gave him much pain. Retreating a few steps, Mr. Atwood met two officers and said, gentlemen, what is the matter? They answered, you'll see by and by. Immediately after, those heroes appeared in the square, asking where were the boogers? where were the cowards? But notwithstanding their fierceness to naked men, one of them advanced towards a youth who had a split of a raw-stave in his hand and said, damn them, here is one of them. but the young man seeing a person near him with a drawn sword and good cane ready to support him, held up his stave in defiance; and they quietly passed by him up the little alley by Mr. Silsby's to King Street where they attacked single and unarmed persons till they raised much clamour, and then turned down Cornhill Street, insulting all they met in like manner and pursuing some to their very doors. Thirty or forty persons, mostly lades, being by this means gathered in King Street, Capt. Preston with a party of men with charged bayonets, came from the main guard to the commissioner's house, the soldiers pushing their bayonets, crying, make way! They took place by the custom house and, continuing to push to drive the people off, pricked some in several places, on which they were clamorous and, it was said, threw snow balls. On this, the Captain commanded them to fire; and more snow balls coming, he again said, damn you, fire, be the consequence what it will! One soldier then fired, and a townsman with a cudgel struck him over the hands with such force that he dropped his firelock; and, rushing forward, aimed a blow at the Captain's head which grazed his hat and fell pretty heavy upon his arm. However, the soldiers continued the fire successively till seven or eight or, as some say, eleven guns were discharged.

By this fatal manoeuvre three men were laid dead on the spot and two more struggling for life; but what showed a degree of cruelty unknown to British troops, at least since the house of Hanover has directed their operations, was an attempt to fire upon or push with their bayonets the persons who undertook to remove the slain and wounded!

Mr. Benjamin Leigh, now undertaker in the Delph manufactory, came up; and after some conversation with Capt. Preston relative to his conduct of this affair, advised him to draw off his men, with which he complied.

The dead are Mr. Samuel Gray, killed on the spot, the ball entering his head and beating off a large portion of his skull.

A mulatto man named Crispus Attucks, who was born in Framingham, but lately belonged to New-Providence and was here in order to go for North Carolina, also killed instantly, two balls entering his breast, one of them in special going the right lobe of the lungs and a great part of the liver most horribly.

Mr. James Caldwell, mate of Capt. Mortons' vessel, in like manner killed by two balls entering his back.

BOSTON MASSACRE

Mr. Samuel Maverick, a promising youth of seventeen years of age, son of the widow Maverick, and an apprentice to Mr. Greenwood, ivory-turner, mortally wounded; a ball went through his belly and was cut out at his back. He died the next morning.

A lad named Christopher Monk, about seventeen years of age, an apprentice to Mr. Walker, a shipwright, wounded; a ball entered his back about four inches above the left kidney near the spine and was cut out of the breast on the same side. Apprehended he will die.

A lad named John Clark, about seventeen years of age, whose parents live at Medford, and an apprentice to Capt. Samuel Howard of this town, wounded; a ball entered just above his groin and came out at his hip on the opposite side. Apprehended he will die.

Mr. Edward Payne of this town, merchant, standing at his entry door received a ball in his arm which shattered some of the bones.

Mr. John Green, tailor, coming up Leverett's Lane, received a ball just under his hip and lodged in the under part of his thigh, which was extracted.

Mr. Robert Patterson, a seafaring man, who was the person that had his trousers shot through in Richardson's affair, wounded; a ball went through his right arm, and he suffered a great loss of blood.

Mr. Patrick Carr, about thirty years of age, who worked with Mr. Field, leather breeches-maker in Queen Street, wounded; a ball entered near his hip and went out at his side.

A lad named David Parker, an apprentice to Mr. Eddy, the wheelwright, wounded; a ball entered his thigh.

The people were immediately alarmed with the report of this horrid massacre, the bells were set a-ringing, and great numbers soon assembled at the place where this tragical scene had been acted. Their feelings may be better conceived than expressed; and while some were taking care of the dead and wounded, the rest were in consultation what to do in those dreadful circumstances. But so little intimidated were they, notwithstanding their being within a few yards of the main guard and seeing the 29th Regiment under arms and drawn up in King Street, that they kept their station and appeared, as an officer of rank expressed it, ready to run upon the very muzzles of their muskets. The lieutenant-governor soon came into the town house and there met some of his Majesty's Council and a number of civil magistrates. A considerable body of the people immediately entered the council chamber and expressed themselves to his honour with a freedom and warmth becoming the occasion. He used his utmost endeavours to pacify them, requesting that

BOSTON MASSACRE

they would let the matter subside for the night and promising to do all in his power that justice should be done and the law have its course. Men of influence and weight with the people were not wanting on their part to procure their compliance with his Honour's request by representing the horrible consequences of a promiscuous and rash engagement in the night, and assuring them that such measures should be entered upon in the morning as would be agreeable to their dignity and a more likely way of obtaining the best satisfaction for the blood of their fellow townsmen. The inhabitants attended to these suggestions; and the regiment under arms being ordered to their barracks, which was insisted upon by the people, they then separated and returned to their dwellings by one o'clock. At three o'clock Capt. Preston was committed, as were the soldiers who fired, a few hours after him.

Tuesday morning presented a most shocking scene, the blood of our fellow citizens running like water through King Street and the Merchants' Exchange, the principal spot of the military parade for about eighteen months past. Our blood might also be tracked up to the head of Long Lane, and through divers other streets and passages.

At eleven o'clock the inhabitants met at Faneuil Hall, and after some animated speeches becoming the occasion, they chose a committee of fifteen respectable gentlemen to wait upon the lieutenant-governor in Council to request of him to issue his orders for the immediate removal of the troops.

[The Funeral]

Last Thursday, agreeable to a general request of the inhabitants and by the consent of parents and friends, were carried to their grave in succession the bodies of Samuel Gray, Samuel Maverick, James Caldwell, and Crispus Attucks, the unhappy victims who fell in the bloody massacre of the Monday evening preceding!

ON this occasion most of the shops in town were shut, all the bells were ordered to toll a solemn peal, as were also those in the neighbouring towns of Charlestown, Roxbury, etc. The procession began to move between the hours of four and five in the afternoon, two of the unfortunate sufferers, viz. Messrs. James Caldwell and Crispus Attucks who were strangers, borne from Faneuil Hall attended by a numerous train of persons of all ranks; and the other two, viz. Samuel Gray, from the house of Mr. Benjamin Gray (his brother) on the north-side of the Exchange, and Mr. Maverick, from the house of his distressed mother, Mrs. Mary Maverick, in Union Street, each followed by their respective relations and friends, the several hearses forming a junction in King Street, the theatre of the inhuman tragedy, proceeded from thence through the Main Street, lengthened by an immense concourse of people so numerous as to be obliged to follow

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in ranks of six, and brought up by a long train of carriages belonging to the principal gentry of the town. The bodies were deposited in one vault in the middle burying ground. the aggravated circumstances of their death, the distress and sorrow visible in every countenance, together with the peculiar solemnity with which the whole funeral was conducted, surpass description.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, New York, 1955, pp. 745-750.

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Messr. Edes and Gill,

Permit me, through the channel of your paper, to return my thanks, in the most publick manner, to the inhabitants in general of this town, who, throwing aside all party and prejudice, have, with the utmost humanity and freedom, stepped with advocates for truth, in defence of my injured innocence, in the late unhappy affair that happened on Monday night last, and to assure them that I shall ever have the highest sense of the justice they have done me, which will be ever gratefully remembered by their

Much obliged and obedient servant,

THOMAS PRESTON.

Boston Journal, Monday March 12, 1770.
(Reprinted in *Virginia Gazette* (Purdie and Dixon), April 5, 1770)

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A letter from a Gentleman in Virginia, June 30.

"Our General Assembly, which met, by agreement, upon the 21st of May, is just broke up. The only question, in which the interest of the colonies in general was concerned, came on before the House of Burgesses the 23^d day of this month, upon his Excellency our Governor's communicating to the House the famous act of Parliament for repealing the duties upon glass, painters colours, and paper of British manufacture. If he expected this act would produce any conciliating effects, he was greatly mistaken; for the principles upon which it was founded appeared so derogatory to the rights of American liberty that the House was inflamed with resentment, spurned at the pretended favour, and unanimously voted a petition to the King, asserting their rights, agreeable to their further addresses, representations, and remonstrances. They did not expect this petition would produce any alteration in the conduct of the British Ministry; but they intended it, as their protestation, never to submit silently to the power of the Parliament to tax the colonies. This was all the Assembly thought proper to do, upon this important point, in

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their legislative character; but, as private Gentlemen, they renewed and enforced their former association against the importation of goods from Great Britain. In this association they were joined by a considerable body of merchants, who were at that time in Williamsburg; and I doubt not the association will, in a very few weeks, become universal throughout the colony.

Virginia Gazette (Purdie and Dixon), July 26, 1770.

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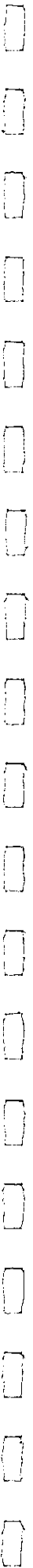
The Whitehall Pump.

The Whitehall Pump, unknown maker, black and white line engraving, England, 1774. Published in the *Westminster Magazine*. Printed after the Boston Tea Party, this print has Lord North and his supporters trying to revive Britannia's vitality. John Wilkes, as a friend to the colonies, protests North's attempts at reprisals for the Tea Party. (Acc. No. 1960-46). Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



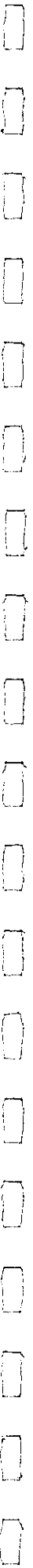
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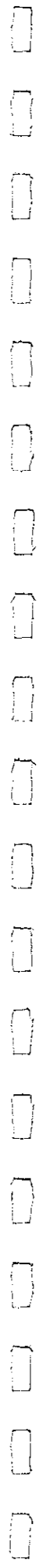
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PART IV

Tea



Introduction

Although the popular leaders of colonial opposition to Great Britain had created an intercolonial organization by the middle of 1773 as a result of the *Gaspee* inquiry, there was no real issue to unite the colonies. It seems plain that they looked forward to a continental congress; yet there was no occasion to call one, and if they tried to do so, there would be strong opposition. The members of the colonial aristocracy, and particularly the merchants, were anxious for peaceful relations with Britain. They had had their fill of popular leaders and mob violence between 1765 and 1770. On the other side of the Atlantic the ministry also wanted to avoid raising any issues that would stir up the colonies. Benjamin Franklin pointed this out during 1773 in several letters to Thomas Cushing, speaker of the Massachusetts House of Representatives. In January he wrote that circumstances were working in favour of the colonies. Britain had a favourable balance of trade in 1772, and he predicted that even the tax on tea might be removed. He urged, however, that the colonists remain quiet and stop sending memorials about colonial rights. In April and May he reported that Lord Dartmouth, now secretary of state for the colonies, was much irritated by the dispute in Massachusetts between Governor Hutchinson and the legislature. Hutchinson had opened the January 1773 session with a speech to the legislature in which he asserted the sovereignty of Parliament over the colonies. The legislature had returned a spirited answer denying his assertion. These papers had been sent to the ministry. After a conference with Dartmouth on the subject, Franklin reported that "the administration are chagrined with his [Hutchinson's] officiousness, their intention having been to let all contention subside, and by degrees suffer matters to return to their old channels." Dartmouth told Franklin that the ministry was embarrassed because Parliament, if the dispatches were laid before it, would not let the declaration of the Massachusetts legislature "asserting its independence, to pass unnoticed."

Despite the desire of the ministry to maintain peaceful relations with the colonies, action was taken by Parliament in the spring of 1773 that was to inaugurate the chain of events leading directly to the war for American independence. Ironically enough, this action was not the result of concern with colonial policy but of the British government's preoccupation with the tangled affairs of the East India Company. Previous legislation had not served to keep the company out of debt nor to dispose of its surplus tea. In 1773, therefore, Parliament passed a regulating Act giving to the government a share in the control of India. This was accompanied by another Act designed to increase the market for tea in America and Ireland. This was the "Tea Act" to which the colonists objected so violently and so fatefully.

The first public action was taken in Philadelphia where a mass meeting on 16 October 1773 passed a series of resolutions denying the right of parliamentary taxation and asserting that the Tea Act was a violent attack on the liberties of America. The meeting demanded that the tea agent resign, and that when the tea came it should be sent

THE TEA ACT

back to England. There were threats of violence that did not need to be carried out, and the tea was sent back. In Charleston the tea was landed and placed in a warehouse and three years later was sold for the benefit of the Revolutionary cause. In New York denunciations of the Tea Act began appearing in the newspapers in October. In November the tea agents were requested to resign. On 29 November appeared a document called The Association of the Sons of Liberty. It declared a boycott against those who disagreed with the resolutions it contained. By December the popular leaders were threatening the use of force to prevent the tea from being landed. Governor Tryon came to the conclusion that the tea could be landed only "under the protection of the point of the bayonet and muzzle of the cannon." However, because of the weather, no tea arrived in New York until the spring of 1774. When it did arrive, the cargo of tea on board one of the ships was dumped in the harbour, and another ship returned to England without attempting to unload.

When the news of colonial opposition, and particularly that of Boston, reached England, any hope of compromise was at an end. The emotions of the ministry and Parliament rose to a high pitch. Benjamin Franklin wrote from London to Thomas Cushing in March of 1774 that "I suppose we have never had since we are a people, so few friends in Britain. The violent destruction of the tea seems to have united all parties here against our province...." Dartmouth wrote to Hutchinson that as a result of the destruction of the tea, it was necessary "to vindicate the insulted authority of this kingdom and to protect its commerce...." He said that Boston would be deprived of all its privileges as a seat of government and a place of trade, and that the guilty would be punished. He declared that the Crown alone could not do this, and that the king had seen fit to lay the whole matter before Parliament. In addition, the ministry took a major step by appointing General Thomas Gage governor of Massachusetts while retaining him as commander-in-chief of the British army in America. Dartmouth's first letter to Gage as governor sets forth clearly the determination of the ministry to force the submission of Massachusetts.

In the meantime Parliament rapidly passed one Act after another. The Boston Port Act closed the port of Boston until the tea was paid for. The Massachusetts Government Act was a sweeping revision of the charter of Massachusetts for the purpose of lessening the power of the people and increasing that of the governor. The Quartering Act applied to all British America and authorized governors to requisition vacant buildings to quarter troops. The Administration of Justice Act provided that British officials in Massachusetts accused of capital crimes while performing their duties might be removed to other colonies or to Britain for trial if a fair trial could not be had in Massachusetts.

When the news of the Port Act reached Virginia, the House of Burgesses at once adopted a resolution setting a day of fasting. The governor, Lord Dunmore,

COMMITTEES OF CORRESPONDENCE

promptly dissolved the House for its temerity and declared that he would not issue writs for a new election. A large number of the burgesses thereupon adjourned to the Raleigh Tavern. This meeting proposed that a continental congress meet in Philadelphia in September and issued a call for a special election for a convention to meet in Williamsburg in August. Not only did it thus defy royal authority, it proposed that the courts be stopped and that the payment of debts be suspended until the issue with Great Britain had been settled.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, New York, 1955.

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Creation of the Virginia Committees of Correspondence

The consulting members proposed to me to move them, but I urged that it should be done by M^r. Carr, my friend and brother in law, then a member to whom I wished an opportunity should be given of making known to the house his great worth and talents. It was so agreed; he moved them, they were agreed to nem. con. and a committee of correspondence appointed of whom Peyton Randolph, the speaker, was chairman.

Pursuant to caucus agreement, M^r. Carr presented the resolutions as adopted, to the House of Burgesses on March 12th:

RESOLVES.

"Whereas, The minds of his Majesty's faithful subjects in this colony have been much disturbed, by various rumors and reports of proceedings tending to deprive them of their ancient, legal, and constitutional right,

"And whereas, The affairs of this Colony are frequently connected with those of Great Britain, as well as of the neighboring colonies, which renders a communication of sentiments necessary; in order, therefore, to remove the uneasiness, and to quiet the minds of the people, as well as for the other good purposes above mentioned,

"Be it resolved, That a standing Committee of Correspondence and Inquiry be appointed, to consist of eleven persons to wit: The Honorable Peyton Randolph, Esquire, Robert Carter Nicholas, Richard Bland, Richard Henry Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Cary and Thomas Jefferson, Esquires, any six of whom to be a

COMMITTEES OF CORRESPONDENCE

committee, whose business it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, or proceedings of Administration, as may relate to or effect the British colonies in America, and to keep up and maintain a correspondence and communication with our sister colonies, respecting these important considerations; and the result of such their proceedings, from time to time, to lay before this House.

"Resolved, That it be an instruction to the said committee, that they do, without delay, inform themselves particularly of the principles and authority on which was constituted a court of inquiry, said to have been lately held in Rhode Island, with powers to transmit persons accused of offences committed in America to places beyond the seas to be tried."

"The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the house, nemine contradicente."

"Resolved, That the speaker of this house do transmit to the speakers of the different Assemblies of the British colonies on the continent, copies of the said resolutions, and desire that they will lay them before their respective Assemblies, and request them to appoint some person or persons of their respective bodies, to communicate from time to time with the said committee."

Following the adoption of these resolves an address to the Governor, disapproving his conduct in the irregular trial of the Pittsylvania prisoners, was read and adopted. On March 15th this protest, delivered in the presence of the Assembly, elicited from the Governor a rude answer, resulting in the prorogation of that body after a short session of eleven days. The following day the Committee of Correspondence prepared a circular letter to the Assemblies of other Colonies, directing particular attention to an enclosed copy of the Virginia resolutions, and inviting opinions thereon at the earliest possible moment. The formation of similar Committees by various Colonies, followed at short intervals, each meriting the distinctive prominence accorded it in the annals of political events that have affected history.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

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BOSTON TEA PARTY

Newspaper Report of the Boston Tea Party (16 December 1773)

After the arrival of the first tea ship, the *Dartmouth*, on 27 November, a series of mass meetings were held in Boston which were attended by people from surrounding towns. These meetings insisted that the duty should not be paid and that the tea should be shipped back. Governor Hutchinson ordered such meetings to disperse but they refused. Meanwhile the *Dartmouth* entered at the customs house and was liable to seizure if the duties were not paid within twenty days. The twentieth day was Thursday, 16 December. On that morning people began pouring into Boston by the hundreds to attend a mass meeting. The consignee of the tea on the *Dartmouth* was willing to return the cargo but Governor Hutchinson refused a permit and ordered warships in the harbour to prevent the ship from sailing. His effort was courageous but futile. When the mass meeting heard the report, Samuel Adams arose and declared: "This meeting can do no more to save the country." What followed is described in the newspaper report.

(Printed: *Massachusetts Gazette and Boston Weekly News-Letter*, 23 December 1773.)

Just before the dissolution of the meeting, a number of brave and resolute men, dressed in the Indian manner, approached near the door of the Assembly, gave the war whoop, which rang through the house and was answered by some in the galleries, but silence being commanded, and a peaceable deportment was again enjoined till the dissolution. The Indians, as they were then called, repaired to the wharf where the ships lay that had the tea on board, and were followed by hundreds of people to see the event of the transaction of those who made so grotesque an appearance. They, the Indians, immediately repaired on board Capt. Hall's ship, where they hoisted out the chests of tea, and when upon deck stove the chests and emptied the tea overboard: having cleared this ship, they proceeded to Capt. Bruce's and then to Capt. Coffin's brig. They applied themselves so dexterously to the destruction of this commodity that in the space of three hours they broke up 342 chests, which was the whole number in those vessels, and discharged their contents into the dock. When the tide rose it floated the broken chests and the tea insomuch that the surface of the water was filled therewith a considerable way from the south part of town to Dorchester Neck, and lodged on the shores. There was the greatest care taken to prevent the tea from being purloined by the populace. One or two, being detected in endeavouring to pocket a small quantity, were stripped of their acquisitions and very roughly handled. It is worthy to remark that although a considerable quantity of goods were still remaining on board the vessels, no injury was sustained. Such attention to private property was observed that a small padlock belonging to the captain of one of the ships being broke, another was procured and sent to him. The town was very quiet during the whole evening and night following. Those persons who were from the country returned with a merry heart; and the next day joy appeared in almost every countenance, some on occasion of the destruction of the tea,

BOSTON PORT BILL

others on account of the quietness with which it was effected. One of the Monday's papers says that the masters and owners are well pleased that their ships are thus cleared.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, pp. 778-779.

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Boston Port Bill

From the close of the Session of 1773, to the issuance of the proclamation convening the Assembly of the following year, England and the Colonies witnessed many important events. The East India Company, with its vast accumulation of seventeen million pounds of Tea, being unwilling to accept Lord North's proposal that the duties should be paid in Colonial ports, argued that such a proposition would not result in revenue to the Crown, but that an equivalent duty should be retained in England. This argument, which was presented in the form of a petition, was not acceptable to the Ministry, who believed that the colonies would buy of the Company, under any circumstances, and that a repeal of duty at that time, would show a reluctance on the part of the Crown to exercise the right of taxation.

Suspecting, after lengthy deliberation, that their interests were being exploited to establish an American duty, the East India Company determined to consign cargoes of Tea to Boston, New York, Philadelphia and Charleston. This decision, following legislation bearing on the same subject, aroused great excitement throughout the Colonies. The Americans were as equally determined not to pay the tax, as was Great Britain to collect it, the various Committees of Correspondence uniting them in their measures of resistance.

In this great crisis all eyes were directed to the ports to which the Tea had been consigned. Public meetings were held at each place, and resolutions, either demanding of consignees the resignation of their commissions, or prohibiting the landing of Tea, were passed and carried into effect. As one result of this action on the part of the Colonies the Port of Boston was ordered to be closed on June 1st, 1774, and not to be again opened until the acts of Parliament were obeyed.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

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A New Method of MACARONY MAKING, as practised at BOSTON.

*For the Custom House Officers tarring the Tea: And they drench'd him so well both behind and before,
They Tarr'd him, and Feather'd him, just as you see. I That he legg'd for to, else, saith they would drench him no more*

Printed for Carington Bowles, at his Map-Printer Warehouse, A782, in St. Pauls Church Lane, London. Published as the Act directs, Oct. 12th 1774

A New Method of Macarony Making, as practised at Boston, printed for Carington Bowles, hand-colored mezzotint, England, October 12, 1774. John Malcomb, British customs official, determined to collect the newly imposed duties was tarred and feathered by angry Bostonians on January 24, 1774. (Acc. No. 1960-127). Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.

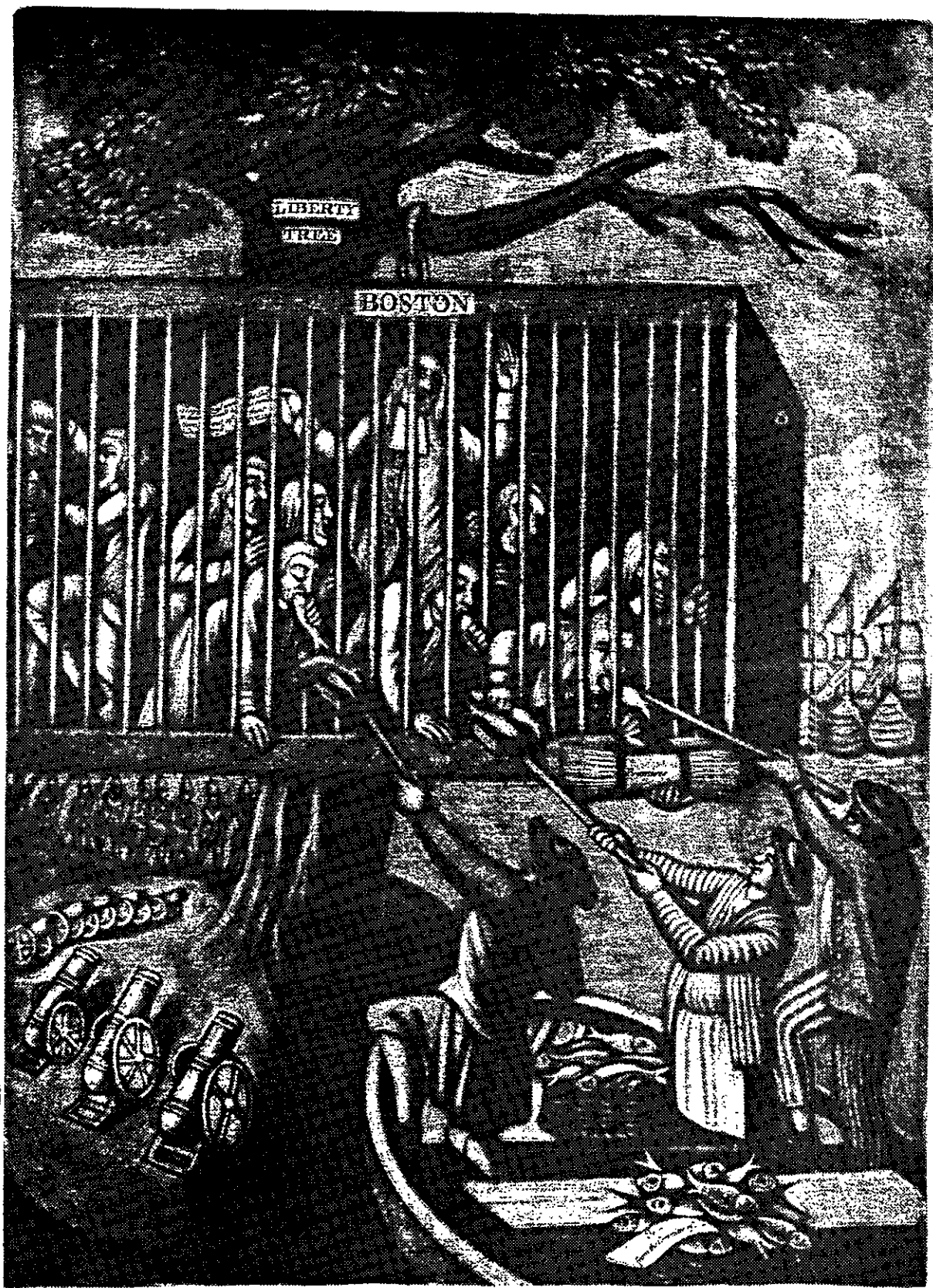




The BOSTONIAN'S Paying the EXCISE-MAN, or TARRING & FEATHERING

The Bostonian's Paying the Excise-Man, or Tarring and Feathering, attributed to Philip Dawe, hand-colored mezzotint, England, October 31, 1774. The tarring and feathering of British customs official, John Malcomb, is shown here. In the background is one of the earliest pictorial representations of the Boston Tea Party. (Acc. No. 1960-126) Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.





Joh. Marlin Will sculpsit. Geo. Vert.

The BOSTONIANS in DISTRESS.

London, Printed for R. Sayer, & J. Bennett, Map & Printellers, N^o 65, Fleet-Street, as the Act directs, to Nov^r 1774.

The Bostonian's in Distress, J. Marlin Will, black and white mezzotint, England, November 19, 1774. This is a commentary on the closing of the port of Boston by the British in reprisal for the Tea Party. (Acc. No. 1960-129) Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.

BOSTON CIRCULAR LETTER

**Circular Letter of the Boston Committee of Correspondence
(13 May 1774)**

This letter, urging the complete stoppage of trade, was sent throughout the colonies. It precipitated public meetings everywhere to prepare an answer. Although there was some immediate support for it within Massachusetts, the general reaction was that the whole question should be left to a continental congress. The outstanding exception was Virginia. (Printed: Harry A. Cushing, ed., The Writings of Samuel Adams [4 vols., New York, 1904-1908, m, pp. 109-111.])

We have just received the copy of an Act of the British Parliament passed in the present session whereby the town of Boston is treated in a manner the most ignominious, cruel, and unjust. The Parliament have taken upon them, from the representations of our governor and other persons inimical to and deeply prejudiced against the inhabitants, to try, condemn, and by an Act to punish them, unheard; which would have been in violation of natural justice even if they had an acknowledged jurisdiction. They have ordered our port to be entirely shut up, leaving us barely so much of the means of subsistence as to keep us from perishing with cold and hunger; and it is said that [a] fleet of British ships of war is to block up our harbour until we shall make restitution to the East India Company for the loss of their tea, which was destroyed therein the winter past, obedience is paid to the laws and authority of Great Britain, and the revenue is duly collected. This Act fills the inhabitants with indignation. The more thinking part of those who have hitherto been in favour of the measures of the British government look upon it as not to have been expected even from a barbarous state. This attack, though made immediately upon us, is doubtless designed for every other colony who will not surrender their sacred rights and liberties into the hands of an infamous ministry. Now therefore is the time when all should be united in opposition to this violation of the liberties of all. Their grand object is to divide the colonies. We are well informed that another bill is to be brought into Parliament to distinguish this from the other colonies by repealing some of the Acts which have been complained of and ease the American trade; but be assured, you will be called upon to surrender your rights if ever they should succeed in their attempts to suppress the spirit of liberty here. The single question then is, whether you consider Boston as now suffering in the common cause, and sensibly feel and resent the injury and affront offered to her? If you do (and we cannot believe otherwise), may we not from your approbation of our former conduct in defense of American liberty, rely on your suspending your trade with Great Britain at least, which is acknowledged, will be a great but necessary sacrifice to the cause of liberty and will effectually defeat the design of this act of revenge. If this should be done, you will please to consider it will be, though a voluntary suffering, greatly short of what we are called to endure under the immediate hand of tyranny.

DAY OF FASTING

We desire your answer by the bearer; and after assuring you that, not in the least intimidated by this inhumane treatment, we are still determined to maintain to the utmost of our abilities the rights of America, we are, gentlemen,

Your friends and fellow countrymen.

English Historical Documents: American Colonial Documents to 1776, edited by Merrill Jensen, Oxford University Press, NY, 1955, p. 789.

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**Resolution of the House of Burgesses
Designating a Day of Fasting and Prayer
24 May 1774**

It was that slight tax on tea that would set in motion the concatenation of events leading to the wreck of the Old Empire. Early in 1773 the ministry of Lord North moved to save the East India Company from threatened bankruptcy. By the passage of a new Tea Act on 27 April the government sought to aid the company in the more expeditious disposal of the surplus of seventeen million pounds of tea glutting warehouses in England. All duties on the commodity were remitted, except the tax of three pence a pound, and thus the savory leaf could be sold in America more cheaply than ever.

But the act contained one flaw, and that a fatal one. Previously the company had been compelled to sell its tea at public auction, whereafter the purchasers resold the tea to other dealers or to factors in America. The new act bestowed on the company a monopoly, in the possession of which it dealt directly with select colonial agents -- to the indignation of many American merchants who, while under the old arrangement prospering, under the new were threatened with ruin. At last Sam Adams and his fellow radicals had no longer to coerce Boston merchants into association; the alliance of radical and merchant was now a natural one. Hence it was very largely a "respectable" group of Mohawks who on the night of 16 December 1773 threw the company's tea into Boston harbor. (Benjamin Woods Labaree, The Boston Tea Party, [New York, 1964], pp. 60-61, 72-74, 87-89, 104-145.)

The news that the North ministry had procured parliamentary authorization to close the port of Boston was almost certainly known in Williamsburg before 19 May 1774, the day on which Purdie and Dixon printed "An Epitome of the Boston Bill" in their *Virginia Gazette*; and as Lord Dunmore's ill luck would have it, the General Assembly was then in session. Convinced that the greater body of their fellow Virginians were napping while dangers pyramided, several of the younger burgesses again determined to act; and once more the younger men carried their older, more

DAY OF FASTING

conservative associates with them, by affecting to follow.

On Monday the twenty-third, Patrick Henry, Richard Henry Lee, Francis Lightfoot Lee, Thomas Jefferson, and three or four others, one of whom may have been George Mason, then in Williamsburg on private business, met in the vacated council chamber "for the benefit of the library in that room" (Rutland, *Papers of George Mason*, I, 190-191; Ford, *Works of Thomas Jefferson*, I, 11). There they agreed that the tactic most likely to arouse the people as a whole would be the passage of a resolution calling for "a day of general fasting and prayer." In quest of a precedent, they "rummaged" through an undesignated edition of John Rushworth's **Historical Collections** (first published in eight volumes, London, 1659-1701) and, hitting upon an appropriate item, "cooked up" a resolution and for the day of fasting and prayer selected the first of June, when the Port Act was to go into effect.

On the following morning the conferees waited on the colonial treasurer, Robert Carter Nicholas, and requested that he introduce the resolution in the House. Their psychology was faultless. Widely known for his "grave & religious character," Nicholas could scarcely decline. Nor, save by risking an appearance of infidelity, could a fellow burgess very strenuously oppose him. Nicholas introduced the resolution the same day. Jefferson stated that it "passed without opposition" (Ford, *Works of Thomas Jefferson*, I, 11-12), but whereas he wrote years later, Nicholas, referring to the event not long after it occurred, declared that there was "not above one **Dissentient** appearing amongst near an Hundred Members." This gives cause to believe that there were two dissentients, for though one burgess apparently was bold enough to speak against the resolution, Attorney General John Randolph, who also opposed it, remained silent.

Both Williamsburg newspapers printed the resolution in their issues dated Thursday the twenty-sixth, but each was held open until Friday the twenty-seventh. For this reason, it is clear that when Governor Dunmore summoned the House of Burgesses to attend him in the council chamber on Thursday, it was not a copy of a newspaper that he held but one of the present broadside. His Lordship was in a snappish mood. "Mr. Speaker and Gentleman of the House of Burgesses," he said, "I have in my hand a Paper published by Order of your House, conceived in such Terms as reflect highly upon his Majesty and the Parliament of Great Britain; which makes it necessary for me to dissolve you; and you are dissolved accordingly" -- "as usual," added Mr. Jefferson. (Kennedy, *Journals of the House of Burgesses of Virginia, 1773-1776*, p. 132; Ford, *Works of Thomas Jefferson*, I, 12.)

Although on 24 May Clementina Rind was elected by the House to be "Printer to the Public in the room of her Husband William Rind, deceased" (Kennedy, *Journals of the House of Burgesses of Virginia, 1773-1776*, p. 125), in the capitalization of nouns

1774 ASSOCIATION

the broadside is quite in the style of Purdie and Dixon. The present document was the possession of the "Hon. Edmund Pendleton," a Burgess for Caroline County, who wrote at the foot of the text: "This Occasioned the dissolution. E.P."

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, A Documentary Record, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 93-94.

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The Association of 1774

An Association, signed by 89 members of the late House of Burgesses.

Virginia's attitude, like that of her sister colonies, was a tribute to their firmness. Internal affairs abated in no way the interest in general Colonial welfare aroused by the various Committees of Correspondence, as is attested by an association signed by eighty-nine members of the House of Burgesses, in session in the old Raleigh Tavern in Williamsburg, on May 27th, 1774:

We his majesty's most dutiful and loyal subjects, the late representatives of the good people of this country, having been deprived by the sudden interposition of the executive part of this government from giving our countrymen the advice we wished to convey to them in a legislative capacity, find ourselves under the hard necessity of adopting this, the only method we have left, of pointing out to our countrymen such measures as in our opinion are best fitted to secure our dearest rights and liberty from destruction, by the heavy hand of power now lifted against North America: With much grief we find that our dutiful applications to Great Britain for security of our just, antient, and constitutional rights, have been not only disregarded, but that a determined system is formed and pressed for reducing the inhabitants of British America to slavery, by subjecting them to the payment of taxes, imposed without the consent of the people or their representatives; and that in pursuit of this system, we find an act of the British parliament, lately passed, for stopping the harbour and commerce of the town of Boston, in our sister colony of Massachusetts Bay, until the people there submit to the payment of such unconstitutional taxes, and which act most violently and arbitrarily deprives them of their property, in wharfs erected by private persons, at their own great and proper expence, which act is, in our opinion, a most dangerous attempt to destroy the constitutional liberty and rights of all North America. It is further our opinion, that as TEA, on its importation into America, is charged with a duty, imposed by parliament for the purpose of raising a revenue, without the consent of the people, it ought not to be used by any person who wishes well to the constitutional rights and liberty of British America. And whereas the

India company has ungenerously attempted the ruin of America, by sending many ships loaded with tea into the colonies, thereby intending to fix a precedent in favour of arbitrary taxation, we deem it highly proper and do accordingly recommend it strongly to our countrymen, not to purchase or use any kind of East Indian commodity whatsoever, except saltpetre and spices, until the grievances of America are redressed. We are further clearly of opinion, that an attack, made of one of our sister colonies, to compel submission to arbitrary taxes, is an attack made on all British America, and threatens ruin to the rights of all, unless the united wisdom of the whole be applied. And for this purpose it is recommended to the committee of correspondence, that they communicate, with their several corresponding committees, on the expediency of appointing deputies from the several colonies of British America, to meet in general congress at such place annually as shall be thought most convenient; there to deliberate on those general measures which the united interests of America may from time to time require.

A tender regard for the interest of our fellow subjects, the merchants, and manufacturers of Great Britain, prevents us from going further at this time; most earnestly hoping, that the unconstitutional principle of taxing the colonies without their consent will not be persisted in, thereby to compel us against our will, to avoid all commercial intercourse with Britain. Wishing them and our people free and happy, we are their affectionate friends, the late representatives of Virginia.

The 27th day of May, 1774.

Peyton Randolph, Ro. C. Nicholas, Richard Bland, Edmund Pendleton, Richard Henry Lee, Archibald Cary, Benjamin Harrison, George Washington, William Harwood, Robert Wormeley Carter, Robert Munford, Thomas Jefferson, John West, Mann Page, junior, John Syme, Peter LeGrand, Joseph Hutchings, Francis Peyton, Richard Adams, B. Dandridge, Henry Pendleton, Patrick Henry, junior, Richard Mitchell, James Scott, Charles Carter, James Scott, Burwell Bassett, Henry Lee, John Burton, Thomas Whiting, Peter Poythress, John Winn, James Wood, William Cabell, David Mason, Joseph Cabell, John Bowyer, Charles Linch, William Aylett, Isaac Zane, Francis Slaughter, William Langhorne, Henry Taylor, James Montague, William Fleming, Rodham Kenner, William Aerial, Charles Carter, of Stafford, John Woodson, Nathaniel Terry, Richard Lee, Henry Field, Matthew Marable, Thomas Pettus, Robert Rutherford, Samuel M'Dowell, John Bowdoin, James Edmondson, Southey Simpson, John Walker, Hugh Innes, Henry Bell, Nicholas Faulcon, junior, James Taylor, junior, Lewis Burwell, of Gloucester, W. Roane, Joseph Nevil, Richard Hardy, Edwin Gray, H. King, Samuel Du Val, John Hite, junior, John Banister, Worlich Westwood, John Donelson, Thomas Newton, junior, P. Carrington, James Speed, James Henry, Champion Travis, Isaac Coles, Edmund Berkeley, Charles May, Thomas Nelson, junior, Lewis Burwell.

FIFTHIAN'S JOURNAL

WE the subscribers, clergymen and other inhabitants of the colony and dominion of Virginia, having maturely considered the contents of the above associations, do most cordially approve and accede thereto.

William Harrison, William Hubbard, Benjamin Blagrove, William Bland, H. F. Burges, Samuel Smith M'Croskey, Joseph Davenport, Thomas Price, David Griffith, William Leigh, Robert Andrews, Samuel Klug, Ichabod Camp, William Clayton, Richard Cary, Thomas Adams, Hinde Russel, William Holt, Arthur Dickenson, Thomas Stuart, James Innes. (Endorsed by Thomas Jefferson, Tho^s Mann Randolph).

In the meantime, after several prorogations, Dunmore issued on October 19th, a proclamation convening the Assembly of 1774. Some doubt as to his sincerity, however, caused John Blair, clerk of the Council, to issue a notice on April 21st, in which he "assured the publick," that the day appointed for that purpose would not be changed.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

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Fithian Entries

Sunday, 29 [May].

...Dined with us Captain Dennis, of the Ship Peggy; Dr Steptoe; & Mr Cunningham. Politicks were the topic -- and indeed the Gentlemen seemed warm -- The Governor of this province dissolved the Assembly last week after they had made a resolve that a general & solemn fast be observed thro' this whole Colony, on Account of the melancholy aspect of American Affairs at present, to be kept the first day of June, which is next Wednesday, when the alarming Act of Parliament which has lately come over is to take place at Boston...."

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, p. 110.

Tuesday, 31 [May].

...The lower Class of People here are in a tumult on the account of Reports from Boston, may of them expect to be press'd & compell'd to go and fight the Britains! -- Evening I asked the Colonel if he proposes to observe the fast, & attend Sermon tomorrow; he

FITHIAN'S JOURNAL

answered that "No one must go from heck to Church, or observe the Fast at all" -- By this, (for it is hard to know his opinion from any thing he declares) I conclude he is a courtier....

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, p. 111.

[Letter of Philip V. Fithian to the Reverend Andrew Hunter]

Nomini-Hall, Virginia. June 3^d. 1774.

It will not be wonderful if I inform you that this Colony is in great tumult and confusion. The general Voice is Boston. You will have heard before the reception of this, that the Governor dissolved the Assembly in this province on their making a resolve to keep the first day of June on which the Act of Parliament is to take place at Boston, (excepting the days of grace) a solemn fast. The people agree however in general to unite with the people of Boston and the other northern trading Cities, and by their example to influence all the Colonies, not to make any resistance to the Britains, but to keep themselves independant, and refuse to receive their comodities, and keep within themselves, their own more valuable comodities, because they are for the support of life -- So stedfast are the people here that the Captain of a Ship belonging to an eminent house in London was yesterday refused any more Tobacco til' there is intelligence from the Northward....

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, p. 113.

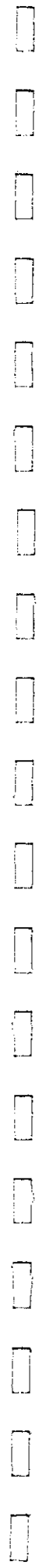
Sunday, 5 June 1774.

...In the evening Ben returned full of news of Boston, that we must fight that the troops are arrived & impudent &c, &c.

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, p. 115.

Saturday 18. [June]

...Towards evening 'Squire Lee call'd in & brought a late London News-Paper in which we are informed that another Act of Parliament has pass'd taking from the People of Boston all power of trying any Soldier, or Person whether for committing any Crime; & obliging all such offenders to be sent home for legal Tryal -- Heaven only knows where





Mrs. Robert Carter III (Frances Tasker) (1734-1789), John Wollaston, oil on canvas, America, ca. 1750-1760. Wife of Robert Carter of Nomini Hall and figures prominently in the diary of Philip Vickers Fithian. (Acc. No. 1956-237).



PROCEEDINGS OF MEETING

these tumults will End! -- He informed us likewise that last Saturday in Richmond (our neighbour County) the people drest & burnt with great marks of Destestation the infamous Lord North -- Mrs Carter, after the 'Squire left us quite astonished me in the Course of the evening. with her perfect acquaintance with the American Constitution.

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, p. 121-122.

Teusday 21 [June]

...The conversation, at Coffee was on American affairs....

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA., p. 123.

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**Proceedings of a Meeting of Representatives
May 30, 1774**

30th May 1774

At a Meeting of 25 of the late Representatives legally assembled by the Moderator, it was agreed

That Letters be wrote to all our Sister Colonies, acknowledging the Receipt of the Letters and Resolves from Boston &c. informing them, that before the same came to hand, the Virginia Assembly had been unexpectedly dissolved, and most of the Members returned to their respective Counties.

That it is the Opinion of all the late House of Burgesses who could be convened on the present Occasion, that the Colony of Virginia will concur with the other Colonies in such Measures as shall be judged most effectual for the Preservation of the Common Rights and Liberty of British America; that they are of Opinion particularly that an Association against Importations will probably be entered into, as soon as the late Representatives can be collected, and perhaps against Exportations also after a certain Time. But that this must not be considered as an Engagement on the part of this Colony, which it would be presumption in us to enter into, and that we are sending Dispatches to call together the late Representatives to meet at Williamsburg on the first Day of August next to conclude finally on these important Questions.

*Peyton Randolph,
Moderator.*

*Mann Page, Junr.
Chars. Carter Senr:*

*Wm Langhorne
T Blackburn*

SUMMONS

Ro. C. Nicholas
Edmd Pendleton
Will: Harwood
Richd Adams
Thom Whiting
Henry Lee
Lemuel Riddick
Tho: Jefferson

Js. Mercer
R. Wormeley Carter
G: Washington
Francis Lightfoot Lee
Thos Nelson jr.
R. Rutherford
John Walker
James Wood.

Edmd Berkeley
Jno. Donelson
P. Carrington
Lewis Burwell
(Gloster)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973.

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The Convention of 1774: The Summons
31 May

...the document below has the virtue of being self-explanatory. In all probability it came from the press of Purdie and Dixon. It is addressed "*To George Washington Esqr. Fairfax*" and is docketed by Washington: "*From the Virginia Conveenn 31st May 1774. V.*" A mutilated copy of this printed letter, addressed to Edmund Berkeley, late a burgess for Middlesex County, is in the Rare Book Department of the University of Virginia Library.

Williamsburg, May 31, 1774.

Gentlemen

Last Sunday Morning several Letters were received from Boston, Philadelphia, and Maryland, on the most interesting and important Subject of American Grievances. The inhabitants of Boston seem to be in a most piteous and melancholy Situation, and are doubtful whether they will be able to sustain the impending Blow without the Assistance and Co-operation of the other Colonies. By the Resolutions of their Town Meeting, it appears to be their Opinion that the most effectual Assistance which can be given them by their Sister Colonies will arise from a general Association against Exports and Imports, of every Kind, to or from Great Britain. Upon Receipt of this important Intelligence, the Moderator judged it most prudent immediately to convene as many of the late Representatives as could be got together, and yesterday, at a meeting of twenty five of the late Members, we took the Business under our most serious Consideration.

SUMMONS

Most Gentlemen present seemed to think it absolutely necessary for us to enlarge our late Association, and that we ought to adopt the Scheme of Nonimportation to a very large Extent; but we were divided in our Opinions as to stopping our Exports. We could not, however, being so small a Proportion of the late Associates, presume to make any Alteration in the Terms of the general Association, and therefore resolved to invite all the Members of the late House of Burgesses to a general Meeting in this City on the first Day of August next. We fixed this distant Day in Hopes of accommodating the Meeting to every Gentleman's private Affairs, and that they might, in the mean Time, have an Opportunity of collecting the Sense of their respective Counties. The inhabitants of this City were convened yesterday in the Afternoon, and most chearfully acceded to the Measures we had adopted.

We flatter ourselves it is unnecessary to multiply Words to induce your Compliance with this Invitation, upon an Occasion which is, confessedly, of the most lasting Importance to all America. Things seem to be hurrying to an alarming Crisis, and demand the speedy, united Councils of all those who have a Regard for the common Cause, We are, Gentlemen, your most affectionate Friends, and obedient humble Servants,

Peyton Randolph, Moderator; Robert C. Nicholas, Edmund Pendleton, William Harwood, Richard Adams, Thomas Whiting, Henry Lee, Lemuel Riddick, Thomas Jefferson, Mann Page, junior, Charles Carter, Lancaster, James Mercer, Robert Wormeley Carter, George Washington, Francis Lightfoot Lee, Thomas Nelson, junior, Robert Rutherford, John Walker, James Wood, William Langhorne, Thomas Blackburne, Edmund Berkeley, John Donelson, Paul Carrington, Lewis Burwell. (Printed letter Washington Papers, Library of Congress).

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 101-102.

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Newspaper Notices 4 [-5] August

As irritatingly slow as were the means of purveying news even in the latest colonial period, the practices of assemblages, official or otherwise, were not conducive to the gathering and diffusion of either rapid or in-depth reporting. No newshawks would have presumed to swarm around Mr. Moderator firing questions. No reporter would have dared to report a debate in the House of Burgesses, nor if he had, would a publisher have had the temerity to print it, lest he be immediately charged with breaching a high privilege of the House. So too it was with the convention, which followed procedures with which burgesses and press had long been accustomed.

NEWSPAPER NOTICES

Of what was said at that convention we have only one account, and that recorded as heresy. When in Philadelphia on 23 August, John Adams wrote that he was told by Thomas Lynch, a delegate to the Continental Congress from South Carolina, of the latter's stopping in Williamsburg and attending a session of the convention. There, Lynch stated, he heard Colonel Washington deliver a "most eloquent Speech," asserting "I will raise 1000 Men, subsist them at my own Expence, and march my self at their Head for the Relief of Boston" (L[ym]an H. Butterfield et al., The Adams Papers, ser. I, Diaries: Diary and Autobiography of John Adams [4 vols. and supplement, Cambridge, Mass., 1961-66], II, 117.)

If Lynch heard truly and expressed himself accurately and Adams understood him correctly and reported him faithfully, both men then knew something that Virginians would not learn from their newspapers. The following extracts from the three Virginia gazettes contain all that would be known by the people at large of the work of the convention until after final adjournment -- in Norfolk on the fourth (though conceivably on the fifth), and in Williamsburg certainly on the fifth, for though Mrs. Rind and Messrs. Purdie and Dixon dated their issues as of the fourth, they printed information of an event that occurred the next day.

[4 (5?) August 1774]

We hear that on Monday last the Convention of the late House of Burgesses assembled at Williamsburg, when upwards of one hundred Members attended; we are informed that they have appointed Six of their number, to represent this Colony at the ensuing Congress, to be held in Philadelphia.

Virginia Gazette, or Norfolk Intelligencer
(William Duncan and Co.), 4 August 1774

[5 August 1774]

On Monday last, agreeable to appointment, the general meeting of the late representatives of the colony was held at the Capitol in this city, to deliberate and consult upon the most effectual measures to be taken to relieve America from her present distressed situation. But, as they still continue sitting, it is not in our power to oblige the public with a particular relation of what has been done until next week, when we hope to publish all their proceedings, which we doubt not will be highly satisfactory to all the colonies.

Virginia Gazette (Rind), 4 [5] August 1774

CONVENTION OF 1774

On Monday last, the first Instant, there was a very general and full Meeting of the late Representatives of this Colony, who still continue sitting upon the weighty Matters intrusted to their Deliberation by their several Constituents. We cannot, with Certainty, at this Time, publish any of their Councils and Determinations; but next Week we expect to be able to communicate the Whole to the Public, which (at least as far as we are able to judge) will be such as will do Honour to the Colony, revive the spirits of our suffering Fellow Subjects to the Northward, and, in all Probably, secure the Rights and Liberties of America, from every Invasion thereof.

*Virginia Gazette (Purdie and Dixon),
4 [5] August 1774*

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 225-226.

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The Convention of 1774: The Association of 6 August

"Went to the Coffee House," John Adams wrote in his diary while in New York City on 23 August, "and saw the Virginia Paper. The Spirit of the People is prodigious. Their Resolutions are really grand" (Butterfield et al., *Diary and Autobiography of John Adams*, II, 109). He was referring to the association subscribed to seventeen days before by the delegates in the convention assembled.

Conflicting instructions given by various constituents to their respective delegates during June and July made it clear that the work of the convention would not be that of a day; that what could not be resolved with ease would have to be laid on the anvil of debate and shaped by reason and rhetoric and, of course, by those behind-scenes pressures that are often more influential than is what is publicly said. The shaping, therefore, of a program "unanimously resolved upon and agreed to" within less than a week was not the least achievement with which the convention could be credited.

And that program was not lacking in subtlety. Essentially, it presented what a later generation would call a "hard line," yet did so with a flexibility that was more apparent than it was designed to be real. Thus delegates who had yielded precious points could return home and honestly inform voters that in signing the association, they had pledged only for their own conduct. What the voters might do would be for them to decide individually. A contemporary reader might have observed that in its proposed methods of enforcement this latest association varied little from that of 22 June four years

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past, the accomplishments of which had been barren. But 1774 was not 1770, as witness in the very existence of the convention. That assemblage had acted as a legislature *de facto*, and such was the spirit of the time that no man could foretell that a successor convention might not assume all the authority of government, with committees of correspondence exercising local police powers. Again, implicit throughout the present document is the sense that if a Virginia constituency failed to swim with the colonial whole, that constituency might expect to sink and would even be aided in doing so.

The instrument of 6 August was to prove the most effective and influential yet devised in Virginia, so much so that its strength would be augmented by a process of feedback; for this association would serve almost as the blueprint for the one adopted by the First Continental Congress on 20 October 1774. (Ford, Journals of the Continental Congress, I, 75-81.)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, p. 230.

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Convention of 1774: Election of Delegates

Friday August 5th, 1774

The Meeting proceeded to the choice of Delegates, to represent this Colony in general Congress when the honble. Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison & Edmund Pendleton Esqrs. were appointed for that purpose. (Ford, Journals of the Continental Congress, I, 23.)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, p. 229.

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Convention Association 6 August 1774

At a very full Meeting of Delegates from the different Counties in the Colony and Dominion of Virginia, begun in Williamsburg the first Day of August, in the Year of our Lord 1774, and continued by several Adjournments to Saturday the 6th of the same Month, the following Association was unanimously resolved upon and agreed to.

CONVENTION ASSOCIATION

We his Majesty's dutiful and loyal Subjects, the Delegates of the Freeholders of Virginia, deputed to represent them at a general Meeting in the City of Williamsburg, avowing our inviolable and unshaken Fidelity and Attachment to our most gracious Sovereign, our Regard and Affection for all our Friends and Fellow Subjects in Great Britain and elsewhere, protesting against every Act or Thing which may have the most distant Tendency to interrupt, or in any Wise disturb, his Majesty's Peace, and the good Order of Government within this his ancient Colony, which we are resolved to maintain and defend at the Risk of our Lives and Fortunes; but, at the same Time, affected with the deepest Anxiety, and most alarming Apprehensions, of those Grievances and Distresses by which his Majesty's American Subjects are oppressed; and having taken under our most serious Deliberation the State of the whole Continent; find, that the present unhappy Situation of our Affairs is chiefly occasioned by certain ill advised Regulations, as well of our Trade as internal Polity, introduced by several unconstitutional Acts of the British Parliament, and, at length, attempted to be enforced by the Hand of Power. Solely influenced by these important and weighty Considerations, we think it an indispensable Duty which we owe to our Country, ourselves, and latest Posterity, to guard against such dangerous and extensive Mischiefs, by every just and proper Means.

If, by the Measures adopted, some unhappy Consequences and Inconveniences should be derived to our Fellow Subjects, whom we wish not to injure in the smallest Degree, we hope, and flatter ourselves, that they will impute them to their real Cause, the hard Necessity to which we are driven.

That the good People of this Colony may, on so trying an Occasion, continue steadfastly directed to their most essential Interest, in Hopes that they will be influenced and stimulated by our Example to the greatest Industry, the strictest Economy and Frugality, and the Exertion of every publick Virtue; persuaded that the Merchants, Manufacturers, and other Inhabitants of Great Britain, and, above all, that the British Parliament will be convinced how much the true Interest of that Kingdom must depend on the Restoration and Continuance of that mutual Friendship and Cordiality which so happily subsisted between us; we have, unanimously, and with one Voice, entered into the following Resolutions and Association, which we do oblige ourselves, by those sacred Ties of Honour and Love to our Country, strictly to observe: And farther declare, before God and the World, that we will religiously adhere to and keep the same inviolate in every Particular, until Redress of all such American Grievances as may be defined and settled at the General Congress of Delegates from the different Colonies shall be fully obtained, or until this Association shall be abrogated or altered by a general Meeting of the Deputies of this Colony, to be convened as is herein after directed. And we do, with the greatest Earnestness, recommend this our Association to all Gentlemen, Merchants, Traders, and other Inhabitants of this Colony, hoping that they will cheerfully and cordially accede thereto.

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1st. We do hereby resolve and declare, that we will not, either directly or indirectly, after the 1st Day of November next, import from Great Britain any Goods, Wares, or Merchandises whatever, Medicines excepted; nor will we, after that Day, import any British Manufacturers, either from the West Indies or any other Place, nor any Article whatever which we shall know, or have Reason to believe, was brought into such Countries from Great Britain; nor will we purchase any such Articles so imported of any Person or Persons whatsoever, except such as are now in the Country, or such as may arrive on or before the said 1st Day of November, in Consequence of Orders already given, and which cannot now be countermanded in Time.

2dly. We will neither ourselves import, nor purchase, any Slave, or Slaves, imported by any Person, after the 1st Day of November next, either from Africa, the West Indies, or any other Place.

3dly. Considering the Article of Tea as the detestable Instrument which laid the Foundation of the present Sufferings of our distressed Friends in the Town of Boston, we view it with Horror; and therefore resolve, that we will not, from this Day, either import Tea of any Kind whatever, nor will we use, or suffer even such of it as is now on Hand to be used, in any of our Families.

4thly. If the Inhabitants of the Town of Boston, or any other Colony, should, by Violence or dire Necessity, be compelled to pay the East India Company for destroying any Tea, which they have lately by their Agents unjustly attempted to force into the Colonies, we will not, directly or indirectly, import or purchase any British East India Commodity whatever, till the Company, or some other Person on their Behalf, shall refund and fully restore to the Owners all such Sum or Sums of Money as may be so extorted.

5th. We do resolve, that unless American Grievances are redressed before the 10th Day of August, 1775, we will not, after that Day directly or indirectly, export Tobacco, or any other Article whatever, to Great Britain; nor will we sell any such Articles as we think can be exported to Great Britain with a Prospect of Gain to any Person or Persons whatever, with a Design of putting it into his or their Power to export the same to Great Britain, either on our own, his, or their, Account. And that this Resolution may be the more effectually carried into Execution, we do hereby recommend it to the Inhabitants of this Colony to refrain from the Cultivation of Tobacco, as much as conveniently may be; and, in Lieu thereof, that they will, as we resolve to do, apply their Attention and Industry to the Cultivation of all such Articles as may form a proper Basis for Manufacturers of all Sorts, which we will endeavour to encourage throughout this Colony to the utmost of our Abilities.

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6thly. We will endeavour to improve our Breed of Sheep, and encrease their Number to the utmost Extent, and to this End we will be as sparing as we conveniently can in killing of Sheep, especially those of the most profitable Kind; and if we should at any Time be overstocked, or can conveniently spare any, we will dispose of them to our Neighbours, especially the poorer Sort of People, upon moderate Terms.

7thly. Resolved, that the Merchants, and other Vendors of Goods and Merchandises within this Colony, ought not to take Advantage of the Scarcity of Goods that may be occasioned by this Association, but that they ought to sell the same at the Rates they have been accustomed to for twelve Months last past; and if they shall sell any such Goods on higher Terms, or shall in any Manner, or by any Device whatever, violate or depart from this Resolution, we will not, and are of Opinion that no Inhabitant of this Colony ought, at any Time thereafter, to deal with any such Persons, their Factors or Agents, for any Commodity whatever. And it is recommended to the Deputies of the several Counties, that Committees be chosen in each County, by such Persons as accede to this Association, to take effectual Care that these Resolves be properly observed, and for corresponding occasionally with the general Committee of Correspondence in the City of Williamsburg. Provided, that if Exchange should rise, such Advance may be made in the Prices of Goods as shall be approved by the Committee of each County.

8thly. In order the better to distinguish such worthy Merchants and Traders who are Well-wishers to this Colony, from those who may attempt, through Motives of Self-Interest, to obstruct our Views, we do hereby resolve, that we will not, after the first Day of November next, deal with any Merchant or Trader who will not sign this Association, nor until he hath obtained a Certificate of his having done so from the County Committee, or any three Members thereof. And if any Merchant, Trader, or other Person, shall import any Goods or Merchandise after the said first Day of November, contrary to this Association, we give it as our Opinion that such Goods and Merchandise should be either forthwith re-shipped or delivered up to the County Committee, to be stored at the Risk of the Importer, unless such Importer shall give a proper Assurance to the said Committee that such Goods or Merchandises shall not be sold within this Colony during the Continuance of this Association; and if such Importer shall refuse to comply with one or the other of these Terms, upon Application and due Caution given to him, or her, by the said Committee, or any three Members thereof, such Committee is required to publish the Truth of the Case in the Gazettes, and in the County where he or she resides, and we will thereafter consider such Person or Persons as inimical to this Country, and break off every Connection and all Dealings with them.

9thly. Resolved, that if any Person or Persons shall export Tobacco, or any other Commodity, to Great Britain, after the 10th Day of August 1775, contrary to this Association, we shall hold ourselves obliged to consider such Person or Persons as inimical to the Community, and as an Approver of American Grievances; and give it as

CONVENTION ASSOCIATION

our Opinion, that the Publick should be advertised of his Conduct, as in the 8th Article is desired.

10thly. Being fully persuaded that the united Wisdom of the General Congress may improve these our Endeavours to preserve the Rights and Liberties in British America, we decline enlarging at present, but do hereby resolve, that we will conform to, and strictly observe, all such Alterations or Additions, assented to by the Delegates for the Colony, as they may judge it necessary to adopt, after the same shall be published and made known to us.

11thly. Resolved, that we think ourselves called upon, by every Principle of Humanity and brotherly Affection, to extend the utmost and speediest Relief to our distressed Fellow Subjects in the Town of Boston; and therefore most earnestly recommend it to all the Inhabitants of this Colony to make such liberal Contributions as they can afford, to be collected and remitted to Boston in such Manner as may best answer so desirable a Purpose.

12th. and lastly. Resolved, that the Moderator of this Meeting, and, in Case of his Death, Robert Carter Nicholas, Esquire, be empowered, on any future Occasion, that may in his Opinion require it, to convene the several Delegates of this Colony, at such Time and Place as he may judge proper; and, in Case of the Death or Absence of any Delegate, it is recommended that another be chosen in his Place.

*Peyton Randolph,
Richard Henry Lee,
Edmund Pendleton,
Isaac Smith,
John Tabb,
Joseph Cabell,
Henry Bell,
P. Carrington,
B. Watkins,
William Fleming,
John Banister,
Worlich Westwood,
Meriwether Smith,
Isaac Zane,
Lewis Burwell,
Nathaniel Terry,
J. Syme,
William Norvell,
Richard Hardy,*

*Ro. C. Nicholas,
George Washington,
Patrick Henry, junior,
J. Walker,
John Winn,
Frederick Maclin,
R. Rutherford,
James Speed,
Henry Pendleton,
John Mayo,
Francis Slaughter,
James Edmondson,
Thomas Marshall,
George Rootes,
Thomas M. Randolph,
Micajah Watkins,
Richard Adams,
John S. Wills,
Joseph Jones,*

*Richard Bland,
Benjamin Harrison,
Southy Simson,
Thomas Jefferson,
William Cabell,
Henry Tazewell,
William Acrill,
Archibald Cary,
Henry Field, junior,
Robert Bolling,
Henry King,
W. Roane,
James Scott, junior,
Thomas Whiting,
John Woodson,
James Mercer,
Samuel Du Val,
John Day,
William Fitzhugh,*

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*George Brooke,
William Aylett,
Francis Peyton,
Edmund Berkeley,
Bennett Goode,
Burwell Bassett,
James Holt,
Peter Presley Thornton,
William Bibb,
William Robinson,
T. Blackburn,
Edwin Gray,
Mann Page, junior,
Allen Cocke,
Michael Blow,
Richard Lee,
Champion Travis,*

*George Lyne,
James Selden,
Thomas Walker,
James Montague,
Lemuel Riddick,
B. Dandridge,
Adiel Milby,
Rodham Kenner,
John Morton
Christopher Wright,
Robert Wormley Carter,
Henry Taylor,
John Alexander,
Nicholas Faulcon, junior,
William Harwood,
Dudley Digges,
Joseph Hutchings.*

*Carter Braxton,
Charles Carter,
Thomas Pettus,
Robert Burton,
Benjamin Baker,
Thomas Newton, junior,
John Bowoin,
Thomas Barbour,
Peter Poythress,
Henry Lee,
Francis Lightfoot Lee,
George Stubblefield,
C. Carter,
David Mason,
William Langhorne,
Thomas Nelson, junior,*

Virginia Gazette (Purdie and Dixon), 11 August 1774; signatures from broadside, P.R.O., C.O. 5/1352, fol. 162.

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, pp. 231-235.

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**Convention of 1774:
Instructions to the Deputies
Elected to Attend the General Congress
6 August**

There is no gainsaying that the instructions voted by the convention for the guidance of the delegates elected to represent Virginia in the General Congress may have been approved before the signing of the Association; but certainly, dependent as the instructions were upon the terms set forth in the other document, they could not have been adopted prior to it. Too, the appearance that the adoption of the instructions was the final act of the convention is given by their being placed after the articles of association in both Mrs. Rind's *Virginia Gazette* and that of Purdie and Dixon.

INSTRUCTIONS TO DEPUTIES

There is also no gainsaying that the instructions as such were superfluous, for no deputy subscribing to the Association could have mistaken the purpose of his mission to Philadelphia. But they were pointed propaganda; as the *Virginia Gazette* (Purdie and Dixon) on 4 [5] August had predicted of the work of the convention, they aided the revival of "the spirits of our suffering Fellow Subjects to the Northward"; they served notice on ministry and Parliament that Virginia was very much in earnest; and they informed General Thomas Gage that his popularity was circumscribed.

The printed document containing the instructions as reproduced below is identical with that printed in Purdie and Dixon's *Virginia Gazette* of 11 August; and we are given further assurance that theirs was the press that produced it by Mrs. Rind's assistant, John Pinkney (who may also have been her silent partner), for in his letter of 24 August to John Tazewell he stated, "the Instructions were not printed by us" but by "the other Office." (Isaiah Thomas, The History of Printing in America, with a Biography of Printers..., [2d ed., 2 vols. Albany, 1874], I, 337).

[6 August 1774]

Instructions for the Deputies appointed to meet in General Congress on the Part of this Colony

The unhappy Disputes between Great Britain and her American Colonies, which began about the third Year of the Reign of his present Majesty, and since, continually increasing, have proceeded to Lengths so dangerous and alarming as to excite just Apprehensions in the Minds of his Majesty's faithful Subjects of this Colony that they are in Danger of being deprived of their natural, ancient, constitutional, and chartered Rights, have compelled them to take the same into their most serious Consideration; and, being deprived of their usual and accustomed Mode of making known their Grievances, have appointed us their Representatives to consider what is proper to be done in this dangerous Crisis of American Affairs. It being our Opinion that the united Wisdom of North America should be collected in a General Congress of all the Colonies, we have appointed the Honourable Peyton Randolph, Esquire, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, and Edmund Pendleton, Esquires, Deputies to represent this Colony in the said Congress, to be held at Philadelphia on the first Monday in September next.

And that they may be the better informed of our Sentiments touching the Conduct we wish them to observe on this important Occasion, we desire that they will express, in the first Place, our Faith and true Allegiance to his Majesty King George the Third, our lawful and rightful Sovereign; and that we are determined, with our Lives and Fortunes, to support him in the legal Exercise of all his just Rights and Prerogatives. And however

INSTRUCTIONS TO DEPUTIES

misrepresented, we sincerely approve of a constitutional Connexion with Great Britain, and wish most ardently a Return of that Intercourse of Affection and commercial Connexion that formerly united both Countries, which can only be effected by a Removal of those Causes of Discontent which have of late unhappily divided us.

It cannot admit of a Doubt but that British Subjects in America are entitled to the same Rights and Privileges as their Fellow Subjects possess in Britain; and therefore, that the Power assumed by the British Parliament to bind America by their Statutes, in all Cases whatsoever, is unconstitutional, and the Source of these unhappy Differences.

The End of Government would be defeated by the British Parliament exercising a Power over the Lives, the Property, and the Liberty, of American Subjects; who are not, and, from their local Circumstances, cannot, be there represented. Of this Nature we consider the several Acts of Parliament for raising a Revenue in America, for extending the Jurisdiction of the Courts of Admiralty for seizing American Subjects and transporting them to Britain to be tried for Crimes committed in America, and the several late oppressive Acts respecting the Town of Boston and the Province of the Massachusetts Bay.

The original Constitution of the American Colonies possess their Assemblies with the sole Right of directing their internal Polity, it is absolutely destructive of the End of their Institution that their Legislatures should be suspended, or prevented, by hasty Dissolutions, from exercising their legislative Powers.

Wanting the Protection of Britain, we have long acquiesced in their Acts of Navigation restrictive to our Commerce, which we consider as an ample Recompense for such Protection; but as those Acts derive their Efficacy from that Foundation alone, we have Reason to expect they will be restrained so as to produce the reasonable Purposes of Britain, and not injurious to us.

To obtain Redress of these Grievances, without which the People of America can neither be safe, free, nor happy, they are willing to undergo the great Inconvenience that will be derived to them from stopping all Imports whatsoever from Great Britain after the first Day of November next, and also to cease exporting any Commodity whatsoever to the same Place after the tenth Day of August 1775. The earnest Desire we have to make as quick and full Payment as possible of our Debts to Great Britain, and to avoid the heavy Injury that would arise to this Country from an earlier Adoption of the Nonexportation Plan, after the People have already applied so much of their Labour to the perfecting of the present Crop, by which Means they have been prevented from pursuing other Methods of clothing and supporting their Families, have rendered it necessary to restrain you in this Article of Non-exportation; but it is our Desire that you cordially co-operate with our Sister Colonies in General Congress in such other just and proper Methods as they, or

INSTRUCTIONS TO DEPUTIES

the Majority, shall deem necessary for the Accomplishment of the valuable Ends.

The Proclamation issued by General Gage, in the Government of the Province of the Massachusetts Bay, declaring it Treason for the Inhabitants of that Province to assemble themselves to consider their Grievances and form Associations for their common Conduct on the Occasion, and requiring the Civil Magistrates and Officers to apprehend all such Persons to be tried for their supposed Offences, is the most alarming Process that ever appeared in a British Government; that the said General Gage has thereby assumed and taken upon himself Powers denied by the Constitution to our legal Sovereign; that he, not having condescended to disclose by what Authority he exercises such extensive and unheard of Powers, we are at a Loss to determine whether he intends to justify himself as the Representative of the King or as the Commander in Chief of his Majesty's Forces in America. If he considered himself as acting in the Character of his Majesty's Representative, we would remind him that the Statute 25th Edward III. has expressed and defined all treasonable Offences, and that the Legislature of Great Britain has declared that no Offence shall be construed to be Treason but such as is pointed out by that Statute, and that this was done to take out of the Hands of tyrannical Kings, and of weak and wicked Ministers, that deadly Weapon which constructive Treason had furnished them with, and which had drawn the Blood of the best and honestest Men in the Kingdom; and that the King of Great Britain hath no Right by his Proclamation to subject his People to Imprisonment, Pains, and Penalties.

That if the said General Gage conceives he is empowered to act in this Manner, as the Commander in Chief of his Majesty's Forces in America, this odious and illegal Proclamation must be considered as a plain and full Declaration that this despotick Viceroy will be bound by no Law, nor regard the constitutional Rights of his Majesty's Subjects, whenever they interfere with the Plan he has formed for oppressing the good people of Massachusetts Bay; and therefore, that the executing, or attempting to execute, such Proclamation, will justify Resistance and Reprisal. (Printed document, Ridgeway Library; photostat copy, Virginia State Library.)

Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763-1774, compiled by William J. Van Schreeven, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 236-239.

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[Letter of Philip V. Fithian to Nathaniel Donnal, Jr.]

Nomini Hall. Augt: 21st. 1774

Sir.

...I suppose you join in the general language, and assert your liberties and oppose

FAIRFAX RESOLVES

oppression. I hope at least you are on the right side of the question.

The City, I dare say, is in great tumult if not in consternation. I wish it was convenient for me to be in town when the gentlemen from the respective Colonies shall meet in general Congress -- This is out of my power, but I can wish for their union, and usefulness. Mr Blain, the gentleman who forwards my letter, is a Merchant of Note,...

Journal and Letters of Philip Vickers Fithian 1773-1774: A Plantation Tutor of the Old Dominion, edited by Hunter Dickinson Farish, University Press of Virginia, Charlottesville, VA, pp. 173-174.

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Fairfax Resolves

The Williamsburg Association of 27 May had suggested a general congress to consider unified action, a proposal which the county committees endorsed. However, the Fairfax Resolves went further than most committee actions by recommending that a continental congress devise "a general and uniform Plan for the Defence and Preservation of our common Rights..." Though the primary device in such a plan was economic boycotts similar to those Mason and Richard Henry Lee had concocted in 1769-1770, its expansion and enforcement procedures represented a sharp turn in British-American relations. Washington carried the Resolves to Williamsburg in early August, and from there to the First Continental Congress in Philadelphia. In a matter of weeks -- breathtaking speed when the circumstances are considered -- the Resolves had been devised and reappeared as the Continental Association of 20 October 1774. The emergence of an idea is discernable in comparing Mason's letters to Richard Henry Lee of 7 June 1770 with the Virginia Nonimportation Resolves of 22 June 1770 and the Fairfax Resolves, for in these documents the plan of searching out and publicly castigating violators of the boycott was set forth through a kind of vigilance committee. When the Continental Congress adopted this same approach, as Professor Nettels observes, "it ceased to be a recommending body and became a legislature." (Nettels, Washington and American Independence, pp. 91-92). Thus portions of the Fairfax Resolves, in language Mason had used four years earlier, provided a means for enforcing the nonimportation associations. The verbal behavior of the colonists seemed to verge on treason, as the twenty-third Fairfax Resolve proved, for though it asked for a conciliatory petition to George III, it ended with a blunt warning that if their monarch ignored American pleas "there can be but one Appeal" -- force. Petitions had been tried before and would be tried again, but Mason and his neighbors in Fairfax County acted skeptically when they met in September 1774. The resulting militia agreement was ostensibly aimed at hostile Indians, but the "present alarming Situation of all the British Colonies" spelled out the cause plainly. (Rutland: The Papers of George Mason, pp. 200-201.)

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MILITIA ASSOCIATION

Fairfax County Militia Association

[21 September 1774]

At a Meeting of a Number of Gentlemen & Freeholders of Fairfax County in the Colony of Virginia on Wednesday the 21st: Day of September 1774, George Mason Esqr. in the Chair, the following Association was formed & entered into.

In this Time of extreme Danger, with the Indian Enemy in our Country, and threat'ned with the Destruction of our Civil-rights, & Liberty, and all that is dear to British Subjects & Freeman we the Subscribers, taking into our serious consideration the present alarming Situation of all the British Colonies upon this Continent as well as our own, being sensible of the Expediency of putting the Militia of this Colony upon a more respectable Footing, & hoping to excite others by our Example, have voluntarily freely & cordially entered into the following Association; which we, each of us for ourselves respectively, solemnly promise, & pledge our Honours to each other, and to our Country to perform.

That we will form ourselves into a Company, not exceeding one hundred Men, by the Name of The Fairfax independent Company of Voluntiers, making Choice of our own Officers; to whom, for the Sake of Good-order & Regularity, we will pay due submission. That we will meet at such Times & Places in this County as our said Officers (to be chosen by a Majority of the Members, so soon as fifty have subscribed) shall appoint & direct, for the Purpose of learning & practising the military Exercise & Discipline; dress'd in a regular Uniform of Blue, turn'd up with Buff; with plain yellow metal Buttons, Buff Waist Coat & Breeches, & white Stockings; and furnished with a good Fire-lock & Bayonet, Sling Cartouch-Box, and Tomahawk. And that we will, each of us, constantly keep by us a Stock of six pounds of Gunpowder, twenty pounds of Lead, and fifty Gun-flints, at the least.

That we will use our utmost Endeavours, as well at the Musters of the said Company, as by all other Means in our Power, to make ourselves Masters of the Military Exercise. And that we will always hold ourselves in Readiness, in Case of necessity, hostile Invasion, or real Danger of the Community of which we are Members, to defend to the utmost of our Power, the legal prerogatives of our Sovereign King George the third, and the just Rights & Privileges of our Country, our Posterity & ourselves upon the Principles of the British Constitution.

Agreed that all the Subscribers to this Association do meet on Monday the 17th Day of October next, at eleven o'Clock in the Fore-noon, at the Court House in Alexandria....
(Rutland: The Papers of George Mason, pp. 210-211.)

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CONTINENTAL ASSOCIATION

Journal of Nicholas Cresswell

[Alexandria, Va]
Monday, October 24th, 1774

Independent Companies are raising in every County on the Continent, appointed Adjutants and train their Men as if they were on the Eve of War.

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**Continental Association
A General Congress 1774**

On 18 October, accord at last having been reached, the delegates approved a Continental Association. On the twentieth they signed it.

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 104.

This was in great measure an adaptation of the Virginia Association adopted by the late convention on 6 August. The three main differences were ones only of timing. Whereas in the earlier association, nonimportation had been set from and after 1 November 1774, in the second the date was set back to 1 December 1774 ("*We don't mean, Henry agreed, to hurt even our Rascalls -- if We have any*"). Whereas in the earlier the disuse of tea was pledged forthwith, in the second the pledge was made to cover disuse of any on which a duty had been paid, and nonpurchase and disuse of any East India Company tea from and after 1 March 1775. And whereas in the earlier, nonexportation had been set from and after 10 August, in the second the date was set back to 10 September 1775, and exemption, in deference to the special interests of South Carolina, was granted to "rice to Europe" (W.C. Ford, Journals of the Continental Congress, I, pp. 76-80; Butterfield, Diary and Autobiography of John Adams, II, p. 139).

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 105.

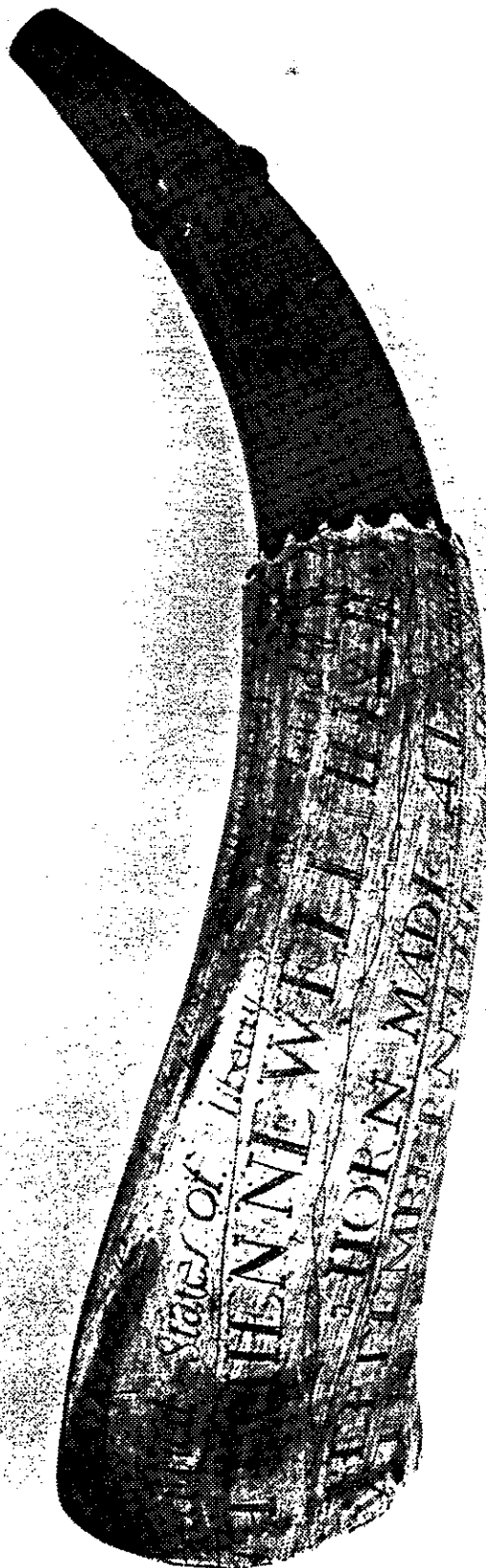
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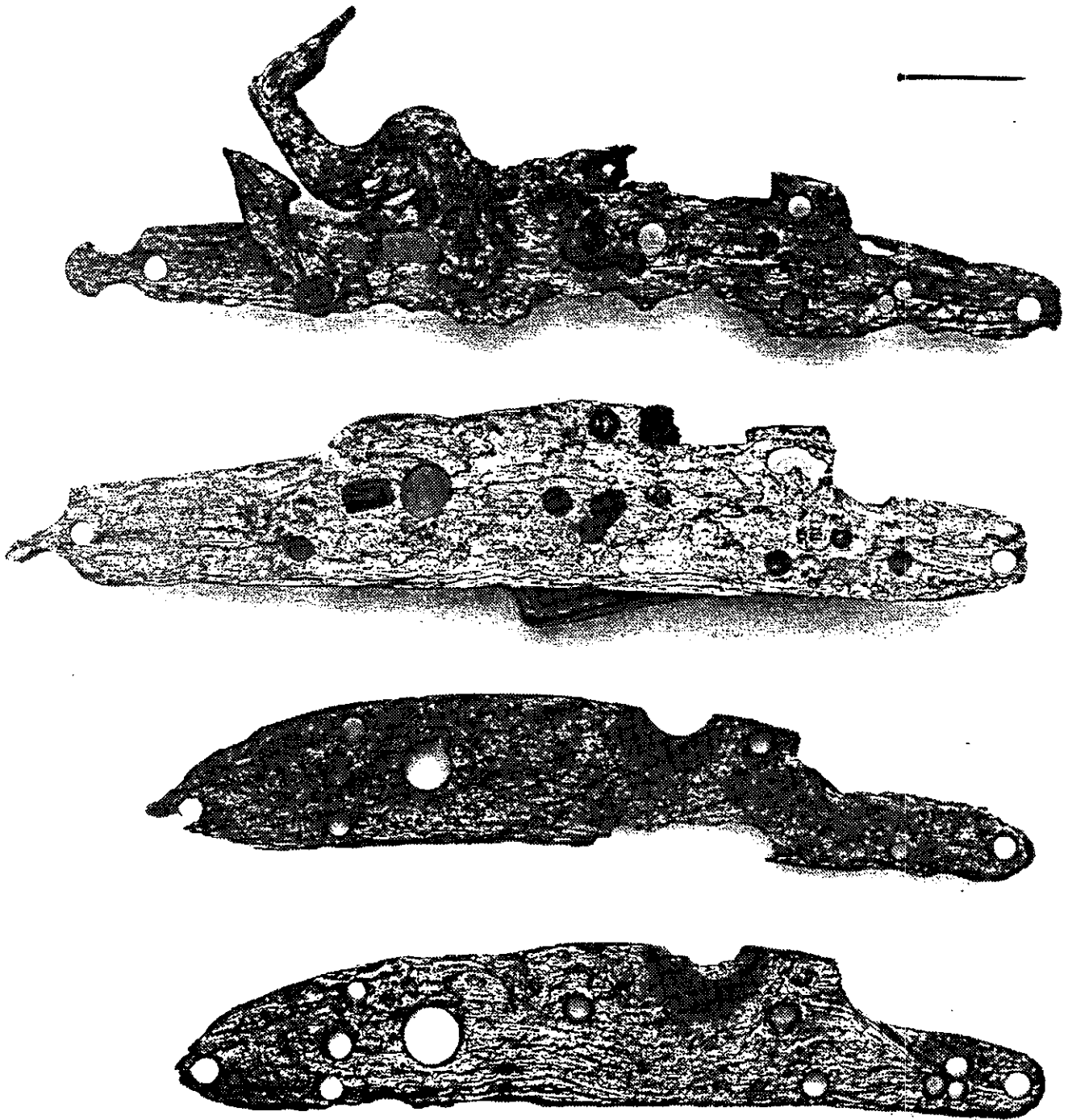
Nicholas Cresswell (1750-1804), unidentified artist, oil on canvas, probably England, ca. 1780. Because of war returned to his native England; known through his Journal for the years 1774-1777. (Acc. No. 1961-178).





Powder horn, Stephen Newell, cowhorn and wood, America, ca. 1777. This horn is inscribed "STEPHEN NEWELL HIS HORN MADE AT SPRINGFIELD SEPTEMBER THE 24 AD 1777 MAY THE BLOSOM OF LIBERTY NEVER FAIL AND THE KING AND TIRANTS NEVER PREVAIL" "Saratoga Stephen Newell his hand United States of Liberty or death friend." (Acc. No. 58.908.1)





Gunlock parts excavated at the James Geddy site. Although associated with artifacts of the period 1740-50, the early doglock was found in a layer sealed by gunsmithing waste of the Revolutionary period. Doglocks of this type are attributable to a date as early as the 1640s, but it is likely that this specimen, and the other below were removed from guns being refurbished in 1775 or 1776 for use by the Patriot forces. The regular flintlock plates were recovered from the Revolutionary period gunsmithing debris.



CONTINENTAL ASSOCIATION

Journal of Nicholas Cresswell

[Alexandria, Va]
Tuesday, November 1st, 1774.

This evening went to the Tavern to hear the Resolves of the Continental Congress Read a Petition to the Throne and an address to the people of Great Britain Both of them full of duplicity and false representation. I look upon them as insults to the understanding and dignity of the British Sovereign and people Am in hopes their petitions will never be granted I am sorry to see them so well received by the people and the sentiments so universally adopted. It is a plain proof that the seeds of rebellion are already sown and have taken very deep root, but am in hopes they will be eradicated next summer I am obliged to act the hypocrite and extol these proceedings as the wisest productions of any assembly on Earth, but in my heart I despise them and look upon them with contempt.

[Alexandria, Va]
Thursday, November 3rd. 1774.

Saw the Independent Company exercise. The Effigy of Lord North was shot at, then carried in great parade into the town and burnt.

* * * * *

**Monday, 7 November 1774
Gloucester County Committee
A Daring Insult upon the People of This Colony**

From certain Information that the Virginia, Captain Howard Esten, was arrived in York River with a Quantity of Tea on Board, twenty three Members of the Committee of Gloucester County, with a Number of the other Inhabitants, assembled at Gloucester Town, to determine how the said Tea should be disposed of.

Hearing that the Members of the House of Burgesses in Williamsburg, at 8 o'Clock this Morning, had taken the Matter under their Consideration, we determined to wait the Result of their Deliberations. We accordingly waited till after twelve, but the Determinations from Williamsburg having not then come down, we repaired to the Ship, in Order to meet the Committee of York, which we supposed to be in the great Number

YORKTOWN TEA

of those we discerned on Board. On our Arrival, we found the Tea had met with its deserved Fate, for it had been committed to the Waves. We then returned, and after mature Deliberation came to the following Resolutions:

Resolved, that John Norton, Merchant in London, by sending over Tea in his Ship, has lent his little Aid to the Ministry for enslaving America, and been guilty of a daring Insult upon the People of this Colony, to whom he owes his ALL.

Resolved, that the Ship Virginia, in which the detestable Tea came, ought and shall return in twenty Days from the date hereof.

Resolved, that no Tobacco shall be shipped from this County on Board the said Ship, either to the Owners or any other Person whatsoever; and we do most earnestly recommend it to our Countrymen to enter into the same Resolution in their respective Counties.

Resolved, that the said Norton has forfeited all Title to the Confidence of this County, and that we will not in future consign Tobacco, or any other Commodity, to his House, until satisfactory Concessions are made; and we recommend the same Resolutions to the rest of the Colony.

Resolved, that John Prentis, who wrote for and to whom the Tea was consigned, has justly incurred the Censure of this County, and that he ought to be made a publick Example of.

Resolved, that Howard Esten, Commander of the Virginia, has acted imprudently, by which he has drawn on himself the Displeasure of the People of this County.

*Signed by Order of the Committee.
Jasper Clayton, Clerk.*

Virginia Gazette (Purdie and Dixon), 24 November 1774

Assembly stood prorogued.

Note: While Norton was owing his ALL to Virginians, they by the end of 1773 were indebted to him to the astronomical total of £41,000 (Samuel M. Rosenblatt, "The Significance of Credit in the Tobacco Consignment Trade: A Study of John Norton & Sons, 1768-1775," *William and Mary Quarterly*, 3d ser., XIX [1962], 283-299, esp. p. 396.).

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 163.

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York County Committee Narrative of the Yorktown Tea Party

The Inhabitants of York after having been informed that the Virginia, commanded by Howard Esten, had on Board to Half Chests of Tea, shipped by John Norton, Esq; and Sons, Merchants in London, by Order of Mess[rs]. Prentis and Company, Merchants in Williamsburg, assembled at 10 o'Clock this Morning, and went on Board the said Ship, where they waited some Time for the Determination of the Meeting of several Members of the House of Burgesses in Williamsburg, who had taken this Matter under Consideration. A Messenger was then sent on Shore, to inquire for a Letter from the Meeting; but returning without one, they immediately hoisted the Tea out of the Hold and threw it into the River, and then returned to the Shore without doing Damage to the Ship or any other Part of her Cargo.

Ibid.

Revolutionary Virginia: The Road to Independence, Vol. II. The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 164.

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Wednesday, 9 November 1774
York County Committee

Condemnation of Tea Merchants and Ship Captain

On Wednesday following the County Committee met, to consider of this Matter; and, after mature Deliberation, came to the following Resolutions:

Resolved, that we do highly approve of the Conduct of the Inhabitants of York, in destroying the Tea on Board the Virginia.

Resolved, that Mess[rs]. Prentis and Company have incurred the Displeasure of their Countrymen, by not countermanding their Orders for the Tea, having had frequent Opportunities to have done so; and that they ought to make proper Concessions for such Misconduct, or be made to feel the Resentment of the Publick.

Resolved, that John Norton, Esq; of London, must have known the Determination of this Colony with Respect to Tea, as the Ship Virginia did not sail from hence till after the late Assembly was dissolved, and the Members of that Assembly, in Behalf of the Colony, immediately upon their Dissolution, entered into a solemn Association against that Article.

YORKTOWN TEA

Resolved therefore, to convince our Enemies that we never will submit to any Measure that may in the least endanger our Liberties, which we are determined to defend at the Risk of our Lives, that the Ship Virginia ought to clear out from hence in Ballast, in eighteen Days from this Time.

Resolved, that Howard Esten, Commander of the Ship Virginia, acted imprudently in not remonstrating in stronger Terms against the Tea being put on Board the Ship, as he well knew it would be disagreeable to the Inhabitants of this Colony.

We submit to our Countrymen whether every Ship, circumstanced as the Virginia is, ought not to share the same Fate.

*Signed by Order of the Committee.
William Russell, Clerk.*

Virginia Gazette (Purdie and Dixon), 24 November 1774

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 166.

**Thursday, 24 November 1774
Gloucester and York County Committees
Publick Declaration of Mr. John Prentis**

Williamsburg, November 24, 1774.

It gives me much Concern to find that I have incurred the Displeasure of the York and Gloucester Committees, and thereby of the Publick in general, for my Omission in not countermanding the Order which I sent to Mr. [John] Norton for two Half Chests of Tea; and do with Truth declare, that I had not the least Intention to give Offence, nor did I mean an Opposition to any Measure for the publick Good. My Countrymen, therefore, it is earnestly hoped, will readily forgive me for an Act which may be interpreted so much to my Discredit; and I again make this publick Declaration, that I had not the least Design to act contrary to those Principles which ought to govern every Individual who has a just Regard for the Rights and Liberties of America.

John Prentis

Virginia Gazette (Purdie and Dixon), 24 November 1774

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Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 175-176.

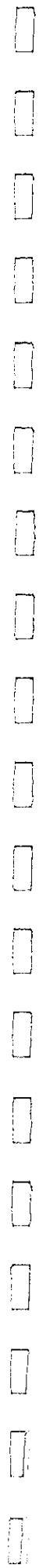
Monday, 16 January 1775
Gloucester and York County Committees
John Norton to the Inhabitants of Virginia:
A Whiggish Postscript

Since writing the above, on reading the Virginia Gazette of the 24th of November last, it gives me infinite concern to find that I have unhappily fallen under the heavy displeasure of the Gentlemen of the committee for York and Gloucester counties, by inadvertently shipping two half chests of tea on board the Virginia, Howard Esten master, ordered by Mess[rs]. [John] Prentis and company. My excuse is set forth in the foregoing narration of facts, which I submit to the committees in particular, and the public in general, and hope I shall be acquitted from any evil intentions of prejudging a people I have a great esteem for, and among whom I have lived (I may say) the happiest part of my life. A censure also for a supposed contempt of the resolutions entered into by the worthy members of the late Assembly, respecting the importations of tea into Virginia, being passed upon me by the above-mentioned committee, I must confess that I thought all the resolves made at that time were preparatory only to those intended at the general meeting in August, that they were then to receive a sanction from the Congress, and that the resolve particularly alluded to, in the hurry of business, entirely escaped my notice; for which I am truly sorry. I must sincerely declare, that, in shipping the tea, there was not the least design intended of umbrage to the inhabitants of Virginia, or lending an aid to government towards raising a revenue in America; that my avowed principles (which I now publish) are, that the Parliament of Great Britain have not the least shadow of right to tax America; that I never will, directly or indirectly, deviate from these principles, which I have always professed, and which ought to govern every person that has any regard for the liberty of America. And I also further declare, that far from having any connexion with the Ministry, that my person is even unknown to any of them, and that I never was in their presence, except when I attended about the copper coinage in Virginia, in which I was employed instead of a better agent.

London, Jan. 16, 1775.

John Norton.

In answer to an objection to my charging Mr. Prentis the duty on two half chests of tea in the invoice, it has ever been the custom of the house so to do; as, by that means, the whole amount of costs and charges appear to the persons debit in one sum in their account current. The Captain draws for the amount of the duty when he pays the same in Virginia; but, in the case of Mr. Prentis, he must now have the credit for it. And as to the relanding of the tea at Gravesend, I am credibly informed (the ship being cleared)



AMERICA IN FLAMES.



Tea Tax.

1775

Q

America in Flames, unknown maker, black and white woodcut, England, December 1774. Published in *Town and Country Magazine* and *Hibernian Magazine*. The many troubles and incidents harassing the colonies are represented here including the Quebec Bill and the Boston Port Bill. (Acc. No. 1960-51). Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



YORKTOWN TEA

could not have been allowed, bond and security having been given at the excise office for the exportation thereof some time before the ship was cleared.

Virginia Gazette (Dixon and Hunter), 6 May 1775

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, pp. 238-239.

James City County Committee Call to Elect Committee

That the above, and all other Resolutions of the Congress may be carried into strict execution, the several freeholders of James City county are desired to meet at eleven o'clock on Friday the 25th instant, if fair, otherwise the succeeding day, at the house of Mr. Isham Allen, in order to elect a Committee to act throughout the said county, and do what is Required of them by so respectable and august a body.

Virginia Gazette (Pinkney), 17 November 1774

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, p. 171.

James City County Committee Election and Toasts

At a General Meeting of the freeholders of JAMES CITY county, convened on Friday the 25th of November, at the house of Mr. Isham Allen, in order to elect a committee pursuant to a resolution of the AMERICAN CONTINENTAL Congress:

The ASSOCIATION entered into by the CONGRESS being publicly read, the freeholders, and other inhabitants of the county, that they might testify to the world their concurrence and hearty approbation of the measures adopted by that respectable body, very cordially acceded thereto, and did bind and oblige themselves by the sacred ties of virtue, honour, and love to their country, Strictly and Inviolably to observe and keep the same, in every Particular.

The better to secure a due observance of the ASSOCIATION, the FREEHOLDERS then proceeded to the choice of a committee, and elected into that office the following gentlemen, viz.

JAMES CITY CO. COMMITTEE

Robert Carter Nicholas, esquire, Mr. William Norvill [Norvell], colonel Philip Johnson, major Dudley Richardson, Mr. William Spratley, colonel Richard Taliaferro, Mr. John Cooper, colonel Nathaniel Burwell, Mr. Lewis Burwell, junr., Mr. Champion Travis, Mr. Joseph Eggleston, major Thurston James, Mr. John Stringer, captain John Walker, Mr. Hudson Allen, Mr. Cary Wilkinson, Mr. Edward Harris, Mr. John Harris, Mr. William Barrett, Mr. John Warburton, Mr. Sylvanus Prince, Mr. Robert Higginson, Mr. William Hankin, captain John Lightfoot, and Mr. Thomas Doncastle.

Robert Carter Nicholas, esquire, was unanimously chosen chairman, and Mr. John Nicholas, junr. clerk of the committee.

It was agreed, that the resolutions of the GENERAL CONGRESS should be resorted to on every occasion of difficulty, and that those resolutions ought to be considered by the committee, and the whole country, as the sole rule of their conduct, in all matters respecting their present political engagements.

The business of the day having been carried on with the greatest harmony and decorum, and being concluded, the following toasts were proposed, and drank with much cheerfulness:

The King. May his majesty long and gloriously reign in the hearts of his free and loyal American subjects.

The Queen, and all the Royal Family.

His excellency the Governor and his Lady, and prosperity to Virginia.

A speedy, honourable, and happy reconciliation to Great Britain and America.

The good bishop of St. Asaph.

Lord Chatham.

Lord Camden.

Those Americans, and Friends to America, who preferred to parliament, and there endeavoured to support, petitions against the Boston Port Bill.

Our friends and fellow subjects of Boston, and all other defenders of American Freedom, upon the true principles of our excellent constitution.

All those Worthies, of whatever clime or country, who are friends to the just Rights and Liberties of Mankind.

Unfeigned thanks and gratitude to the Worthy Members of the late Continental Congress: May the wisdom of their counsels, and their unwearied endeavours to preserve the Rights and Liberties of America, be held in lasting remembrance; and may

JAMES CITY CO. COMMITTEE

they be crowned with Success.

This respectful tribute being paid, the company partook of an agreeable, though frugal, repast, and then every one returned home in proper time.

*Published by order of the general meeting.
John Nicholas, Junior, Cl. Com. J.C.C.*

Virginia Gazette (Pinkney), 1 December 1774

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, pp. 177-178.

**Williamsburg City Committee
Election of Committee**

Williamsburg, Friday, December 23, 1774.

At a Meeting of the Inhabitants of this City, qualified to vote for a Representative in Order to elect a committee pursuant to a Resolution of the American Continental Congress, the following Gentlemen were chosen, viz.

The Honourable Peyton Randolph, Esq; Robert Carter Nicholas, Esq; Benjamin Waller, John Dixon, James Cocke, William Pasteur, James Southall, Benjamin Powell, James Hubard, George Wythe, Thomas Everard, John Tazewell, Robert Nicholson, John Carter, and John Minson Galt.

Virginia Gazette (Purdie and Dixon), 22 December 1774

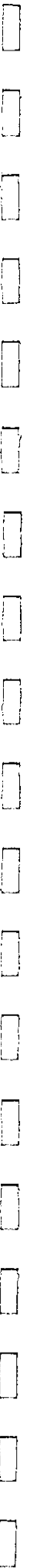
Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, Compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1973, p. 208.

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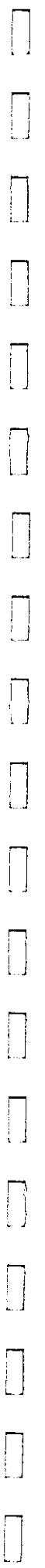


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PART V

Rebellion



Introduction

Second Virginia Convention Call for Election of Delegates

Thursday, 19 January 1775

The several counties and corporations in this colony are requested to elect delegates to represent them in convention, who are desired to meet at the town of Richmond, in the county of Henrico, on Monday the 20th of March next.

Peyton Randolph, Moderator.

Virginia Gazette (Pinkney), 19 January 1775

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees and the Second Convention, 1773-1775, A Documentary Record, compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 245.

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However decisive in stirring popular feeling and intensifying opposition those familiar events such as Lexington and Concord, or even more local ones like the Powder Magazine incident at Williamsburg proved, the crucial year of 1775 was in reality more significant for less dramatic reasons. Over the course of that year the step-by-step development of economic resistance, of extralegal institutions of political control, and of revolutionary military organization converted the American effort from one of sporadic protests against specific acts to a sustained movement by a people capable of fighting a long, difficult war, forming effective governments, administering extensive territories, and in some part reordering American society. That process went forward in Virginia during the year, as it did in one way or another in each of the thirteen colonies.

Beginning with the August 1774 Convention, the Virginia leaders also moved by stages toward the creation of an extralegal system of government at the provincial level. If anything the problem was more acute there than in the counties, inasmuch as the burgesses were contending with a hostile governor who could dissolve or refuse to schedule sessions of the Assembly and who also commanded the official militia organization, thereby making it impossible for anyone else legally to call out the military forces of the colony. The Convention of August 1774 had held only a brief session, largely for the specific purpose of organizing an economic embargo and electing a first slate of delegates to the Continental Congress. During 1775, however, additional conventions met in March, June, and December in longer sessions devoted to much more diverse kinds of public business. In the process members converted the Convention into a *de facto* legislative body for the colony, soon organizing military resistance and passing "ordinances" that were for all practical purposes binding legislation.

2nd VIRGINIA CONVENTION

With the colony acting in open defiance of Governor Dunmore it became necessary to have some form of executive authority. In July the convention therefore proceeded with the election of a provincial Committee of Safety to administer the affairs of the colony between sessions of the Convention. The committee was an eleven-man body, whose membership reflected something of the same balance between more advanced and more cautious leaders as did the congressional delegation, although the conservative Edmund Pendleton was its president. From the time of its creation in mid-August 1775 until the new state government was organized and installed in power a year later, Pendleton and the committee sat regularly and acted with vigor in directing the Revolutionary effort.

One of the major activities of both the Convention and the Committee of Safety was to raise, equip, and provide for the training of military forces for the defense of the colony. That effort began almost spontaneously at a more local level in the fall of 1774, when a number of counties formed independent companies, often initially for the purpose of working with the county committees in enforcing the Association. Fairfax County moved first, and others followed until, by mid-1775, there were at least 24 county and 3 town companies.

Colonial Virginia: A History, Warren M. Billings, John E. Selby, Thad W. Tate, KTO Press, 1986, pp. 338-341.

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2nd Virginia Convention Resolution for Arming and Defense of Virginia

Introduction of the resolutions, the origin and descent of which have been traced elsewhere (12 Dec. 1774, Va. Committee, pp. 187- 191 n. 4; 17 Jan. 1775, Fairfax Co., Committee, pp. 242-43, 244 n. 3; 22 Feb. 1775, Second Va. Convention, pp. 300, 301, n. 5), immediately touched off an "animated debate." Particularly were the resolutions opposed by such conservatives as Richard Bland, Robert Carter Nicholas, Benjamin Harrison, Edmund Pendleton, and Lemuel Riddick. Nicholas declared that his intention was "to have errors rectified, & not to alter or destroy the Constitution." Others directed their arguments less against the thought enunciated than against the timing of the enunciation. The resolutions were, they contended, a prophesy of war, so thinly disguised as to be transparent. They would place Virginia in the false position of appearing not to resist armed conflict but to invite it. Why go openly into the business of arming when independent companies were already doing so quietly? And was not Henry, who as a delegate to the first Continental Congress had voted for the petition to the king, bound to hold his peace until the king's reply should have been received?

2nd VIRGINIA CONVENTION

(James Parker to Charles Stuart, 6 April 1775, autograph letter, signed, Charles Stuart Papers, National Library of Scotland, photocopy in Virginia State Library, printed in *Magazine of History with Notes and Queries*, III [1905], 158; Henry, *Patrick Henry*, I, 258; Mays, *Edmund Pendleton*, II, 5.)

Henry again rose. He began the delivery of that oration which, reconstructed years later by William Wirt from interviews with the speaker's still-living contemporaries, was to be declaimed by generations of American schoolboys. The most of his delivery was in a low, calm, reasoning tone. But when, addressing the chair, he exclaimed: "I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!" -- then he became a man aflame. His sentences poured forth. And he swept on to his magnificent peroration:

"It is in vain, sir, to extenuate the matter. Gentlemen may cry, peace, peace -- but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish! What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! -- I know not what course others may take; but as for me, give me liberty, or give me death!"

(William Wirt, *The Life of Patrick Henry*, [Hartford, 1846], pp. 141-42).

The speaker had raised aloft an imaginary dagger. With his final word, he plunged it into his heart and sank back into his seat.

Men sat transfixed.

Standing outside of the church, where he had faced Henry through an open window, Edward Carrington at length found his voice: "Let me be buried at this spot!" An old Baptist minister felt "sick with excitement."

Richard Henry Lee procured the floor and seconded the resolutions. (Henry, *Patrick Henry*, I, 270; Randall, *Life of Thomas Jefferson*, I, 1102.)

Debate was resumed.

Although far from being routed, the conservative forces did buckle sufficiently that Henry's resolutions slipped through.

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, A Documentary Record, compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 368.

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2nd VIRGINIA CONVENTION

Resolution

Thursday, 23 March 1775

Resolved that a well regulated Militia composed of Gentlemen and Yeomen is the natural Strength and only Security of a free Government: that such a Militia in this Colony would forever render it unnecessary for the Mother Country to keep among us for the purpose of our Defence any standing Army of mercenary Forces, always subversive of the Quiet, and dangerous to the Liberties of the People; and would obviate the Pretext of taxing us for their Support:

That the Establishment of such a Militia is at this Time peculiarly necessary by the State of our Laws for the protection and Defence of the Country, some of which are already expired and others will shortly do so; and that the known Remissness of Government in calling us together in a Legislative Capacity renders it too insecure in this time of Danger and Distress to rely; that Opportunity will be given of renewing them in General Assembly, or making any provision to secure our inestimable Rights & Liberties from those further Violations with which they are threatened.

Resolved therefore that this Colony be immediately put into a posture of Defence; and that Mr. [Patrick] Henry, Mr. [Richard Henry] Lee, Mr. Treasurer [Robert Carter Nicholas], Mr. [Benjamin] Harrison, Mr. Lemuel Riddick, Mr. [George] Washington, Mr. Stevens [Adam Stephen], Mr. Andrew Lewis, Mr. [William] Christian, Mr. [Edmund] Pendleton, Mr. [Thomas] Jefferson & Mr. [Isaac] Zane to be a Committee to prepare a Plan for embodying, arming and disciplining such a Number of Men as may be sufficient for that purpose.

Adjourned til tomorrow 10. oClock.

Convention MS journal in hand of John Tazewell

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees, and the Second Convention, 1773-1775, A Documentary Record, compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, pp. 366-367.

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**Saturday, 25 March 1775
Second Virginia Convention
Proceedings of the Sixth Day**

...The Convention then proceeded to the Election of Delegates by Ballot, to represent this

2nd VIRGINIA CONVENTION

Colony in general Congress to be held at the City of Philadelphia on the tenth dy of May next

[The committee appointed to examine the Ballot Box have examined the same and find the Numbers to be as follows

For Peyton Randolph Esq:.....	107
for George Washington Esq.....	106
Patrick Henry Esq.....	105
R.H. Lee Esq.....	103
Edmund Pendleton Esq.....	100
Benj: Harrison Esq.....	94
Richard Bland Esq.....	90
Thomas Jefferson.....	18
Thomas Nelson.....	16
Francis L. Lee.....	3
Esqs.	
James Mercer.....	3
Archd. Cary.....	1
Dudley Digges.....	1

MS document in hand of John Tazewell, in convention loose papers in Virginia State Library]

Revolutionary Virginia: The Road to Independence, Vol. II, The Committees and the Second Convention, 1773-1775, A Documentary Record, compiled by William J. Van Schreeven and Robert L. Scribner, edited by Robert L. Scribner, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1975, p. 376.

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Tuesday, 28 March 1775

Royal Chief Magistracy

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation.

Virginia, to wit,

PROCLAMATION

Whereas certain persons, styling themselves Delegates of several of his Majesty's Colonies in America, have presumed, without having his Majesty's Authority or Consent, to assemble together at Philadelphia in the Months of September and October last, having thought fit, among other unwarrantable Proceedings, to resolve that it will be necessary that another Congress should be held at the same Place on the 19th of May next, unless Redress of certain pretended Grievances be obtained before that time, and to recommend that all the Colonies in North America should chose Deputies to attend such Congress, I am commanded by the King, and I do accordingly issue this my Proclamation, to require all Magistrates and other Officers to use their utmost Endeavours to prevent any such Appointments of Deputies, and to exhort all Persons whatever within this Government to desist from such an unjustifiable Proceeding, so highly displeasing to his Majesty.

Given under my hand, and the Seal of the Colony, this 28th Day of March, in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

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Virginia Gazette (Pinkney), 30 March 1775

1. "And thereinupon the said Lords Spiritual and Temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representation of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for the vindicating and asserting their ancient rights and liberties declare...That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal" (The Bill of Rights, 1689, in Andrew Browning, ed., *English Historical Documents*, gen. ed., David C. Douglas [London, 1955-], VIII, 123.)

2. "Had the above proclamation made its appearance but a day sooner," scoffed Alexander Purdie in his *Virginia Gazette* of 31 Mar. 1775, "it very probably would have been honoured with some strictures from the Delegates of the people, who were convened in Provincial Congress at Richmond, and broke up the 27th late in the afternoon."

Revolutionary Virginia: The Road to Independence, Vol. III, The Breaking Storm and the Third Convention, 1775, A Documentary Record, compiled and edited by Robert L. Scribner, with the assistance of Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1977, pp. 29-30.

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GUNPOWDER INCIDENT

The Gunpowder Incident

The day after the Convention adjourned Dunmore published the proclamation forbidding the election. For several days the schooner H.M.S. *Magdalen* under Lieutenant Henry Collins had been moored at Burwell's Landing on the James River four miles from Williamsburg, and local leaders knew that Dunmore had obtained the keys to the public magazine from the keeper. To forestall what the governor seemed to be contemplating, members of the city's volunteer company had been thinking of seizing the powder themselves. Then, before dawn on April 21, Collins and his men slipped into town and carried off fifteen half-barrels from the magazine. Soon drums beating the alarm brought the volunteers and most of the population to the market square.

The Revolution in Virginia, 1775-1783, John E. Selby, Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 1-4.

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Williamsburg, April 22.

Extract of a letter from LIVERPOOL, dated February 25, 1775.

"On the 20th instant Lord North made a motion in the House which amazed every body; indeed it was very unexpected: The purport was, that you and the other provinces (Massachusetts excepted) should be permitted to raise the sums by your own Assemblies that may be required by Government, and, on their doing that, the duties complained of should cease.

Magazine Incident

Last Thursday night Capt. Collins, with a party of men, belonging to the Magdalen armed schooner, by command of Lord Dunmore, came to this city, from Burwell's ferry, and privately removed out of the magazine, and carried on board the said schooner, about 10 barrels of gunpowder belonging to this colony. The inhabitants were alarmed with the intelligence early yesterday morning, the Common Hall assembled, and the following address was presented to the Governor...."

Virginia Gazette (Dixon and Hunter), 22 April 1775.

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GUNPOWDER INCIDENT

Friday, 21 April 1775
The Capital

Municipal Common Hall to Governor Dunmore
An Humble Address

My Lord,

We, his majesty's dutiful and loyal subjects, the mayor, recorder, aldermen, and common council of the city of Williamsburg, in common-hall assembled, humbly beg leave to represent to your excellency that the inhabitants of this city were this morning exceedingly alarmed by a report that a large quantity of gunpowder was in the preceding night, while they were sleeping in their beds, removed from the public magazine in this city, and conveyed under an escort of marines on board one of his majesty's armed vessels lying at a ferry on James river.

We beg leave to represent to your excellency, that as this magazine was erected at the public expence of this colony, and appropriated to the safe keeping of such munition as should be there lodged from time to time, for the protection and security of the country, by arming thereout such of the militia as might be necessary in case of invasion or insurrection, they humbly conceive it to be the only proper repository to be resorted to in times of imminent danger.

We further beg to inform your excellency, that from various reports at present prevailing in different parts of the country, we have too much reason to believe that some wicked and designing persons have instilled the most diabolical notions into the heads of our slaves, and that, therefore, the utmost attention to our internal security is become the more necessary.

The circumstances of this city, my lord, we consider as peculiar and critical. The inhabitants, from the situation of the magazine in the middle of their city, have for a long tract of time been exposed to all those dangers which have happened in many countries from explosions and other accidents. They have, from time to time, thought it incumbent on them to guard the magazine. For their security, they have for some time past judged it necessary to keep strong patrols on foot. In their present circumstances, then, to have the chief and necessary means of their defence removed, cannot but be extremely alarming.

Considering ourselves as guardians of the city, we therefore humbly desire to be informed by your excellency upon what motives and for what particular purpose the powder has been carried off in such a manner; and we earnestly entreat your excellency to order it to be immediately returned to the magazine.

Virginia Gazette (Pinkney), 20 April 1775.

GUNPOWDER INCIDENT

Governor Dunmore to the Municipal Common Hall An Oral Reply

(His Excellency answered) That hearing of an insurrection in a neighbouring county, he had removed the powder from the magazine, where he did not think it secure, to a place where it would be in perfect security; and that, upon his word and honour, whenever it was wanted on any insurrection, it should be delivered in half an hour. That he had removed it in the night time to prevent any alarm; and that captain Collins (Henry Colins) had his express commands for the part he had acted. He was surprised to hear that the people were under arms on this occasion, and that he should not think it prudent to put powder into their hands in such a situation.

Virginia Gazette (Pinkney), 20 April 1775.

Revolutionary Virginia: The Road to Independence, Vol. III, The Breaking Storm and the Third Convention, 1775, A Documentary Record, compiled and edited by Robert L. Scribner, with the assistance of Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1977, pp. 54-55.

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To the governor's surprise the address of the delegation before him was milder than the uproar in town had led him to expect, although he still deemed their statement "one of the highest insults." The address pointed out that the powder belonged to the colony, not the crown, and demanded its immediate return in view of recent rumors of slave unrest. Clearly the city fathers intended to go no farther than they had to. They could not ignore the incident and wanted to be certain that Dunmore had not other moves in mind. On the other hand, Randolph and most other delegates had scheduled their departure soon for Congress. At Philadelphia they would have reliable news of the imperial government's answer to the petitions for redress of grievances that Congress had sent to Britain during its first session the fall before. More important, whatever happened, the response of delegates united in Congress would have greater effect than the rioting of a mob in Williamsburg.

Dunmore, too, did not want a showdown. He had expected his display of force to overawe the few rabble-rousers whom he considered to be behind the recent dissension. The extent of public reaction took him completely by surprise.

That evening another mob gathered upon the rumor that the *Magdalen's* men were coming again. Once more the city elders quieted the crowd. The next morning, his self-assurance regained, Dunmore flew into a violent rage in a chance encounter with an alderman and in a few words painted himself as more diabolical than the most suspicious had imagined. Incensed at the insolence shown him, he threatened to raise the slaves against the colonists and, swearing "I have once fought for the Virginians, and by God I will let them see that I can fight against them," ordered the

GUNPOWDER INCIDENT

arrest of William Finnie and George Nicholas, leaders of the volunteer company, before -- Dunmore said -- they could cause more trouble.

Five days later three horsemen, Mann Page, Jr., Lewis Willis, and Benjamin Grymes, Jr., dashed into town after a hectic twenty-four hour ride from Fredericksburg. Word of Dunmore's action had reached there just as the town's volunteers were mustering. Hugh Mercer and other officers immediately summoned neighboring companies to rendezvous on Saturday, April 29, for a march on Williamsburg and dispatched the riders to find out if Dunmore had restored the powder. Alarmed at their quest, Speaker Randolph sent them back after only a few hours' rest with assurances that the governor's explanation entirely satisfied Williamsburg leaders and a warning that "violent measures may produce effects, which God only knows the consequence of."

Throughout the colony reports of the magazine incident were like sparks falling on dry brush. Spontaneously county committees offered protection to Williamsburg, and volunteer companies set out on the road to the capital.

On April 29 over six hundred mounted men gathered at Fredericksburg with more at Bowling Green in Caroline County and contingents en route from as far away as Berkeley and Frederick counties. The evening before news arrived of the battles of Lexington and Concord in Massachusetts on April 19 when the military governor, General Thomas Gage, had sent troops to seize prominent New England leaders and stockpiles of arms. The similarity seemed too close to be coincidental. Nonetheless, the committee at length agreed to disband in deference to the Speaker but pledged "at a moment's warning" to defend "this or any sister colony, from unjust and wicked invasion." The troops unanimously ratified the decision, and word went to the others at Bowling Green and elsewhere to return home.

In Albemarle County volunteers voted to ignore the Fredericksburg decision and, after drumming out of their ranks two who wanted to disband, marched on. Patrick Henry put off his own departure for Philadelphia to revive the march on Williamsburg.

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Lexington and Concord

"Williamsburg, Saturday, April 29, 1775.

Late last night an express arrived from Philadelphia, with the following melancholy advices from the province of Connecticut, forwarded to the Committee of Correspondence

LEXINGTON AND CONCORD

in the city.

The blow (so much dreaded by our noble friend Lord Chatham) is now struck, a great deal of blood spilt, and much more, it is likely, than the present advices communicate. That great man, in his speech upon the necessity of withdrawing the troops from Boston (delivered in the House of Lords the 20th of January last) says: "Perhaps, even whilst I am now" speaking, the decisive blow is struck, which may involve millions in the consequences, and, believe me, the very first drop of blood that is spilled will not be a wound easily skinned over; it will be irritable, vulnus, a wound of that rancorous festering kind, that, in all probably, will mortify the whole body:"

* * * * *

Philadelphia, April 24, 1775.

An express arrived at five o'clock this evening, by which we have the following advices, viz.

Watertown, Wednesday morning, near 10 o'clock.

TO ALL FRIENDS OF AMERICAN LIBERTY.

Be it known, that this morning, before break of day, a brigade, consisting of about 1000 or 1200 men, landed at Phipps farm, at Cambridge, and marched to Lexington, where they found a company of our colony militia in arms, upon whom they fired, without any provocation, and killed six men, and wounded four others. By an express from Boston, we find another brigade is now on its march from Boston, supposed to consist of 1000 men. The bearer, Rial Brisset is charged to alarm the country, quite to Connecticut; and all persons are desired to furnish him with fresh horses, as they may be needed. I have spoken with several, who have seen the dead and wounded. Pray let the Delegates from this colony to Connecticut see this; they know Col. Foster, one of the Delegates.

J. Palmer, one of the committee.

A true copy from the original, by order of the Committee of Correspondence of Worcester, April 1775.

Attested and forwarded by the committees of Brookline, Norwich, New London, Lyme, Saybrook, Killingsworth, E. Guilford, Guilford, Brandford, Newhaven.

Fairfield, Saturday, April 22, 8 o'clock.

Since the above written we have received the following, by a second express.

GILMER SPEECH

Thursday, 3 o'clock after noon.

Sir,

I am this moment informed, by an express from Woodstock, taken from the mouth of the express at two of the clock after noon, that the contest between the first brigade that marched to Concord was still continuing this morning at the town of Lexington, to which said brigade had retreated; that another brigade, said to be the second mentioned in the letter of this morning, had landed with a quantity of artillery at the place where the first did. The Provincials were determined to prevent the two brigades from joining their strength, if possible, and remain in great need of succour.

N.B. the Regulars when in Concord, burnt the court house, took two pieces of cannon, which they rendered useless, and began to take up Concord bridge; on which Capt. — — (who, with many on both sides, were soon killed) made an attack upon the King's troops, on which they retreated to Lexington.

I am, &c.

E.B. WILLIAMS.

To Col. O.B. Johnson, Canterbury.

P.C.

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**Lieutenant George Gilmer to the Albemarle County
First Independent Company of Gentlemen Volunteers
A Reconstructed Address**

In 1778 George Mason stated that the "first independent Company formed in Virginia, and indeed on the Continent" was constituted from a plan of organization that he drew up for Fairfax County; and it is possible that as did Gilmer around this date, Mason addressed the Fairfax unit at some time between 17 and 26 April 1775. (Robert A. Rutland, ed., *The Papers of George Mason, 1725-1792* [3 vols., Chapel Hill, N.C., 1970], I, 214, 215-16, 229-32, 434). Colonel Mason was not, however, destined to be a fighting soldier.

Nor, despite the dedication of his "Arms, life, & fortune" to the defense of his "Country," was Lieutenant Gilmer. The son of a recently deceased Williamsburg physician of the same name, DR. GEORGE GILMER had lived in Albemarle County for less than a decade. As a boy he had spent seven years in England, and after studying at the College of William and Mary, he returned for a five-year sojourn in the isles, this time in Edinburgh, where he studied medicine at the university. In December 1766 he announced that he would pursue "the practice of medicine and the art of midwifery" in Williamsburg. There he married and was physician to Governor Norborne Berkeley, Baron de Botetourt, as later he was to the Jeffersons of Monticello and the Madisons of Montpelier.

GILMER SPEECH

Gentlemen Soldiers,

On your disposition this day much may [depend] respecting our own fate. This alternative [is now] before us, either to become the voluntary & abject slaves of a wicked administration, or to live free as the air we breath. The choice is easily made, but remember the maintaining this happiness must depend on a peculiar magnanimity and resolv[e] which must be firm, unanimous, and permanent. We must not only emulate the Roman name but surpass it, if possible, when in its greatest lustre. We must now exert to the utmost Valour, prudence, & love for our Country -- that valour void of rancour & revenge; observe that prudence which may be necessary, divested of every selfinterested motive; with that love for our Country that to die in its defence shall be our highest ambition & most exalted virtue.

Let us this day unite hearts, hands, & [spirits] to oppose any power that shall attem[pt to subvert] our lives, liberties, or properties. Inst[ead of permitting] any divisions amongst us, let us no[w divest ourselves] of every illiberal & party prejudice, [and let us] act as one in working our own salva[ti]on. Let] us behold integrity as an inestimab[le jewel] & rejoice in poverty with freedom rathe[r than to] submit to the power of corruption, whi[ch we can] neither purchase [n]or restrain o[urselves by vir]tuous act. [God for]bid there shall be one amongst us of [suc]h confined views or sordid principles as to overlook or dispise danger at a distance or be regardless of evils that do not Threaten an immediate or contingent fall on himself. If there should unfortunately be such a wretch in hearing, if he is not divested of every feeling, he can not wai[t] till calamity infests his own dwelling for provocation to take up arms in defence of his liberty could he place himself in the situation of a once opulent Bostonian whose property is wrested from him by the hands of Tyranny & oppression. Let him behold his house filled with Soldiers against his consent, whose brutal [be]haviour, unpunished insults, & boundless [insol]ence destroy his peace. Can he behold [his wife] & children abused with all [the insol]ence of Gage's myrmidons [and be an u]ndisturbed Spectator? If such [a mo]nster should be found, let's fix [a stigm]a on him that may distinguish [him] from the brave & worthy, avoid [his s]ociety, let him exist by himself [with] his own reflection (if he can be capa[ble of] any) to torture him.

Let me observe to you, Gentlemen, [that] our warmest thanks are due to the [Continental] Congress in General, our Delegates both in Congress & Convention in particular for their spirited behaviour & the noble plan they have laid for our conduct, which may, if rigidly observed & persisted in, remove all our difficulties without the horrors of Carnage & bloodshed (but should this be unavoidable heaven forbid that any terrors should afright us or makes us value life too high to run any risks of loseing it knowing no power on earth can Antidate our doom. Let us therefore promote, as much as in us lies, the rigid observance of the Association & by every method in our power discountenance non associators. We shall in this manner effectually demonstrate our

GILMER SPEECH

eneration for the system and our highest esteem for its founders.

We stand immediately obliged to the Gents: that composed the Richmond Convention for their noble and judicio[us plan of] preservation, a plan w[hi]ch, if exe[cuted] with the Spirit it deserves, [will] prove a terror to all our e[nemies] & oblige them to declare s[ure our s]uccess, which heaven avert, that we [at l]ast deserved it.

There can not be an individual capable of murmur at the plan proposed. Let us immediately shew our Alacrity & willingness to Contribute our proportions for our own & the benefit of the community. The Convention recommended to the committees to adopt what mode appeared most proper for the purpose. Your Committee, in compliance with that recommendation, think it proper to require one Shilling & Sixpence per poll for making a proper defence should we be invaded or otherwise attacked. It will clearly appear to every reasonable person that all who are to reap the advantages should bear their share of the burden & not shift it from their shoulders to the few generous Spirits that are to be found amongst us. The 10th of may is the latest time fixed for this Collection, but why pos[t]pone it one moment? Those who [have] wherewithall Pay in immediately. [Thos]e who have not, borrow, for we m[ay be taken] by surprise & Unprovided[, which] would be a horrid reflection on a [spiri]ted & resolute people.

We are also, Gentn., directed by the Convention to practice the Exercise appointed by his Majesty [in] 1764. There may be [some] who think the military anticks & ceremonies altogether useless, others who may disapprove of some particular parts of these evolutions; but, Gentlemen, as it is an impracticable matter to please or satisfy the whim & inclination of everyone, it is most righteous that we Should endeavour to make ourselves masters of this exercise & thereby comply with the recommendation of the Convention, which will be better than to gratify any of our private dispositions. It must be evident to every one that being frequently under arms will enure us to the fatigue, obeying the word of command will learn a Soldier his duty, & by meeting frequently we shall acquire an acquaintance with each other, & I hope, a friendship, & by an uniform exercise, we shall become more active & less subject to Confusion or [of] injuring one another. Our pa[tience] will probably prevent some [other] evils that are but too much to [fear.]

My Good Soldiers, let me beg [you] to look on this matter with a serious eye & to make yourselves masters of every art of war with the quickest dispatch.

Gentln., you behold me before you with my Tomahawk girt about me, & tho I am but too sensible of my awkwardness, yet your esteem shall animate me to its proper use. & give me liberty now, Soldiers, to plight my honour to you that my abilities shall not only be exerted to make myself Master of the necessary parade of war but of the really usefull branches of that Intricate Science. & I do now dedicate my Arms, life, & fortune to the

HENRY'S MARCH

My Good Soldiers, let me beg [you] to look on this matter with a serious eye & to make yourselves masters of every art of war with the quickest dispatch.

Gentln., you behold me before you with my Tomahawk girt about me, & tho I am but too sensible of my awkwardness, yet your esteem shall animate me to its proper use. & give me liberty now, Soldiers, to plight my honour to you that my abilities shall not only be exerted to make myself Master of the necessary parade of war but of the really usefull branches of that Intricate Science. & I do now dedicate my Arms, life, & fortune to the protection of my Country & the service of the first Company of Independents for the County of Albemarle,] with this firm resolve -- never to bury the Tomahawk until liberty shall be fixed on an immoveable basis thro the whole Continent.

Autograph diary and Revolutionary memoranda
of Dr. George Gilmer (Virginia Historical
Society)

Revolutionary Virginia: The Road to Independence, Vol. III, The Breaking Storm and the Third Convention, 1775, A Documentary Record, compiled and edited by Robert L. Scribner, with the assistance of Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1977, pp. 49-52.

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At first the Hanover County committee refused to sanction Henry's plan, but in view of the news from Massachusetts gave their consent after a day-long debate on May 2. Late that evening Henry dispatched a small force to capture the receiver general, Richard Corbin, at his home in King and Queen County to force payment for the powder from the king's revenues in his possession. The next day the remainder of this force, about 150 men, reached Doncastle's Ordinary, some fifteen miles from the capital city.

On the evening of May 3 Corbin's son-in-law, Carter Braxton, rode into Williamsburg with a message from Doncastle's Ordinary.

The Revolution in Virginia, 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 1-4.

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Williamsburg, May 5.

Late on Wednesday night, Col. Carter Braxton arrived in town from a number of armed people, all men of property, led by Patrick Henry, Esq; on their march for this city, from the counties of Hanover, New Kent, and King William. The intent of their coming, we

HENRY'S MARCH

are well assured, is the general alarm spread over the country by the removal of the gunpowder from the publick magazine, and to secure the treasury from a like castrophe; as also to seize upon the person of his Majesty's Receiver General (then in this city) till either the gunpowder was restored, or a sum of money paid down to its value. Next morning Col. Braxton returned, with the Hon. Richard Corbin's bill of exchange for 320£ sterling; and at the same time, the inhabitants of this city engaging themselves to guard the publick treasury, the Gentlemen dispersed yesterday afternoon, and are returned to their respective homes, perfectly satisfied with the success of their expedition. They are proceeding as far as Duncastle's, about 45-miles from town, where they were encamped to the number of 150 men and upwards, all well accoutred, and had a very martial appearance.

Virginia Gazette

* * * * *

A Proclamation

VIRGINIA, to wit

Whereas, there is so much reason to suppose that some persons, in the different parts of this colony, are disaffected to his Majesty's government, and by their weight and credit with the people are endeavoring to bring the country into such a situation as to afford them the fairest prospect of effecting a change in the form of it, covering their wicked designs under the specious appearance of defending their liberties, and have taken advantage of the unhappy ferment, which themselves have raised in the midst of their fellow subjects, in prosecution of their dangerous designs to oppose the most undoubted prerogative of the King, which in a late instance I thought it expedient to exert by removing on board his Majesty's ship the Fowey, a small quantity of gun powder, belonging to his Majesty's, from the magazine in this city; I have thought fit, by advice of his Majesty's council, to issue this my proclamation, with a view of undeceiving the deluded, and of exposing to the unwary the destruction into which they may be precipitated, if they suffer themselves to be longer guided by such infatuated counsels.

Although I consider myself, under the authority of the crown, the only constitutional judge, in what manner the munition, provided for the protection of the people of this government, is to be disposed of for that end; yet for effecting the salutary objects of this proclamation, and removing from the minds of his Majesty's subjects the groundless suspicions they have imbibed, I think proper to declare that the apprehensions which seemed to prevail throughout this whole country of an intended insurrection of the slaves, who had been seen in large numbers, in the night time, about the magazine, and my knowledge of its being a very insecure depositary, were my inducements to that measure, and I chose the night as the properest season, because I knew the temper to the times, and the misinterpretations of my design which would be apt to prevail if the thing should be known. Acting under these motives, I certainly rather deserved the thanks of the

DUNMORE'S PROCLAMATION

country than their reproaches. But, whenever the present ferment shall subside, and it shall become necessary to put arms into the hands of the militia, for the defence of the people against a foreign enemy or intestine insurgents, I shall be as ready as on a late occasion to exert my best abilities in the service of the country. In the mean time, as it is indispensably necessary to maintain order and the authority of the laws, and thereby the dignity of his Majesty's government, I exhort and require, in his Majesty's name, all his faithful subjects, to leave no expedient unessayed which may tend to that happy end. Such as are not to be influenced by the love of order for its own sake, and the blessings it is always productive of, would do well to consider the internal weakness of this colony, as well as the dangers to which it is exposed from a savage enemy; who, from the most recent advices I have received from the frontier inhabitants, are ready to renew their hostilities against the people of this country. But, as on the one hand, nothing can justify men, without proper authority, in a rapid recurrence to arms, nothing excuse resistance to the executive power in the due enforcement of law, so on the other, nothing but such resistance and outrageous proceedings shall ever compel me to avail myself of any means that may carry the appearance of severity.

Anxious to restore peace and harmony to this distracted country, and to induce a firmer reliance on the goodness and tenderness of our most gracious Sovereign to all his subjects equally, and on the wisdom of his councils for a redress of all their real grievances, which can only be obtained by loyal and constitutional applications, I again call upon and require all his Majesty's liege subjects, and especially all magistrates and other officers, both civil and military, to exert themselves in removing the discontents, and suppressing the military, to exert themselves in removing the discontents, and suppressing the spirit of faction, which prevail among the people, that a dutiful submission to the laws of the land may be strictly observed, which shall ever be the rule of my conduct, as the interest and happiness of this dominion ever have been, and shall continue to be, the objects of my administration.

Given under my hand and the seal of the colony, at Williamsburg, this 3rd day of May, 1775, and in the 15th year of his Majesty's reign.

DUNMORE

GOD SAVE THE KING.

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

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Two days prior to issuing this proclamation, Dunmore gave his true reason for removing the powder in a letter to Lord Dartmouth, Secretary of State:

GUNPOWDER INCIDENT

"Williamsburg, 1st May, 1775.

My Lord,

*The series of dangerous measures pursued by the people of this Colony against Govern^t which they have now entirely overturned, and particularly their having come to a resolution of raising a body of armed Men in all the counties, made me think it prudent to remove some Gunpowder which was in a Magazine in this place, where it lay exposed to any attempt that might be made to seize it, and I had reason to believe the people intended to that step. I accordingly requested of Lieut^t Collins, commanding his Maj^t's armed schooner the *Magdalen*, to convey the powder on board the *Fowey*, Man-of-war now on this station, wh^{ch} that officer with a party of his Seamen diligently executed; but tho' it was intended to have been done privately, M^r Collins and his party were observed, and notice was given immediately to the Inhabitants of this place; Drums were then sent thro' the City -- The independent company got under Arms. All the People were assembled, and during their consultation, continual threats were brought to my house, that it was their resolution to seize upon, or massacre me, and every person found giving me assistance if I refused to deliver the Powder immediately into their custody.*

*In a short time the Mayor and Corporation came to my house, leaving their armed force at a little distance, with an address in reality milder in terms, than I expected, but still from the manner in which it was presented can be deemed, if not a treasonable proceeding at last nothing less than one of the highest insults, that could be offered to the authority of his Maj^t's Govern^t. The Address represents the alarm into which the people had been thrown at the taking away the powder in a private manner by an armed force, particularly at a time when they are apprehensive of Insurrection among their slaves (some reports having prevailed to this effect) and concludes with a request amounting to a peremptory demand, that the powder be delivered up immediately to them. I thought proper in the defenceless state in which I find myself, to endeavour to soothe them, and answered verbally to the effect, that I had removed the powder lest the Negroes might have seized upon it, to a place of security, from whence, when I saw occasion I would at any time, deliver it to the people. But in the ferment in which they then appeared it would be highly improper to put it into their hands, as it would be inconsistent with the Authority I represented to comply with any demand made in the manner of the present. This did not satisfy them, and the jury of the People was still represented as uncontrollable and the dreadful consequences of it, as not to be averted by any other means, than complying with their humour, to which I replied only by declaring, that I would never depart from the resolution which I had already signified to them, I had taken, and by arming myself and the persons of my family to oppose the threatened attempt. Their happened to be then in Town Capt^t Montague, commanding the *Fowey*, with his Capt^t of Marines a M^r Stretch and Lieut^t Henry Collins officer already mentioned. These gentlemen immediately joined themselves to my little party, and offered me all their assistance which could be spared from on board the ship and*

GUNPOWDER INCIDENT

schooner wh^{ch} only amounts to between 30 and 40 Men.

I was not long after unexpectedly informed, the people by the persuasion of M^r. Peyton Randolph & M^r. Nicholas the Treasurer, had dispersed and appeared satisfied with the answer which I had returned; but parties of armed Men were continually coming into town from the adjacent Counties the following days, offering fresh insults; and two days ago, three Gentlemen of principal families in the Country, arrived deputed, as they declared, from a body of 2000 armed Men, who were collected in the neighbourhood of Fredericksburg, about 100 miles from this place, and who only waited to be informed by these Messengers, that I would deliver up the powder, as they were determined otherwise to proceed to Williamsburg and assault my house, and spare neither me, nor any person adhering to me.

The Messengers, as they were informed the powder would not be given up, returned vowing vengeance of their enraged Confederates against me, and I am consequently in hourly expectation of their appearance.

Some of the families have removed from here to avoid the scene that is expected. I have been obliged to send Lady Dunmore and my children on Board the Man-of-war, and I shall remain here until I am forced out -- But as I cannot expect to make any effectual resistance in this place against the numbers that are said to be moving against me, I intend to retire towards the Town or York, where the Man-of-war a 20 gun ship and an armed schooner lie, under the protection of the guns of which, and under cover of a little entrenchment which I shall throw up, or at worst on Board the Man-of-War, I shall wait for his Maj^{ty}s orders, and I have already signified to the Magistrates of Williamsburg, that I expect them on their allegiance to fall upon means of putting a stop to the March of the People now on their way, before they enter this City, that otherwise, I shall be forced, and it is my fixed purpose, to arm all my own negroes, & receive all others that will come to me, whom I shall declare free. That I do enjoin the Magistrates and all others, professing to be loyal subjects, to repair to my assistance that I shall consider the whole country in an Actual State of Rebellion, and myself at liberty to annoy it by every possible means, and that I shall not hesitate at reducing their houses to Ashes, and spreading devastation wherever I can reach. I have likewise summoned the Council to attend me about the time which these insurgents are expected here;

I have dispatched a small vessel to Boston to General Gage and Adm^l. Graves, requesting of the one a small body of Men, and of the other one of the large ships under his command. The appearance of such a ship in the interior parts of this Country, where the great depth of water in the Rivers here will permit it to go, would strike the greatest awe, and if I obtain 2 or 300 Men, who might be entrenched under the protection of the guns of such a Man of War, they would there (tho' I should receive no assistance from among the people here) at least until I can receive His Maj^{ty}s orders to regulate my

GUNPOWDER INCIDENT

future conduct, protect me and those officers of Govern^t who would choose to attend me, and I have reason to believe, this would be sufficient to determine many persons to join me, who hitherto from the terror spread by the Committees and other disturbers of Govern^t have been deterred from ever declaring their sentiments.

Whatever may be the issue of this present Insurrection in this Colony, or whether the People will now proceed or not to the atrocious extremities, which they have been hardy enough to avow their intentions of committing. Their conduct has already afforded sufficient evidence of the rebellious spirit with which they are possessed, and therefore if His Maj^{ty} thinks it necessary to maintain an appearance of authority in this Colony during the unhappy struggle between America and Great Britain, it cannot be affected without a force to support it, which I am in hopes His Maj^{ty} will judge requisite to send me, that, I may be enabled to protect myself and the other faithful Officers and friends of Govern^t, who knowing themselves in security will, I am persuaded, exert their utmost efforts, in the service of His Maj^{ty}. Every person who has manifested the least partiality to the King's Govern^t, are now become suspected by their furious Countrymen, and are in the greatest danger of falling victims to the rage and violence which accompany all the transactions of these people pretending to contend for Liberty.

If the servants of the Crown should be of opinion, that the authority of Govern^t ought to be enforced here, I am persuaded, that if His Majesty should think proper to add to a small body of Troops to be sent here, a quantity of Arms, Ammunition and other requisites for the service, I could raise such a Force from among Indians, Negroes, and other persons, as would soon reduce the refractory people of this Colony to obedience.

I am etc.,

DUNMORE."

Journals of the House of Burgesses of Virginia 1773-1776, edited by John Pendleton Kennedy.

* * * * *

The town of York being somewhat alarmed by a letter from Capt. Montague, commander of his Majesty's ship the Fowey, addressed to the Hon. Thomas Nelson, Esq; President of his Majesty's Council in Virginia; and a copy of said letter being procured, a motion was made, that the copy should be laid before the committee, and considered. The copy was read, and is as follows:

Fowey, May 4, 1775.

Sir,

"I have this morning received certain information that his Excellency the Lord Dunmore, Governor of Virginia, is threatened with an attack at day break this morning, at his

GUNPOWDER INCIDENT

palace in Williamsburg, and have thought proper to send a detachment from his Majesty's ship under my command, to support his Excellency, therefore strongly pray you to make use of every endeavour to prevent the party from being molested and attacked, as in that case I must be under a necessity to fire upon this town.

To the Hon. Thomas Nelson,

From
GEORGE MONTAGUE

Virginia Gazette (Dixon and Hunter), 6 May 1775.

Receipt for Gunpowder
Thursday, 4 May 1775
Hanover County Committee
Patrick Henry to Richard Corbin: A Receipt

Duncastle's ordinary, New Kent, May 4, 1775, received from the honourable Richard Corbin, esquire, his majesty's receiver general, £330 as a compensation for the gunpowder lately taken out of the public magazine by the governor's order; which money I promise to convey to the Virginia delegates at the general congress, to be, under their direction, laid out in gunpowder for the colony's use, and to be stored as they shall direct, until the next colony convention, or general assembly, unless it shall be necessary, in the mean time, to use the same in the defence of this colony. It is agreed, that in case the next convention shall determine that any part of the said money ought to be returned to his majesty's said receiver general, that the same shall be done accordingly.

Patrick Henry, junior.

A true copy
Test Samuel Meredith, Parke Goodall.

Virginia Gazette (Pinkney), 11 May 1775

Patrick Henry to Robert Carter Nicholas: A Statement

Sir,

May 4, 1775.

The affair of the powder is now settled, so as to produce satisfaction to me, and I earnestly wish to the colony in general. The people here have it in charge from the Hanover committee to tender their service to you, as a public officer, for the purpose of escorting the public treasury to any place in this colony where the money would be judged more safe than in the city of Williamsburg. The reprisal now made by the Hanover volunteers, though accomplished in a manner least liable to the imputation of violent extremity, may possibly be the cause of future injury to the treasury. If therefore you apprehend the least danger, a sufficient guard is at your service. I beg the return

GUNPOWDER INCIDENT

of the bearer may be instant, because the men wish to know the destination.

With great regard, I am, sir, your most humble servant,

Patrick Henry, junior.

Teste, Samuel Meredith, Garland Anderson.

Virginia Gazette (Pinkney), 11 May 1775

Revolutionary Virginia: the Road to Independence, Vol. III. The Breaking Storm and the Third Convention, 1775, A Documentary Record. Compiled and edited by Robert L. Scribner, with the assistance of Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1977, pp. 87-88.

Dunmore Leaves

Thursday, the 8th of June, 15 Geo. III. 1775.

A Message from the Council by M^r Blair:

M^r Speaker,

I am commanded by the Council to deliver to your house a written message from his Excellency, the Governor, which was by him communicated to the Council, to be by them sent to you; and he presented the same at the bar.

And then the Messenger withdrew.

The written Message from his Excellency was read, and is as followeth, viz.

M^r Speaker, and Gentlemen of the House of Burgesses,

Being now fully persuaded that my Person, and those of my Family likewise, are in constant danger of falling sacrifices to the blind and unmeasurable fury which has so unaccountably seised upon the minds and understanding of great numbers of People, and apprehending that at length some of them may work themselves up to that pitch of daringness and atrociousness as to fall upon me, in the defenceless state in which they know I am in the City of Williamsburg, and perpetrate Acts that would plunge this country into the most horrid calamities, and render the breach with the mother Country irreparable, I have thought it prudent for myself, and serviceable for the Country, that I remove to a place of safety; conformable to which, I have fixed my residence, for the present on board his Majesty's Ship the Fowey, lying at York. It is not my intention to give the least interruption to the sitting of the Assembly, but I hope they will proceed in the great business which they have before them with diligence and effect. I shall take care to make the access to me so easy, and safe, that the necessary communication between me and the House may be attended with the least inconvenience possible; and I thought it would be more agreeable to the House to send to me, from time to time, some

DUNMORE LEAVES

of the members, as occasion shall require, than to be put all to the trouble of moving to be near me.

I hope the House will see my proceedings on this occasion as they were really meant, and I beg them to be assured that I shall not be ready to attend to all the duties of my office as I was before; and that I am perfectly disposed to contribute all in my power, if opportunity be given me to restore that harmony, the interruption of which is likely to cost so dear, to the repose, as well as to the comfort of every individual.

DUNMORE.

Ordered, that the said Message be referred to a Committee of the whole House.

Resolved, that this House will now resolve itself into a Committee of the whole House, to consider of the said Message.

The House accordingly resolved itself into the said Committee.

M^r Speaker left the Chair:

M^r Cary took the Chair of the Committee.

M^r Speaker resumed the Chair.

M^r Cary reported from the Committee, that they had come to a Resolution, which they had directed him to report to the House, when the House will be pleased to receive the same.

Ordered, that the Report be now received.

M^r Cary accordingly reported the Resolution, which the Committee had directed him to report to the House; which he read in his Place, and afterwards delivered in at the Clerk's Table; where the same was read, and is as followeth, viz.

Resolved, that is the Opinion of this Committee, that an Dresses be presented to his Excellency, the Governor, in answer to his written message of this day, to represent to his Lordship the probable tendency of his removal from the Palace, and the propriety of his return; to assure his Excellency, that we view with Horror every design that may be meditated against the Persons of his Lordship, his very amiable Lady, or Family; promising our chearful concurrence in any proper measure for their future safety.

The said Resolution, being read a second time, was, upon the Question being put thereupon, agreed to by the House.

Ordered, that a Committee be appointed to draw up an address, to be presented to the Governor upon the said Resolution.

And a Committee was appointed of M^r Treasurer, M^r Mercer, M^r Jones, M^r Munford,

M^r Henry Lee, M^r Dandridge, M^r Bannister, and M^r Francis Lightfoot Lee; and they are to withdraw immediately.

Ordered, that the said written Message be referred to the said Committee.

M^r Treasurer reported from the Committee, that they had drawn up an Address accordingly, which they had directed him to report to the House; and he read the same in his place and afterwards delivered it in the Clerk's Table; where the same was read, and is as followeth, viz.

My Lord,

We, his Majesty's dutiful and loyal Subjects the Burgesses of Virginia assure your Excelency, that it is with the greatest concern we find, your Message to them, that your Lordship entertains any suspicions of the personal security of yourself or family, as we can by no means suppose any of his Majesty's subjects in this Colony would meditate a crime so horrid and atrocious as you seem to apprehend. We are fearful the step your Lordship hath taken, in removing from the seat of government, may conduce to a continuance of that great uneasiness which hath of late so unhappily prevailed in this Country. We cannot but express our concern that your Lordship did not think proper to communicate the ground of your uneasiness to us, as, from our zeal and attachment to the preservation of order and good government, we should have judged it our indispensable duty to have endeavoured to remove every cause of disquietude. In proof of the great respect we shall ever pay to the representative of our most gracious sovereign, and to remove, to the utmost of our power your Lordship's apprehensions, we assure your Lordship that we will cheerfully concur in any measure that may be proposed proper to the security of yourself and family. It is with much anxiety we consider the very disagreeable situation of your Lordship's most amiable Lady and Family, and should think ourselves happy in being able to restore their perfect tranquility, by removing their feats. We cannot, my Lord, but approve your intention of not giving the least interruption to the important affairs on which we are now assembled, and it is with much pleasure we receive your Lordship's assurance of your disposition to establish that harmony so essential to the repose and comfort of every individual; but we must beg leave to observe to your Lordship how impracticable it will be to carry on the business of this Session with any tolerable degree of propriety, or with that despatch the advanced season of the year requires, whilst your Lordship is so far removed from us, and so inconveniently situated. We therefore earnestly entreat your Lordship that you will be pleased to return, with your Lady and family, to the Palace; which we are persuaded will give the greatest satisfaction, and be the most likely means of quieting the minds of the People.

The said Address, being read a second time;

Resolved, that the House doth agree with the Committee in the said Address, to be presented to the Governor.

Ordered, that the Gentlemen, who drew up the said Address, do go to the Council, and acquaint them that this House have agreed to an address to the Governor, to which they

INDEPENDENT COMPANIES

desire the concurrence of the Council.

A Message from the Council by M^r Blair:

M^r Speaker.

The Council have agreed to join with this House in their Address to the Governor; and, in Consequence thereof, have made the necessary Amendments, and have appointed two of their Members, to join with such of the Members of this House as may be appointed, to present the same to his Excellency.

Ordered, that the said Address be presented to his Excellency by M^r Cary, M^r Wood, M^r Attorney General, and M^r Braxton.

And then the House adjourned till Tomorrow Morning, ten of the Clock.

Journals of the House of Burgesses of Virginia, 1773-1776, Edited by John Pendleton Kennedy.

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Independent Companies

With both the assembly and governor gone, the danger of anarchy in Williamsburg became real. The worst fears of moderates seemed about to come to pass: the leadership could scarcely retain control. Believing that reinforcements for Dunmore hovered just off the Virginia Capes, Peyton Randolph summoned a town meeting to request more volunteers. Soon several hundred troops had pitched camp in Waller's Grove on the eastern edge of the city. The independent companies recognized no authority beyond that of their elected officers and respective county commissioners. "Many members are rather disorderly," one soldier wrote home....Shooting a gun without permission, as became a habit around town to the terror of inhabitants, merited confinement without food or drink - for two hours! Nor as yet was patriotism a hardship. "Anderson and Southall's [taverns] entertain elegantly[.] the first in the best manner by far," wrote George Gilmer of Albemarle County.

Assaults upon symbols of royal authority became a regular pastime. On the sixth of July young George Nicholas led a second raid on the Palace in search of another suspected store of arms and thoroughly sacked the building before finding the weapons....When H.M.S. Mercury arrived on July 12, another detachment rushed from Williamsburg to repel an invasion and, to the governor's mortification, paraded boldly along the shore at Yorktown. Shortly afterward troops raided the Palace a third time, and the last of the governor's servants who had braved the siege departed. Members of independent companies took up quarters in the mansion, pasturing their horses in the park to the rear. Other companies had already settled in at the Capitol.

The Revolution in Virginia, 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 47-48.

INDEPENDENT COMPANIES

Cresswell Journal

[Alexandria, VA]
Friday, October 20th, 1775

...Nothing but War talked of, raising men and making every military preparation. A large army at Boston, another in Canada and another at or about Norfolk in Virginia. this cannot be redressing grievances, it is open rebellion and I am convinced if Great Britain does not send more men here and subdue then soon they will declare Independence.

[Alexandria, Va.]
Saturday, October 21st, 1775

I am now in a disagreeable situation, if I enter into any sort of business I must be obliged to enter into the service of these rascals and fight against my Friends and Country, if call upon. On the other hand, I am not permitted to depart the Continent and have nothing if I am fortunate enough to escape jail. I will live as cheap as I can and hope for better times.

[Alexandria, Va.]
Thursday, October 26th, 1775.

News that Lord Dunmore had landed at Norfolk and seized 50 Guns and spoilt all the cannons there.

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Sunday, 5 November 1775
Virginia Committee of Safety

Katherine Leslie Hunter, Gosport, Virginia,
to Miss Logan, Milliner, Nan Street, Glasgow, Scotland:
Per Capt. Everie, O.D.C.: An Intercepted Letter

My Dr Miss Logan

Gosport Novr. 5th. 1775/

I had the pleasure of yours of the 12th and 17th of June only Last week & as providence has cast another oppty in my way will answer them as filly as I can, tho I believe never ordinary woman was as much taken up as I am wt the freinds, & Servants of a good King & Government! that I pray God may alwise Reign Supreme! what ever it may Cost a Deluded people to make it so. Dont in the first place your Dr Robt. is well, by the last accts from Boston by officers Just arrived of His own family &

LOYALITSTS

acquaintances viz Capt's. <John> Dalrymple, Lowrie <Andrew Laurie>, &c who left Him quite recovered of a Slight wound He received att Bunkers Hill, which was a Smart Check to Rebels what ever accts. they give we are thank god Daily increasing in Strength Here: & have got the 14th Regiment almost Completed: wt the addition of Capt. Forcides <Charles Fordice's> Granadiers which are all muster'd twice a Day Just before our windows wt a Band of Musick Besides the Ships I formerly wrote you of, they have taken 19 vessels from the Rebels which they have man'd and arm'd for action; & five Large Ships of war expected Daily, So I hope in god there will be no fear of Gosport The only Distress I have is that it may be the place of action; but if the Rebels Continue their present Cowardice, they never will venture this way, one Late instance was a Detachment of 50 Soldiers went & took 2 pieces of Cannon from 300 Rebels who all fled into the woods; where they might have kill'd every Soldier wt.out being Seen: as they had to march by a Narrow path throu these very woods around Katt knows very well to Kemps Landing. Dont I hope God was their protector & will Continue So. The Inhabitants of both Norfolk & Portsmouth are fled for fear of their own Country folks Dstroying their Houses! as they grow Afraid & Scarce of Support, which makes them Desperate, & if ever they do Striek a Stroke it will be Soon, before new troops come, which are Hourly expected. The Army & Navy & us are all one family; Indeed My Dr. I wish I may not turn vain in my old Days! I am Styled the Governess of the fleet & Army, & all the people apply to me for Passes permites &c It woud Indeed be a good man that coud make me Change my Present happy Situation! & I think I can assure you I am as much married as ever I will be, tho I have refus'd the first Collonel in Virginia wt. a Chariot &c. & have the Major of the Regiment Here (of my own Name Leslie <Samuel Leslie>) willing to Sell out, & retire wt. me to Sweet Frankfield! if Ill Consent to be His<.> Dont the obligation I Lye under to the worthy Mr <Andrew> Sprowle not forever bind me to Him while He Lives; & hold me here till He think proper to visite His Native Country, which God grant may be Soon; but He can't be Spared till peace is restored to Vir<ginia> & then, I flatter myself! we Shall yet make our friends Happy under the Hospitable Roofs of [word illegible] & Frankfield not to mention Glasgow, where He Still insists on taking Possession of your House, My Room; which you may believe I freely give up if He desires it.

...Tell all my friends Im well & happy, & Still might be more So, coud my Strick Presbyterian Principles, & Scruples permitt....

...I can write no more all the Red Coats are assembled wt. their musick God bless you all is the prayer of your

KATH. HUNTE[R]

Revolutionary Virginia: the Road to Independence, Vol. IV. The Committee of Safety and the Balance of Forces, 1775, A Documentary Record. Compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1978, pp. 323-325.

OATH OF ALLEGIANCE

Tuesday, 14 November 1775
Royal Chief Magistracy

An Oath of Allegiance

Whereas a Set of factious men, under the Names of Committees Conventions and Congresses have violently under various false pretences usurped the legislative and executive powers of Government and are thereby endeavouring to overturn our happy Constitution and have incurred the Guilt of actual Rebellion against our Gracious Sovereign. I A.B. do therefore adjure all their Authority and solemnly promise in the presence of Almighty God to bear faith and true Allegiance to his sacred Majesty George 3d. and will to the utmost of my Power and Ability, support maintain and defend his Crown and dignity against all traiterous Attempts and Conspiracies whatsoever.

So help me God

Doc., MS trans., in unidentified clerical hand (Loose Papers of the Fourth Virginia Convention, VSL)

Revolutionary Virginia: the Road to Independence, Vol. IV. The Committee of Safety and the Balance of Forces, 1775, A Documentary Record. Compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1978, p. 395.

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Wednesday, 15 November 1775
Royal Chief Magistracy
Association of Loyal Virginians

We in habitants...being fully sensible of the error and guilt into which this colony hath been misled under colour of seeking a redress of grievances, and that a Set of factious men styling themselves Committees, Conventions, and Congresses, have violently, and under various pretences usurped the legislative and executive powers of Government, and are thereby endeavouring to overturn our most happy Constitution and have incurred the guilt of actual Rebellion against our most gracious Sovereign. --We have therefore taken an oath abjuring their authority, and solemnly promising in the presence of Almighty God to bear faith and true allegiance to his most sacred Majesty George Third, and that we will to the utmost of our power and ability support, maintain, and defend his Crown and Dignity against all traiterous attempts and conspiracies whatsoever.--

And whereas armed Bodies of Men are collected in various parts of this colony without any legal authority--We wish them to be informed that however unwilling we should be to shed the blood of our countrymen, We must in discharge of our duty to God and the

ASSOCIATION OF LOYALISTS

King, and in support of the constitution and laws of our country oppose their marching into this Country, when their coming can answer no good end, but on the contrary. must expose us to all the horrors of a civil war; and for that purpose we are determined to take advantage of our happy situation, and will defend the passes into our country and neighbourhood to the last drop of our blood--

Doc., MS dupl., in hand of James Minzies,
secretary to Lord Dunmore (Peter Force
Collection, ser. 9, LC)

Revolutionary Virginia: the Road to Independence, Vol. IV. The Committee of Safety and the Balance of Forces, 1775, A Documentary Record. Compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1978, pp. 403-404.

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**By the representatives of the people of the Colony and
Dominion of Virginia assembled in General Convention.
A Declaration.**

Whereas [lord Dunmore, by his proclamation, dated on board the ship William, off Norfolk, the 7th day of November 1775, hath offered freedom to such able-bodied slaves as are willing to join him, and take up arms, against the good people of this colony, giving thereby encouragement to a general insurrection, which may induce a necessity of inflicting the several punishments upon those unhappy people, already deluded by his base and insidious arts; and whereas, by an act of the General Assembly now in force in this colony, it is enacted, that all negro or other slaves, conspiring to rebel or make insurrection, shall suffer death, and be excluded all benefit of clergy: We think it proper to declare, that all slaves who have been, or shall be seduced, by his lordship's proclamation, or other arts, to desert their masters' service, and take up arms against the inhabitants of this colony, shall be liable to such punishment as shall hereafter be directed by the General Convention. And to the end that all such, who have taken this unlawful and wicked step, may return in safety to their duty, and escape the punishment due to their crimes, we hereby promise pardon to them, they surrendering themselves to col. William Woodford, or any other commander of our troops, and not appearing in arms after the publication hereof. And we do farther earnestly recommend it to all humane and benevolent persons in this colony to explain and make known this our offer of mercy to those unfortunate people.]

Ordered, that the said Petition be referred to the Committee on the State of the Colony.

Ordered, that leave be given to bring in an Ordinance for establishing a general Test

SLAVES AND DUNMORE

and that Mr. Mercer and Mr. <Richard> Adams do prepare and bring in the same.

Resolved, that this Convention will tomorrow again resolve itself into a Committee to take into their further Consideration the State of the Colony.

Resolved, that the Arms and Warlike Accoutrements taken at the late engagement at the Great Bridge be fairly appraised and retained for the use of this Colony and that the value thereof together with the Money to be produced by the Sales of the other Articles taken on that occasion be divided among the Soldiers.

Resolved that no person be allowed to make reprisal on the property of Lord Dunmore in this Colony for their property Seized by him or the Navy without the order of this Convention.

The President laid before the Convention a letter from the Commissioners appointed to treat with the different Tribes of Indians which was read and ordered to lie on the Table.

Ordered, that the Committee of Safety do cause so many of the Captive Slaves as they shall think necessary to be employed in working the lead Mine in the County of Fincastle for the use of the Colony.

Adjourned till tomorrow half after 10: oClock.

Convention MS Journal, in hand of Jacob Bruce (VSL)

Revolutionary Virginia: the Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1979, pp. 139-140.

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**Williamsburg Committee
An Election**

The following gentlemen are appointed a committee to represent this city: James Southall, Robert C<arter>. Nicholas, John Tazewell, James Geddy, Robert Nicholson, William Pasteur, Alexander Craig, Humphrey Harwood, George Wythe, Benjamin Powell, Thomas Everard, Gabriel Maupin, John M<inson>. Galt, Edward Charlton, Joseph Prentis, Joseph Hornsby, James Hubbard, William Goodson, Robert Anderson, John Blair, John Fergusson.

Virginia Gazette (Pinkney), 9 November 1775

DUNMORE LEAVES

Revolutionary Virginia: the Road to Independence, Vol. IV. The Committee of Safety and the Balance of Forces, 1775, A Documentary Record. Compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission by the University Press of Virginia, Charlottesville, VA, 1978, p. 358.

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Cresswell Journal

[Alexandria, Va.]

Wednesday, November 1st, 1775.

News that 300 people on the Eastern shore in Maryland had gone over to Lord Dunmore. The Committee took an account of the Flour in town as they apprehend his Lordship will pay them a visit.

[Alexandria, Va.]

Friday, November 10th, 1775.

This War is carried on by the Americans in the most curious manner. The name of liberty is most vilely prostituted. Under this sanction the Congress have persuaded the people to believe that paper Bills paid by them are transmuted into real Gold and silver after it has received their infallible emblem and benediction. There are some few heretics which dispute the orthodoxy of this doctrine, but if it is in the power of prisons and persecution to convince them of their mistaken notions, I believe it will not be wanting.

[Alexandria, Va.]

Thursday, November 16th, 1775.

No news. Hope General Howe has given them a drubbing, makes them so quiet.

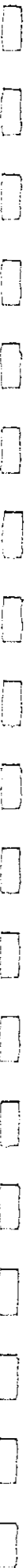
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PART VI

A New Commonwealth



KEMP'S LANDING

Introduction

On the night of November 14 Dunmore moved to the vicinity of Great Bridge, where a large force of North Carolinians had been reported. Meanwhile, Joseph Hutchings and Arthur Lawson assembled the Princess Anne militia at Kemp's Landing. About 170 men answered the call. Finding no one at Great Bridge the next day but learning of Hutchings' force, Dunmore marched on with about 100 regulars and 20 loyalists. Although the Virginians had time to set up an ambush, an inexperienced militia gave themselves away by firing too soon and then fled. The Virginians suffered seven dead and eighteen captured, including Hutchings, who, deserted by his men, was made prisoner by one of his own slaves who had joined Dunmore. Lawson and a few others escaped toward the North Carolina border, near which they were later taken in their sleep. The British suffered only one casualty, a grenadier nicked in the knee. Dunmore then moved into Kemp's Landing and continued pillaging where he had left off before.

Flushed with victory, Dunmore seized the occasion to raise the king's standard -- an action proclaiming a state of rebellion and requiring all loyal subjects to help suppress it under penalty of the law. The governor had already signed the proclamation on November 7 when a third division of reinforcements from the 14th Regiment arrived, but he had refrained from issuing it in the hope of shortly receiving more explicit instructions from the ministry. The acclaim the triumph at Kemp's Landing won from the people of Princess Anne County changed Dunmore's mind. Persuaded that the inhabitants had not rallied to him before out of fear, the governor "determined to run all risques for their support."

The Revolution in Virginia, 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, p. 64.

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Kemp's Landing Memoirs

[In the fall of 1775] Lord Dunmore took it into his head to make an excursion into the country at the head of his troops, consisting of a fine body of grenadiers and a large company of refugees, and carried all before him. A number of the militia, indeed, from Norfolk and all about, commanded by Col. Hutchings (the son of the old Colonel), had been drawn up on a field before Kempsville to stop his march, but when they saw the British coming with colors flying, arms shining, and drums beating, they all took to their heels and ran away as fast as their horses and legs could carry them, without staying to fire a single shot. I saw them myself racing off at a fine rate through Kempsville, and Matthews among them, whipping up his horse and crying

KEMP'S LANDING

out loud as he could bawl, "Take care of the powder, take care of the powder!" The Colonel, however, being full of Dutch courage, stayed behind, and not being in a condition to keep up with him, fell into the hands of the enemy, and I heard some of the British officers laugh and say that they had taken him lying flat on his back in the field and crying out, "We'll die in the bed of honor," though, they added, that he was already dead -- drunk, at least.

After this, Lord Dunmore entered the town in triumph at the head of his soldiers and proceeded at once to establish his headquarters at Mrs. Logan's. Here he erected his Majesty's standard, and those who could not conveniently run away went at once and took the oath of allegiance. Some of the poor Pungo people, too, who had particularly distinguished themselves in the flight of the militia, becoming alarmed lest they should be pursued and overtaken, turned back in their flight and came to town to submit themselves to the conqueror. All who thus declared themselves on the King's side wore a badge of red cloth on their breasts, and the price of the article rose in the stores. Some wore a flannel patch as large as your hand, but others were content with a smaller piece. Never, I suppose, since wars began, was there a victory more complete or won with so little loss of blood.

Seeing the town thus taken and alarmed again for our safety, my sister Maraden and myself went over in the afternoon to Charles Sayer's, who lived little out of Kempsville, to stay with his family, as he had kindly invited us to do. We had hardly got there, however, when an ugly looking negro man, dressed up in a full suit of British regimentals, and armed with a gun, came in upon us and asked with a saucy tone, "Have you got any dirty shirts here?" (This was the name by which our soldiers were known.) "I want your dirty shirts."

"No!" said I, "we have no dirty shirts here."

"But you have," said he, "and I will find them."

He went upstairs to look for them, as he said, but no doubt to see what he could steal. Presently he came in again and said, "I am going away now, but I shall be back again by and by." So saying, he went off.

"You see, now," said I to my sister, "this is no place of safety for us, and I think we had better go back to the town before that horrid wretch returns as he has threatened to do."

I then went to my trunk and took out a purse of gold and filled my pockets with dollars, and we set off. It was now dark, and as we entered the town we found the houses all lighted up, and Mrs. Logan's, particularly, appeared almost illuminated.

KEMP'S LANDING

Knowing that I had a "friend at court" in her, the thought struck me that I would go over at once to her house to see Lord Dunmore and complain to him of the insult I had just received. Mrs. Logan received me with great kindness, and introduced me to Lord Dunmore, who was sitting at his ease, and apparently highly pleased with his day's work. So I told him my tale.

"Why, Madam," said he, "this is a provoking piece of insolence, indeed, but there is no keeping these black rascals within bounds. It was but the other day that one of them undertook to personate Squires, (Captain Mathew Squire, Royal Navy,) commanding officer of the *Otter*, and actually extorted a sum of money from a lady in his name. But we must expect such things whilst this horrid rebellion lasts." (Yet, he had excited the negroes himself.)

"But, pray, Madam," continued he, "where is your husband all this time?"

"Indeed, my Lord," said I, "I cannot tell you where he is. For he left me this morning, and I do not know where he is gone."

"But you will see him soon?" said he.

"I cannot say when I shall see him."

"Well, Madam, when you do, you must be sure to tell him for me that this is no time for a man like him to be out of the way. His Majesty wants his service and I will give him any place he will name if he will come in and join us. But join us he must."

Shortly afterwards, I rose to go home, when his Lordship followed me to the door and, offering me his arm, insisted on seeing me safe to my lodgings.

I tried to decline the honor, especially as I thought there was some risk, saying, "Oh! don't trouble yourself, my Lord. It is but a step -- and besides, I am afraid there is danger by the way, as some of our men may be lurking about and watching for a chance to shoot you." (Though the truth is I was only afraid that they might miss their mark and shoot me.)

"Oh, as to that, Madam, never fear -- my sentries are all about, and I can't be caught napping."

So I took his arm, and he escorted me very politely to Billy White's door, where he bade me good night, but not until he had charged me again to be sure and tell

Mr. Maxwell that he was very anxious to see him.

When I entered the house, I found it filled with refugees, some of whom knew me and was disposed to be very polite. They had a rousing fire below and were very merry.

Memoirs of Helen Calvert Maxwell Read, edited by Charles B. Cross, Jr., published by Norfolk County Historical Society of Chesapeake, VA, 1970, pp. 52-56.

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Great Bridge

On November 21, two days before Dunmore began fortifying Norfolk, Woodford was at Cobham when he heard a false rumor that the governor was marching to take Suffolk. Woodford sent Lieutenant Colonel Charles Scott with 215 men racing thirty-five miles in a single day to garrison the town. Woodford's main force reached the town on November 25. The Virginians and the British confronted one another at Great Bridge, where a bridge and causeway formed the only route across the Elizabeth River to Norfolk.

The Revolution in Virginia 1775-1783, John E. Selby, Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 69-70.

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Colonel William Woodford, On the Virginia Service to The Honble. the President of the Convention at Wmsburg Per Express.

Sir.

Great Bridge 9^h Decr. 1775

The Enemy were reinforced about three Oclock this Morning with (as they tell me) every Soldier of the 14th Regt. at Norfolk, amounting to 200 Comanded by Capt. <Samuel> Leslie, & this Morning after Revelle Beating crossed the Bridge by laying down some plank, & made an Attempt to Force our breast Worke, the prisoners say the Whole Numbers amounted to 500 with Volunteers & Blacks, with two peices of Cannon but none Marched up but his Majestys Soldiers, who behaved like English Men. we have found their Dead Capt. <Charles> Fordice & 12 privates, & have Lieut. Bettet <John Batut> Wounded in the Leg & 17 privates prisoners all Wounded. they carried their Cannon back under Cover of the Guns of the Fort, & a Number of their Dead. I should Suppose (to speak within Cumpas) their Loss must be upwards of 50. some powder & Carterages were taken. I sent an Officer to inform them If they would not fire upon our

GREAT BRIDGE

people, they should Collect the Dead & Wounded, this they agreed to, there has been no Fireing since. we are now under Arms expecting another Attack. please forward Doctr. < William > Browne's chest of Medicines & Baggage down. the convention will be so good to excuse the incorrectness of this letter Wrote in the greatest Hurry.

*I am with great respect
Sir your Most obedt. Servt.*

William Woodford.

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 90.

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**Colonel William Woodford, On the Virginia Service,
to The Honble The President of the Convention
at Wms:burg, with Enclosures**

Honble Sir

Great Bridge, Decemr. 10th. 1775

I must apologize for the hurry in which I wrote you Yesterday; since which nothing of moment has happened, but the abandoning of the Fort by the Enemy; We have taken Possession of it this morning, & found therein the Stores mentioned in the inclos'd List.

From the vast effusion of blood on the bridge & in the Fort, from the Accounts of the Centries who saw many bodies carried out of the Fort to be interd, & other circumstances I conceive their loss to be much greater than I thought it yesterday, & the victory to be complete. I have received no Late information from Norfolk or Princess Ann, nor yet fix'd on a plan of improving this advantage; I have dispatched scouting Parties, & from their intelligence I shall regulate my future operations.

Inclosd is an Inventory of the Arms &c. taken yesterday, The Arms I shall retain for the use of the Army, the other Articles I shall dispose of at Vendue & apply the money arising from the Sale in such manner as the Convention shall be pleas'd to direct.

Lieutenant < John > Batut having an inclination to inform the Kings Troops, of the humane treatment he has met with here, I dispatched Ensign < Benjamin > Hoomes with a Flag of Truce & the Lieutents. Lre, who returned with the inclos'd answer from the Commander of the Troops. The unfortunate Capt. Fordyce < Charles Fordice >, was a Capt. of the Grenadiers of the Fourteenth Regmt; most of the Soldiers were Grenadiers of that Regimt. as the Captain was a Gallant & brave Officer I promised to enter him

GREAT BRIDGE

with all the Military Honors due to his great merit, which I hope will meet with the approbation of the Honble the Convention.

About 250 Carolina men are arrived under the command of Colo. <Edward> Vail; they are composd of Regulars, Minute Men, Militia & Volunteers, badly armed, with only 15 rounds of cartridge Per man, their large quantity of powder turned out to be only 30 lbs. They brought 6 honeycomb'd Cannon, almost useless, & most of them rather inferiour to the horizontal pointed pieces planted in the Streets of Wms:burg. I have received no certain account of Colo. <Robert> Howe, where he is, what number of Forces he commands, how arm'd & provided, or when or where he intends to join me.

I have not a doubt (from the Letters I have received from Colo. Howe) that he wishes or expects a superiority in the command of the Forces acting in this Colony, should his Commission be of an posterior date; but should that happen, my regard for my unhappy Country, is such, that before it should be injurd by such a contest, I will relinquish the superiority to Colo. Howe, or any other Gentleman of merit.

I shall pay a due regard to the reinforcements, you mention, & the establishmt. of the Posts. I am just informd by Lieut. Batut that a Servant of Majr. <Thomas> Marshall who was in the party with Colo. <Charles> Scott & deserted informed Lord Dunmore that not more than 300 Shirtmen were here; that imprudent Man caught at the bait & dispatched Capt. Lesly <Samuel Leslie> with all the Regulars who arrived at the Fort about 4 in the mornng.

I've inclosd the honble the Convention a General return of the Forces under my command, also a list of Sick & wounded. It is my Wish to have Orders for what is to be done with the wounded prisoners when able to travel.

*I recollect nothing more to add at present, but that,
I am with great respect Your mo. Obedt. Servt.
Wm WOODFORD*

RC, MS letter, in hand of Thomas Meriwether,
secretary, with Woodford's autograph signature
(PFoVC)

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, pp. 98-99.

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NORFOLK

**Colonels Woodford and Howe to The Mayor, aldermen &
the Inhabitants of the Borough of Norfolk**

We are marching to Norfolk with no intention to inure the Inhabitants of the Town either in their persons or property unless they should attempt to resist our entrance, or omit to inform us of the intention of any other persons to oppose us. Their being explicit upon this occasion will intitle them to our protection which they are to expect upon no other condition. The Majestrates of the Town must give a positive answer that we may take our measures accordingly.

*Wm Woodford
Robt. Howe*

(copy)

Letter, MS dupl., in hand of Thomas Meriwether, secretary, with autograph signatures (PFoVC)

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 140.

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**Colonel William Woodford to
the President of the Convention**

Sir/

Norfolk 14th Decr. 1775. 10 OClock at Night

I this Moment Arrived in this place After a forced march, with upwards of 1000 Men but with out Baggage (which we left at Great Bridge) and very little Flour, Meet we have abundance. the Commissary has orders to secure Corn, & Sett the Mills to Work. I hope we may not Suffer. I left Majr. <Thomas> Marshal <l> with three Companys to guard the Prisoners & Baggage at the Bridge. Capt. <Robert> Ballard & Copy. at Kemps <Landing>. as to giveing you act Acct. of this place it is out of my power, further than that the inhabitants appear, from what I have been able to discover, to be in general our Enemy's. we sent a Message to the Inhabitants of the Town (a Copsy enclosed) likewise Mr. Alex<ande>r. Gordons Letter (which was all the Answer we got<)>. I have partys out to secure them, if possible, but Feat, they will get on Board the Ships. Colo. <John> Willoughby<, Sr.> is this Moment taken. I have granted him his parole with A memorandum that his property must be answerable for the Appearance of his person Tomorrow Morning. I forgot to mention the Majistrates taking our Letter to the Town on Board Ld Dunmore's Ship for his perusal. this I consider (together with the Answer)

NORFOLK

as an insult but being dark when we Arrived, its out of my Power to do more to Night then to secure our Men from the fire of Ships 'till I have time to look about me Tomorrow, when I hope to give you a more perfect Acct. of Matters than I am capable of doing at this time, After the Fatigues of the Day. Colo. <Robert> Howe writes you. as he has this Day Mentioned to me in a very Genteel Manner his Appointment by the Congress, & his Right to Preceden[ce] by that Appointment, I shall agreeable to you[r] Letter resign the Command to him Tomorrow Morning. but shall still continue to address myself to your Honble. Boddy as Comdr. of the Virginia Troops, which I shall think my Duty. There is so good an understanding between that Gentr. & myself, that the Convention need be under no Apprehensions of a disagreement.

You will receive this by Lieut. <Edward> Travis, who I will take the Liberty to recommend as a Brave & Gallant Officer. he Commanded the Guard at the Breaste Worke, at Great Bridge, & the Success of that Day, was in a great measure owing to his good Conduct, 'till I arrived with a Boddy of Troops to support him.

as there is five different Corps here, it was Impossible to Manage them without some person to do the Duty of a Majr. of Brigade therefore undertook to Appoint Capt. Rich<ar>d. Parker<, Jr.> to that Office, If I have been too Assuming in this Measure, I shall stand Reproved upon your dissaprobation.

one of Ld Dunmores News papers I enclose for your amusement. one of my party has this Moment taken Gordon. I shall send him to Wmsburg. we have Just exchanged some Shott in the Streets, three of our people Wounded, can give no Satisfactory acct. of it. some of our people say they Recd. the Fire from Houses. the Convention may be assured the Town of Norfolk deserves no favour. the Whole line at present under Arms, if we are not Attack'd to Night, have no fear about Tomorrow when we can get in better order.

I beg the Conventions pardon for not writeing more Explicitly, but the present time will not admitt of it. I am with Respect

Sir Your Obedt. Servt.

Wm Woodford

N.B. it is reported in Town that the Enemy are much Alarm'd at an Acct. of a Naval Force from the Northward to Attack them. some say they have been seen in [the] Road.

RC, ALS (PFoVC)

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, pp. 142-143.

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BURNING OF NORFOLK

**Colonel Robert Howe to Edmund Pendleton,
President of the Convention**

Sir

We have taken possession of Norfolk in a manner more peaceable than we expected. I believe I speak the sense of whole army when I add much more so than we wish'd. Had I not pass'd thro' Princess Anne & Norfolk counties I could not have believed, that a Colony so truly Respectable as this is in every other Part, could have belonging to it, so contemptible a set of wretches. We were receiv'd with a Servility disgraceful to Humanity, and worthy only of those who lost to every sense of Publick Virtue, or private Honour, and Meenly submit to be enslav'd by a hanful of men, and then become Willing Instruments in the hands of Government to Anihilate the liberty of their country. Colo. < William > Woodford has promis'd to be very particular in his letter. I take the liberty therefore to Refer you to him, as I am rely a good deal indispos'd. A copy of our letter to the Inhabitants of Norfolk, and also of a letter wrote to Colo Woodford by Mr. Alexander Gordon the Colo tells me he sends you. You will I persuade my self think Gordon, an object Who ought to be secur'd. I am happy in adding that While I was Mentioning of him, a party we sent for him, brought him into the Room, he avows his taking a commision under Lord Dunmore with intention to support the measures of Government and in this Declares he was serving this Colony. we shall I believe refer him to you, for his reasoning upon this Occasion is above our Comprehension. we arriv'd so late that is not in our power to give you any exact account of matters here, but that we have dispos'd of the men in such a Manner as appears to us best calculated to prevent a surprise. I write in a great hurry and in a crowd. let me beg your excuse for the improprieties of this letter. I am sir with the greatest Respect

Your Most Obedient huml. Servant

Robert Howe

Norfolk 14th Decr 1775

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 140.

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Virginia Committee of Safety

**Extracts of Letters from the Committee of Safety
in Virginia, dated Williamsburg, December 16**

NORFOLK

The action at the Great Bridge proves more important than we expected. The victory was complete. The enemy abandoned their post hastily, and retreated to Norfolk, their loss near an hundred. The Regulars, disgusted, refused to fight in junction with Blacks; and Captain <Samuel> Leslie, we are told, declared no more of his troops should be sacrificed to whims, and put them on board the ships, in consequence of which Norfolk was abandoned, and we expect is now occupied by our troops, who were on their march there when our last account was dispatched. Many Tories are come to us, and their cases now under consideration. More notorious ones are gone on board the vessels, which have in them very valuable cargoes.

Another a few hours after.

I am sent out of Convention to advise you on an express arrived this moment from Col. <William> Woodford, which gives an account of his being in possession of Norfolk, and some of the Tories, who are to undergo examination of Convention next week.

Dunlap's *Pennsylvania Packet, or, the General Advertiser* (Philadelphia), 1 January 1776

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 161.

Captain Matthew Squire to the Officer commanding at Norfolk

Captain Squire's compliments to the commander officer, informs him that several musquet balls were last night fired at the king's ship from some people at Norfolk. Captain Squire did not return the fire, from a supposition it was done out of wantonness. Captain Squire does not mean to fire on the town of Norfolk unless first fired at; must beg to know if any hostile intention was meant to his majesty's ship, and people under his command.

Otter sloop, off Norfolk, December 15, 1775.

Virginia Gazette (Pinkney), 20 December 1775

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 162.

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BURNING OF NORFOLK

**Colonel Robert Howe's and Colonel William Woodford's
Answer to the Above**

Colonel Howe's and colonel Woodford's compliments to captain <Matthew> Squire, and assure him they gave no orders to fire upon the Otter, and conceive the musquet balls mentioned in captain Squire's message to have come from our guard, who fired by mistake upon one of our own parties.

*Robert Howe.
William Woodford.*

Virginia Gazette (Pinkney), 20 December 1775

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 162.

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**A Letter from Cols. Robert Howe and William Woodford
to the Hon. the President of the Convention, dated NORFOLK
10 o'clock at night, Jan. 1, 1776.**

Between 3 and 4 o'clock a severe cannonade began from all the shipping, under cover of which they landed small parties, and set fire to the houses on the wharves. The wind favoured their design, and we believe the flames will become general. In the confusion which they supposed would ensue, they frequently attempted to land; but this, by the bravery of our officers and men, we have hitherto prevented, with only a few men wounded on our side, and we persuade ourselves with a good deal of loss on theirs. Their efforts and our opposition, still continue. We have stationed ourselves in such a manner as will, we believe, render every thing but burning the houses ineffectual. We wait with impatience your farther orders, and are respectfully, &c.

Virginia Gazette (Purdie), 5 January 1776 supplement

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, pp. 308-309.

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BURNING OF NORFOLK

Colonel Robert Howe to The Honble The President of the Convention at Williamsburg

Sir

I intended to have done myself the Honour of giving you my farther opinion of the situation of Norfolk & its environs but the Canonade of yesterday & last night diverted my attention to objects more immediately essential, & the momentary expectation I am in of another attack leaves me no time only to say that Norfolk is a Post which would require at least five times our number of men to maintain it, that they would be in danger & might certainly be shut in & starv'd out by 1500 provided the men of War cooperated with them, but tho' this should not happen your Troops here can no other way be useful to you but to keep in subjection the Tories of Norfolk & Princess Ann^e Counties when they happen to come into Town, & who at other times can supply the Enemy with Provision in spite of your Troops, and who have certainly done so notwithstanding all our efforts to prevent it. In short I conceive it a post almost useless if maintan'd, & dangerous to the safety & honour of your Officers & men. this Sire I can assure you is the sence of every Officer in the line. I shall not at this time attempt to give any answer as to the Posts which ought to be fortified till I have an opportunity to survey the ground more distinctly, but of the Great bridge in particular I can venture to speak with certainty, that it is a post too important to be neglected & that it ought to be well fortified at all events, nor should expence be regar^ded in securing a place which in the hands of an enemy would I conceive be extremely dangerous to you. As to Kemps ^{<Landing>} it appeared to me as I pass'd thro' a Post that ought to be maintained, but as I adopted this opinion only from a cursory view, I may be mistaken; and when I mentioned Portsmouth I was not as explicit as I ought to have been, because I only meant somewhere on that side, tho' if it was tenable (which at present I do not know) I should prefer the Town. The request, Sir, of your honourable body and the real happiness it would give me to do service to this Colony, so much an object of my esteem from a sense of the thousand hospitable obligations I am under to its Inhabitants will induce me whenever I have an opportunity to exert myself in Surveying the situation of this Country, and my humble candid opinion shall not only be given, but every service in my Power if requisite be added.

The Cananade of this Town, Sir, began about a quarter after three yesterday from upwards of a hundred pieces of Cannon & continued till near ten at Night without intermission, it then abated a little & continued till two this morning. Under cover of their Guns they landed & sat fire to the Town in several places near the water tho' our men strove to prevent them all in their power, but the houses near the water being chiefly of wood, they took fire immediately & the fire spread with amazing rapidity, it is now become general & the whole Town will I doubt not be consum'd in a day or two. Expecting that the fire would throw us into confusion they frequently landed & were every time repuls'd I imagine with Loss, but with what loss I cannot tell.

BURNING OF NORFOLK

The burning of the Town has made several avenues which yesterday they had not, so that they may now fire with greater effect. The tide is now rising & we expect at high water another Canonade. I have only to wish it may be as ineffectual as the last, for we have not one man kill'd & but a few wounded. I cannot enter into the melancholy consideration of the women & children runing thro' a crowd of Shot to get out of the Town, some of them with children at their breasts, a few have I hear been kill'd. Does it not call for vengeance both from God & Man. It is but justice to inform you that I had the pleasure to find every Officer ready to execute order at a moments warning, and that the men behaved with stediness & spirit. <Lt.> Colo. <Edward> Stevens went down at my command and headed some men near the water where he engaged a party who had landed, with the spirit & conduct of a good Officer. Of my friend Colo <William> Woodford it is almost needless to speak, but I cannot avoid expressing that I received from him every assistance which conduc[t] & spirit could give me. I shall be happy Sir, should I meet the approbation of your honourable body, which will ever be considered by me as an ample reward for my best services. I have the Honour to be with great respect

Sir R. most Obedt. hlbe. Servt.

Robert Howe

Norfolk. Jany 2d. 1776.

RC, MS letter, in hand of Thomas Meriwether, with Howe's autograph signature (PFoVC)

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Fourth Virginia Convention Proceedings of Twenty-sixth Day of Session

Tuesday, January 2d. 1776.

The President <Edmund Pendleton> laid before the Convention a letter from Col. <Robert> Howe and also a letter from Col. <William> Woodford[, informing the Convention they had received petitions from several of the persons who had joined lord Dunmore, and were on board the vessels in the harbour at Norfolk, desiring they might have leave to return, as their wives and children were greatly distressed; that they have given for an answer, the women and children were at liberty to come on shore, and should receive assistance and protection, but not to be at liberty to return or give intelligence to our enemies; that the men should have no other violence offered them than to remain prisoners till they could be fairly and impartially tried by their country, for taking arms against it;] which being read.

BURNING OF NORFOLK

Resolved, that this Convention will immediately resolve itself into a Committee on the said Letters.

The Convention accordingly resolved itself into the said Committee and after some time spent therein Mr. President resumed the chair and Mr. <James> Mercer reported that the Committee had according to order had under their Consideration the letters from Col. Howe and Col. Woodford and had come to the following resolution thereupon which he read in his place and afterwards delivered in at the Clerk's Table where the same was again twice read and agreed to by the Convention.

Resolved that this Convention do highly approve of the Offer made by Col: Howe & his Officers to the distressed Women and Children now on board the Vessels in the harbour at Norfolk & the Terms offered to those who have taken an active part agt. this Country & that Col: Howe be requested to repeat the same in the name of the Delegates.

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, pp. 313-314.

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Fifth Virginia Convention Notice of Meeting

Friday, 5 April 1776

The ordinance of Convention directs a meeting of the delegates on the FIRST MONDAY IN MAY, annually; and it is expected there will be a full meeting, as matters of the greatest importance are to come under immediate consideration. It may not be amiss to refer all concerned to the ordinance for the form and time of return.

Virginia Gazette (Purdie), 5 April 1776

Revolutionary Virginia: The Road to Independence, Vol. V, The Clash of Arms and the Fourth Convention, 1775-1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1979, p. 332.

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Fifth Virginia Convention
Freeholders of James City County to
Delegates Robert Carter Nicholas and William Norvell:
A Public Letter of Instructions

Wednesday, 24 April 1776

To ROBERT C. NICHOLAS and WILLIAM NORVELL, esquires.

GENTLEMEN,

In vain do we congratulate ourselves upon the impotency of the minister to divide us, if our union amounts to nothing more than an union in one common lethargy. War hath been brought into our houses, heightened by terrours and cruelties, which the justest cause wants even palliatives for; but faint advances toward peace, insidiously urged, have caught the ear of the credulous, and groundless hopes of accommodation deluded the timed, so that the true military system remains untouched in most essential points. As if our inexperience, poverty in warlike stores, and the infancy of our navy, were of trifling moment, we have ventured to neglect resources, in such difficulties, which Heaven hath placed within our attainment.

Alliances may be formed at an easy price, capable of supplying these disadvantages, but an independent state disdains to humble herself to an equality in treaty with another who cannot call her politicks her own; or to be explicit, she cannot enter a negotiation with those who denominate themselves rebels, by resistance, and confession of dependency.

Reason, drawn from justice, policy, and necessity, are every where at hand for a radical separation from Great Britain. From justice; for the blood of those who have fallen in our cause cries aloud, "It is time to part." From necessity; because she hath, of herself, repudiated us, by a rapid succession of insult, injury, robbery, murder, and a formal declaration of war. These are but a few, and some of the weakest arguments which the great volume of our oppression opens to every spirited American.

It cannot be a violation of our faith, now, to reject the terms of 1763. They are a qualified slavery at best, and were acceptable to us, not as the extent of our right, but the probable cause of peace; but since the day in which they were most humbly offered, as the end of animosities, an interval hath passed, marked with tyranny intolerable.

We, therefore, whose names are hereunto subscribed, do request and instruct you, our delegates (provided no just and honourable terms are offered by the king) to exert your utmost ability, in next Convention, towards dissolving the connexion between America and Great Britain, totally, finally, and irrevocably.

VIRGINIA CONSTITUTION

****The above instructions are signed by a majority of the freeholders living in the county, whose names may be seen.*

Virginia Gazette (Purdie), 26 April 1776 supplement

Revolutionary Virginia: The Road to Independence, Vol. VI, The Time for Decision 1776, A Documentary Record, compiled and edited by Robert L. Scribner and Brent Tarter, published for Virginia Independence Bicentennial Commission, University Press of Virginia, Charlottesville, VA, 1981, p. 458.

IN CONVENTION

Present on Hundred and twelve Member.

WEDNESDAY, MAY 15, 1776.

FORASMUCH as all the endeavours of the United Colonies, by the most decent representations and petitions to the King and Parliament of Great Britain, to restore peace and security to America under the British government, and a re-union with that people upon just and liberal terms, instead of a redress of grievances, have produced, from an imperious and vindictive Administration, increased insult, oppression, and a vigorous attempt to effect our total destruction. By a late act, all these colonies are declared to be in rebellion, and out of the protection of the British Crown, our properties subjected to confiscation, our people, when captivated, compelled to join in the murder and plunder of their relations and countrymen, and all former rapine and oppression of Americans declared legal and just. Fleets and armies are raised, and the aid of foreign troops engaged to assist these destructive purposes: The King's representative in this colony hath not only withheld all the powers of government from operating for our safety, but, having retired on board an armed ship, is carrying on a piratical and savage war against us, tempting our slaves, by every artifice, to resort to him, and training and employing them against their masters. In this state of extreme danger, we have no alternative left but an abject submission to the will of those over-bearing tyrants, or a total separation from the Crown and Government of Great Britain, uniting and exerting the strength of all America for defence, and forming alliances with foreign powers for commerce and aid in war: Wherefore, appealing to the SEARCHER OF HEARTS for the sincerity of former declarations, expressing our desire to preserve the connection with that nation, and that we are driven from that inclination by their wicked councils, and the eternal laws of self preservation.

RESOLVED 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 allegiance to, or dependence upon, the Crown or Parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a confederation of the colonies, at such time, and in the manner, as to them shall seem best: Provided that the

VIRGINIA RESOLVES

power of forming government for, and the regulations of the internal concerns of each colony, be left to the respective colonial legislatures.

RESOLVED UNANIMOUSLY, that a committee be appointed to prepare a DECLARATION of RIGHTS, and such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people.

*EDMUND PENDLETON, President.
John Tazewell, Clerk of the Conv.*

Virginia Gazette

* * * * *

Gwin's Island

Williamsburg, June 1.

Gwin's island, which contains 2300 acres of land, with about 500 head of cattle, 1000 sheep, &c. situate at the mouth of Piankatank river, is now possessed by the enemy. Lord Dunmore landed 800 men there on Monday last, who have thrown up an entrenchment on the land side, which is guarded chiefly by the black regiment. The Gloucester militia were assembled on the opposite shore, and on Tuesday had one man mortally wounded by a swivel ball; but as the ships of war had taken care to secure the pass, and our men having no cannon, it was utterly impossible to interrupt them.

Virginia Gazette, June 1, 1776

Williamsburg, June 15.

We learn from Gloucester, that Lord Dunmore has erected hospitals upon Gwyn's island; that his old friend Andrew Sprowle is dead, and that they are inoculating the blacks for the smallpox. His Lordship, before the departure of the fleet from Norfolk harbour, had two of those wretches inoculated and sent ashore, in order to spread the infection, but it was happily prevented.

Virginia Gazette (Dixon and Hunter) June 15, 1776.

* * * * *

GYWN'S ISLAND

Williamsburg, July 20.

Extract from an officer's Journal, who was at the late cannonade at Gwyn's Island

On Monday the 8th instant, about 7 o'clock in the evening, Gen. Lewis arrived at Gwyn's Island, attended by Colonels Woodford, Stephen, Buckner, and Weedon. That night a battery of eighteen pounders was opened against the enemy's fleet, which consisted of the Roebuck, Fowey, Otter, Dunmore, several tenders, and upwards of 60 other vessels of various sorts. At 8 o'clock next morning the General announced his orders for attacking the enemy's fleet and camp, by putting a match to the first gun himself, which was pointed at the Dunmore, then lying nearest our battery.; this shot passed through her. Our lower battery, of four guns, nines and sixes, commanded by Lieutenant Denny, had orders to direct its fire partly at the shipping, and partly at the enemy's camp and battery on the opposite side of the haven. The Dunmore stood our fire about a quarter of an hour, in which time, however, she fired but five guns, and then shipped her cables and hauled out. She did not, however, get out of our reach before she received ten shots from the batteries, three of which raked her fore and aft. The second shot from our eighteen pounders killed the boatswain, and wounded two others mortally. Lord Dunmore was wounded in the leg by a splinter, occasioned by a nine pound shot from Denny's battery. The Otter laid her broadside to us, when, according to a former promise from Capt. Squire, we expected she would at least have given us some rounds; but, receiving a shot between wind and water, she seemed glad to get away on the careen, without firing a gun. By this time the whole fleet was in confusion, many vessels slipped their cables to get out of the way of our eighteen pounders. The enemy's battery was also soon silenced, and their camp thrown into confusion from the cannon directed to play on them. About half after nine the fire ceased, and about twelve was renewed with vigour. We should have attempted a landing upon the island during the cannonade, but had not vessels to cross the haven. This night the General ordered all the canoes in the different creeks on our side the haven to be collected in order to cross next morning. Early in the morning of the 10th, we observed the enemy's fleet under way, except three tenders which lay in the haven to prevent our crossing. These it was necessary to take or remove. They had, the preceding night, thrown out their ballast in order to get out at the lower end of the island, if obliged to fly, but, as it was low water when we attacked, them, which we did with two brass six pounders, which were admirably served by Capt. Harrison, they could not effect their purpose. The Lady Charlotte, a sloop, mounting six carriage guns, we [] attacked. She lay about 300 yards from the shore, and kept up a very brisk fire upon us, till at last she got aground. Capt. Smith's company was ordered to board her in [] but before they could reach her the crew quitted in their boat. Captain Smith passed by the sloop, with great spirit pursued their boats, and caught up with part of the crew before they could clear themselves of a long point on which they landed; some he took, but the commander of the tender, who was

GYWN'S ISLAND

wounded in the thigh and had one arm broken, made his escape. A schooner, carrying six swivels, two carriage guns, and a cahorn, was abandoned during the engagement with the sloop, as was also a large pilot boat, which fell into our hands. Two hundred men were immediately ordered to land on the island, under the command of Col. McClanahan, but this took up so much time in our small vessel that the enemy had an opportunity of retreating to their ships [] however, in so precipitate a manner, that they left behind one of their cannon, several of their sick, and a great part of their effects.

Virginia Gazette (Dixon) July 20, 1776

* * * * *

Sale of Dunmore Property

Advertisement.

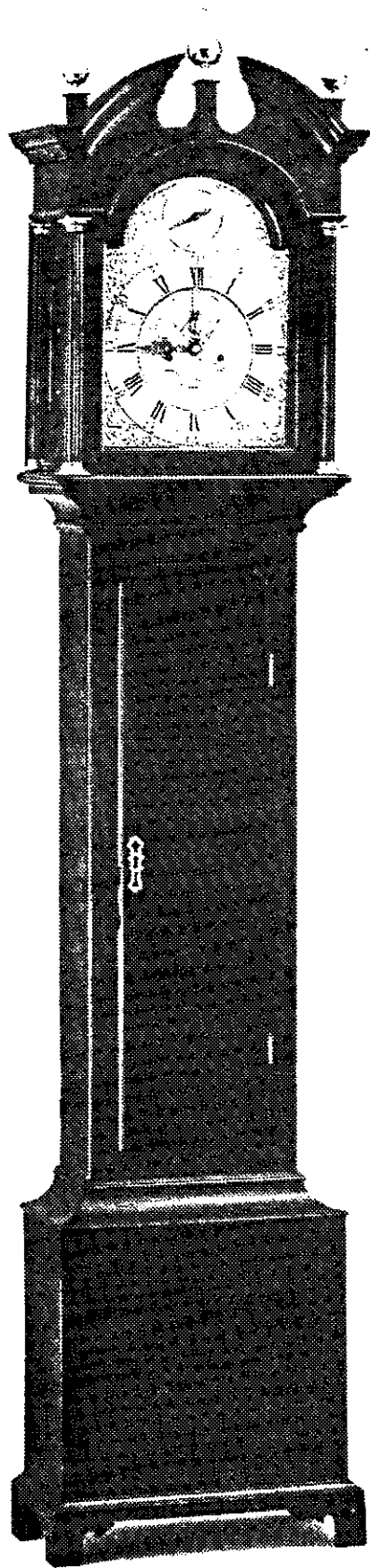
Williamsburg, June 21, 1776.

The commissioners appointed by Convention to lease the lands of lord Dunmore within the county of York, and to sell his slaves and personal estate within this city, and the neighbourhood thereof, will, at the palace, on Tuesday the 25th instant, proceed to expose the said slaves and personal estate to sale, by way of auction; the purchasers to be allowed a year's credit, on giving bond and approved security. They also give notice, that they will attend at Porto Bello on Monday the first of next month, at 10 o'clock in the morning, to execute the other part of their commission.

Virginia Gazette, (Purdie) June 21, 1776.

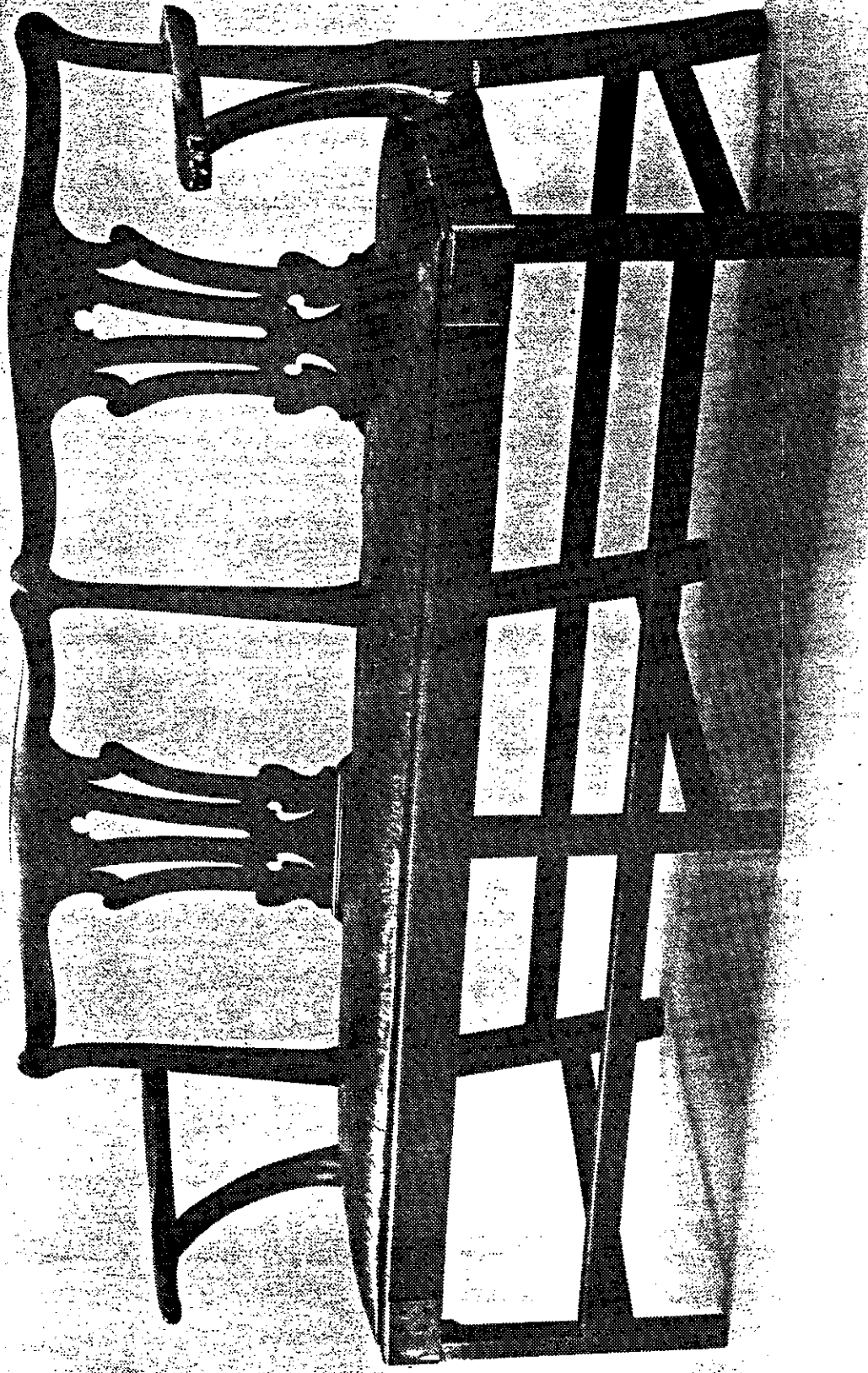
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Tallcase clock, movement by John Jeffrey, case maker unknown, mahogany and deal, Glasgow, Scotland, ca. 1760. According to family tradition, the clock was purchased by John Ambler II of Jamestown, Virginia at the 1776 public sale of the personal effects of Lord Dunmore. It descended through the family to the donors. (Acc. No. G1965-102).





179b

Settee, attributed to the shop of Peter Scott, cherry, poplar and white oak, Williamsburg, Virginia, 1771-1776. According to tradition, the settee was sold in 1776 at the sale of Lord Dunmore's property. It is said to have been purchased by Thomas Lewis of Augusta County. (Acc. No. 1975-23, 1).





Side Chair, unknown maker, mahogany and beech, England, ca. 1760-1770. The chair was owned by Lord Dunmore and was sold along with his other property at a public auction in 1776. According to family tradition, the chair was purchased by Col. Edward Ambler of Jamestown. (Acc. No. 1985-259).

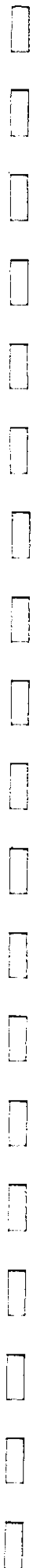




Plate fragments. Chinese export porcelain soup plate with the crest and arms of Lord Dunmore excavated on the site of the Governor's Palace. (Acc. No. 59-DW-748,3)



VA DECLARATION

Virginia Declaration of Rights Compared with Similar Provisions
in the First Ten Amendments to the Constitution

Declaration of Rights

Constitution

Article I

Article V

That all Men are by Nature equally free and independent, and have certain inherent Rights, of which, when they enter in a State of Society, they cannot, by any Compact, deprive or divest their Posterity; namely, Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursuing and obtaining Happiness and Safety.

[No person shall] be deprived of life, liberty, or property, without due process of law;...

Article II

Article IX

That all Power is vested in, and consequently derived from, the People; that Magistrates are their Trustees and Servants, and at all Times amenable.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Article X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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

VA DECLARATION

effectually secured against the Danger of Maladministration; and that, whenever any Government shall be found inadequate or contrary to these Purposes, a Majority of the Community hath an indubitable, unalienable, 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, are 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, Legislature, or Judge, to be hereditary.

Article V

That the legislature and executive Powers of the State should be separate and distinct from the Judicative; and that the Members of the two first 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 frequent, certain, and regular Elections, in which all, or any Part of the former Members, to be again eligible, or ineligible, as the Laws shall direct.

VA DECLARATION

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 VII

That all Power of suspending Laws, or the Execution of Laws, by an Authority without Consent of the Representatives of the People, is injurious to their Rights, and ought not to be exercised.

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.

Article V

...nor shall private property be taken for public use without just compensation.

Article V

...nor shall be compelled in any criminal case to be a witness against himself...

Article VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed... and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

VA DECLARATION

Article VII

...the right of trial by jury shall be preserved,...

Article IX

That excessive Bail ought not to be required, nor excessive Fines imposed nor cruel and unusual Punishments inflicted.

Article VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article X

That general Warrants, whereby any Officer or Messenger may be commanded to search suspected Places without Evidence of a Fact committed, or to seize any Persons or Persons not named, or whose Offence is not particularly described and supported by Evidence, are grievous and oppressive and ought not to be granted.

Article IV

The right of the people to be secure in their persons, houses papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article XI

That in Controversies respecting Property, and in Suits between Man and Man, the ancient Trial by Jury is preferable to any other, and ought to be held sacred.

Article VII

In suits at common law...the right of trial by jury shall be preserved...

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.

Article I

[Congress shall make no law] abridging the freedom of speech or of the press...

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Article XIII

That a well regulated Militia, composed of the Body of the People, trained in Arms, is the proper, natural and safe Defense of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty; and that, in all Cases, the Military should be under strict Subordination to, and governed by, the civil Power.

Article XIV

That the People have a Right to uniform Government; and therefore, that no Government separate from, or independent of, the Government of Virginia, ought to be erected or established within the Limits thereof.

Article XV

That no free Government, or the Blessing of Liberty, can be preserved to any People but by a firm Adherence to Justice, Moderation, Temperance, Frugality, and Virtue, and by frequent Recurrence to fundamental Principles.

Article XVI

That Religion, or the Duty which we owe to our Creator, and the Manner of discharging it, can be directed only by Reason and Conviction, not by Force or Violence; and therefore, all Men are entitled to the free Exercise of Religion, according to the Dictates of Conscience; and that it is the mutual Duty of all to practise Christian

Article I

[Congress shall make no law]...respecting an establishment of religion, or prohibiting the free exercise thereof...

Article I

[Congress shall make no law]... abridging the free of speech...or

VA DECLARATION

Forebearance, Love, and Charity,
towards each other.

the right of the people peaceably to
assembly and to petition the
Government for a redress of grievances.

Article III

No soldier shall, in time of peace, be
quartered in any house without the
consent of the owner, nor in time of war
but in a manner to be prescribed by law.

Article V

No person shall be held to answer for a
capital or other infamous crime unless
on a presentment or indictment of a
Grand Jury...nor shall any person be
subject for the same offense to be twice
put in jeopardy of life or limb,...

[no comparable provisions]

* * * * *

**The CONSTITUTION, or FORM of
GOVERNMENT, agreed to and resolved
upon by the Delegates and
Representatives of the several
counties and corporations of Virginia**

[Unanimously adopted June 29, 1776.]

I. WHEREAS, George the third, king of Great Britain and Ireland, and elector of Hanover, heretofore intrusted with the exercise of the kingly office in this government, hath endeavoured to prevent the same into a detestable and insupportable tyranny, by putting his negative on laws the most wholesome and necessary for the publick good:

By denying his governours permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and, when so suspended, neglecting to attend to them for many years:

VA DECLARATION

By refusing to pass certain other laws, unless the persons to be benefitted by them would relinquish the inestimable right of representation in the legislature:

By dissolving legislative Assemblies repeatedly and continually, for opposing with manly firmness his invasions of the rights of the people:

When dissolved, by refusing to call others for a long space of time, thereby leaving the political system without any legislative head:

By endeavouring to prevent the population of our country, and, for that purpose, obstructing the laws for the naturalization of foreigners:

By keeping among us, in times of peace, standing armies and ships of war:

By affecting to render the military independent of, and superiour to, the civil power:

By combining with others to subject us to a foreign jurisdiction, giving his assent to their pretended acts of legislation:

For quartering large bodies of armed troops among us:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us of the benefits of trial by jury:

For transporting us beyond seas, to be tried for pretended offences:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever:

By plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people:

By inciting insurrections of our fellow subjects, with the allurements of forfeiture and confiscation:

By prompting our negroes to rise in arms among us, those very negroes whom, by an inhuman use of his negative, he hath refused us permission to exclude by law:

VA DECLARATION

By endeavouring to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence:

By transporting, at this time, a large army of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy unworthy the head of a civilized nation:

By answering our repeated petitions for redress with a repetition of injuries:

And finally, by abandoning the helm of government, and declaring us out of his allegiance and protection.

*By which several acts of misrule, the government of this country, as formerly exercised under the crown of Great Britain, is **TOTALLY DISSOLVED**.*

II. We therefore, the delegates and representatives of the good people of Virginia, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country must be reduced, unless some regular adequate mode of civil polity is speedily adopted, and in compliance with a recommendation of the General Congress, to ordain and declare the future form of government of Virginia to be as followeth:

III. The legislative, executive, and judiciary departments, shall be separate and distinct, so that neither exercise the powers properly belonging to the other; nor shall any person exercise the powers of more than one of them at the same time, except that the justices of the county courts shall be eligible to either House of Assembly.

*IV. The legislative shall be formed of two distinct branches, who, together, shall be a complete legislature. They shall meet once, or oftener, every year, and shall be called the **GENERAL ASSEMBLY FOR VIRGINIA**.*

*V. One of these shall be called the **HOUSE OF DELEGATES**, and consist of two representatives to be chosen for each county, and for the district of West Augusta, annually, of such men as actually reside in and are freeholders of the same, or duly qualified according to law, and also one delegate or representative to be chosen annually for the city of Williamsburg, and one for the borough of Norfolk, and a representative for each of such other cities and boroughs as may hereafter be allowed particular representation by the legislature; but when any city or borough shall so decrease as that the number of persons having right of suffrage therein shall have been for the space of seven years successively less than half the number of voters in some one county in Virginia, such city or borough thenceforward shall cease to send a delegate or*

VA DECLARATION

representative to the assembly.

VI. *The other shall be called the SENATE, and consist of twenty four members, of whom thirteen shall constitute a House to proceed on business, for whose election the different counties shall be divided into twenty four districts, and each county of the respective district, at the time of the election of its delegates, shall vote for one Senator, who is actually a resident and freeholder within the district, or duly qualified according to law, and is upwards of twenty five years of age; and the sheriffs of each county within five days at farthest after the last county election in the district, shall meet at some convenient place, and from the poll so taken in their respective counties return as a Senator the man who shall have the greatest number of votes in the whole district. To keep up this Assembly by rotation, the districts shall be equally divided into four classes, and numbered by lot. At the end of one year after the general election, the six members elected by the first division shall be displaced, and the vacancies thereby occasioned supplied from such class or division, by new election, in the manner aforesaid. This rotation shall be applied to each division, according to its number and continued in due order annually.*

VII. *The right of suffrage in the election of members for both Houses shall remain as exercised as present, and each House shall choose its own speaker, appoint its own officers, settle its own rule of proceeding, and direct writs of election for supplying intermediate vacancies.*

VIII. *All laws shall originate in the House of Delegates, to be approved or rejected by the Senate, or to be amended with the consent of the House of Delegates; except money bills, which in no instance shall be altered by the Senate, but wholly approved or rejected.*

IX. *A Governour, or chief magistrate, shall be chosen annually, by joint ballot of both Houses, to be taken in each house respectively, deposited in the conference room, the boxes examined jointly by a committee of each house, and the numbers severally reported to them, that the appointments may be entered (which shall be the mode of taking the joint ballot of both Houses in all cases) who shall not continue in that office longer than three years successively, nor be eligible until the expiration of four years after he shall have been out of that office. An adequate, but moderate salary, shall be settled on him during his continuance in office; and he shall, with the advice of a Council of State, exercise the executive powers of government according to the laws of this commonwealth; and shall not, under any pretence, exercise any power or prerogative by virtue of any law, statute, or custom, of England: But he shall, with the advice of the Council of State, have the power of granting reprieves or pardons, except where the prosecution shall have been carried on by the House of Delegates, or the law shall otherwise particularly direct in which cases, no reprieve or pardon shall be granted, but by resolve of the House of*

VA DECLARATION

Delegates.

X. Either House of the General Assembly may adjourn themselves respectively. The Governour shall not prorogue or adjourn the Assembly during their sitting, nor dissolve them at any time; but he shall, if necessary, either by advice of the Council of State, or on application of a majority of the House of Delegates, call them before the time to which they shall stand prorogued or adjourned.

XI. A Privy Council, or Council of State, consisting of eight members, shall be chosen by joint ballot of both Houses of Assembly, either from their own members or the people at large, to assist in the administration of government. They shall annually choose out of their own members a president, who, in case of death, inability, or necessary absence of the Governour from the government, shall act as Lieutenant-Governour. Four members shall be sufficient to act, and their advice and proceedings shall be entered of record; and signed by the members present (to any part whereof any member may enter his dissent) to be laid before the General Assembly, when called for by them. This Council may appoint their own clerk, who shall have a salary settled by law, and take an oath of secrecy in such matters as he shall be directed by the board to conceal. A sum of money appropriated to that purpose shall be divided annually among the members, in proportion to their attendance; and they shall be incapable, during their continuance in office, of sitting in either House of Assembly. Two members shall be removed by joint ballot of both Houses of Assembly at the end of every three years, and be ineligible for the three next years. These vacancies, as well as those occasioned by death or incapacity, shall be supplied by new elections, in the same manner.

XII. The delegates for Virginia to the Continental Congress shall be chosen annually, or superseded in the mean time by joint ballot of both Houses of Assembly.

XIII. The present militia officers shall be continued, and vacancies supplied by appointment of the Governour, with the advice of the Privy Council, or recommendations from the respective county courts; but the Governour and Council shall have a power of suspending any officer, and ordering a court-martial on complaint of misbehaviour or inability, or to supply vacancies of officers happening when in actual service. The Governour may embody the militia, with the advice of the Privy Council; and, when embodied, shall alone have the direction of the militia under the laws of the country.

The two Houses of Assembly shall, by joint ballot, appoint Judges of the Supreme Court of Appeals, and General Court, Judges in Chancery, Judges in Admiralty, Secretary, and the Attorney-General, to be commissioned by the Governour, and continue in office during good behaviour. In case of death, incapacity, or resignation, the Governour, with the advice of the Privy Council, shall appoint persons to succeed in office, to be approved or displaced by both Houses. These officers shall have fixed and adequate

VA DECLARATION

salaries, and, together with all others holding lucrative offices, and all ministers of the Gospel of every denomination, be incapable of being elected members of either House of assembly, or the Privy Council.

XV. The Governour, with the advice of the Privy Council, shall appoint Justices of the Peace for the counties, and in case of vacancies, or a necessity of increasing the number hereafter, such appointments to be made upon the recommendation of the respective county courts. The present acting Secretary in Virginia, and Clerks of all the County Courts, shall continue in office. In case of vacancies, either by death, incapacity, or resignation, a Secretary shall be appointed as before directed, and the Clerks by the respective courts. The present and future Clerks shall hold their offices during good behaviours, to be judged of and determined in the General Court. The Sheriffs and Coroners shall be nominated by the respective courts, approved by the Governour, with the advice of the Privy Council, and commissioned by the Governour. The Justices shall appoint Constables, and all fees of the aforesaid officers be regulated by law.

XVI. The Governour, when he is out of office, and others offending against the state, either by mal-administration, corruption, or other means by which the safety of the state may be endangered, shall be impeachable by the House of Delegates. Such impeachment to be prosecuted by the Attorney-General, or such other person or persons as the House may appoint in the General Court, according to the laws of the land. If found guilty, he or they shall be either for ever be disabled to hold any office under government, or removed from such office pro tempore, or subjected to such pains or penalties as the law shall direct.

XVII. If all, or any of the Judges of the General Court, shall, on good grounds (to be judged of by the House of Delegates) be accused of any of the crimes or offences before-mentioned, such House of Delegates may, in like manner, impeach the Judge or Judges so accused, to be prosecuted in the Court of Appeals; and he or they, if found guilty, shall be punished in the same manner as is prescribed in the preceding clause.

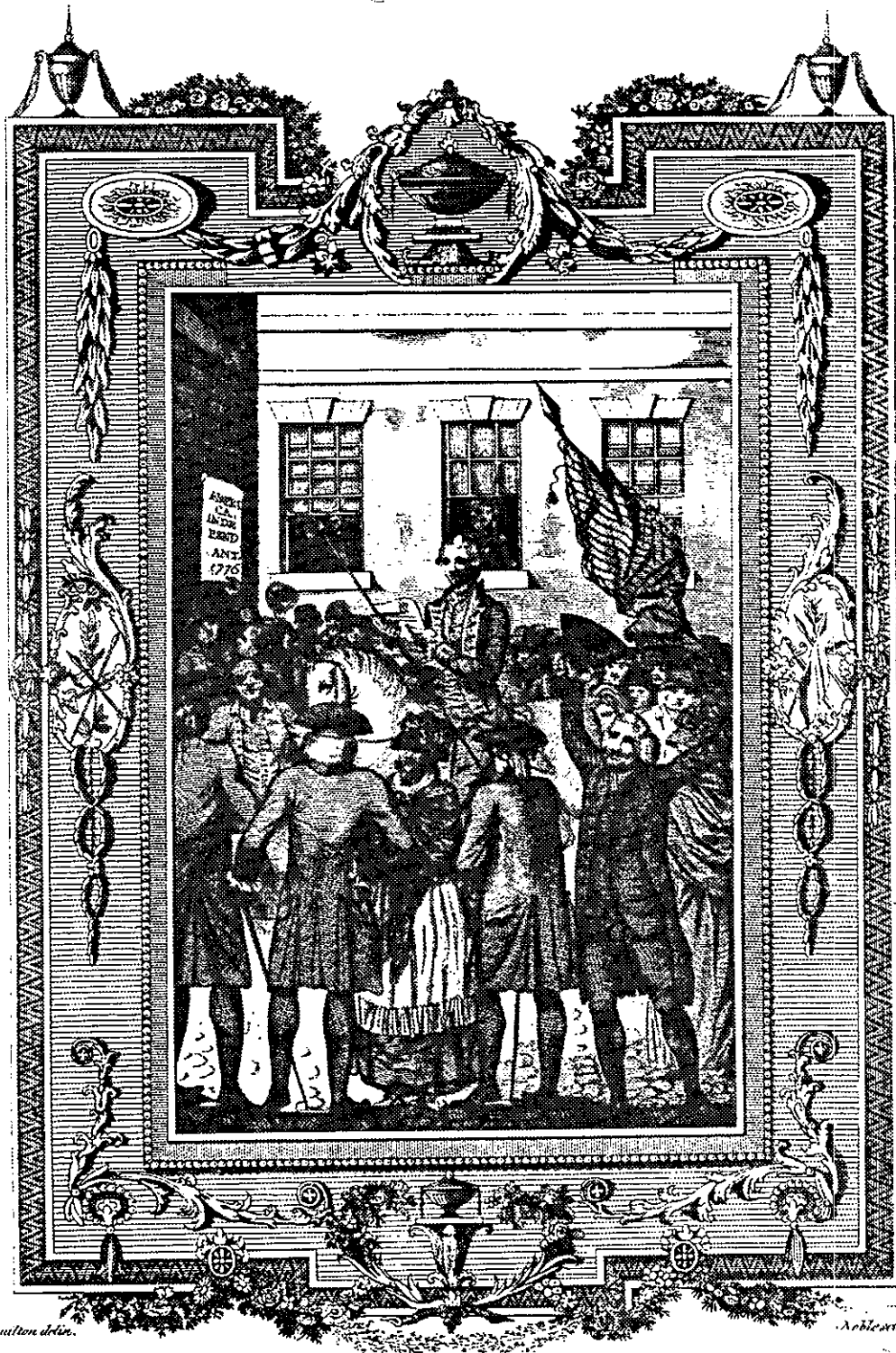
XVIII. Commissions and grants shall run. In the name of the COMMONWEALTH of VIRGINIA, and bear test by the Governour with the seal of the commonwealth annexed. Writs shall run in the same manner, and bear test by the clerks of the several courts. Indictments shall conclude, Against the peace and dignity of the commonwealth.

XIX. A treasurer shall be appointed annually, by joint ballot of both Houses.

XX. All escheats, penalties, and forfeitures, heretofore going to the king, shall go to the commonwealth, save only such as the legislature may abolish, or otherwise provide for.



Engraved for BARNARD'S New Complete & Authentic HISTORY of ENGLAND.



The Manner in which the American Colonies Declared themselves
INDEPENDANT of the King of ENGLAND,
throughout the different Provinces, on July 4, 1776.

The Manner in which the American Colonies Declared themselves Independent of the King of England, throughout the different Provinces, on July 4, 1776, engraved for Barnard's New Complete & Authentic History of England. (Acc. No. 1930-483)



GOVERNOR HENRY

XXI. The territories contained within the charters erecting the colonies Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and for ever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction, and government, and all other rights whatsoever which might at any time heretofore have been claimed by Virginia, except the free navigation and use of the rivers Potowmack and Pohomoke, with the property of the Virginia shores or strands bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall in all other respects stand as fixed by the charter of king James the first, in the year one thousand six hundred and nine, and by the publick treaty of peace between the courts of Great Britain and France in the year one thousand seven hundred and sixty three; unless, by act of legislature, one or more territories shall hereafter be laid off, and governments established westward of the Allegheny mountains. And no purchase of lands shall be made of the Indian natives but on behalf of the publick, by authority of the General Assembly.

XXI. In order to introduce this government, the representatives of the people met in Convention shall choose a Governour and Privy Council, also such other officers directed to be chosen by both Houses as may be judged necessary to be immediately appointed. The Senate to be first chosen by the people, to continue until the last day of March next, and the other officers until the end of the succeeding session of Assembly. In case of vacancies, the speaker of either House shall issue writs for new elections.

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Patrick Henry as Governor

*The following are the appointments under the above PLAN of GOVERNMENT.
PATRICK HENRY, junior, esq; Governour*

John Page, Dudley Digges, John Tayloe, John Blair, Benjamin Harrison of Berkeley, Bartholomew Dandridge, Charles Carter of Shirley, and Benjamin Harrison of Brandon, Counsellors of State.

Thomas Whiting, John Hutchings, Champion Travis, Thomas Newton, jun. and George Webb, esquires, Commissioners of Admiralty.

Edmund Randolph, esq; Attorney-General.

Thomas Everard, and James Cocke, esquires, Commissioners for settling accounts.

GOVERNOR HENRY

GOD save the COMMONWEALTH.

Virginia Gazette, July 5, 1776.

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*Williamsburg
Saturday, June 29, 1776.*

This day PATRICK HENRY, Esq; was chosen Governor of this country, and a committee appointed to acquaint him therewith; to which he returned the following answer to the Convention.

To the Honourable the PRESIDENT and HOUSE of CONVENTION.

GENTLEMEN,

The vote of this day, appointing me Governor of this Commonwealth, has been notified to me in the most polite and obliging manner, by George Mason, Henry Lee, Dudley Digges, John Blair, and Bartholomew Dandrige, Esquires.

A sense of the high and unmerited honour conferred upon me by the Convention fills my heart with gratitude, which I trust my whole life will manifest. I take this earliest opportunity to express my thanks, which I wish to convey to you, Gentlemen, in the strongest terms of acknowledgment.

When I reflect that the tyranny of the British King and Parliament hath kindled a formidable war, now raging throughout this wide extended continent, and in the operations of which this Commonwealth must bear so great a part; and that; from the events of this war, the lasting happiness, or misery, of a great proportion of the human species will finally result; that, in order to preserve this Commonwealth from anarchy, and its attendant ruin, and to give vigour to our councils, and effect to all our measures, government hath been necessarily assumed, and new-modelled; that it is exposed to numberless hazards and perils in its infantine state; that it can never attain to maturity, or ripen into firmness, unless it is guarded by affectionate assiduity, and managed by great abilities; I lament my want of talents; I feel my mind filled with anxiety and uneasiness to find myself unequal to the duties of that important station to which I am called by favour of my fellow citizens, at this truly critical conjuncture. The errors of my conduct shall be atoned for, so far as I am able, by unwearied endeavours to secure the freedom and happiness of our common country.

I shall enter upon the duties of my office whenever you, Gentlemen, shall be pleased to direct; relying upon the known wisdom and virtue of your Honourable House to supply

RELIGION

my defects, and to give permanency and success to that system of government which you have formed, and which is so widely calculated to secure equal liberty, and advance human happiness. I have the honour to be,

*Gentlemen, your most obedient,
And very humble servant,
P. HENRY, Jun.*

*Williamsburg,
June 29, 1776.*

The following Gentlemen are chosen members of the Privy Council: John Page, esq; Dudley Digges, Esq; John Tayloe, Esq; John Blair, Esq; Benjamin Harrison, Esq; of Berkeley; Bartholomew Dandridge, Esq; Charles Carter, Esq; of Shirley; and Benjamin Harrison, Esq; of Brandon.

*Commissioners of the navy, Thomas Whiting, Esq; John Hutchings, Esq; Champion Travis, Esq; Thomas Newton, Junior, Esq; and George Webb, Esq;
Edmund Randolph, Esq; is appointed Attorney General.*

Virginia Gazette (Dixon and Hunter) July 6, 1776.

* * * * *

**Royal Mentions Taken Out
In Convention
July 5, 1776.**

RESOLVED, that the following sentences in the morning and evening service shall be omitted: O Lord save the king. And mercifully hear us when we call upon thee.

That the 15th, 16th, 17th, and 18th sentences of the litany, for the king's majesty, and the royal family, &c. shall be omitted.

That the two prayers for the king's majesty, and the royal family, in the morning and evening service, shall be omitted.

That the prayers in the communion service which acknowledge the authority of the king, and so much of the prayer for the church militant as declares the same authority, shall be omitted, and this alteration made in one of the above prayers in the communion service: Almighty and everlasting God, we are taught by thy holy word that the hearts of all rulers are in thy governance, and that thou dost dispose and turn them as it seemeth best to thy godly wisdom, we humbly beseech thee so to dispose and govern the hearts of all the magistrates of this commonwealth; that in all their thoughts, words, and works they may evermore seek thy honour and glory, and study to preserve thy people committed to their charge, in wealth, peace, and godliness. Grant this, O merciful father, for thy dear son's sake, Jesus Christ, our Lord. Amen.

RELIGION

That the following prayer shall be used, instead of the prayer for the king's majesty, in the morning and evening service: O Lord, our heavenly father, high and mighty, king of kings, Lord of Lords, the only ruler of the universe, who dost from thy throne behold all the dwellers upon earth, most heartily we beseech thee with thy favour to behold the magistrates of this commonwealth, and so replenish them with the grace of thy holy spirit, that, they may always incline to thy will, and walk in thy way; endure them plenteously with heavenly gifts; strengthen them, that they may vanquish and overcome all their enemies; and finally, after this life, they may obtain everlasting joy and felicity, through Jesus Christ, our Lord. Amen.

In the 20th sentence of the lityny use these words: That it may please thee to endue the magistrates of this commonwealth with grace, wisdom, and understanding.

In the succeeding one, use these words: That it may please thee to bless and keep them, giving them grace to execute justice, and to maintain truth.

Let every other sentence of the lityny be retained, without any alteration, except the above sentences recited.

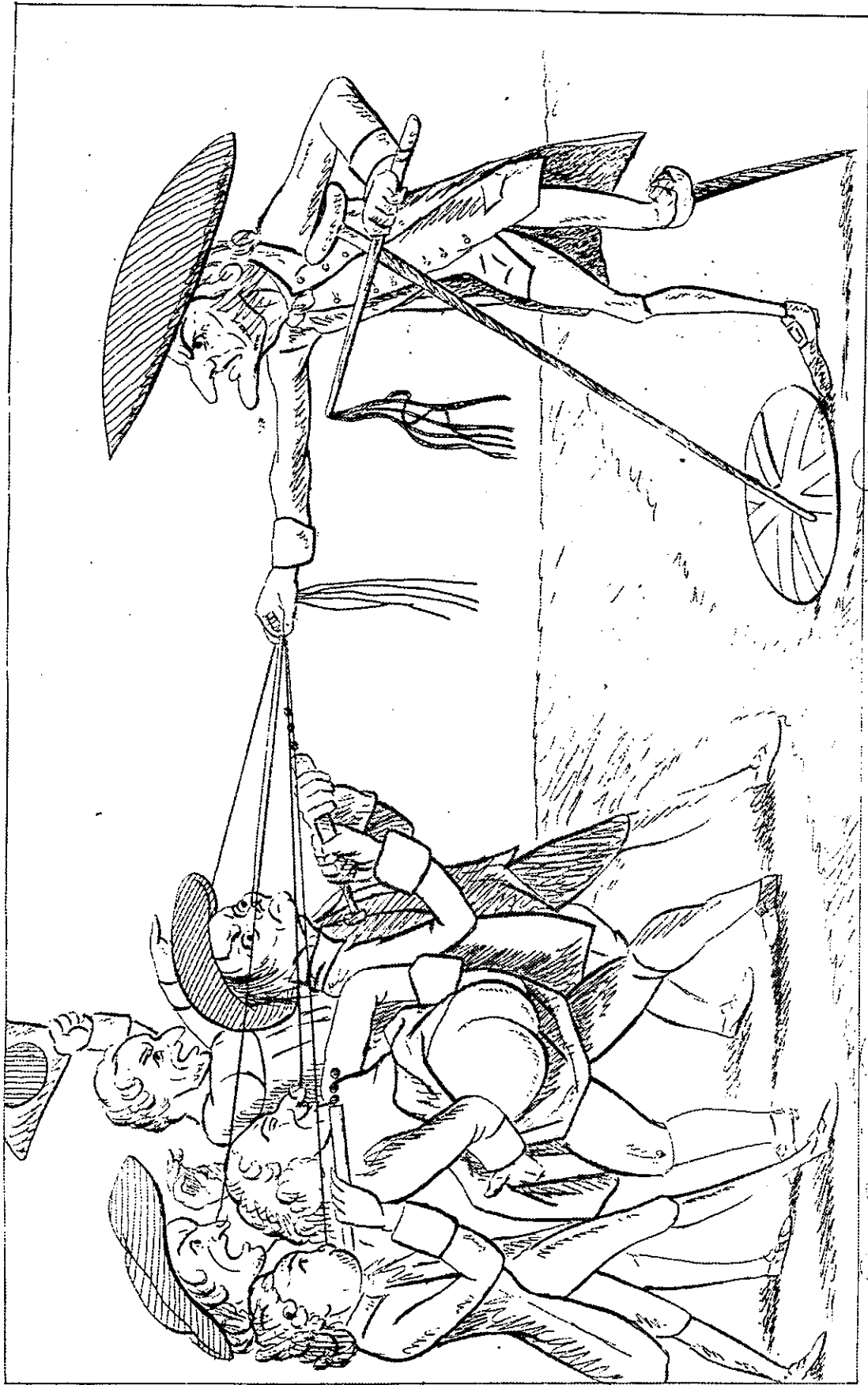
EDMUND PENDLETON, president.

(a copy)

John Tazewell, Clerk of the Convention.

Virginia Gazette (Purdie) July 5, 1776.

** * **



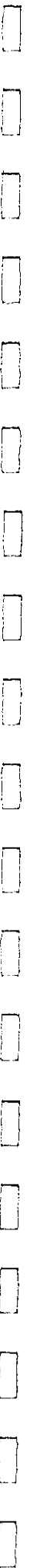
Poor Old England endeavoring to Reclaim his Wicked American Children
= 1777. = London. = 1777. = 1777. = 1777.

Poor Old England endeavoring to Reclaim his Wicked American Children, published by Matthew Darly, black and white etching, September 1, 1777. (Acc. No. 1960-61) Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



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PART VII

The War



Introduction

Cresswell Journal

*Williamsburg, the Capitol of Virginia
Tuesday, April 29th, 1777.*

Set out early this morning. Dined at Yorktown 24 miles from Hampton. This is a pleasant situated upon York River which is navigable for the largest ships. Close to the town there are several very good Gentlemen's houses built of brick and some of their gardens laid out with the greatest taste of any I have seen in America, but now almost ruined by the disorderly soldiers, and, what is more extraordinary, their own soldiers, the guardians of the people and the defenders of their rights. Houses burnt down, others pulled to pieces for fuel, most of the Gardens thrown to the street, everything in disorder and confusion and no appearance of trade. This melancholy scene fills the mind of the itinerant traveller with gloomy and horrid ideas. Here is a battery consisting of 12 pieces of heavy cannon to command the River and a company of artillery stationed here, but they make a sorry appearance for so respectable a corps, as the Artillery ought to be. Got here soon after dinner only 12 miles from Yorktown, the road from Hampton is level and sandy through large pine Woods, interspersed with plantations and Gentlemen's houses. The land in general appears barren. The Produce is Tobacco and Corn.

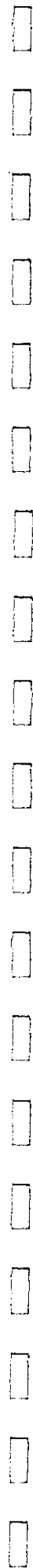
This is the finest town I have seen in Virginia. It is situated between two Creeks only navigable for boats, the one falling into James and the other into York River. It consists of one principal street about a mile long, very wide and level with a number of good buildings, the Capitol at one end of the street and the College at the other.

The Capitol is the place where all public business is done, the Colonial Assembly meets, &c. They are both large and elegant brick buildings. In the Capitol is a fine marble statue of the late Governor Batitourt, as large as life, in the attitude of an orator, a roll of parchment in one hand as an emblem of their charter, and the cap of Liberty in the other.

The Governor's Palace is a good brick building, but it does not make a grand appearance. Here is only one Church, none of the grandest, and I suppose there may be about 250 houses in town. Lodged at Anderson's Tavern.

*(Williamsburg)
Wednesday, April 30th, 1777.*

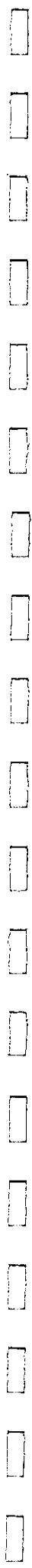
This morning I waited upon the Governor at the Palace. Delivered my letters from Mr. Masons and Mr. Elyey and was most politely treated. Had the honour of breakfasting





A Picturesque View of the State of the Nation for February 1778. C.

A Picturesque View of the State of the Nation for February 1778, unknown maker, black and white line engraving, England, 1778. Published in the *Westminster Magazine*. The commerce of England shown as a cow, its horns being sawed off by America, being milked by Holland while France and Spain assist. In the distance a view of Philadelphia with General Howe asleep. A satire on the general decay of British commerce due to the war in America. This was one of the most popular and most copied prints of the period. (Acc. No. 1960-68). *Rebellion and Reconciliation: Satirical Prints of the Revolution at Williamsburg*, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



JEFFERSON BECOMES GOVERNOR

with his Excellency, who ordered me to meet him at the Council Chamber in the Capitol I did so, and was examined very strictly about my sentiments, some of which I thought proper to deny, and others, tho' very imprudently, to avow. All that I could say would not procure me permission to go on board his Majesty's Ships in the Bay. However, they have given me a permit to go in the *Albion*, a ship that is to come round from N. Carolina to Nansymond River for 133 Scotch Gentlemen who are there waiting for her, but I think she will never arrive there. If she does come and I can't get a passage in her, they in their great clemency will give me leave to go to France in one of their vessels. This is the highest court in the Colony, therefore I can have no other redress. I am determind to risk a passage. Dined at Williamsburg with two Colonels, 5 Majors, 7 Captains, and a number of inferior Officers. The Grace: G-d D--m the King of England, by Colonl. Innis, for the Military dinner. I paid 27s. D--m the Military and the times together. Got to Yorktown in the evening, which I spent with Lieut. Ancram who lodged at The Sign of the Swan.

* * * * *

*In the HOUSE of DELEGATES, Tuesday
June 1, 1779.*

ORDERED, that a committee appointed to notify Mr. Jefferson, his appointment to be Governour or Chief Magistrate of this commonwealth, and that Mr. Harvie, Mr. Malon, and Mr. Baker, be of the said committee.

Mr. Harvie, from the committee appointed in conjunction with a committee of the senate, to notify to Thomas Jefferson, Esq; his appointment to be Governour of this commonwealth, reported that the committee had, according to order, waited on that Gentleman, and notified his appointment, and that he was pleased to return the following answer:

GENTLEMEN,

The honour which the General Assembly have been pleased to confer on my, by calling me to the high office of Governour of this commonwealth, demands my most grateful acknowledgments, which I desire through you Gentlemen, to tender to them with the utmost respect. In a virtuous and free state, no rewards can be so pleasing to sensible minds, as those which include the approbation of our fellow citizens. My great pain is, lest my poor endeavours should fall short of the kind expectations of my country; so far as impartiality, assiduous attention, and sincere affection to the great American cause, shall enable me to fulfil the duties of may appointment, so far I may, with confidence undertake; for all beyond, I must rely on the wise counsels of the General Assembly, and of those whom they have appointed for my aid in those duties. To you, Gentlemen, I return my particular thanks, for the polite terms in which you have pleased to notify the

CAPITAL MOVED

will of the General Assembly.

Virginia Gazette (Dixon and Nicolson) June 5, 1779.

Capital Moved to Richmond

The barrage of bills in the spring of 1779 wore George Mason down physically...To prolong his discomfort, the legislature in his opinion wasted time on "Trifles and Whims."

The "Trifles and Whims" of which Mason complained included a bill to move the state capital to Richmond. The author, Jefferson, along with many others, assigned the change much higher priority than Mason...There had been repeated efforts for a generation to move the seat of government from Williamsburg as settlement pushed farther west and the city became increasingly distant from the population center of the colony. Jefferson, who had not liked the town in his college days, first submitted a bill to select a new site in 1776 at which time the house defeated the suggestion by a vote of thirty-eight to sixty-one. But most people recognized that Williamsburg's time was limited. By 1779 supporters of a move had an upper hand in the assembly, and the recent invasion strengthened their argument by exposing the capital's vulnerability. Jefferson's notes for a speech on the bill indicate that, besides the city's geographic drawbacks, he feared Williamsburg would not attain the architectural splendor that he deemed appropriate for the capital of a new republic because it was not a trading center; "*Wmsbgh. nev. cn. b. grt. -- 100 y. xprce. [experience]*," he had scribbled down.

Jefferson wrote the draft from which he worked on the same piece of paper that he had used three years earlier. Revisions that from internal evidence could only have been written in 1779 called for "*magnificent Buldings*," a capitol and courthouse "*which...shall be built in a handsome manner with walls of Brick and Porticos*," a "*state house*" with twelve "*apartments*" for executive offices, and "*a palace for the use of the Govr.*" Jefferson soon realized that his enthusiasm had run away with him for he amended this section to eliminate the grandiose language in which he first expressed his architectural dreams. The assembly further altered the draft to assure doubters that for the moment government buildings in the new capital need only be "temporary" and, in the act for the confiscation of loyalist estates, provided an added economy by reserving forfeited lands in Richmond for public use. For a time the house seemed on the verge of defeating the bill again when supporters divided over whether to locate the capital in Richmond, Fredericksburg, Charlottesville, or Staunton, but finally Richmond prevailed. The legislature made its final decision; an attempt to reconsider a few months later failed on a rare roll call vote, forty to forty-five.

The Revolution in Virginia 1775-1783, John E. Selby, Colonial Williamsburg, Foundation, Williamsburg, VA, 1988, pp. 235-236.

ARRIVAL OF HAMILTON

NOTICE is hereby given, that the business of government, in the executive department, will cease to be transacted at Williamsburg from the 7th of April next, and will commence at Richmond on the 24th of the same month. The Governour will be in Richmond during the interval, to do such business as may be done by him, without the concurrence of the publick boards.

ARCH: BLAIR c.c

Virginia Gazette (Dixon and Hamilton) March 25, 1780

Issac's Account

After one year the government was moved from Williamsburg to Richmond. Mr. Jefferson moved there with his servants, among 'em Isaac. It was cold weather when they moved up. Mr. Jefferson lived in a wooden house near where the palace stands now. Richmond was a small place then, not more than two brick houses in the town -- all wooden houses what there was....It was a wooden house shedded round like a barn on a hill, where the Assemblymen used to meet, near where the Capitol stands now.

Jefferson at Monticello: Memoirs of a Monticello Slave as Dictated to Charles Campbell by Isaac, edited with an Introduction by James A. Bear, Jr., University Press of Virginia, Charlottesville, VA, p. 6.

Hamilton Arrives

Last Wednesday evening were brought to this city under a guard, Henry Hamilton Esq; who has acted some years past as Lieutenant Governour of the settlement at and about Detroit, and commandant of the British garrison there, under Sir Guy Carleton as Governour in Chief; Philip Dejean, Justice of the Peace for Detroit; and William Lamothe. Captain of volunteers, prisoners of war, taken in the county of Illinois.

Virginia Gazette (Dixon and Nicolson) June 19, 1779.

The prisoners reached Chesterfield County, Virginia, just as Jefferson began his first term as governor, and the new executive ordered La Moathe and the "Hair-Buyer General" brought immediately to the capital in irons. The two arrived on June 17, 1779, Virginia's most impressive war trophies to date. Hamilton wrote in his

HAMILTON IN WILLIAMSBURG

account that "a considerable Mob gather'd about us, which accompanied us to jail." The rest of the prisoners arrived shortly afterward. The state confined the leaders among the prisoners in chains, forbidding them to converse with outsiders and denying them any means or correspondence. The winter of 1779-1780 was one of the severest on record, and the Williamsburg jail seldom had enough heat. The poor diet resulted in Hamilton growing so thin that he could slip his hands in and out of the irons. The bulk of the prisoners moved to King William County in December; Hamilton and Hay went to Chesterfield in August 1780. One by one the prisoners found exchanges except Hamilton and Hay, who stubbornly refused the terms of parole the Virginians offered because the terms so strictly limited their right of correspondence. They felt that any malicious informer could easily remand them to prison in disgrace for breaching their honor. Jefferson pointed out that the British used essentially the same form for Americans in New York. Finally, in October 1780, the two sides reached accommodation, and Hamilton and Hay accepted a parole to arrange their exchange in New York, which they accomplished the following spring.

The Revolution in Virginia 1775-1783, John E. Selby, Colonial Williamsburg Foundation, Williamsburg, VA, 1988, p. 197.

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Henry Hamilton in Williamsburg

Hamilton and LaMothe arrived before the governor's palace at Williamsburg about sundown on June 16, wet, jaded, and dispirited. The officer went in to report to Governor Jefferson and left the prisoners to be "a spectacle to a gazing crowd" of curious persons. Hamilton expected to be treated civilly by the leading official of the state, but after waiting a half-hour without attention from the Governor, he flung himself from his horse fatigued and mortified. He was soon taken, however, to the common jail, where his treatment was even more mortifying.

The very day during which Hamilton arrived in Williamsburg, the Council and Governor of Virginia considered the fate of the prisoners, Hamilton, Dejean, and LaMothe. They found officially that Hamilton had incited the Indians to perpetrate their accustomed cruelties on the citizens of the states without distinction of age, sex, or condition; that he had sent considerable detachments of tribesmen against the frontier settlements and had called a great council at the mouth of the Tennessee to plan a further campaign; that he mistreated citizens of Virginia who were carried to Detroit, especially John Dodge, who was loaded with irons, thrown into a dungeon, deprived of heat in the dead of winter, and harassed until near death; and that he gave "standing rewards of scalps, but offered none for prisoners." The long recital of the wrongs supposedly suffered by John Dodge reveals the source of much of their information and a letter of

HAMILTON IN WILLIAMSBURG

Dodge's, which has been preserved indicates the spirit of personal revenge in which that information was given. He wrote from Sandusky, July 13, 1779, "I am going to Williamsburg in a few days to prosecute Hamilton & that rascal DeJean, Lamothe likewise...they will be all hanged without redemption."

Henry Hamilton and George Rogers Clark in the American Revolution, John D. Barnhart, ed., R.E. Banta Co., IN, 1951, pp. 86-87.

Hamilton's Journal

June 15th An Officer arrived who had a written order signed by Govr. Jefferson for William La Mothe Captain of the Volunteers of Detroit, and myself to be taken in irons and layed in Goal [sic] at Williamsburgh -- The Officer acquitted himself of this commission with reluctance and behaved very civilly --

However we were mounted with some difficulty being hand cuffd, and I found a days journey of only 30 Miles tired my patience and wearyed my body exceedingly not having as yet repaired the uncommon fatigues of a March Route of 1200 miles from Fort Sackville, most part of the time but half fed, ill cloathed, menaced and reviled, but as Sancho says, This was spiced cake and gilt gingerbread to what was to come -- We lay I can not say rested at James City Court house that night, we had stopped at a Village on the way to have the rivetts of my hand cuffs taken out, and newly set, for riding had so swelled my wrists that the rings chafed the skin too much and my conductor kindly attended to my remonstrance --

The next day it rained, the road was bad, and my legs were sore with several boils produced by heated blood at this hot season -- I was permitted to walk -- at Chickahomoney ferry met the Quarter Master of the 46th Regiment--

16th About Sunset reached Williamsburgh, wet jaded dispirited, forming ideas of what sort of Judicial examination I was to undergo -- by the time we reached the Palace (as it is called) the Governor's residence our escort of curious persons had be [] Officer went in to give account of his mission, and we remained on Horseback before the door expecting the civilities naturally to be looked for from a Man the first in place in the Province -- In half an hour not finding our expectations answerd, I flung myself from my horse fatigued and mortified to be left a spectacle to a gazing crowd -- We were however soon relieved from the painfull state of uncertainty by the appearance of the Officer, who conducted us to the Common prison, distant a small mile, our attendants increasing every step -- At the Jail we were received by the Jailer, a character, however beneath other peoples notice, which soon called our attention, and which I shall touch upon elsewhere.

HAMILTON IN WILLIAMSBURG

The opening and shutting of doors and barrier, unbolting some Cells, and giving directions in an authorotative voice perhaps were designed to appall us poor Devils, and bring us to a due sense of our situation -- my reflections were by no means tranquill, but curiosity with a large share of indignation rose to the surface in turns -- We traversed a small court 20 feet square, walled to the heighth of 30 feet -- A Cell Door was opened when the first object that presented itself to my sight by a dim twilight, was Mr: Dejean - - which of the parties was most surprized was doubtfull, but which was most affected appeared to be the Justice, who burst into tears and exclamations on seeing us in such a garb and condition -- This poor man had as delicate a sense of danger as either Sancho or Partridge, and now Gibbetts and wheels presented themselves to his fancy in all their horrors -- The Jailer put us in, and having no further occasion for us went his way -- now had we had a hot supper to sit down to, some good wine, liberty of speech and comfortable beds to lye down on, and our handcuffs taken off, it would have been a considerable alleviation--

But I had better proceed to tell what we had, and it will spare the time of particularizing the many things we had not -- We had for our domicile a place not ten feet square by actual measurement, the only light admitted was thro' the grating of the door which open'd into the Court above mentioned, the light and air are nearly excluded for the bars of this grating were from three to four inches thick-- In one corner of this snug mansion was fixed a kind of Throne which had been of use to such miscreants as us for 69 years past, and in certain points of wind renderd the air truly Mephytic -- opposite the door and nearly adjoining the throne was a little Skuttle 5 or 6 inches wide, thro which our Victual was thrust to us -- It is not necessary to describe the furniture, as such folk as were destined to be residents here had no occasion for superfluities -- The Jaylor had not been long gone when I heard the noise of a flint and steel a match was lighted, and by its light I espyed certain other persons who were utter strangers to me, these worthy gentlemen when a candle was lighted offerd me their services assuring me they were very sorry to see persons of our station so hardly used -- I must describe these persons as we shortly became acquainted -- one was Mr: Collins who had been a Drummer in the British Service, but having deserted, no doubt for very prudential reasons, and finding the provincial pay insufficient for the support of a man of pleasure, had fallen upon a method of setting that matter right, by counterfeiting the current money of the State -- the second was Mr: Speers who had been a Victualier in the borough of Southwark, he had had his reasons for coming to America, and had an equal right with Mr. Collins to imitating the manner of the engravers employed by the Commonwealth for making what they called limber dollars -- Mr. Speers, he played on the fiddle, and perhaps to his enlivening strains I owe that I am able to write these Memoirs -- A Sailor who did not like staying on board was a third -- they were all very fond of Mirth and Rum, the latter greatly promoting the former so that in a short time three of six that we were, betook themselves to dancing, but Mr. Steers [sic] was not firm enough to play and dance long so he sat on the throne, playing to the other Gentlemen, who may with



TROOPS IN CHARLESTON

propriety be said to have danced reels -- These good people however had the charity to offer us some rum which we were not so unwise as to refuse, so laying down in our wet cloathes on the boards we passed the night as well as we could

THE END

Henry Hamilton and George Rogers Clark in the American Revolution, John D. Barnhart, ed., R.E. Banta Co., IN, 1951, pp. 203-205.

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Troops In Charleston Spring 1780

Although the British bypassed Virginia soil, Clinton's campaign in the South brought disaster to the state. Almost the entire Virginia Continental line was lost at Charleston. As soon as the British set sail from New York, congress ordered General William Woodford to lead the Virginia regiments, whom George Washington considered the best trained in the army at the time, from the Continental camp at Morristown, New Jersey, to South Carolina. Bad weather delayed Woodford in Philadelphia until mid-January. He reached Fredericksburg, Virginia, in time to celebrate Washington's birthday, which had already become a national holiday, and then moved on to Petersburg. The regiments remained in Virginia another month to allow their artillery and baggage to catch up and to replace men lost because of expiring enlistments and "a general dislike of the southern service." At length, Woodford marched out of Petersburg on March 8 with about seven hundred troops. Prodded by General Benjamin Lincoln's incessant pleas to hurry, the Virginians covered the five hundred miles to Charleston in thirty days. General Charles Scott joined Woodford with the recruits he had been raising, and Jefferson sent Colonel Porterfield with over four hundred volunteers from the state line, although they did not reach the city in time.

Woodford's army reached Charleston on the evening of April 7 to the cheers of the garrison, and the city's bells pealed into the night in celebration. But the relief column could not reverse the situation. A week before the Virginians arrived, Clinton, who had been massing ten thousand men before the city since February, sealed off all routes except the one the Virginians took along the east bank of the Cooper River and across the river by ferry. On April 8 the navy under Admiral Arbuthnot forced its way into Charleston harbor, and six days later the British closed the Cooper River route as well. Trapped and short of supplies, an American council of war on April 19 and 20 agreed to seek a negotiated surrender. Clinton refused and began the bombardment on May 9. Three days later Lincoln unconditionally surrendered the garrison of fifty-five hundred men. On May 29 Lieutenant Colonel Banastre Tarleton and the British cavalry

TROOPS IN CHARLESTON

as well. Trapped and short of supplies, an American council of war on April 19 and 20 agreed to seek a negotiated surrender. Clinton refused and began the bombardment on May 9. Three days later Lincoln unconditionally surrendered the garrison of fifty-five hundred men. On May 29 Lieutenant Colonel Banastre Tarleton and the British cavalry virtually annihilated most of the remaining Virginia line on their way to Charleston under Colonel Abraham Buford -- about four hundred men -- at Waxhaws, South Carolina. The British massacred many Virginians after they surrendered.

The Revolution in Virginia, 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 211-213.

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The Revolutionary Experience of American Women

Charleston, South Carolina, fell to besieging British forces on May 12, 1780, striking a heavy blow to American hopes for an end to the war in the foreseeable future. Galvanized into action by the disaster, Philadelphia merchants and government officials took steps to support the inflated Pennsylvania currency and began soliciting funds for enlistment bounties to pay new army recruits. In this time of crisis their wives and daughters too adopted "public spirited measures," to use the words of the *Pennsylvania Gazette*: they signaled their intention to found the first large-scale women's association in American history.

Recognizing that the American soldiers were suffering from a serious loss of morale in the aftermath of the fall of Charleston, the women proposed a nationwide relief effort to aid the hard-pressed troops.

The campaign began on June 10, 1780, with the publication of a broadside, *The Sentiments of an American Woman*. The broadside was composed by the thirty-three-year-old Esther DeBerdt Reed, who was to become president of the Ladies Association.

In July, newspapers throughout the country reprinted *Sentiments*, usually accompanied by the detailed collection plan, and editors occasionally added exhortations of their own to the women's call for action. Thus the *Continental Journal of Boston* declared on July 13, "[I]f ever an Army deserved every Encouragement from the Country it protects, it is that of America: And nothing could make a deeper Impression on the Minds of those brave men,...than such a Mark of Gratitude, and Regard, as is proposed from the FAIRER HALF of the United States."

AMERICAN WOMEN

The women of Trenton, New Jersey, were the first to copy the Philadelphian's lead.

Maryland women also responded quickly to the Philadelphians request... In Baltimore, the merchant and revolutionary leader Samuel Purviance welcomed the formation of the association, since he told a friend, "[I] have for 3 years past been engaged in a continual Warfare against the exhorbitant Follies of my Fair Countrywomen." Samuel's wife, Katherine, was initially selected as local treasurers of what he termed "this Amazonian Society," but she declined the post, largely because, her husband explained, "her health [is] such as will prevent her taking the Field this Camp[aign]."

Only for one other state, Virginia, is there evidence of successful activity connected with the Ladies Association. Martha Wayles Jefferson, whose husband, Thomas, was then the governor, received a copy of the Philadelphians' plan directly from Martha Washington. Since she was in poor health, Mrs. Jefferson decided to encourage her friends to take part but not to assume an active role herself. Interestingly enough, the letter she wrote on August 8 [1780] to Eleanor Madison, a copy of which also made its way into the hands of Frances Bland Tucker, is the sole piece of her correspondence extant today. In it she asserted, "I undertake with chearfulness the duty of furnishing to my countrywomen an opportunity of proving that they also participate of those virtuous feelings" of patriotism. The following day a public announcement of the campaign appeared in the Virginia Gazette... Only fragmentary records have ever been located, but they indicate that county treasurers gathered total currency contributions ranging from £1,560 (Albemarle) to \$7,506 (Prince William). Among the donors was Rebecca Burwell Ambler, mother of Betsy Ambler Brent and Polly Ambler Marshall.

In February 1781 Washington offered profuse thanks to the members of the committee that had succeeded Esther Reed as leaders of the Ladies Association. The organization's contributions, he declared, entitled its participants "to an equal place with any who have preceded them in the walk of female patriotism. It embellishes the American character with a new trait; by proving that the love of country is blended with those softer domestic virtues, which have always been allowed to be more peculiarly "your own."

Liberty's Daughters: The Revolutionary Experience of American Women, 1750-1800, Mary Beth Norton, Little, Brown and Company, Boston-Toronto, pp. 177-178, 182, 184, 187.

* * * * *

ARTICLES OF CONFEDERATION

Articles of Confederation

March 1, 1781

To all to whom these Presents shall come, we the under signed Delegates of the States affixed to our Names, send greeting.

Whereas the Delegates of the United States of America, in Congress assembled, did, on the 15th day of November, in the Year of Our Lord One thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America, agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhode-island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia in the words following, viz. "Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia."

Article I. The Stile of this confederacy shall be "The United States of America."

Article II. Each state retains its sovereignty, freedom, and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delated to the United States, in Congress assembled.

Article III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

Article IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states of this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state, of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any Person guilty of, or charged with treason, felony, or other high misdemeanor in

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any state, shall flee from Justice, and be found in any of the united states, he shall, upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

Article V. For the more convenient management of the general interests of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

No state shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being a delegate for more than three years in any terms of six years; nor shall any person, being a delegate, be capable of hold any office under the united states, for which he, or another for his benefit receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the united states in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

Article VI. No state, without the Consent of the united states in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the united states in congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united states in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

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No state shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the united states in congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the united states in congress assembled, for the defence of such state, or its trade; now shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the united states, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of each state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the united states in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the united states in congress assembled can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled, shall determine otherwise.

Article VII. When land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the State which first made the appointment.

Article VIII. All charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the united states in congress assembled, shall from time to time direct and appoint.

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The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

Article IX. The united states in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article -- of sending and receiving ambassadors -- entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities, whatsoever -- of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united states shall be divided or appropriated -- of granting letters of marque and reprisal in times of peace -- appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of congress shall be appointed a judge of any of the said courts.

The united states in congress assembled shall also be the last resort of appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each state, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall

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nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to congress, and lodged among the acts of congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also, that no state shall be deprived of territory for the benefit of the united states.

All controversies concerning the private right of soil claimed under different grants or two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlements of jurisdiction, shall on the petition of either party to the congress of the united states, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The united states in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states -- fixing the standard of weights and measures throughout the united states -- regulating the trade and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated -- establishing or regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expences of the said office -- appointing all officers of the land forces, in the several of the united states, excepting regimental officers -- appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states -- making rules for the government and regulation of the said land and naval forces, and directing their operations.

The united states in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated "A Committee of the States," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction -- to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expences -- to borrow money, or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted, -- to build

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and equip a navy -- to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expence of the united states; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the united states in congress assembled: But if the united states in congress assembled shall, on consideration of circumstances judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of each state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled.

The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels or war, to be built or purchased, or the number of land or sea forces to be raised, not appoint a commander in chief of the army or navy, unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

The congress of the united states shall have power to adjourn to any time within the year, and to any place within the united states, so that no period of adjournment be for a longer duration than the space of six Months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment requires secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the Journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

Article X. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress, such of the powers of congress as the united states in congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the

ARTICLES OF CONFEDERATION

exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

Article XI. Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

Article XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and considered as a charge against the united states, for payment and satisfaction whereof the said united states, and the public faith are hereby solemnly pledged.

Article XIII. Every state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united states, and be afterwards confirmed by the legislatures of every state.

And Whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know Ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual. In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the state of Pennsylvania the ninth day of July, in the Year of our Lord one Thousand seven Hundred and Seventy-eight, and in the third year of the independence of America.

*Josiah Bartlett,
John Wentworth, jun.
August 8th, 1778*

}
} On the part & behalf of the State
} of New Hampshire.

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John Hancock, }
Samuel Adams, }
Elbridge Gerry, } *On the part and behalf of the State*
Francis Dana, } *of Massachusetts Bay.*
James Lovell, }
Samuel Holten, }

William Ellery, } *On the part and behalf of the State*
Henry Marchant, } *of Rhode-Island and Providence*
John Collins, } *Plantations.*

Roger Sherman, }
Samuel Huntington, }
Oliver Wolcott, } *On the part and behalf of the State*
Titus Hosmer, } *of Connecticut.*
Andrew Adams, }

Ja^s Duane, }
Fra: Lewis, } *On the part and behalf of the State*
W^m Duer, } *of New York.*
Gouv^r Morris, }

Jn^o Witherspoon, } *On the Part and in Behalf of the State*
Nath^l Scudder, } *of New Jersey, November 26th, 1778.*

Robert Morris, }
Daniel Roberdeau, }
Jon. Bayard Smith, } *On the part and behalf of the State*
William Clingar, } *of Pennsylvania.*
Joseph Reed, }
22^d July, 1778, }

Tho^s McKean, }
Feb^y 22^d, 1779, }
John Dickinson, } *On the part & behalf of the State*
May 5th, 1779, } *of Delaware.*
Nicholas Van Dyke, }

John Hanson, }
March 1, 1781, } *On the part and behalf of the State*
Daniel Carroll, d^o } *of Maryland.*

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Richard Henry Lee, }
 John Banister, }
 Thomas Adams, } On the Part and Behalf of the State
 Jn^o. Harvie, } of Virginia.
 Francis Lightfoot Lee, }

John Penn, }
 July 21st, 1778, } On the part and behalf of the State
 Corn^t Harnett, } of North Carolina.
 Jn^o. Williams, }

Henry Laurens, }
 William Henry Drayton, }
 Jn^o Mathews, } On the part and on behalf of the State
 Rich^d Hutson, } of South Carolina.
 Tho^s Heyward, jun^r. }

Jn^o Walton, }
 24th July, 1778, } On the part and behalf of the State
 Edw^d Telfair, } of Georgia.
 Edw^d Langworthy, }

* * * * *

*St. George Tucker Correspondence
 British in City*

Williamsburg July 11th 1781

My ever dear Fanny: Could I have entertained a doubt of the propriety of my conduct in endeavouring to remove you beyond the reach of the British army, the sight of this unhappy spot must immediately have removed it. The traces of British cruelty were faint as they marched through the country. Here they remained for some days, and with them pestilence and famine took root, and poverty brought up the rear. Instead of attempting a florid description of the horrors of this place, I will endeavour to give you an account of the situations of a few individuals with whom you are acquainted. Our friend Madison and his lady (they have lost their son) were turned out of their house to make room for Lord Cornwallis. Happily the College afforded them an asylum. They were refused the small privilege of drawing water from their own well. A contemptuous treatment, with the danger of starving were the only evils which he recounted, as none of his servants left him. The case was otherwise with M^r. McClurg. He has one small servant left, and but two girls. He feeds and saddles his own horse and is philosopher enough to enjoy

BRITISH IN CITY

the good that springs from the absence of the British without repining at what he lost by them. Poor M^r. Cocke was deserted by his favorite man Clem: and M^{rs}. Cocke by the loss of her cook was obliged to have recourse to her neighbours to dress her dinner for her. They have but one little boy -- who is smaller than Tom -- left to wait on them within doors. I believe they are as badly off without. The old gentleman talks of going to Cumberland, as he says he is entirely ruined. But this is not all. The small-pox, which the hellish polling of these infamous wretches has spread in every place through which they have passed has now obtained a crisis throughout the place so that there is scarcely a person to be found to nurse those who are most afflicted by it. Your old friend Aunt Betty is in that situation. A child of Sir Peyton Skipwith's who is with her, was deserted by its nurse, and the good lady was left without a human being to assist her in any respect for some days. As the British plundered all that they could, you will conceive how great an appearance of wretchedness this place must exhibit. To add to the catalogue of mortifications, they constrained all the inhabitants of the town to take paroles. After tyrannizing ten days here, they went to James Town where they were attacked by our advanced parties...The British have since crossed at Cobham, and their ships have gone down the river. Our army is in motion. I am told we cross at Hoods...Among the plagues the British left in Williamsburg, that of flies is inconceivable. It is impossible to eat, drink, sleep, write, sit still or even walk about in peace on account of their confounded stings. Their numbers exceed description, unless you look into the eighth chapter of Exodus for it....

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, VA, 1938, pp. 66-67.

Washington's Arrival

September 5, 1781

[to Fanny]

...To you -- and it is to you alone that I address myself -- I need not apologize for any extravagance of sentiment or of diction that this letter contains. Hear then my Fanny from me what perhaps you have not heard yet from good authority. About the middle of the week twenty nine ships of the line and four frigates arrived in our bay with four thousand land forces sent to our assistance by Louis the Great!...The fleet lies from Lynnhaven Bay to the mouth of York River, and some we are informed, have proceeded within two or three miles of the town. The British fleet still lies at York and their land forces are now in the town...Our troops lie from four miles beyond this town to near James Town, so that Cornwallis is as effectually hemmed in as our troops were at

WASHINGTON'S ARRIVAL

Charlestown...Nor is this all, for to my great surprise and pleasure I was this morning informed from undoubted authority that Gen. Washington is at the Head of Elk with five thousand troops...My paper would blush to contain matters of lesser moment after what I have written--

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, VA, 1938, pp. 68-69.

Williamsburg Sept. 15 1781

...I wrote you yesterday that General Washington had not yet arrived. About four o'clock in the afternoon his approach was announced. He had passed our camp which is now in the rear of the whole army, before we had time to parade the militia. The French line had just time to form. The Continentals had more leisure. He approached without any pomp or parade attended only by a few horsemen and his own servants. The Count de Rochambeau and Gen. Hand with one or two more officers were with him. I met him as I was endeavouring to get to camp from town in order to parade the brigade, but he had already passed it. To my great surprise he recognized my features and spoke to me immediately by name. Gen. Nelson, the Marquis etc. rode up immediately after. Never was more joy painted in any countenance than theirs. The Marquis rode up with precipitation, clasped the General in his arms and embraced him with an ardor not easily described. The whole army and all the town were presently in motion. The General -- at the request of the Marquis de St. Simon -- rode through the French lines. The troops were paraded for the purpose and cut a most splendid figure. He then visited the Continental line. As he entered the camp the cannon from the park of artillery and from every brigade announced the happy event. His train by this time was much increased; and men, women and children vied with each other in demonstrations of joy and eagerness to see their beloved countryman. His quarters are at Mr. Wythe's house. Aunt Betty has the honour of Count de Rochambeau to lodge at her house. We are all alive and so sanguine in our hopes that nothing can be conceived more different than the countenances of the same men at this time and on the first of June....

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, VA, 1938, p. 70.

* * * * *

Washington's Orders at Williamsburg

Head-quarters, Williamsburg, September 15th, 1781.

The Commander-in-chief takes the earliest opportunity of testifying the satisfaction he feels on joining the army under the command of Major-general the Marquis de Lafayette,

WASHINGTON IN WILLIAMSBURG

with prospects which, under the smiles of Heaven, he doubt not, will crown their toils with the most brilliant success. A conviction that the officers and soldiers of this army will still be actuated by that true martial spirit and thirst of glory which they have already exhibited on so many trying occasions, and under circumstances far less promising than the present, affords him the most pleasing sensations.

The arrival of a powerful fleet and army, under the command of his Excellency Count de Grasse and the Marquis de St. Simon, displays a new and striking instance of the generous attention of his Most Christian Majesty to the interests of these United States.

A very respectable body of troops, both French and Americans, are on their march from the eastward, and may soon be expected to aid our operations in this quarter.

The zeal and celerity with which Major-general de St. Simon debarked his troops and joined the army under the command of the Marquis de Lafayette, at so critical a juncture, demands his most grateful acknowledgements, which he intreats the marquis to accept. He also prays him to have the complaisance to signify to the officers and soldiers under his command the high sense the General entertains of the spirit and ardor they have shown on that occasion. He particularly admires the patience with which they supported the scarcity of provisions that unfortunately existed at the time of their junction, owing to particular circumstances -- circumstances which he exceedingly regrets, but hopes they are already remedied, and that the like misfortune will not be again experienced.

Accurate returns of the two different corps, as well Continental as militia now serving here, to be given in at head-quarters to-morrow, at ten o'clock. specifying the number of militia that are unarmed. Commanding officers of the corps must be answerable for the correctness of their returns, and that the men returned on duty must be particularly and satisfactorily accounted for.

Head-quarters, Williamsburg, September 16th, 1781.

During the present scarcity of provisions the Quartermaster will take care that a sufficient number of corn-fields are procured for the use of the troops. The Commander-in-chief in the most pointed manner forbids the soldiers entering or taking corn from any field but those pointed out by the Quartermasters, and hopes that every officer will see this order attended to.

Head-quarters, Williamsburg, September 17th, 1781.

WASHINGTON IN WILLIAMSBURG

The Quartermasters of brigades and separate corps are to make returns of camp equipage and all other articles in the Quartermaster's department to the Quarter-master to-morrow at orderly time. The President and members of the General Court-martial will return to their duties in their respective lines until the pleasure of the Commander-in-chief be known with respect to their proceedings.

Head-quarters, Williamsburg, September 19th, 1781.

The Inspector-general will review the Maryland troops Friday morning, at eight o'clock. At the same hour he desires to see all the Continental field-officers on the grand parade. The grand parade for the present is assigned on the field in the rear of the College.

Head-quarters, Williamsburg, September 24th, 1781.

An accurate inspection of arms, accoutrements, and ammunition to be made immediately, and the deficiencies completed.

The Continental troops composing the troops in Virginia are to be brigaded as follows:

Colonel Vose's, Lieutenant-colonel Barber's, and Lieutenant-colonel Gimat's battalions of infantry will form a brigade, to be commanded by Brigadier-general Muhlenberg.

Colonel Scammell's regiment, and Lieutenant-colonel Hamilton's battalion of infantry, and Hazen's regiment -- the brigade to be commanded by Brigadier-general Hazen.

Colonel Gaskins' Virginia Regiment and the two battalions of Pennsylvania -- brigade to be commanded by Brigadier-general Wayne.

The two Jersey battalions, and the Rhode Island battalion -- a brigade to be commanded by Colonel Dayton.

The Third and Fourth Maryland Regiments -- a brigade to be commanded by Brigadier-general Gist.

WASHINGTON IN WILLIAMSBURG

The First and Second New York Regiments -- a brigade to be commanded by General Clinton.

The Inspector-general desires the commanding officers of regiments and corps may have them inspected without delay, agreeably to the General Orders of this day, and report to him the state of their arms, ammuniton, and accoutrements.

Head-quarters, Williamsburg, September 25th, 1781.

All deserters and persons coming from the enemy's lines are to be sent in the first instance to head-quarters. No horses, arms, or accoutrements are to be purchased from them, except for the public service, unless it is specified to the contrary in the ritten papers which will be granted them by the Adjutant-general. Any person of the above description found without proper passes with the army, or within the environs of the encampment, to be apprehended and sent to the provost guard.

The Deputy Commissary-general of prisoners will report to head-quarters all prisoners of war immediately after their capture.

The several issuing Commissaries will be particularly careful, reserving all the sheepskins for the use of the artillery -- they will be delivered to Mr. Thomas Jones, D.C.M.S., on his application.

At a general court-martial assembled at Williamsburg, by order of Major-general the Marquis Lafayette, Colonel Vose president, Captain Wilkin, of Colonel Stewart's battalion, of the Pennsylvania line, charged by Colonel Stewart with riotous behavior, in his tent, in an unreasonable hour of the night, with disobedience in not desisting when order to do so by the field-officer of the day, through the Adjutant, Capt. Vanhorne, and for using language and conduct subversive of good order and discipline, was tried and acquitted.

The Yorktown Campaign and the Surrender of Cornwallis, 1781, Henry P. Johnston, Eastern Acorn Press, 1981, pp. 199-201.

* * * * *

Virginia Collapses

Although Jefferson's term legally ended on Saturday, June 2, no one seemed concerned about such a nicety. The assembly nonchalantly postponed the

VIRGINIA COLLAPSES

election of a successor until Monday, and Jefferson spent part of the weekend on official correspondence he could not legally sign.

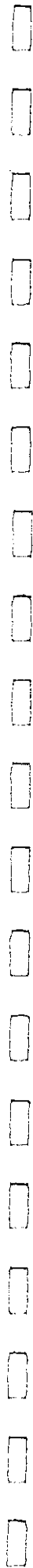
Late Sunday night in Louisa County, Captain John Jouett, Jr., saw Tarleton's legionnaires ride by. Taking a shortcut, Jouett managed to reach Jefferson's home at Monticello just before daybreak and warn the governor of their approach. Jouett then rode on to Charlottesville to alert the legislators. Still, the alarm seems not to have been great although Jefferson's accounts of the affair, based on a diary that has since disappeared, were written later when he was trying to offset political charges that he had panicked. Archibald Cary and Benjamin Harrison, speakers of the Senate and the house, and some other legislators who were guests at Monticello, rode into town and then, "so incredulous were some of us," said Harrison, had difficulty persuading the assembly to adjourn before the British came. Jefferson sent off his family but remained behind to gather some state papers. At a second warning that the enemy had arrived at the foot of the hill on which Monticello stands, Jefferson snatched up the remaining papers -- he later apologized because he upset the order -- and fled into the woods of Carter's Mountain through which the British could not follow. Catching up with his family, he took them to a friend's home in Amherst County. Tarleton's men arrived at Monticello minutes after the quarry had flown.

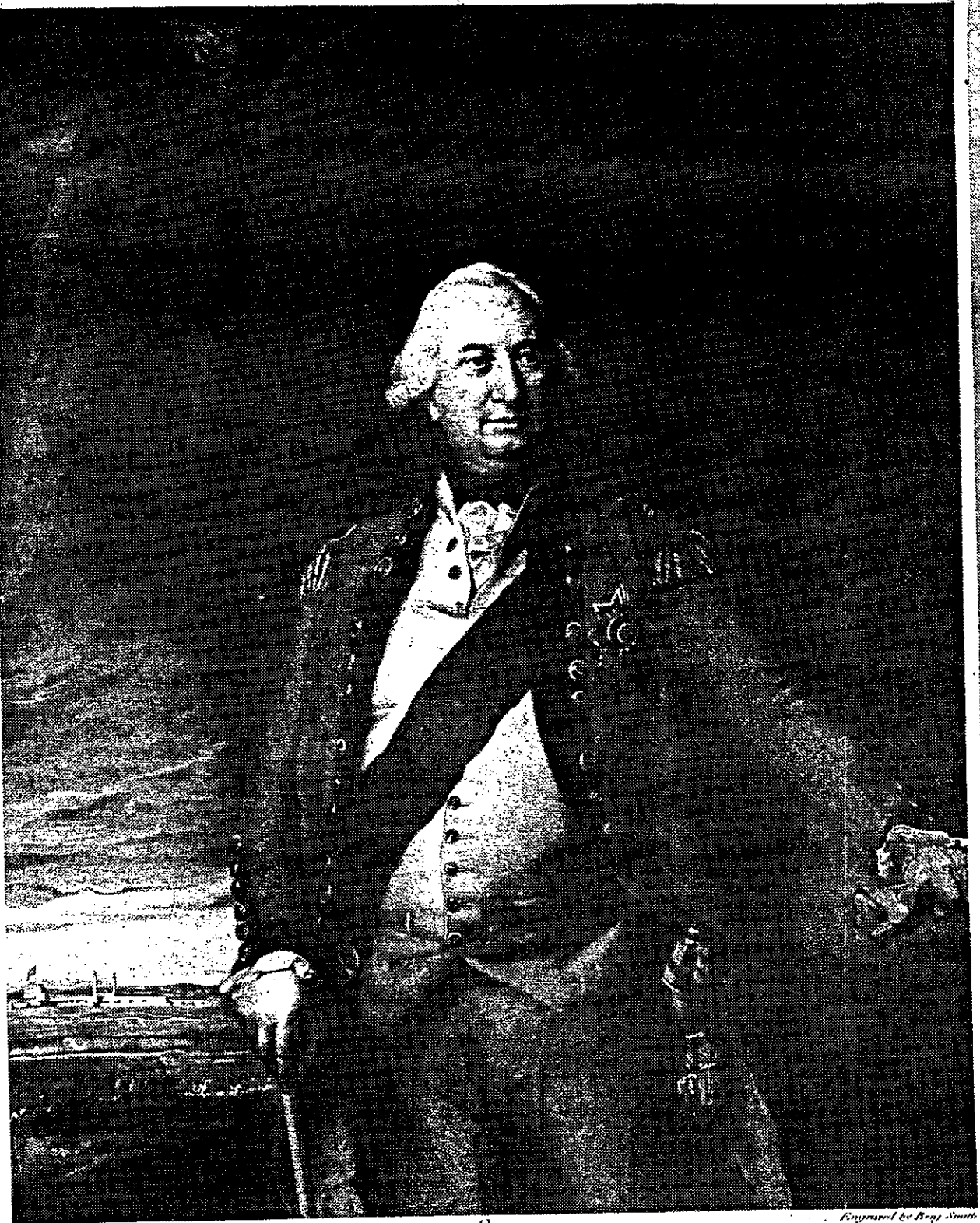
With Jefferson's flight Virginia's fortunes reached the lowest point of the war. For over a week the legitimacy of the executive remained in doubt, although not entirely as a result of Tarleton's raid. Theoretically, the president of the Council as lieutenant governor should have acted in Jefferson's stead, but Dudley Digges, who had held that position for the past year, had resigned when Jefferson moved the government to Charlottesville, and the Council never managed to form a quorum to elect another. Digge's resignation created the third vacancy on the board since the special session of the legislature. The next in seniority after Digges was David Jameson, who had been present at the last Council meeting in Richmond but did not come to Charlottesville until July. After Jameson came William Fleming, who had not been present at a meeting since April. Jefferson wrote to him and Andrew Lewis, who also had been absent April, to be certain that they attended in Charlottesville in order to avoid just such a crisis. Only George Webb followed the governor from Richmond and only he appeared on May 24, the day appointed for the legislature to reassemble. Fleming finally arrived in the thirtieth, and, after the raid, found himself the sole representative of the executive in Staunton until Webb showed up on June 12.

Fleming did not officially become acting governor. When acknowledging communication from him in his executive capacity, the delegates referred to him as "a Member of the Privy Council," and Fleming himself doubted his authority to call out the militia. In the first days of exile in Staunton, the Speaker of the house also issued directives that normally would have come from the executive. Later the assembly felt



Lt. Col. Tarleton, J.R. Smith after Sir Joshua Reynolds, black and white mezzotint engraving, London, 1782. (Acc. No. 1975-46).





Painted by J.S. Copley R.S.A.

Engraved by Boydell

THE MOST NOBLE CHARLES
Master General
Lieut. General & General Governor



MARQUIS CORNWALLIS, &c. &c.
of the Ordnance
of his Majesty's Kingdom of Ireland

From the Original Picture in Guildhall, presented

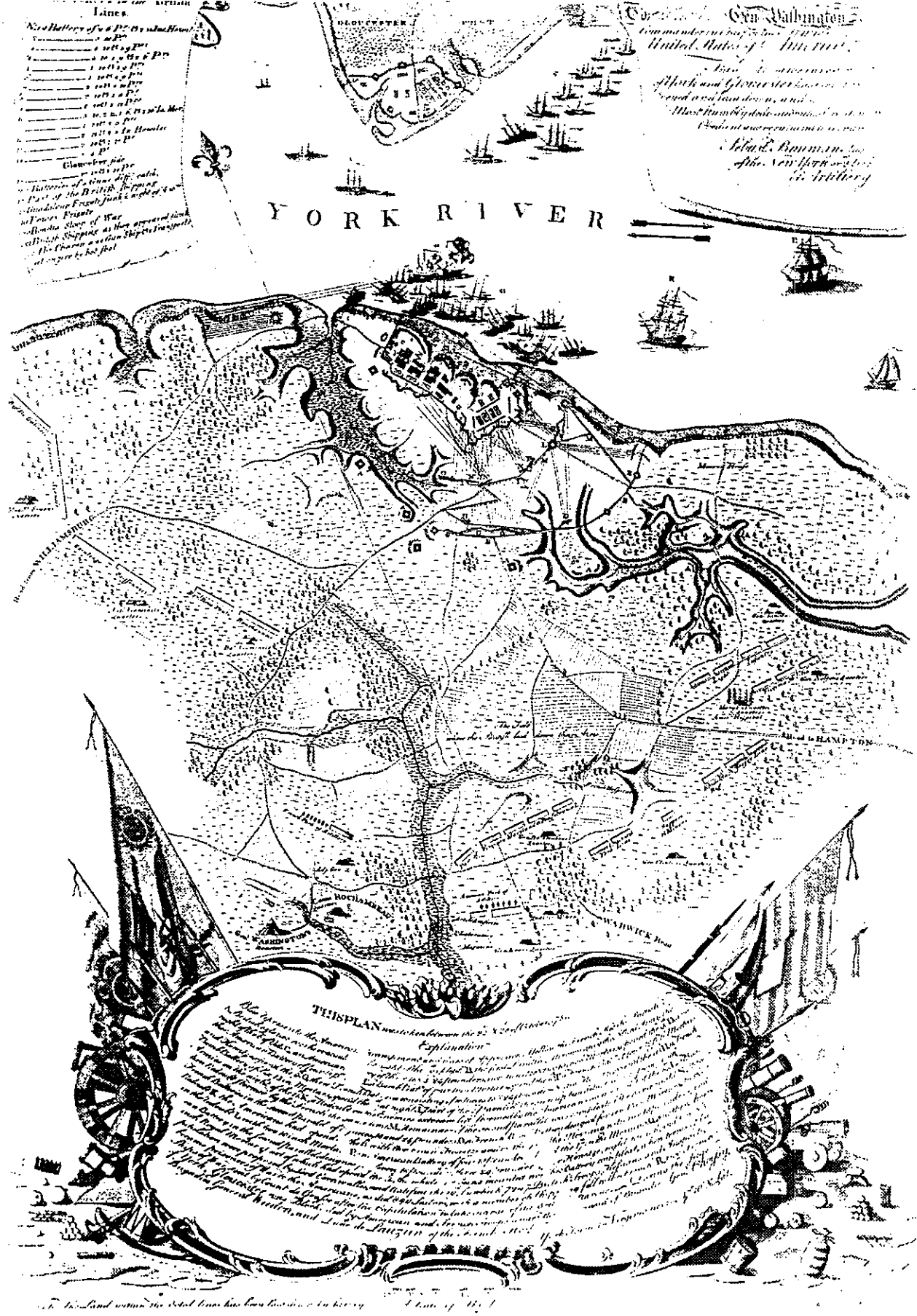
to the Corporation of London, by Alderman Boydell.

Printed by J. & J. Boydell, 15, St. Martin's Lane, London.

Sold at the Stationers' Hall, Pall-Mall.

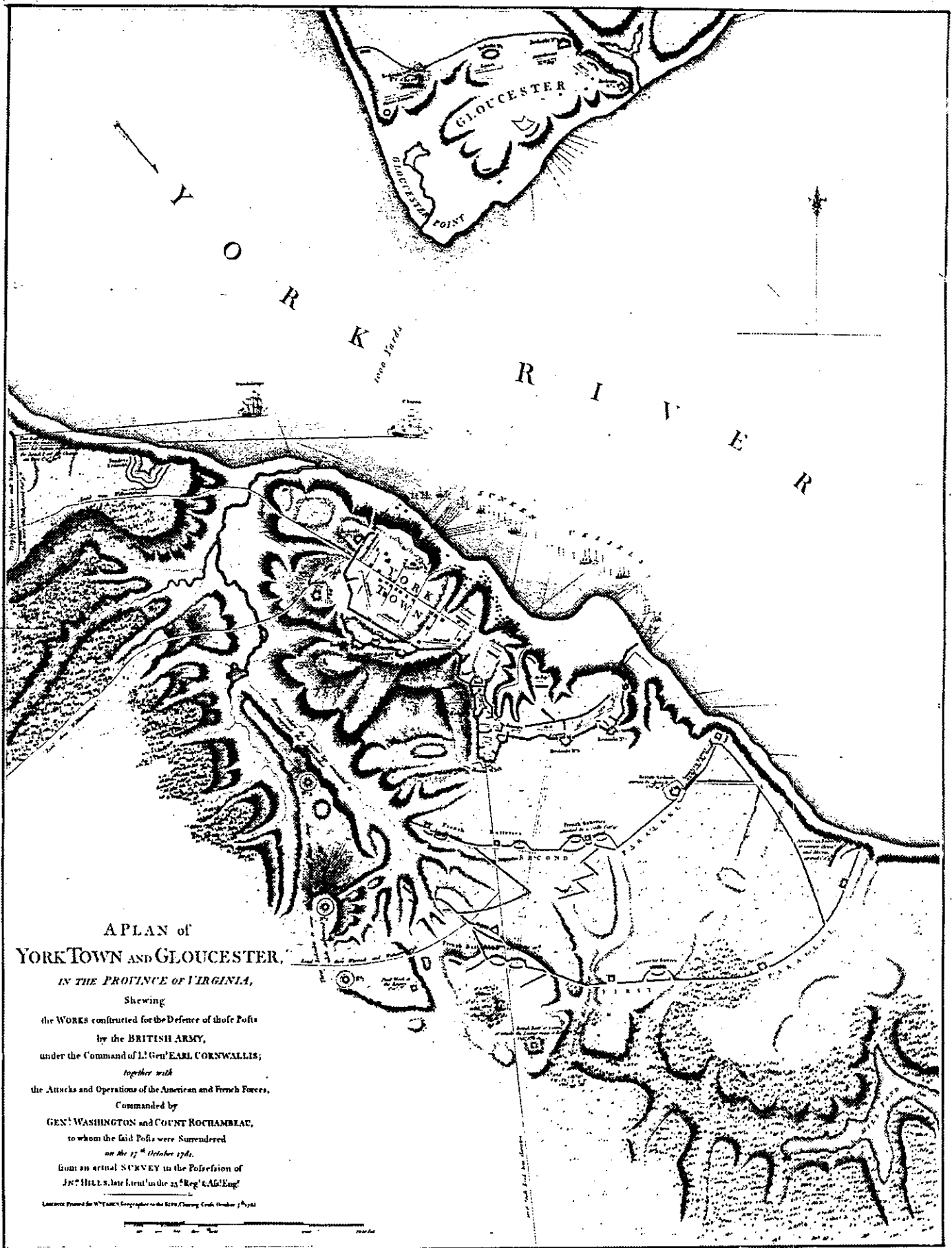
The Most Noble Charles Marquis Cornwallis, &c. &c. Master General of the Ordnance, Lieut. General, & General Governor of his Majesty's Kingdom of Ireland, published by J. & J. Boydell, black and white stipple engraving, England, September 1, 1798. (Acc. No. G1938-215).



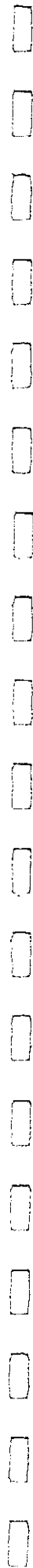


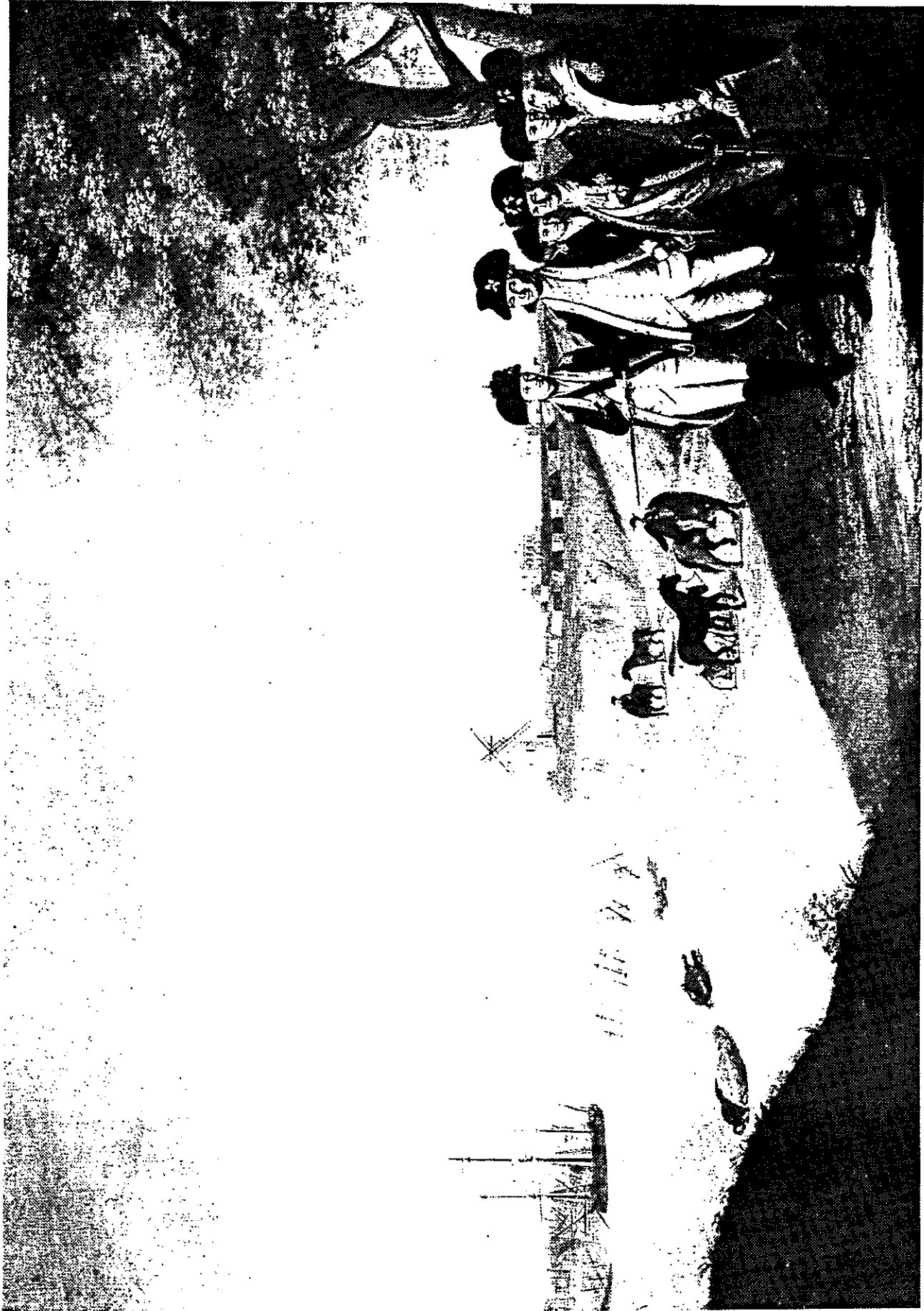
Plan of the investment of York and Gloucester, Sebastian Bauman, engraved by Robert Scot, line engraving, Philadelphia, 1782. Drawn by Bauman, an American artillery officer, this map is the only American survey of the last battle of the war. It was begun immediately after the surrender and shows the locations of the headquarters of Washington, Rochambeau, and Lafayette, the hospitals, and the artillery and infantry positions. (Acc. No. 1950-769).





A Plan of Yorktown and Gloucester, in the Province of Virginia, John Hills, published by William Faden, line engraving, London, Oct. 7, 1785. This map was published in 1793 in the Atlas of Battles of the American Revolution. This corresponds to the version of the battle presented in the plan by Edward Fage. (Acc. No. 1975-9).





The Generals at Yorktown, Charles Willson Peale or James Peale, oil on canvas, Virginia or Pennsylvania, 1781-1790. The scene depicts Washington, Lafayette, Rochambeau and the other leaders surveying Yorktown. This scene was painted for Francis Bailey, an official printer to the Continental Congress and for the Commonwealth of Pennsylvania. (Acc. No. 1958-1).



VIRGINIA COLLAPSES

it necessary to adopt a resolution indemnifying Fleming for stepping in as governor.

By June 7 enough of the lower house -- in the act of adjournment in Charlottesville, the members had wisely reduced the quorum to forty -- reached Staunton to reconvene the chamber, but the Senate remained unformed for several days more. Benjamin Harrison implied in a letter to Joseph Jones that some officials had asked Jefferson to continue as governor although whether they did so before the flight or afterward is not clear. (Jefferson did return briefly to Monticello, but his home is over fifty miles from Staunton.) The former governor had apparently declined on the ground that without a Senate the selection would be illegal. The legislature, of course, could have passed an indemnity like the one for Fleming, but Jefferson had been waiting for almost a year to be rid of the office and, despite all pleas, clearly felt no obligation to circumvent the letter of the law to perpetuate what unquestionably would have continued to be a thankless chore. In the disruption of the moment he could have done little that another could not, except perhaps exercise greater moral influence. Jefferson obviously thought that he had done his share; let someone else take a turn.

As if to belie the prevailing panic, the House of Delegates coolly set the election of Jefferson's successor for five days after it met, probably to let the Senate assemble, and spent the interval debating the nature of the office. Although no mention appears in the official journal, shortly after the delegates gathered, George Nicholas moved to appoint "A Dictator...in the Commonwealth who should have the power of disposing of the lives and fortunes of the Citizens thereof without being subject to account." Nicholas proposed either Washington or Greene. Patrick Henry supported the motion and tried to avoid any delay over semantics by arguing that it mattered little what title the person bore so long as he had the powers required. Jefferson later said that the motion lost by a thin margin of six. The retiring governor long harbored deep resentment toward his predecessor for attempting to overthrow the constitution -- or so Jefferson believed -- to serve Henry's ambition. Whatever the intention, the demand for an all-powerful leader spread. While the legislators debated in Staunton, in the Tidewater at the other end of the state Richard Henry Lee simultaneously launched a salvo of letters to Philadelphia urging that Congress send Washington as a dictator to take over Virginia.

On June 12 the legislature finally elected Thomas Nelson to succeed Jefferson. On the same day, just as the latter's friends prepared to submit a resolution commending him, George Nicholas moved "that at the next session of Assembly an inquiry be made into the conduct of the Executive of this State for the last twelve months."

The Virginians' fortunes had totally collapsed. Simcoe and Tarleton's raid left the government in shambles. The state's supply system had fallen into disarray.

VIRGINIA COLLAPSES

Militarily, Cornwallis appeared to be in complete control. The legislature took the first steps toward recovery, but at a cost that many considered to entail abandonment of the Revolution's ideals. The assembly ceded the power of taxation to a legislature in Philadelphia that critics considered almost as remote from the people as the one in London, and, while heeding Patrick Henry's advice not to use the term, the delegates created a "dictator" more powerful than the one they had fashioned in 1776.

The Revolution in Virginia 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, pp. 281-282, 285.

* * * * *

Siege

Wednesday 17th

As we heard a very smart or rather incessant Cannonade last night and this morning I take it for granted that all or the greater part of our Batteries are opened by this time. This Forenoon a Flag from York brought a letter couch'd nearly in the following Terms, "Sir -- I propose a Cessation of Hostilities for twentyfour Hours and that two Officers by appointed from both sides to meet at M^r Moore's and agree on Terms for the surrender of the ports of York & Gloucester.

I have the Honour to be your Excellency's most obedient & most humble Servant

Cornwallis

*To His Excellency General Washington
Commander in Chief of the combined
Forces of France & America*

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, Virginia, 1938, p. 75.

Washington's Reply

Sir -- I have received your Favour of this Morning. Regard to Humanity induces me to agree to a suspension of Hostilities that your Lordship may propose the Terms on which you choose to surrender etc...

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, Virginia, 1938, p. 76.

* * * * *

Account of the Surrender by Lieutenant-colonel Harry Lee.

At two o'clock in the evening the British army, led by General O'Hara, marched out of its lines with colors cased, and drums beating a British march.

The author was present at this ceremony; and certainly no spectacle could be more impressive than the one now exhibited. Valiant troops yielding up their arms after fighting in defence of a cause dear to them (because the cause of their country), under a leader who, throughout the war, in every grade and in every situation to which he had been called, appeared the Hector of his host. Battle after battle had he fought; climate after climate had he endured; towns had yielded to his mandate, posts were abandoned at his approach; armies were conquered by his prowess; one nearly exterminated, another chased from the confines of South Carolina beyond the Dan into Virginia, and a third severely chastised in that State on the shores of James River. but here even he, in the midst of his splendid career, found his conqueror.

The road through which they marched was lined with spectators, French and American. On one side the commander-in-chief, surrounded by his suite and the American staff, took his station; on the other side, opposite to him, was the Count de Rochambeau, in like manner attended. The captive army approached, moving slowly in column with grace and precision. Universal silence was observed amid the vast concourse, and the utmost decency prevailed: exhibiting in demeanor an awful sense of the vicissitudes of human life, mingled with commiseration for the unhappy. The head of the column approached the commander-in-chief; O'Hara, mistaking the circle, turned to that on his left, for the purpose of paying his respects to the commander-in-chief, and requesting further orders; when, quickly discovering his error, with much embarrassment in his countenance he flew across the road, and, advancing up to Washington, asked pardon for his mistake, apologized for the absence of Lord Cornwallis, and begged to know his further pleasure. The General, feeling his embarrassment, relieved it by referring him with much politeness to General Lincoln for his government. Returning to the head of the column, it again moved under the guidance of Lincoln to the field selected for the conclusion of the ceremony.

Every eye was turned, searching for the British commander-in-chief, anxious to look at that man, heretofore so much the object of their dread. All were disappointed. Cornwallis held himself back from the humiliating scene; obeying sensations which his great character ought to have stifled. He had been unfortunate, not from any false step or deficiency of exertion on his part, but from the infatuated policy of his superior, and the united power of his enemy, brought to bear upon him alone. There was nothing with



LE TEMPLE DE LA GLOIRE.



CAPITULATION DE CORNWALLIS.

Washington, New-York, le 19 Septembre, 1781.

Le Temple de la Gloire. Capitulation de Cornwallis, Delignon, black and white line engraving with some stipple, Albany, New York, Sept. 11, 1797. Accompanying the allegorical scene is a printed "Prospectus of an allegorical Picture of the Triumph of Liberty" by the artist which describes in detail the meaning of the various figures. (Acc. No. 1964-310, 1-2).



SURRENDER

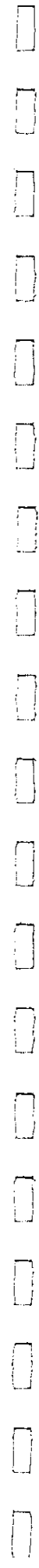
which he could reproach himself; there was nothing with which he could reproach his brave and faithful army: why not, then, appear at its head in the day of misfortune, as he had always done in the day of triumph? The British general in this instance deviated from his usual line of conduct, dimming the splendor of his long and brilliant career.

The post of Gloucester, falling with that of York, was delivered up on the same day by Lieutenant-colonel Tarleton, who had succeeded to the command on the transfer of Lieutenant-colonel Dundas to the more important duties assigned to him in the defence of York. Previous to the surrender, Tarleton waited upon General Choisy, and communicated to that officer his apprehensions for his personal safety if put at the disposal of the American militia. This conference was sought for the purpose of inducing an arrangement which should shield him from the vengeance of the inhabitants. General Choisy did not hesitate a moment in gratifying the wishes of Tarleton. The Legion of Lauzun and the corps of Mercer were selected by the general to receive the submitting enemy, while the residue of the allied detachment was held back in camp. As soon as the ceremony of surrender was performed, Lieutenant-colonel Hugo, of the Legion of Mercer, with his militia and grenadiers, took possession of the redoubts, and protected the hostile garrison from those outrages so seriously, though unwarrantably, anticipated by the British commandant. It would have been very satisfactory to have been enabled to give the reasons which induced this communication from Lieutenant-colonel Tarleton, but Choisy did not go into the inquiry, and they remain unascertained.

Description of the Surrender by Colonel Fontaine, Virginia Militia.

Richmond, Oct. 26th, 1781.

Dear Sir,--Major Penn gives me an opportunity, the first I have met with since the glorious event, of congratulating you on the surrender of York, which I do with all imaginable cordiality. I had the happiness to see that British army which so lately spread dismay and desolation through all our country, march forth on the 20th inst. [19th] at 3 o'clock through our whole army, drawn up in two lines about 20 yards distance and return disrobed of all their terrors, so humbled and so struck at the appearance of our troops, that their knees seemed to tremble, and you could not see a platoon that marched in any order. Such a noble figure did our army make, that I scarce know which drew my attention most. You could not have heard a whisper or seen the least motion throughout our whole line, but every countenance was erect, and expressed a serene cheerfulness. Cornwallis pretended to be ill, and imposed the mortifying duty of leading forth the captives on Gen. O'Hara. Their own officers acknowledge them to be the flower of the British troops, but I do not think they at all exceeded in appearance our won or the French. The latter, you may be assured, are very different from the ideas



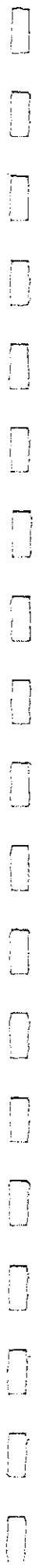
AMERICA TRIUMPHANT AND BRITANNIA IN DISTRESS



EXPLANATION.

- I. America sitting on that quarter of the globe with the Flag. II. Britannia weeping at the loss of the trade of America, attended with an evil genius.
- III. The United States displayed over her head, holding in her hand the Olive branch, inviting the ships of all nations to partake of her commerce, and in the other hand a Cup, containing the Cup of Liberty.
- IV. The British flag struck, on her strong Fortresses.
- V. French, Spanish, Dutch, shipping in the harbours of America.
- VI. A view of New York, wherein is exhibited the Traitor Arnold, taken with remorse for selling his country, and Judas like hanging himself.

America Triumphant and Britannia in Distress, unknown maker, black and white etching, Boston, Massachusetts, 1782. Published in *Town & Country Almanac*. This print is important because it is one of the few political prints to appear in an American publication. It also is one of the earliest representations of the stars and stripes. The print celebrates America's independence as well as depicting the offers of reconciliation and friendship to Great Britain. (Acc. No. 1960-124) Rebellion and Reconciliation: Satirical Prints on the Revolution at Williamsburg, Joan D. Dolmetsch, The Colonial Williamsburg Foundation, Williamsburg, VA, 1976.



SURRENDER

formerly inculcated in us of a people living on frogs and coarse vegetables. Finer troops I never saw. His Lordship;s defence I think was rather feeble. His surrender was eight or ten days sooner than the most sanguine expected, though his force and resources were much greater than we conceived.

[Va. Historical Register (1849) vol. ii, p. 34].

The Yorktown Campaign and the Surrender of Cornwallis, 1781, Henry P. Johnson, Eastern Acorn Press, 1981, pp. 176-178.

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St. George Tucker with Cornwallis

Saturday 20^h

I went into York today with Gen^l Lawson who waited on Lord Cornwallis on some Business relative to the Prisoners which he was appointed to conduct to Winchester. His Lordship in the course of conversation told us that he had mediated a transition over the River on the night of Tuesday, but was prevented by his boats being blown away from the shore in a very sever squall. A thousand Men had actually crossed, Their Intention was to have surprised our Camp in Gloster and endeavoured to push their way thro' the Country....

St. George Tucker: Citizen of No Mean City, Mary Haldane Coleman, The Dietz Press, Richmond, Virginia, 1938, pp. 77-78.

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Extract from Wraxall's "Memoirs," Describing the Reception of the News by the Home Cabinet.

On Sunday, the 25^h, about noon, official intelligence of the surrender of the British forces at Yorktown arrived from Falmouth at Lord George Germaine's home in Pall-mall. Lord Walsingham, who previous to his father sir W^m de Grey's elevation to the Peerage, had been Under Secretary of State in that Department; and who was elected to second the Address in the House of Peers on the subsequent Tuesday; happened to be there when the messenger brought the news. Without communicating it to nay other person, Lord George, for the purpose of despatch, immediately got with him into a hackney-coach and drove to Lord Stormont's residence in Portland Place. Having imparted to him the disastrous information and taken him into the carriage, they instantly proceeded to the Chancellor's house in Great Russel Street, Bloomsbury, whom they found at home.

BRITISH REACTION

When, after a short consultation, they determined to lay it themselves in person before Lord North. He had not received any intimation of the event when they arrived at his door in Downing Street between one and two o'clock. The First Minister's firmness and even his presence of mind gave way for a time under this awful disaster. I asked Lord George afterward how he took the communication when made to him? "As he would have taken a ball in his breast," replied Lord George. For he opened his arms exclaiming wildly as he paced up and down the apartment, during a few minutes, "Oh God! it is all over!" Words which he repeated many times, under emotions of the deepest agitation and distress.

When the first agitation of their minds had subsided, the four Ministers discussed the question whether or not it might be expedient to prorogue Parliament for a few days; but as scarcely an interval of forty-eight hours remained before the appointed time of assembling; and as many members of both Houses were already either arrived in London, or on the road, that proposition was abandoned. It became however, indispensable to alter and almost model anew the King's Speech, which had been already drawn up, and completely prepared for delivery from the Throne. This alteration was, therefore, made without delay; and at the same time Lord General Germain, as Secretary for the American Department, sent off a despatch to His Majesty who was then at Kew, acquainting him with the melancholy termination of Lord Cornwallis' expedition. Some hours having elapsed, before those different but necessary acts of business could take place, the Ministers separated, and Lord George Germain repaired to his Office in Whitehall. There he found a confirmation of the intelligence, which arrived about two hours after the first communication; having been transmitted from Dover, to which place it was forwarded from Calais, with the French account of the same event.

I dined on that day at Lord George's...Before the dinner was finished, one of his servants delivered him a letter, brought back by the messenger who had been despatched to the King. Lord George opened and perused it -- then looking at Lord Walsingham, to whom he exclusively directed his observation, "The King writes," said he, "just as he always does, except that I observe he has omitted to mark the hour and the minute of his writing, with his usual precision."

[By Germaine's permission Wraxall read the account of the surrender aloud] while the company listened in profound silence. We then discussed its contents as affecting the Ministry, the Country, and the War. It must be confessed that they were calculated to diffuse a gloom over the most convivial society, and that they opened a wide field for political speculation.

After purusing the account of Lord Cornwallis' surrender at York Town, it was impossible for all present not to feel a lively curiosity to know how the King had received the intelligence; as well as how he had expressed himself in his note to Lord

BRITISH REACTION

George Germain on the first communication of so painful an event. He gratified our wish be reading it to us, observing at the same time that it did the highest honor to His Majesty's fortitude, firmness, and consistency of character. The words made an impression on my memory, which the lapse of more than thirty years has not erased; and I shall here commemorate its tenor as serving to show how that Prince felt and wrote, under one of the most afflicting, as well as humiliating occurrences of his reign. The Billet ran nearly to this effect. "I had rec'd with sentiments of the deepest concern the communication which Lord George Germain has made me, of the unfortunate result of the operations in Virginia. I particularly lament it on account of the consequences connected with it and the difficulties which it may produce in carrying on the public busines, or in repairing such a misfortune. But I trust that neither Lord George Germain nor any Member of the Cabinet will suppose that it makes the smallest alteration in those principles of my conduct, which have directed me in past time, and which will always continue to animate me under every event, in the prosecution of the present contest."

Not a sentiment of despondency or of despair was to be found in the letter; the very handwriting of which indicated composure of mind. Whatever opinion we may entertain relative to the practicability of reducing America to obedience by force of arms at the end of 1781, we must admit that no Soveign could manifest more calmness, dignity, or self-command, than George the Third displayed in this reply.

The Yorktown Campaign and the Surrender of Cornwallis, 1781, Henry P. Johnson, Eastern Acorn Press, 1981, pp. 179-181.

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French in Williamsburg "Winter Quarters"

After the Americans and British departed, the French set about destroying the fortifications in Yorktown and those Arnold had built in Portsmouth. About mid-November Rochambeau's troops moved into winter quarters at Williamsburg with detachments at Yorktown, Gloucester, Hampton, and West Point. The winter of 1781-1782 proved extraordinarily mild, and from the journals of French officers, all appeared to enjoy themselves as much as anyone doing garrison duty on the outskirts of civilization could. Local Virginians, at least those of the wealthier classes, seem from the same accounts to have eagerly and pleasantly discharged their duties as hosts with dances, cockfights, horse races, hunts, and similar events. Congress decreed a holiday on December 15 to celebrate the victory at Yorktown. Rochambeau had a *Te Deum* mass sung in Williamsburg and gave a dinner and ball that evening, of which Baron von Closen noted in his diary, "Everyone very much pleased with it."

...overall, Williamsburg residents had few complaints about the army of occupation. When the French at last announced their departure the following June, their

WINTER QUARTERS

hosts expressed genuine regret, not only because of the defense the French afforded, but because the visitors had been model guests whose discipline and deportment the Virginians universally lauded. The major portion of the French army marched out of Williamsburg between July 1 and 4, 1782, in weather so hot that the troops began their daily treks at 1 a.m. to avoid the worst. Six months later the army arrived in Boston, where it embarked for the long voyage home.

The Revolution in Virginia 1775-1783, John E. Selby, The Colonial Williamsburg Foundation, Williamsburg, VA, 1988, p. 312.

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Winter Quarters in Virginia November 1781-June 1782

NOVEMBER 1781. 19 I indicated previously, at the conclusion of [the account of] the last campaign, the several winter quarters that the army occupied after the siege of York. On November 19th, the order was given for duty Williamsburg. The first hours in our winter quarters were spent in familiarizing ourselves with Williamsburg (the capital of Virginia) and with its surroundings. It is, moreover, the largest city in the United States, after Boston, Philadelphia, and Baltimore. Many of its inhabitants have been ruined by the frequent visits from enemies and friends. After the arrival of Arnold in Portsmouth, the Assembly, which used to meet in Williamsburg, withdrew to Richmond, sixty miles inland, on the left bank of the James River (towards the West), where they were better protected from the incidents of war than in Williamsburg.

This city consists of two large, parallel streets and of three or four lesser ones that bisect them perpendicularly. Not all the streets are paved, but there are some sidewalks (kept in good repair) along the main ones. There are three large, very well constructed buildings: the College, the Capitol, and the Governor's Palace. The first two are at the extremities of the main street, facing each other and a mile apart. The third is in very bad condition, but the great hall and other rooms, although damaged, still show that Lord Dunmore (the last English governor) must have lived there in great style. The Capitol is now without magistrates and law courts and the College without professors and students. Instead, these buildings, as well as two churches, are about to be used for the establishment of hospitals and for the army depot. The population of the city is very large at this time, but the war has caused much suffering, as I have already observed. We found very few horses, since all the wealthy citizens had sent theirs into the interior, Cornwallis and Tarleton having found them very much to their liking.

[23] In spite of the warnings issued to prevent fire, one of the wings of the College, which was used as an army hospital, was reduced to ashes on November 23; fortunately, the fire did not reach the main part of the building, and all the wounded officers who

WINTER QUARTERS

were in this wing were removed in time. The King got off for £12,000 in damages, in a settlement that M. d Rochambeau negotiated with the President, Mr. Madison, who had lost a large part of his library and several very fine physics instruments.

[24] One could not be more hospitable than are the inhabitants of Williamsburg to all the army officers; they receive them very cordially in their homes and do all in their power to provide entertainment for them (according to the custom of the country, however). In this city, the fair sex, although they are not the prettiest I have seen, form a very agreeable and, in general, very well bred society. Perhaps the oppressively hot climate of Virginia has some influence upon the inhabitants; it is probably the reason for their being less gay and much less active than those in the North. Perhaps in time I can discuss this at greater length.

[Dec. 16, 1781]

A letter from the South informed us of the arrival of Lord Dunmore in Charleston, December 23, on the *Astrée* of 32 cannon, with the *Rotterdam* of 50, escorting about thirty transports, aboard which there were many refugee families whom Dunmore had counted on restoring to their possession in Virginia, just as he had hoped to regain control of his government in Williamsburg. But the capture of Cornwallis had made Dunmore's plans miscarry, and his friends here are consoling themselves for the governor's absence with our army.

There are endless balls; the women love dancing with as much passion as the men hunting and horse-racing, and sometimes cock-fights too. M. de Rochambeau, who liked hunting very much, amused himself during the whole winter riding through the woods, followed by twenty or so enthusiasts. We ran down more than 30 foxes. The dog packs belonging to the gentlemen of the neighborhood are wonderful. It is only a pity that the species of foxes is not as strong as that in Europe; ordinarily, after an hour of hunting, they are tracked down, sometimes even in less time, and rarely in more. The country around Williamsburg favors this kind of hunting. There are many clear woods and little thickets, across which one can always follow the hounds, and although there are several creeks and swamps, the fords are not dangerous and are always marked. I have gone to several horse-races, which I found entertaining. One of the great sciences and occupations of Virginians is the preparation of horses for racing; they take the greatest care of them and understand them completely. The French have been amused more than once by these races.

As for the cock-fights, they are something to see once out of curiosity, but the spectacle is a little too cruel for one to enjoy; one sees these poor things knocked about, pricked, blinded, and finally killed with their steel spurs.

The Revolutionary Journal of Baron Ludwig von Closen 1780-1783, translated and edited with an Introduction by Evelyn M. Acomb, published for the Institute of Early American History and Culture at Williamsburg, VA, by the University of North Carolina Press, Chapel Hill, NC, pp. 165-166, 176-177.

CONCLUSION

Conclusion

In behalf of the advanced ideas of eighteenth-century radicals the Revolutionary leaders undertook to complete, formalize, systematize, and symbolize what previously had been only partially realized, confused, and disputed matters of fact. Enlightened ideas were not instruments of a particular social group, nor did they destroy a social order. They did not create new social and political forces in America; they released those that had long existed, and vastly increased their power. This propulsion -- this completion, this rationalization, this lifting into consciousness and endowing with high moral purpose inchoate, confused, and hitherto disputed elements of social and political change -- marks the impact of ideas on political experience in eighteenth-century America. It is an essential facet of the American Revolution.

The American Revolution not only created the American political nation but molded permanent characteristics of the culture that would develop within it. The Revolution is an event, consequently, whose meaning cannot be confined to the past. Whether we recognize it or not, the sense we make of the history of our national origins helps to define for us, as it has for generations before us, the values, purposes, and acceptable characteristics of our public institutions. The questions must repeatedly be asked, therefore, what the nature of the event was, and what bearing it should have on our lives. A great many books have been published on the Revolution in the past fifty years, and a veritable library of documents has been unearthed. What -- that makes any difference -- does this mass of information tell us that an earlier generation did not know? Where does our knowledge fall away, and myth and wish fulfillment take over?

The Constitution, in all its aspects and ramifications, is profoundly relevant.

There can be no ordinary historical characterization of the complicated interplay between the maturing of Revolutionary ideas and ideals and the involvements of everyday life, which is the essence of the history of the Constitution period. To me the most subtle and penetrating depiction of the inner character of the drafting of, and the debate on, the Constitution is not a historical discourse but a poem, a short poem by Richard Wilber. It is called "Mind."

Mind in its purest play is like some bat
That beats about in caverns all alone,
Contriving by a kind of senseless wit
Not to conclude against a wall of stone.

It has no need to falter or explore;
Darkly it knows what obstacles are there,

CONCLUSION

And so may weave and flutter, dip and soar
In perfect courses through the blackest air.

And has this simile a like perfection?
The mind is like a bat. Precisely. Save
That in the very happiest intellection
A graceful error may correct the cave.

It was this that the federalists corrected the cave -- enlarged it dimensions, reshaped it, modernized it. We live in that more spacious world. Thanks to them, and to their antifederalist opponents who helped keep them close to their ideological origins, we know what obstacles are there, and so may weave and flutter, dip and soar in perfect courses through the blackest air. In that spirit we too -- in the happiest intellection -- may continue to correct the cave.

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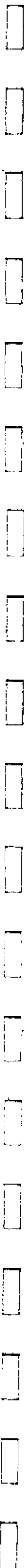
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