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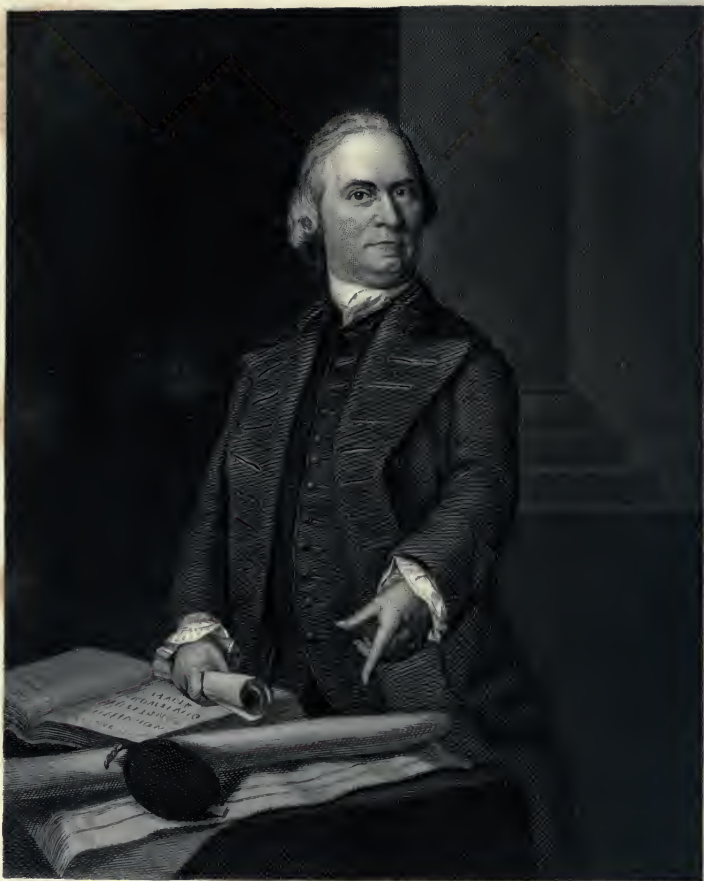
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THE
LIFE AND PUBLIC SERVICES

OF

SAMUEL ADAMS,

BEING

A NARRATIVE OF HIS ACTS AND OPINIONS, AND OF HIS AGENCY
IN PRODUCING AND FORWARDING THE

AMERICAN REVOLUTION.

WITH

EXTRACTS FROM HIS CORRESPONDENCE, STATE PAPERS,
AND POLITICAL ESSAYS.

BY

WILLIAM V. WELLS.

VOL. I.

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THE AUTHOR.

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INTRODUCTION.

AN eminent statesman has said, that a "Life of Samuel Adams is the one niche remaining to be filled in American biography." It will not be questioned that, considering his entire self-devotion to the welfare of his countrymen, together with the oblivion which has enshrouded all but his mere name, an attempt at restoration is as much a necessity to those who revere virtue and exalted patriotism as it is a duty we owe to his memory.

"If," wrote John Adams, in 1819, "the American Revolution was a blessing, and not a curse, the name and character of Samuel Adams ought to be preserved. It will bear a strict and critical examination even by the inveterate malice of his enemies. A systematic course has been pursued for thirty years to run him down. His merits and services and sacrifices and sufferings are beyond all calculation."

Circumstances have for many years prevented the production of a work, to write which completely, it has been asserted, would be to repeat the story of the Revolution. And it is perhaps better that it has been so long deferred. With the additional facts which time has brought to light, it is likely that inaccuracies in a book written forty years ago might now be discovered. Placed nearer to the statue, the biographer would not have clearly discerned its true

proportions; its contour and character are more correctly seen from a distance.

As early as 1815, the late Samuel Adams Wells commenced gathering, from various sources, the papers of his grandfather, with the view to publication. The enterprise was based on a profound veneration for the man, and an intelligent appreciation, enhanced by family tradition, of his great services. It was pursued at intervals until he had prepared a history of the Revolution up to the year 1777, of which a few chapters had been printed, when the death of the writer put an end to the work. Not long afterwards, the papers passed into the hands of the Hon. George Bancroft, for whose History they have supplied valuable material. To the genius, love of truth, and discriminating judgment of that historian is greatly due the increasing lustre which time is shedding on the name of Samuel Adams.

If at any time before the Declaration of Independence the Revolution had proved a failure, Samuel Adams would probably have been the first victim on the scaffold. All contemporary evidence goes to show that, as the "Arch Manager" and "Chief Incendiary," on him at least must have fallen the royal vengeance. While, then, the righteous principle of the Revolution is admitted, and posterity has reaped the benefits resulting from its successful achievement, it is but justice that his part in the great drama should be ascertained. The study and research inseparable from Bancroft's literary labors left no reason to hope that he could devote the attention necessary to a biography embracing such a succession of events; and it seemed as if the longer the work was delayed the less likelihood there was

that it would ever be begun. Scarcely realizing the requirements for an undertaking which, properly, could only be warranted by a position of literary leisure, the author, though distrustful as to his own fitness, determined to apply to Mr. Bancroft for access to the Adams papers, which had then lain many years in the historian's library. Permission was promptly given, and they were carefully gleaned, while their proprietor facilitated the design with kind advice and direction.

But this acquisition only showed how much remained to be done, and that hardly the threshold of the work had been crossed. American history had to be read and reread, until a proper understanding could be gained of its relation to the political course of Adams. Town records, files of old newspapers, pamphlets, and circulars were to be examined and compared, public archives in different States and in the London State Paper Office consulted, and the collections of antiquarian and historical societies patiently searched. Interviews were sought with aged persons who had known Samuel Adams, or had lived near him; but in nearly every instance time had effaced all recollection of particular events. The last of the preceding generation who had witnessed his public career had passed away, and with them much of the fund of interesting reminiscence and anecdote always so valuable in illustrating character. Only brief and imperfect sketches could be found in encyclopædias and biographical dictionaries, in some his very name being omitted; and the story had to be created out of fragments gathered here and there. The course of Adams has thus been followed through the leading events

of the Revolution, — sometimes his action ascertained every month in the year, — and this is as close an approach to continuity as is now possible. The careful tracing of some thread of evidence, both by correspondence and personal investigation, oftentimes ended in total disappointment, or, at best, afforded the material for only a few lines.

When, by reason of unavoidable delays and constant demands upon the time of the author in an editorial capacity, five years had been expended, he was disposed to transfer what he had collected to any gentleman whose scholarly attainments and leisure would be better adapted to weaving it into a biography worthy the character and times to be treated. The whole was arranged in chronological order, with notes and references, ready for a comparatively speedy completion; but time passed on, and it was plain that if the work was to be finished, it must be by the hand that began it. And perhaps such a narration could appear at no time more appropriately than at the commencement of the great centennials of the Revolution, and when treason has just been defeated in an attempt to overthrow the goodly heritage of freedom which the subject of these memoirs toiled so long and arduously to secure. The example presented by his disinterested desire for the advancement of his country, his incorruptible integrity and republican simplicity of character, cannot be entirely thrown away, however imperfectly delineated.

Care has been taken not to lose the individuality of the man in a too copious account of general events; but rather to keep sight of him at all times, and only briefly depart from his immediate actions when such digression

would tend to illustrate the central figure. The correspondence, pamphlets, state papers, and controversial essays with the Loyalist writers, which would be included in a complete collection of his works, while exhibiting the immensity and importance of his labors, would furnish matter for many volumes ; but the publication of them seemed to be inconsistent with the original design, which has been to condense the material into as narrow a compass as the subject would admit. Thus, in order to confine the work within ordinary limits, only extracts in most cases have been given from his writings. These are silent evidences of his amazing industry, his courage, ceaseless vigilance, and wise statesmanship, and his cheerfulness and fortitude amid disasters. They display his early championship of Colonial rights long prior to the taxation disputes ; his positive principles at the dawning of the Revolution ; his far seeing, yet prudent measures for effecting a separation from the mother country, when redress of grievances was evidently hopeless ; his ingenious and gradual direction of public opinion into an habitual contemplation of Independence ; his master agency in carrying that measure in the Congress of 1776 ; his Congressional services during the war ; his hopes and anxieties for the young republic after the peace ; and his deep solicitude for the preservation of the National Union when, towards the close of the century, while he was Governor of Massachusetts, partisan strife had assumed a bitterness scarcely paralleled in any country. The intention, in fine, has been to represent him as he appeared to those who personally knew him, — friends and enemies, — to show the great space he filled in the Revolution, and to disclose, by means of his own

private letters and trustworthy contemporary evidence, the measures by which he aided so largely in accomplishing American liberty.

A portion only remains of the manuscript papers left by the patriot. Soon after his death, they were placed by his executors in the keeping of Benjamin Austin, Esq., who intended to write the Life of Adams; but finding that the preparation of the work would occupy more time than he had expected, and believing that the proper period had not then arrived for their publication, he renounced the task, and they passed from hand to hand, and laid neglected for some years in the possession of those who knew not their value, and were careless as to their preservation. Before attention had been directed to it, inroads upon the most precious were made; sometimes by the descendants of Mr. Adams's correspondents seeking memorials of their ancestors; at others, by persistent autograph hunters, who were allowed unrestricted liberty to carry off the most illustrious signatures; and to the ravages of time should be added their destruction by children, and, more vexatious still, by an ignorant servant, who used no inconsiderable portion to kindle fires. There is also reason to believe that letters were abstracted early in the present century by persons interested in their suppression. It was now that Mr. Samuel Adams Wells, as above stated, became aroused to the importance of preserving what remained, and carefully collected all that could then be recovered. How extensive they must once have been, even after Samuel Adams himself had destroyed such as his thoughtfulness for others forbade him to preserve, may be inferred from

the fact that, in 1804, as recorded by a member of the family, trunks and boxes were filled, and shelves around the walls of the garret piled high with letters and documents, many of them in the handwriting of the late Governor. There yet remain his original rough drafts of celebrated state papers of the Revolution, prior to the war, some entire, and of others only the fragments. The paternity of numbers of these, as well as of political essays of that period, has, until the appearance of Bancroft's later volumes, been claimed for one and another of his contemporaries, — a natural, but unfortunate, consequence of Samuel Adams's entire disregard for the honors of authorship. The royal Governors in their secret letters to the Ministry, now first published, have in some measure compensated for this by repeatedly denouncing him as the author. The accuracy of their information, which was probably furnished by hired spies or Loyalists in the Legislature, is attested by such of his original compositions as have been preserved in manuscript.

The collection of letters as they now exist, together with others more recently discovered, embraces a correspondence with the principal characters of the Revolution, including Joseph Warren, Benjamin Franklin, George Washington, Samuel Cooper, James Warren, James Otis, Paul Revere, James Lovell, General Roberdeau, J. Pickering, Elbridge Gerry, Dr. Cotton Tufts, the Count de Vergennes, James Sullivan, Governor Trumbull, Judge Marchant, Peter Timothy, Richard Henry Lee, John Dickinson, Stephen Sayre, John Wilkes, Arthur Lee, John Langdon, Samuel Mather, Joseph Hawley, President Weare, Benjamin Kent, Jonathan Scollay, Governor Ward, Dennys Deberdt, John Hancock, John Lowell, Colonel Barré, General Burgoyne, James

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The author is under lasting obligations to several members of historical and other literary societies, who have interested themselves in procuring copies of records and papers which were beyond his reach, and have cheerfully responded to troublesome queries, involving an expenditure of time and attention which in some instances could ill be spared. The continual use of data thus furnished is the best evidence how indispensable it has proved.

W. V. W.

BOSTON, December, 1865.

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1871

THE HISTORY OF THE

REVOLUTION

The following is a list of the names of the persons who were members of the Committee of Safety, and who were appointed by the Continental Congress, on the 20th of May, 1776, to take charge of the public affairs of the United States, in the absence of the Continental Congress, which was then in session at Lancaster, Pennsylvania.

The names of the members of the Committee of Safety, as they were appointed, were: John Adams, Samuel Adams, John Jay, John Hancock, Thomas Jefferson, John Mifflin, Robert Morris, George Washington, and Thomas Willing.

The Committee of Safety was organized on the 21st of May, 1776, and its first meeting was held on the 22nd of the same month. It was then that the Committee of Safety, by its unanimous vote, declared the independence of the United States, and adopted the Declaration of Independence, which was signed by the members of the Committee, on the 26th of September, 1776.

The Committee of Safety continued to exercise its powers until the 26th of September, 1776, when the Continental Congress, which had fled to Lancaster, and then to York, and finally to Philadelphia, returned to the city of Philadelphia, and resumed its session.

LIFE

OF

SAMUEL ADAMS.

CHAPTER I.

The Ancestors of Samuel Adams. — Political Career and Social Position of his Father. — The Family Homestead. — Boyhood and College Life. — The Land Bank Scheme. — Is graduated at Harvard College. — Asserts the Right of Resistance to Tyranny. — Attempts a Mercantile Life. — The Public Advertiser. — His Early Essays in that Paper in Favor of Colonial Rights. — Death of the elder Adams. — Marriage of young Adams. — Death of his Wife. — His Children. — Efforts to deprive him of his Estate. — Asserts Colonial Supremacy over an Act of Parliament. — His Fame as a Political Writer during Shirley's and Pownall's Administrations. — His Influence in Boston. — Becomes a Tax-Collector. — *v p 176*

BEFORE tracing the youth and early manhood of Samuel Adams, it will be proper to glance at the character and circumstances of his father, who bore the same name, and it may be supposed had the principal share in developing his character. The few facts which have been collected concerning him are gathered from contemporary writings and family tradition, and rather cause regret that they are so meagre, than afford a satisfactory sketch of his life.

Samuel Adams the elder, the second son of Captain John Adams* of Braintree, was born in Boston on the 6th of May, 1689, and at the age of twenty-four was married to

* Captain John Adams was a descendant from the first of his name who settled in Massachusetts, who was the common ancestor of the Adamses of Revolutionary celebrity; Samuel Adams the younger and John Adams, the second President of the United States, having been second-cousins.

Miss Mary Fifield, only daughter of Richard Fifield of Boston. Mr. Adams was possessed of an ample fortune for those days, the fruits of his scrupulous attention to business ; for, though he made himself prominent in political affairs, he never lost sight of the value of property as a means of securing the comfort of his family, and their position in society.

His residence was in Purchase Street, Boston, where in 1712, the year before his marriage, he had bought a piece of land running on the northwest two hundred and fifty-eight feet along Purchase Street, and extending to low-water mark. On the northeast, it was bounded by Dawes's Wharf (since Prentice's estate) and Bull's Wharf, there being sixty-two feet between Adams's estate and the north side of Summer Street. The house fronted upon and commanded a fine view of the harbor. But few buildings had then been erected in its neighborhood, so that it stood conspicuous in that vicinity. On the roof was an observatory, and a railing with steps leading up from the outside. About the year 1730 it was somewhat improved, and as late as 1800 the grounds were still adorned with trees and shrubbery. He also owned other property in that vicinity, and was the proprietor at a subsequent date of several dwelling-houses. This property remained vested in him until 1734, as shown by the records of some of the principal estates. From that date, no facts appear concerning it until early in the next century, after it had become the property of his son. From the little known of Deacon, or Captain Adams, as he was often called, he appears to have merited to the fullest extent the encomiums passed upon him by his illustrious son, who in after years said, that "he was a wise man and a good man." His name appears in 1739 on the town record, as one of the committee appointed to draft instructions to the Representatives in the Assembly.

The ability afterwards manifested by his son in managing popular assemblies, and in so ordering elections as to insure

the advancement of those favorable to the cause of liberty, may have had its origin in the examples thus presented in early life. Gordon states that more than fifty years before the year 1774 (1724 or earlier), Samuel Adams senior, "and about twenty others, one or two from the north end of the town, where all ship business was carried on, used to meet, make a caucus, and lay their plans for introducing certain persons into places of trust and power." It was probably from the name of this political club, composed principally of ship-building mechanics, that the word "caucus" was derived, as a corruption of "Calker's Club." The same writer confesses himself unable to trace the term beyond their circle and times.

Mr. Adams's house must have been the resort of many of the leading politicians of the day, as he was of a sociable disposition and able to entertain his friends with liberal hospitality. He was for some years a Justice of the Peace and a Selectman, and was a Representative of his native town in the Massachusetts House of Assembly. The younger Elisha Cooke, long a leader of the popular party, was his friend, and joined with him in his opposition to Governor Shute's measures, which were considered subversive of the public liberties.

The mother of Samuel Adams was a woman of severe religious principles, and she early imbued her children with reverence for the Christian virtues which she practised. To the scrupulous attention of his parents to devotional subjects must have been greatly due the religious turn of mind which was a prevailing trait throughout the life of the son. His father had been for some years a deacon of the Old South Church. With thirteen other inhabitants at the southerly end of the town, he had petitioned the authorities in 1715 for leave to erect a meeting-house on the site of the present Summer Street Church. The building was completed in 1717, dedicated in January of that year, and commonly known as the "New South." Soon after, the Rev. Samuel Checkley,

a relative of Mr. Adams, and afterwards father-in-law of Samuel Adams, was ordained minister. It was here that the subject of these memoirs was baptized, on Sunday, the day of his birth, September 16th (O. S.), 1722.

Of the family of Captain Adams, consisting of twelve, only three survived him, — Mary, Samuel, and Joseph. Of Joseph there are no accounts extant, other than that he is said to have been Clerk of the Market in Boston at the time of his father's death. Samuel Adams frequently recurred to the gentle influence of his sister, who was five years his elder. She was of a winning and amiable disposition, and, like himself, a strict observer of the requirements of religion. A memorandum-book kept partly in 1735–36, and filled with texts of sermons in her neat handwriting, is still preserved, and indicates the religious bent of her mind. This was during the revival which under the ministry of the learned and devout Jonathan Edwards extended through Massachusetts, and afterwards to some of the other Colonies. In the journal occur the names of some twenty clergymen whose discourses she had attended, — among them Doctors Lowell, Cooper, Checkley, Byles, Chauncy, Edwards, Thacher, Prince, and Mather. There are also letters written to some friend during the revival attending Whitefield's visit to Boston, in which she freely expresses her opinions on religious subjects. These writings are the fervent outpourings of a heart tinctured with, but not chilled by, the stern doctrines then prevailing in New England. She was married to James Allen of Boston. Her brother never forgot her amiable disposition, and, when speaking of her in after years, used to remark, "That is a happy young man who has had an elder sister upon whom he could rely for advice and counsel in youth."

In boyhood Samuel Adams exhibited indications of a strong and inquiring mind. Naturally observant and of a quick intelligence, he saw and comprehended the disputes which arose between Governor Burnet and the people, and,

after the death of the former, were continued under the administration of Governor Belcher. The refusal of the House of Representatives to deprive themselves of their charter rights by the settlement of a fixed salary upon the Governor, and the spirited controversies arising from it, all occurred during his youth, and were doubtless the subject of discussion at his father's house. It is not difficult to picture the youth, with his earnest face, listening intently to conversations, which, when his own manhood should arrive, and these preliminary actors should have passed from the stage, were to occupy his thoughts and rule his conduct. At an early age he was placed under the guidance of the celebrated Mr. Lovell the elder, principal of the Grammar School of Boston, where he evinced a commendable degree of readiness and attention to his studies. One of his school-books is yet in existence, and contains in his handwriting some boyish sentiments on the importance of learning in comparison with riches, — a principle which he emphatically exemplified in after life. His manners, which had been carefully cultivated by his father, who intended him for a professional life, had much of the persuasive earnestness which enabled him in manhood to lead others in time of public agitation. His form was of the medium height, and well developed. Though he often made equestrian journeys into the country, he is not known to have ever quitted Massachusetts until he visited Philadelphia as one of the delegates to the Continental Congress.

His collegiate course, which extended through four years, was marked by close application to his studies. In 1736, at the age of fourteen, he entered Harvard, and during his student life subjected himself but once to reproof, which was for oversleeping himself and missing an attendance at morning prayers. At that time, position in the classes was determined by the wealth and standing of families. In a class of twenty-two, young Adams stood fifth. Thirty years afterwards, when democratic principles had become general,

such family distinctions were disregarded, and the names of students were arranged in alphabetical order. The boy made considerable proficiency in classical learning, logic, and natural philosophy; but the Greek and Latin authors were his favorites; he studied their works assiduously, and being thus early imbued with a love of the ancient classical writers, never lost his fondness for quoting them. His political writings and speeches during the Revolution contain frequent allusions to them; and it was sometimes said of him, that he could never write or speak of American affairs without illustrating his theme by comparisons with Greece and Rome. He also attentively read at college the works of English writers on government.

At the age of eighteen, in 1740, he was graduated and received his degree of Bachelor of Arts. Of the incidents of his college life there are no accounts other than the generalities which family traditions have handed down. The scanty records made at that time in the books of the University reveal but little.

The investigation of theology had much occupied his thoughts, and had doubtless been quickened by the advent of Whitefield, who visited Boston at this time. But this gradually gave place to an irresistible love of political subjects, then beginning to engross popular attention. Though, in accordance with the wishes of a pious father, he had endeavored to fix his mind upon the ministry, for which he had been designed, his inclinations wandered to that more exciting arena in which he hoped to find the spirited contests better suited to his ardent and active temperament. In a debate in college, in which several of his classmates took part, he had chosen for the subject "Liberty"; and then he probably expressed his opinions in nearly the strain of his publications on that subject several years later.

In the year that he was graduated his father began to experience reverses of fortune. The great exertions made

by the Province in support of the national wars and those for its own defence had sadly embarrassed the public finances. The Province was temporarily impoverished, and, to add to the general distress, the bills of credit, founded on the uncollected public taxes, and since 1690 used as a partial substitute for coin, were to be stopped in consequence of orders received by Governor Belcher from the King to consent to the issue of no bills to remain current beyond the year 1741. Those outstanding were ordered to be paid off. These orders were procured by the remonstrances of English merchants engaged in the American trade, who had complained to Parliament of the great fluctuation and depreciation of prices consequent upon the decrease of coin in the Colony, and the over-issue of bills of credit; and was in continuation of the odious policy of the act of 1732, restricting the industry of the Colonies, to keep them "properly dependent upon the parent country," and prohibiting intercolonial and foreign trade in specified articles of Colonial manufacture; a policy which was followed up, in 1750, by prohibiting "the erection or continuance of any mill or other engine for slitting or rolling iron, or any plating forge to work with a tilt-hammer, or any furnace for making steel in the Colonies, under the penalty of two hundred pounds." The Stamp Act of 1765 was by no means the initiatory act of aggression by the home government. For more than thirty years before that eventful period, it had been weaving the network of oppressive measures to cramp the growing industry of the Colonies, of which the English manufacturers had long shown themselves jealous.

This arbitrary interference with the Colonial currency was regarded as oppressive, and its evil results were not long in appearing. The paper currency, which the custom of half a century had rendered indispensable in every branch of business, being thus absorbed, a monetary panic similar to those following the bank contractions of the present day ensued. Urged by the distresses which fol-

lowed hard upon these measures, a powerful party was formed, who used every effort to induce the Governor to consent to new issues, or to extend the period of the old beyond the time to which they had been limited. The Governor refused, and thus incurred the enmity of the people and the majority of the Legislature, through whose efforts he was, in the following year, removed from office. Mr. Adams senior, as a leading tradesman and active politician, made his influence felt in procuring this result. The withdrawal of the bills of credit had the opposite effect from what had been anticipated in England. Financial difficulties increased, public credit declined, and the currency was fast depreciating.

Among the expedients adopted to remedy these evils were the "Land Bank Scheme," and the "Silver Scheme." The latter was devised by a number of merchants, who organized an association, and issued bills to the amount of one hundred and ten thousand pounds, which were redeemable in ten years at a specified rate. The "Land Bank Scheme," which was subsequently organized, was a more popular and wide-extended institution, and continued to exercise its functions for about sixteen months. It was unlimited in the number of its members, and at last grew into an association of about eight hundred, consisting for the most part of mechanics and farmers. Its object was joint private emolument, as well as public benefit. The capital stock consisted of one hundred and fifty thousand pounds, each person signing opposite to his name the amount in which he wished to become interested, which was secured to the company by a mortgage on his estate, or by bonds with two sufficient sureties. The largest amount of a bond was one hundred pounds. Bills to the amount of the capital were issued to supply the place of the public bills which had been withdrawn. Subscriptions might be received in the manufactures or produce of the Province, at such prices as the board of directors should

decide upon, or at the current market value. An annual interest of three per cent on the amount taken by the subscribers was to be paid by them, which, together with five per cent of the original subscription, was to go into the general bank fund.

Such are the outlines of the "Land Bank Scheme," or "Manufactory Company" as it was oftener called. The causes which led to its organization are particularly specified, as subsequently its arbitrary dissolution by Parliament first brought young Adams into political notice. His father was among the members, and was a director. George Leonard, and Robert Auchmuty, formerly Judge of Vice-Admiralty, were also of the number. Memorials of their transactions, found in the public records, show that the bank was in successful operation in October and November, 1741,* when Samuel Adams, Esq., and others of the directors, appear as the grantors of a certain parcel of land, for the sum of forty pounds, to Eliphalet Pond, yeoman; and subsequently, Messrs. Robert Auchmuty, Samuel Adams, and others acknowledge the receipt of twenty pounds "in bills called Manufactory Bills," from one Kingsman, which releases him from the mortgage to that amount on his estate, and the interest, two pounds nine shillings and threepence, paid. These and other records of their business show the nature of the company's operations. They issued their notes or bills as money, receiving in turn mortgages on real estate in all parts of the Province, which were redeemable in the bills of the association.

Opposition to this, as well as to other currency schemes, had been violent from their commencement. It had especially proceeded from the government officers; and the Governor, and Mr. Hutchinson, afterwards Governor, were particularly inimical to it, as much, as it has been alleged, from political considerations as from any honest conviction of its impolicy. Party lines between Colonial rights

* Registry of Deeds, Boston, 1741, Lib. 62, p. 50.

and Parliamentary aggression had already been drawn ; and Mr. Adams senior being a leader of the popular side, he was regarded with particular disfavor. The efforts against the bank were finally successful, and the company was dissolved by an act declaring that "the act of King George, chap. 18, did and shall extend to the Colonies and plantations in America." It prohibited the formation of incorporated joint-stock companies with more than six persons. The whole financial system of the association was thus brought summarily to a close, and each of the directors became individually responsible for the liabilities of the whole. Large inroads were consequently made upon the property of Mr. Adams, who was probably the principal shareholder, and perhaps the wealthiest man in the company ; and he seems to have been especially selected by the crown officers as the object of their rancor.

During the agitation caused by these events, in 1743, Samuel Adams, then twenty-one years of age, took his Master's degree at Cambridge. He selected a subject for discussion curiously significant of the thoughts which had now taken possession of his mind ; and it indicates that even thus early he had seriously contemplated forcible opposition at some future time to the power of the British Parliament, unjustly exercised over the Colonies. His thesis was : "Whether it be lawful to resist the Supreme Magistrate, if the Commonwealth cannot be otherwise preserved."* He fearlessly maintained the affirmative, though it pointed to a course of policy, which, as was justly remarked by one who personally knew him, "was scarcely contemplated in that day, unless in the retirement of a closet."

At Commencement it is customary for the Governor and Council to be present, imparting greater dignity to the ceremonies. It would prove an interesting addition to the

* "An supremo Magistratui resistere liceat, si aliter servari Respublica nequit? Affirmat respondens Samuel Adams."

scanty memoirs which can be gathered of the youth of Samuel Adams to know the sentiments with which this bold denial of British power was received by the assembled dignitaries of the land; what conversations grew out of such an unprecedented act of incipient "treason"; what was thought of it by his father and such of his friends as were present. The occasion must have brought together a large audience, hundreds of whom knew and were interested in the success of the young speaker; and those who ventured to predict the future career of one who hazarded such novel views in the presence of the royal executive and the crown officers must have marked out for him an adventurous life. The manuscripts of the Commencement theses were not then preserved at Harvard College, and of this performance there remains but the bare title. Of the arguments, we can only judge from the tone of his political writings in the public press a few years later.

The right of resistance to oppression was on this occasion first publicly asserted by one of the Revolutionary galaxy of illustrious men; thirty-three years before the Declaration of Independence; twenty-two before the Stamp Act; in the reign of George II.; while Robert Walpole was Prime Minister; when Washington, Patrick Henry, John Adams, Warren, and Hancock were children, and Jefferson, Gerry, and Quincy yet unborn; at a time when the Colonies were not only at peace with Great Britain, but generally loyal in their feelings towards her. In his old age, Samuel Adams was by common consent called "the father of the Revolution." The title was his, as much because he was the first to foresee, as because he was active in furthering, the separation.

From the time when Adams was graduated, his father perceived that his tastes and his powers fitted him for politics. He ceased, therefore, to urge him to enter the ministry, and proposed his pursuing the law. The young man

accepted the proposal with pleasure, and eagerly commenced to study, but relinquished the design at the desire of his mother, and finally entered the counting-house of Mr. Thomas Cushing, whose son, bearing the same name, was many years afterward Speaker of the House of Representatives when Samuel Adams was its Clerk. He is said at this time to have had republished at his own expense a pamphlet written in the previous century, entitled "The Englishman's Right." But although there are several editions of it dated between the years 1680 and 1772, none appear to have been printed between 1740 and 1750. One of the later editions, however, may have been published at his suggestion.

The life of a merchant, it was soon evident, was ill adapted to his talents or inclinations. He had no tact for business, and this was a trait which characterized his whole after life. While with Mr. Cushing he was oftener found in the society of political disputants debating the questions of the times, than in the counting-house bent over his desk. The desire for pecuniary gain, and the excitement of competition in trade, had no attractions for him, and probably some of his more methodical acquaintances considered him at this time as a very unpromising and thriftless character, upon whom his father had uselessly expended the cost of his college education. Yet he was no idler. He was too nervously and actively constituted for indolence. His mind was always employed, though on subjects then regarded as unprofitable. When Mr. Cushing was questioned respecting the capacity of young Adams as a tradesman, he replied, that, though active enough in mind and body, he would never do for a merchant; that his whole soul was engrossed by politics, to which all other subjects were necessarily subservient.

Even now he had weight in the people's party. Several of his contemporaries speak of him as a recognized leader in the popular cause, which had already a defined existence.

John Adams, writing in 1772, says, in reference to Samuel Adams and himself, "they have been steadfast and immovable in the cause since 1761, and one of them, Mr. Samuel Adams, for full twenty years before";* which would fix the commencement of his patriotic career in 1741. He remained but a few months with Mr. Cushing. Some time afterward, his father, anxious to see him established in business, advanced him one thousand pounds with which to commence for himself. But disastrous results came from this attempt. Having unfortunately trusted a friend to the value of half his stock, he became greatly embarrassed himself. This person soon after met with reverses which he represented to his creditor, who therefore characteristically never demanded the debt; and this and other losses soon consumed all his possessions. He then joined his father in business, and conducted the affairs of the malt-house which adjoined the family dwelling on Purchase Street; and from that time he probably made no effort to go beyond the position of a subordinate partner.

His father enjoyed an increased popularity after the government persecutions to deprive him of his property. On the 4th of June, 1746, at the annual town-meeting, he was elected a Representative to serve in the place of Andrew Oliver, who had been chosen a Councillor. The son perhaps obtained access to the debates of the House, and noted the political occurrences of the times. The next year, his father was refused as a member of the Council by the Governor, who wanted no such spokesman of the popular element in that body.

The services of Captain Adams in the Legislature are indicated in its journals, where his opinion, particularly in military matters, was evidently held in high estimation. The reduction of Louisburg in the previous year suggested to Governor Shirley more extensive operations for the conquest of Canada. Captain Adams was upon most of the

* John Adams's Works, II. 295.

committees appointed on the affairs of the war. The Legislature, which met on the 5th of June, 1746, adjourned on the 10th of October to November 6th, from which time it was in session until April of the following year.* There seems to have been a constant demand for his industry and judgment in a curious variety of affairs. The subject of the Governor's salary, questions of finance and settlement of estates, soldiers' petitions, disbursements and expenditures for the war, the drafting of state papers on a diversity of topics, military expeditions and enlistments, the New Hampshire boundary line, local assessments and taxations, and an Address to his Majesty the King through the agents, are among the matters intrusted to committees of which he was a member, and at times chairman. In April, 1747, he was one of a committee "to consider some method to prevent the distress brought upon the inhabitants of the Province by the impressing of seamen out of the coasting vessels, and other inhabitants of the Province, by the commanders and other officers of his Majesty's ships of war." This practice probably culminated in the following November, when the town was the scene of violence and riot in opposition to the press-gang outrages of Commodore Knowles in the public streets.

No other means than these scanty records exist by which to trace the services of the elder Adams in the Assembly; but that he enjoyed the well-earned confidence of his fellow-citizens is evident; while his practical talent as a business man is displayed by his active and leading part in the public counsels. The elder Dexter knew him "as a reputable magistrate in Boston." John Adams, writing in 1774, remembers him as "a gentleman of liberal education and good abilities"; and his more celebrated son in after years attested his wisdom and blameless character.

During the late war with France, ending with the capture of Louisburg by the New England troops, the Colonists had

* Journals of the House from June 4, 1746, to April 25, 1747.

been able to ascertain their own strength, and were imbued with increased confidence in their native resources. The whole of the fruits of their toil were thrown away by the treaty of Aix-la-Chapelle; and this mortifying event, together with what preceded it, served to remind them of their position in relation to the home government. Numerous were the complaints, and the discussion of these occurrences was common among all classes. The impressment riots indicated that the fire of discontent already existed, and needed only the proper occasion to be fanned into a flame. The events of the war, and the government mismanagement (though Massachusetts prospered under all these circumstances) prepared the people for the struggle which was at length to rend the Colonies from the mother country. The press commenced the discussion of popular rights, and no doubt many speculative minds calculated the probable fate of America at some future day as a separate and independent sovereignty.

The idea now suggested itself to young Adams and a few of his political friends to form a club for the special consideration of public affairs both by writing and debate. Each member agreed to furnish in turn political essays for a newspaper to be called "The Public Advertiser," of which the first number appeared in January, 1748. There are no means of ascertaining the date of the organization; but it is most probable that it went into existence not long before the first issue of the journal, and that this was commenced on the strength of the communications promised by the members. Who were the other contributors is unknown. The publishers had issued a printed circular, announcing that the paper would appear at an early period. It was published weekly. The head was embellished with a roughly executed wood-cut representing Britannia seated, and liberating a bird confined by a cord to the arms of France, which are lying on the ground before her. The flight of the bird, which is on the wing, being impeded by the cord, Bri-

tannia is in the act of cutting the cord with a pair of shears. The Advertiser had but little foreign or domestic news, and was devoted to political discussion. Isaiah Thomas, who was engaged as a printer in Boston a few years later, and doubtless knew all the members of the club, says it consisted of "Whigs, who advocated the rights of the people against those measures of government which were supposed to infringe upon the privileges of the Province secured by charter."* The address to the public in the first number holds that "the present political state affords matter for a variety of thoughts of peculiar importance to the good people of New England." The columns were open "to whatever may be adapted to state and defend the rights and liberties of mankind." The essays in the Advertiser soon began to excite attention, and the opponents of the popular rights party applied to the association the name of "Whipping-post Club," which did not deter them from publishing their essays in each issue of the paper. Extracts from two of these, written by Samuel Adams, will serve to illustrate his style and sentiments at the age of twenty-six. One has for its subject, "Loyalty and Sedition." In defining the true meaning of the words, he says:—

"But we oftentimes perceive such significations assumed by those who find the wrong use of the words conducive to the increase of power or gain, that it is difficult to tell whether loyalty is really commendable or sedition blameworthy. True loyalty in the sense just now explained is the beauty and perfection of a well-constituted state. It cannot indeed subsist in an arbitrary government, because it is founded in the love and possession of liberty. It includes in it a thorough knowledge of our Constitution, its conveniences and defects as well as its real advantages; a becoming jealousy of our immunities, and a steadfast resolution to maintain them. It delights in the quiet and thankful enjoyment of a good administration, and it is the scourge of the griping oppressor and haughty invader of our liberties.

* Thomas's History of Printing.

“But sedition is founded on the depraved and inordinate passions of the mind: it is a weak, feverish, sickly thing, a boisterous and unnatural vigor, which cannot support itself long, and oftentimes destroys the unhappy patient. It proceeds from gross mistake or great wickedness, from lust of power or gain, in the first promoters of it, and from untamable obstinacy and a vitiated palate that cannot relish the happiness of a free state in the creatures of their designs.

“It is a very great mistake to imagine that the object of loyalty is the authority and interest of one individual man, however dignified by the applause or enriched by the success of popular actions. This has led millions into such a degree of dependence and submission, that they have at length found themselves to homage the instruments of their ruin at the very time they were at work to effect it. The true object of loyalty is a good legal constitution, which, as it condemns every instance of oppression and lawless power, derives a certain remedy to the sufferer by allowing him to remonstrate his grievances, and pointing out methods of relief when the gentle arts of persuasion have lost their efficacy. Whoever, therefore, insinuates notions of government contrary to the constitution, or in any degree winks at any measures to suppress or even to weaken it, is not a loyal man. Whoever acquaints us that we have no right to examine into the conduct of those who, though they derive their power from us to serve the common interests, make use of it to impoverish and ruin us, is in a degree a rebel—to the undoubted rights and liberties of the people. He that despises his neighbor’s happiness because he wears a worsted cap or leathern apron, he that struts immeasurably above the lower size of people, and pretends to adjust the rights of men by the distinctions of fortune, is not over loyal. He that aggravates beyond measure the well-meant failings of a warm zeal for liberty, he that leaves no stone unturned to defend and propagate the schemes of illegal power, cannot be esteemed a loyal man. Indeed, the reverse use of these words may possibly find authorities in some parts of the world where language and sense are deluged in the torrent of arbitrary power.”

These sentiments on popular liberty, the right of “remonstrating grievances,” and the views which at that distant

period he had obtained of the rights of the citizen as compared with the divine right of kings, will suggest, when attentively considered, the consistency exhibited by the writer throughout his life, which was one of the most marked and admirable traits of his character. A careful scrutiny of his career for more than forty years, including the most eventful period of American history, reveals no instance of inconsistency. The principles which became fixed in his mind, as soon as he was capable of understanding political subjects, were never changed; and long after the Revolution had passed, and party spirit assumed the place of the more united patriotism of the Revolutionary period, the same views and expressions will be found in his latest writings, extending into the following century.

In another essay, written during the second year of the "Advertiser," he considers the subject of liberty, — a theme which seems to have always occupied his mind, as is evidenced by those who were contemporary with him, and remembered his early course. His writings generally give an insight into the class of books which he must have perused. He had manifestly been a student of the great authors on government, and was familiar with Roman history. His works and conversations all his life are tinged with the doctrines of those writers, and all his politics are founded on their principles.

"*Libertate modice utantur. Temperatam eam salubrem et singulis et civitatibus esse: nimiam et aliis gravem, et ipsis qui habeant effrenatam et præcipitem esse. . . . Alienis armis partam, externa fide redditam libertatem sua cura custodirent servarentque, ut populus Romanus dignis datam libertatem ac munus suum bene positum sciret.*" — *Orat. T. Quint. ad Græc. Civit. apud Liv. XXXIV. 49.*

"There is no one thing which mankind are more passionately fond of, which they fight with more zeal for, which they possess with more anxious jealousy and fear of losing, than liberty. But it has fared with this, as with many other things, that the true notion and just

definition of it has been but little understood, at the same time that zeal for it and disputes about it have produced endless altercations. There is, there certainly is such a thing as liberty, which distinguishes man from the beasts, and a society of wise and reasonable creatures from the brutal herd, where the strongest horns are the strongest laws. And though the notions of men were ten times more confused and unsettled, and their opinions more various about this matter than they are, there yet remains an internal and essential distinction between this same liberty and slavery.

“In a former paper, the true notion of loyalty has been considered; I shall now offer to the public some general thoughts upon liberty, in order rightly to apprehend which subject we must consider man in two different states, namely, those of Nature and of Society.

“In the state of nature, every man has a right to think and act according to the dictates of his own mind, which, in that state, are subject to no other control and can be commanded by no other power than the laws and ordinances of the great Creator of all things. The perfection of liberty therefore, in a state of nature, is for every man to be free from any external force, and to perform such actions as in his own mind and conscience he judges to be rightest; which liberty no man can truly possess whose mind is enthralled by irregular and inordinate passions; since it is no great privilege to be free from external violence if the dictates of the mind are controlled by a force within, which exerts itself above reason.

“This is liberty in a state of nature, which, as no man ought to be abridged of, so no man has a right to give up, or even part with any portion of it, but in order to secure the rest and place it upon a more solid foundation; it being equally with our lives the gift of the same bounteous Author of all things.* As, therefore, no man's life is his own in such a sense as that he may wantonly destroy it at his own pleasure, or submit it to the wanton pleasure of another, so neither is his liberty. And had mankind continued in that innocent and happy state in which the sacred writings represent them as first created, it is possible that this liberty would have been enjoyed in such perfection as to have rendered the em-

* Compare the Rights of the Colonists, November, 1772; and the Declaration of Rights in the Congress of 1774.

bodily into civil society and the security of human laws altogether needless.

“But though in the present corrupt and degenerate times no such state of nature can with any regularity exist, it will not, however, be difficult from the description we have given of liberty in that state to form the true notion and settle the just bounds of it in a state of society and civic government. But here, too, we must distinguish and consider liberty as it respects the whole body and as it respects each individual. As it respects the whole body, it is then enjoyed when neither legislative nor executive powers (by which I mean those men with whom are intrusted the power of making laws and of executing them) are disturbed by any internal passion or hindered by any external force from making the wisest laws and executing them in the best manner; when the safety, the security, and the happiness of all is the real care and steady pursuit of those whose business it is to care for and pursue it; in one short word, where no laws are carried through humor or prejudice, nor controlled in their proper execution by lust of power in the great, nor wanton licentiousness in the vulgar.

“As it respects individuals, a man is then free when he freely enjoys the security of the laws and the rights to which he is born; when he is hindered by no violence from claiming those rights and enjoying that security, but may at any time demand the protection of the laws under which he lives, and be sure when demanded to enjoy it. This is what I take to be liberty; and considered in this light, all the fine things said of it by ancient and modern do justly belong to it. O Libertas! O Dea certe!—it is the choicest gift that Heaven has lent to man; an emanation from the Father of Lights; an image and representation of the government of the Supreme Director of all things, which, though it can never be controlled by any superior force, is yet ever guided by the laws of infinite wisdom.

“But alas! in this exalted sense, liberty is rather admired in the world than truly enjoyed. What multitudes of persons are there who have not so much as the shadow of it! who hold their property and even their lives by no other tenure than the sovereign will of a tyrant, and he often the worst and most detestable of men, who, to gratify the least humor or passion in his nature, does not scruple to massacre them by thousands! Sure it is true what ortho-

dox divines tell us, that men are apostate from God, since in his righteous providence he subjects so many of them to such miserable fate!

“But there are other states and civil societies in the world, the model of whose government seems to promise the sure enjoyment of this blessing; which yet, if we attentively examine, we shall find to be really destitute of it. We shall often find, that where the forms of it are observed, the substance of it is wanting; for, as that man is truly a slave, who, though impelled by no external violence, is yet carried away by the impetuosity of his passions to do those things which are abhorrent from his nature and his reason, so neither can the people be called free, who, though they make their own laws, are yet blinded by prejudice and diverted by undue influence from uniformly pursuing their own interest.

“It has been a question much controverted in the world what form of government is best, and in what system this liberty is best consulted and preserved. I cannot say that I am wholly free from that prejudice which generally possesses men in favor of their own country, and the manners they have been used to from their infancy. But I must declare, for my own part, that there is no form of civil government, which I have ever heard of, appears to me so well calculated to preserve this blessing, or to secure to its subjects all the most valuable advantages of civil society, as the English. For in none that I have ever met with is the power of the governors and the rights of the governed more nicely adjusted, or the power which is necessary in the very nature of government to be intrusted in the hands of some, by wiser checks prevented from growing exorbitant. This Constitution has indeed passed through various amendations, but the principal parts of it are of very ancient standing, and have continued through the several successions of kings to this day; having never been in any great degree attacked by any, but they have lost their lives or their crowns in the attempt.

“The two main provisions by which a certain share in the government is secured to the people are their Parliaments and their juries; by the former of which no laws can be made without their consent, and by the latter none can be executed without their judgment. By this means the subject can never be oppressed by bad laws, nor lose the security of good ones, but by his own fault; and though I am not such an extravagant admirer of my own country as to suppose that

Parliament never made unwise laws, or that jurors never put false constructions on wise ones, yet I will venture to assert that every man's security and happiness is much safer in such hands than under an arbitrary or aristocratical form of government. Especially since, by the wise provisions of our ancestors, both these powers are of short continuance; for power intrusted for a short time is not so likely to be perverted as that which is perpetual.

“From this happy Constitution of our mother country, ours in this is copied, or rather improved upon. Our invaluable charter secures to us all the English liberties, besides which we have some additional privileges which the common people there have not. Our fathers had so severely felt the effects of tyranny and the weight of the bishop's yoke, that they underwent the greatest difficulties and toils to secure to themselves and transmit to their posterity those invaluable blessings; and we, their posterity, are this day reaping the fruits of their toils. Happy beyond expression! — in the form of our government, in the liberty we enjoy, — if we know our own happiness and how to improve it. But neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. He therefore is the truest friend to the liberty of his country who tries most to promote its virtue, and who, so far as his power and influence extend, will not suffer a man to be chosen into any office of power and trust who is not a wise and virtuous man. We must not conclude merely upon a man's haranguing upon liberty, and using the charming sound, that he is fit to be trusted with the liberties of his country. It is not unfrequent to hear men declaim loudly upon liberty, who, if we may judge by the whole tenor of their actions, mean nothing else by it *but their own liberty*, — to oppress without control or the restraint of laws all who are poorer or weaker than themselves. It is not, I say, unfrequent to see such instances, though at the same time I esteem it a justice due to my country to say that it is not without shining examples of the contrary kind; — examples of men of a distinguished attachment to this same liberty I have been describing; whom no hopes could draw, no terrors could drive, from steadily pursuing, in their sphere, the true interests of their country; whose fidelity has been tried in the nicest and tenderest manner, and has been ever firm and unshaken.

“The sum of all is, if we would most truly enjoy this gift of

Heaven, let us become a virtuous people: then shall we both deserve and enjoy it. While, on the other hand, if we are universally vicious and debauched in our manners, though the form of our Constitution carries the face of the most exalted freedom, we shall in reality be the most abject slaves."

In March, 1748, Mr. Adams had the misfortune to lose his father, who died in Boston in his fifty-ninth year. The cause of his death is not known. His will was made the day before his decease. Throughout a long and methodical life, he had performed in an exemplary manner the duties of a good citizen, an affectionate husband, and an indulgent father. He lived at a time when party lines were beginning to be drawn between the government and the friends of popular rights; and those who at the time of his death were entering upon manhood must have long remembered his sterling integrity of purpose, when in after years they came to fill conspicuous positions in the Revolution. Early joining the popular side, he had incurred the dislike of many of the other party, particularly of Hutchinson, a member of the Government Council, and afterwards Judge of Probate for the County of Suffolk, whose animosity, far from disappearing with the death of his opponent, was directed against the son until the close of the Revolution. The Boston Weekly Gazette and the Independent Advertiser contain notices of Mr. Adams's death, — the latter as follows: —

"Last week died and was decently interred the remains of *Samuel Adams*, Esq.; a gentleman who sustained many public offices among us, and for some time past represented this town in the General Assembly. He was one who well understood and rightly pursued the civil and religious interests of this people; a true New England Man; an honest Patriot. Help, Lord, for such wise and godly men cease, and such faithful members fail from among the sons of New England."*

* N. E. Hist. and Genealogical Register, VII. 44.

The will of Mr. Adams* appoints his sons Samuel and Joseph, and his son-in-law James Allen, of Boston, his executors. His estate, real and personal, was left to his wife Mary, except in case she should marry again, when half the property was to accrue to his children, Samuel, Joseph, and Mary, the wife of James Allen. After his wife's decease, the whole estate was to be divided between them. He affectionately provides for the interest of his favorite son by a clause relating to the sum advanced to him several years before to embark in business, the unfortunate result of which has already been shown. He says: "My son Samuel, being my eldest son, to receive his full third part, exclusive of and besides the sum of a thousand pounds, old tenor, he has already received, and for which he is made debtor in my books; it being my will that he be discharged from said debt at my decease."

The estate being settled, Samuel Adams succeeded to his father's business of a brewer, which he conducted in person. It enabled him to maintain a respectable rank in society. The Hudibrastic poet Green, at a later day, in some of his lampoons of conspicuous characters, makes mention of him as "Sam the maltster." Admiral Coffin, many years after, relating events prior to the Revolution, remembered that in boyhood he had carried malt on his back from Sam. Adams's brewery; and one of the British writers during the Revolution, in an attack upon him for procuring certain important results, speaks slightly of him as a "curer of bacon."

Succeeding to the social and political station which had been occupied by his father, Adams retained all his father's friends, and also saw growing up around him a circle of young men who subsequently occupied distinguished positions in political life. Among the most intimate of his father's acquaintances was the Rev. Samuel Checkley, whose position at the New South Church had been procured by the

* Lib. 41, p. 33, Records of Probate Court, Boston.

influence of the elder Adams, and by whom the son had been baptized. In his visits to his reverend friend, he formed an attachment for his daughter Elizabeth, and they were married at her father's house on the 17th of October, 1749. Miss Checkley was then twenty-four years of age, and, as her daughter testifies, was a rare example of virtue and piety, blended with a retiring and modest demeanor, and the charms of elegant womanhood.* Only two of their five children survived their mother; — Samuel, afterwards a surgeon in the Continental army, who died unmarried; and Hannah, who married Captain Thomas Wells, an officer of the Revolution. This union, which was an extremely happy one, lasted nearly eight years, when Mr. Adams sustained his severest affliction, the loss of his wife. She died July 25, 1757. In the family Bible on that day he wrote: "To her husband she was as sincere a friend as she was a faithful wife. Her exact economy in all her relative capacities, her kindred on his side as well as her own admire. She ran her Christian race with remarkable steadiness, and finished in triumph! She left two small children. God grant they may inherit her graces!" The families of Adams and Checkley had been connected by marriage in the previous century, Captain John Adams, the grandfather of Samuel Adams, having married Hannah, the daughter of Anthony Checkley, Esq., first Attorney-General of the Province under the new charter. †

The year following his wife's death, Mr. Adams was beset with an attachment by the sheriff on the family estate, arising from the unsettled affairs of the Land Bank, which had been dissolved seventeen years before. During that

* The maiden name of the mother of Miss Checkley was Elizabeth Rolfe. In Drake's "History of Boston," p. 535, will be found an interesting account of her escape, with her sister and mother, from the Indians, in their memorable descent upon Haverhill in the summer of 1708. Her father, the Rev. Benjamin Rolfe, minister of the town, was killed, together with nearly one hundred of the inhabitants.

† Drake, p. 534.

long period this business had been intrusted to commissioners under a law of the Province passed for that purpose. Many intricate questions were involved in attempts to adjust the accounts, each member being liable for the debts of the whole. To add to these difficulties and complications, the company's records, with the building containing them, had been destroyed by fire, and no means remained of ascertaining the names of the debtors or the amounts due from them, except what they might themselves furnish. Ruin and distress were entailed upon many, and successive laws had been passed by the Legislature with a view to an arrangement. The virulence with which the suit seems to have been pursued against the Adamses may have arisen from the elder Adams having been a director of the bank, and probably its principal member. The attempt on the part of the authorities to seize and sell the property gave Samuel Adams his first opportunity to openly avow his opposition to the arbitrary exercise of Parliamentary rule in the Colony. In common with a large party, he had at that early day regarded the dissolution of the Land Bank as an unwarrantable encroachment on the charter rights of the people, and an illegal interference in their local concerns. In August, 1758, the following notice appeared in the Boston News-Letter:—

“To be sold at public Auction at the Exchange Tavern in Boston, To-morrow at noon. The Dwelling House, Malt-House, and other buildings, with the Garden and lands adjoining, and the Wharf, Dock and Flats before the same, being part of the estate of the late *Samuel Adams, Esq.*, deceased, and is scituate near Bull-Wharf, at the lower end of Summer Street in Boston aforesaid, the said estate being taken by warrant or execution under the hand and seal of the Hon. Commissioners for the more speedy finishing the Land-Bank, or Manufactory scheme. . . .

“*Stephen Greenleaf.*” *

The sale, however, probably did not take place “to-mor-

* N. E. Hist. and Genealogical Register, VII. 44.

row," as advertised; for in the next issue of the News-Letter, a week later, Mr. Adams appears in the following note to the sheriff: —

"TO STEPHEN GREENLEAF, ESQ.

"Sir I observe your Advertisement for the sale of the Estate of *Samuel Adams, Esq.*, director of the Land-Bank Company. Your predecessor, Colonel *Pollard*, had the same affair in hand five years before his death; but with all his known firmness of mind, he never brought the matter to any conclusion, and *his Precept*, I am told, is not returned to this Day. The reason was — he, as well as myself, was advised by gentlemen of the law, that his proceeding was illegal and unwarrantable; and therefore he very prudently declined entering so far into this affair as to subject his own Estate to danger. How far your determination may lead you, you know better than I. I would only beg leave, with freedom, to assure you, that I am advised and determined to prosecute to the law any person whomsoever who shall trespass upon that Estate, and remain

"Your humble servant

"*Samuel Adams.**

"BOSTON, Aug. 16, 1758."

This representation seems to have had the desired effect; and the sheriff, unwilling to incur the responsibility, deferred the sale to September 22d, and then again to the 29th, when it was stated that attendance would be given between twelve and one o'clock on that day; but the sale did not take place, and the property remained in the family possession.

On some one of these occasions, if not when Colonel *Pollard* attempted the same procedure several years before, Adams appeared in person on the ground and prevented the sale. Hutchinson refers to it in his *History of Massachusetts*. He says: —

"Mr. S. Adams's father had been one of the directors of the Land Bank in 1741, which was dissolved by an act of Parliament. After his decease, his estate was put up for sale at public auction under

* *New England Hist. and Genealogical Register*, VII. 44.

authority of an act of the General Assembly. The son first made himself conspicuous on this occasion. He attended the sale, threatened the sheriff to bring an action against him, and threatened all who should attempt to enter upon the estate under pretence of a purchase; and by intimidating both the sheriff and those persons who intended to purchase, he prevented the sale, kept the estate in his possession, and the debt to the Land Bank Company remained unsatisfied.*

What hand Hutchinson himself had in the framing and passage of the "act of the General Assembly" referred to, he does not state. His hatred of Samuel Adams knew no bounds; and his third volume, written in England in old age, after his disgraceful and final departure from Boston, was penned when his heart rankled with chagrin and disappointment,—produced by the agency of Samuel Adams more than that of any other man. He well knew that the suits against the Adams estate were unjust and cruel; but he believed that the spirit of the proprietor could be crushed by reducing him to poverty, and it was not until the commencement of the Revolution that he learned his mistake. Bancroft, writing from contemporary evidence, says that on this occasion Adams "appeared in defence of Colonial supremacy" against an act of Parliament "overruling the laws of the Colony," and that "by his success he gratified alike his filial piety and his love of his country." †

Hutchinson always prided himself upon his instrumentality in abolishing a paper currency. Fifteen years afterwards when he was Governor of the Province, and Samuel Adams was denounced as "the chief of the Revolution" by the ministry, this subject was brought up in the celebrated controversy between the House of Representatives and the Governor, who referred to the act of Parliament which had broken up the Land Bank Company as an evidence of the authority of Parliament over the Colonies,—

* Hutchinson's History, III. 294.

† Bancroft, V. 195.

the validity of the act not having been disputed by those persons immediately affected by it. It was true that none of the company raised any appeal against the act, young Adams, apparently, being the only person who publicly opposed it on anything like constitutional grounds; but in the controversy alluded to, looking back to this time, he says:—

“The act of Parliament passed in 1741 for putting an end to several unwarrantable schemes mentioned by your Excellency, was designed for the general good; and, if the validity of it was not disputed, it cannot be urged as a concession of the supreme authority to make laws binding on us in all cases whatsoever; but if the design of it was for the general benefit of the Province, it was, in one respect at least, greatly complained of by the persons more immediately affected by it; and to remedy the inconvenience, the Legislature of this Province passed an act directly militating with it; which is the strongest evidence that, although they may have submitted *sub silentio* to some acts of Parliament that they conceived might operate for their benefit, they did not conceive themselves bound by any of its acts, which they judged would operate to the injury even of individuals.”*

The elder Dexter, who was the intimate friend of Samuel Adams, stated that in this cause, in which Adams “had powerful interests to contend against, he gained the respect of every party by the acuteness of his wit and the depth of his understanding,” and that the act of the Legislature liberating the directors from prosecution was brought about through “the influence of his pen and language.”† Thus he not only saved his own homestead, but released others from the unjust gripe of the Parliamentary mandate. The passage of that act was the germ of the great issues, which resulted in an emphatic denial, by the Legislature, of Parliamentary authority, and served as a precedent to sustain the Colony in the controversy on that subject.

* Bradford's State Papers, p. 394.

† Thacher, Funeral Discourse, 1804, quoting a verbal statement then recently made by the Hon. Samuel Dexter.

The expedition against Louisburg, which was mainly planned by Governor Shirley, had contributed greatly to his popularity; but towards the close of his administration, the failure of the expeditions of 1755, which was perhaps unjustly charged upon him, produced a considerable revulsion in public sentiment, especially after his appointment as "Commander-in-chief of all his Majesty's forces in America." For some time, during the term of Governor Shirley, Adams wrote against the dangerous tendencies of such an extension of military force in the Colonies. Thacher says: "Mr. Adams, however, was opposed to the union of so great a degree of civil and military power as was intrusted to that gentleman, and endeavored to awaken his countrymen to a sense of danger, though at a distance."* The measures of Governor Shirley were criticised and assailed in the public press, particularly in 1756, during his attempts to procure men and money from the Colony for the proposed expedition against the French at Crown Point. The enterprise met with little favor at that time, owing to the belief that it would require great expense, and that an attack upon Quebec, aided by the British fleet, would be preferable. That Adams was a frequent contributor to the press from 1750 to 1764, is indisputable. There is ample contemporary evidence. He warned his countrymen against the growing usurpations of power by the mother country, and endeavored to keep the principles of Colonial rights before the public. Some who knew him refer to these productions with admiration of their ability and objects. A contributor to the *Polyanthus* alludes to Samuel Adams at this time as one among that eminent band of patriots who wrote in defence of their country.† At the time of Adams's death, Thacher referred to the few distinguished characters of the ante-Revolutionary period then surviving, "who spoke with the highest respect of his wit, ingenuity,

* Thacher's Funeral Discourse.

† *Polyanthus*, III. 74. Boston, 1806.

and profound argument," in his public writings during Governor Shirley's administration. Hutchinson says, "He was for near twenty years a writer against government in the public newspapers."

John Adams, at this time an obscure young man in a country village, remembered in after years the reputation of his kinsman as a powerful agent in Colonial politics long before the causes of the Revolution began to be felt. More than once, both in his diary before the war, and in his letters in the next century, he refers to this.

"The talents," he says, "of that great man were of the most exalted, though not of the most showy kind. His love of country, his exertions in her service through a long course of years, through the administrations of Governors Shirley, Pownall, Bernard, Hutchinson, and Gage, under the royal government, and through the whole of the subsequent Revolution, — and always in support of the same principles, — his inflexible integrity, his disinterestedness, his invariable resolution, his sagacity, his patience, perseverance, and pure public virtue, were never exceeded by any man in America."*

Samuel Adams was friendly to Governor Pownall, who succeeded Shirley in 1756, and who entertained a greater respect for popular rights than his predecessor. Pownall, who about this time predicted the nearness of American independence, was the firm advocate of the Colonies. When he left for England, in 1760, having been succeeded by Bernard, the inhabitants unanimously voted him an address, acknowledging the happy influence of his administration, which had extended to every branch of the public interest, and had been too sensibly felt by the merchants to allow them to part with his Excellency without the most particular acknowledgment of gratitude and respect.

As early as during Shirley's administration, Samuel Adams had undoubtedly pondered over the subject of a future separation of the American Colonies from the mother coun-

* John Adams's Works, I. 673.

try. His subsequent career showed that the scheme was no new one with him, and had not been suggested by the immediate events causing the outbreak of hostilities. His native sagacity foresaw the great issue; but he knew how to guide the circumstances of the hour so that the crisis should not be injudiciously precipitated upon his countrymen before the appointed time. The inevitable result of the French war in developing the strength of the Colonies and establishing confidence in their own resources, was leading to a determination on the part of the home government to bring them under closer subjection. Any such infringement on their charter rights and privileges could only arouse opposition, and a conflict must necessarily ensue. Governor Shirley had, perhaps, recommended taxation of the Colonies, and Minot alludes to a report that he had disclosed to a leading character in America the ministerial plan for taxing that country.* Massachusetts, in 1755, was informed of the resolution in Parliament to raise funds for American affairs by a stamp duty, and a duty on products of the West Indies imported into the Continental Colonies; and her agent in London was instructed "to oppose everything that should have the remotest tendency to raise a revenue in the Plantations for any public uses or services of government." The project of Colonial taxation was freely discussed and defended by the British press, and that the act might be enforced when passed, a rule was laid down by an Order in Council, that troops might be kept in the Colonies and quartered upon the people without the consent of the several Assemblies.

Massachusetts, ever watchful of her liberties, used every exertion of remonstrance against the threatened evils; and wise men foresaw the gathering storm. Samuel Adams was most active in preparing his countrymen for the crisis. John Adams knew and had felt the power of those efforts. Writing to a friend in 1819, he says:—

* Minot's History, I. 296.

“Samuel Adams, to my certain knowledge, from 1758 to 1775, that is for seventeen years, made it his constant rule to watch the rise of every brilliant genius, to seek his acquaintance, to court his friendship, to cultivate his natural feelings in favor of his native country, to warn him against the hostile designs of Great Britain, and to fix his affections and reflections on the side of his native country. I could enumerate a list, but I will confine myself to a few. John Hancock, afterwards President of the Congress and Governor of the State; Dr. Joseph Warren, afterwards Major-General of the militia of Massachusetts, and the martyr of Bunker's Hill; Benjamin Church, the poet and the orator, once a pretended if not a real patriot, but afterwards a monument of the frailty of human nature; Josiah Quincy, the Boston Cicero, the great orator in the body meetings, the author of the Observations on the Boston Port Bill and of many publications in the newspapers.”*

Instances of his unwearied zeal in these early stages of the Revolutionary era could be multiplied. Beyond the Atlantic it was well known. Mr. Adolphus, in the second volume of his History of England, says:—

“Samuel Adams, a distinguished leader of the American counsels, noted for subtlety, perseverance, and inflexibility, boasted in all companies that he had toiled twenty years to accomplish the measure

* Correspondence, X. 364.—To this list John Adams might with propriety have added his own name. He was thirteen years the junior of his kinsman, by whom his genius was first exhibited in a fair field. The young lawyer was first made prominent in 1765, when his cousin, as chairman of the town meeting in December in relation to the Stamp Act, obtained his nomination as one of the three to plead the cause of the town before the Governor and Council. While in Boston, he was introduced by Samuel Adams to the political club, and on becoming a resident there, he frequently turned aside from his profession to aid in the cause. A few days after his nomination as above stated, he makes the following record in his diary: “Mr. Samuel Adams told me he was glad I was nominated for several reasons: first, because he hoped that such an instance of respect from the town of Boston would make an impression on my mind, and secure my friendship to the town from gratitude; secondly, he was in hopes such distinction would be of service to my business and interest; thirdly, he hoped that Braintree, finding the eyes of Boston fixed upon me, would fix theirs on me too in May. His hopes in the two first particulars may be well grounded, but I am not sure in the third.”

of independence. During that time he had carried his art and industry so far as to reach every rising genius in the New England seminaries, employed his utmost abilities to fix in their minds the principles of American independency, and now triumphed in his success."

A learned commentator on this authority, who thoroughly understood the character of Samuel Adams, asserted that he was "no boaster, but a polite gentleman of modest carriage."

His reputation as a political manager was acquired at this epoch, and it was now that he laid the foundation of the public confidence and esteem which introduced him to those positions where his talents and abilities were largely enjoyed by his country. In matters of public interest he was always prominent in deliberation and debate. Indeed, it would be inconsistent with probability to suppose that with his entrance into the Legislature in 1765 began the leadership he then exercised, or that his agency in conducting the affairs of the town commenced at that date. The historian Bradford, writing from a personal acquaintance with him, says "he had great influence with his fellow-townsmen for some years before he went into the General Court, which was in 1765."

During the religious controversy on the Episcopacy, in which the Rev. Dr. Apthorp and the celebrated Dr. Mayhew were opposed to each other, Samuel Adams is said to have written a pamphlet in which the whole subject is considered. John Adams says, in a letter to Mr. Niles: —

"To form a judgment of this debate, I beg leave to refer to a view of the whole printed at the time, and written by Samuel Adams, though by some very absurdly and erroneously ascribed to Mr. Apthorp. If I am not greatly mistaken, it will be found a model of candor, sagacity, and impartiality, and close, correct reasoning." *

* There are reasons for believing that Samuel Adams was not the author of this pamphlet, and that he probably did not enter into the controversy at any

Adams does not appear to have aspired to any public office until 1763, when he became one of the tax collectors. The same year, in May, his name appears on the town records, as one of the selectmen who reported on the visitation of schools. In the prosecution of his duties, he was brought into frequent communication with all classes of his fellow-

time. John Adams, in the above brief allusion (*Works*, X. 288), is the only authority for attributing it to his kinsman. Careful but as yet unsuccessful search has been made for such a review by Samuel Adams, not only in public libraries and among the most complete collections of pamphlets in America, but also in the British Museum, the Oxford libraries, and that of the Society for the Propagation of the Gospel, where everything relating to the Society has been zealously gathered for more than a century.

The author lately applied to Mr. John Langdon Sibley, the Librarian of Harvard College, to renew the search which had been made in that library several years before. Mr. Sibley very kindly undertook the task in person, and has traced the subject to what seems to be a satisfactory conclusion. In the Catalogue of the Library, the work is thus noted: "Adams, Samuel. On the Conduct of the Society for Propagating the Gospel. 8vo. Lond. 1765." As such a pamphlet by Samuel Adams had never been seen by any of the present generation, the inference was, either that it had long since been taken from the library and never returned, or that the production of some other person had been attributed to him. The original manuscript from which the Catalogue was printed was now hunted up; and here was found, marked by the compiler, a query as to the probable author, — Apthorp or Adams. This manuscript expressly refers to Volume II. of the "Mayhew Controversy," consisting of a bound collection of pamphlets on this subject, presented to the library by Thomas Hollis about the year 1768. In this collection, the pamphlet in question is found. It is an octavo, printed in London in 1765, and entitled, "A Review of Dr. Mayhew's Remarks on the Answer to his Observations on the Charter and Conduct of the Society for the Propagation of the Gospel in Foreign Parts. By East Apthorp, M. A." That this is the work to which the compiler of the Catalogue had reference is shown by his pencil notes specifying the volume and page in Hollis's collection above mentioned. But notwithstanding the fact that the title-page shows Apthorp to have been the author, the compiler plainly was in doubt as to crediting it to him. This hesitancy was apparently owing to some statement he had heard, ascribing it to Samuel Adams, and which finally induced him to so place it in the Catalogue. That authority may have been John Adams, who often visited the Library and took great interest in its welfare, and who probably repeated there the substance of what has been above quoted, written in 1818, — more than half a century after the time of the controversy, and when the writer had not the pamphlet before him, and trusted to memory in making the assertion. Had

townsmen, and passed much of his time in political converse with them. So prominent did he become by his decided opinions, which then became widely disseminated, that the royalists derisively styled him, in allusion to his office, "Samuel the Publican." His wisdom, integrity, and political knowledge procured him the respect and confidence of the people. His counsel was frequently asked, and freely given to all, on questions of difficulty personally interesting to them; and it has come direct from his daughter, that controversies among his neighbors were often silenced by submitting the subjects in dispute to his decision, from which appeals were seldom made. The office of tax collector was at that time generally given to gentlemen who had seen better days. Adams had by this time little remaining beyond the homestead for the protection of which from seizure he had battled for years past. Eliot, who was personally acquainted with him, and familiar with the events of his life, says that at this period he was so reduced that "he received assistance from his private friends, and from many others who knew him only as a spirited partisan in the cause of liberty,"* and that he was then "one of the best writers in the newspapers."

Mr. Adams appears to have been unsuccessful in his office. If he possessed the work, he could not have fallen into the error, as the title-page would have set at rest any question of authorship.

The evidences against its having been the work of Samuel Adams, and that he never employed his pen at all in the controversy, may be thus summed up. 1. The pamphlet leans to the Episcopal side of the argument, and opposes Dr. Mayhew, which Samuel Adams certainly would not have done. 2. The pamphlet referred to in the Catalogue was published in London, but not as the reprint of a Boston edition. Had Samuel Adams been its author, it would have appeared first in Boston. 3. It bears no resemblance in style to the compositions of Samuel Adams. 4. Apthorp went to England in 1764, and never returned to America. Being there when the pamphlet was printed, he would not have allowed his own name to appear as the author of another's work. 5. No other pamphlet or newspaper publication resembling the one in question has been found bearing the title indicated, or having the style of Samuel Adams, which no one familiar with his writings could ever mistake.

* Biographical Dictionary. 1809.

ficial duties, owing partly to his humane disposition, which prevented him from pressing delinquents, but particularly to the embarrassed financial condition of the Province, which rendered it impossible for many to meet the public demands. The general distress was also increased by the alarming spread of the small-pox in the winter and spring of 1764, causing many of the inhabitants to fly the town. Numbers of merchants and traders removed their goods into the country, and business for some months was paralyzed. The several tax collectors were thus thrown in arrears, and with no prospect of being able to square their accounts. At the election in March, 1764, Mr. Adams declined serving again, although elected by a large majority, but he was finally induced to continue in office, and during this year he attempted to collect the arrearages in his district, but the experiment only involved him deeper, and the uncollected amount was increased. In the following year (1765), a committee was appointed to examine into the state of the treasury, who reported that the several collectors of taxes appeared by the Treasurer's books to be indebted to the town ninety-eight hundred and seventy-eight pounds, divided between John Ruddock, Samuel Adams, Jonathan Payson, John Grant, and Thomas Satter. What measures the others took to arrange their difficulties is not known. Mr. Adams published the following notice:—

“Those of the inhabitants of this town who are indebted to the subscriber for their taxes for any year past are desired *forthwith* to discharge them, or they may depend upon the steps of the law being taken, *without distinction* of persons; the present circumstances of the town being such as to make any further indulgence utterly inconsistent with the duty of their

“Humble servant,

“SAMUEL ADAMS.”*

At the next election all the collectors were re-elected, but unanimously refused to serve.† Four days later, Messrs.

* Boston Gazette, 20th May, 1765.

† Boston Town Records.

Payson and Satter accepted; but Mr. Adams steadily and properly declined to sacrifice his peace of mind to the necessities of the public. Efforts were made by his enemies for three or four years afterwards to hold him, and two others of the five collectors, responsible for the uncollected sums. The subject was brought up at town meetings; and in March, 1768, an attempt, by a body of Tories, who had evidently assembled for the purpose of crushing Adams, was voted down "by a great majority." At a subsequent town meeting, the people refused to hear the list of uncollected taxes read, and, by "a very great majority," he was finally discharged from all liability.* The Tories, glad of any pretext on which to malign the patriot, rung the changes on this tax-collecting affair at every opportunity, distorting the facts, and attempting to blacken his character; but the calumny only recoiled upon themselves. Hutchinson, as it afterwards appeared, did not fail to add this to his other malignant representations in his secret letters to the government in England, and in his History of Massachusetts he gravely calls it a "defalcation." †

* Boston Town Records.

† Examination of every statute upon the subject, from the earliest times under the Province Charter of 1692 down to 1785, will show that no sureties were ever required of tax collectors by any law of the Province during that period. It is quite certain that neither Samuel Adams nor any other collector of taxes of his time, either in Boston or in any other town of the Province, ever gave sureties or surety for the performance of the duty of collector. Bonds by collectors of taxes, with sureties, are of much later origin. The stringent provisions of law during that period to urge collectors of taxes up to a punctual and vigorous execution of their duties, by *necessary implication*, show that they had no sureties; for, besides liability to suit and penalties attached, &c., an act was passed at the November session, 1736, of the General Court, that if collectors of town taxes neglected to collect the taxes committed to them for collection, and pay the same in to the town treasurer, within one month after the time provided in and by the warrant to them directed for the purpose, the town treasurer was empowered to issue a warrant to the sheriff of the county, who was empowered and directed thereby to cause the sum not paid in by the collector to be levied by distress and sale of the real and personal estate of the collector.

That law was revived and continued from time to time, and kept always in

In August, 1760, Governor Pownall was succeeded by Francis Bernard. The new official was received with due parade, and, being met at Dedham by Lieutenant-Governor Hutchinson, was escorted to the Province House, the residence of the Colonial Governors. Bernard was educated at Oxford, and bred to the law. He had been two years

force until June 23d, 1770. The idea of a surety by a collector of taxes is not even hinted at by any statute until long after the year 1785.

Under the statutes prior to 1785, every person elected as collector of taxes was bound under the penalty of a fine to take the prescribed oath and perform the duties of the office, all the excuse being that he was not obliged to serve but one year in seven.

There was always great difficulty in collecting taxes in Provincial times, owing to the scarcity of money among the people. But in the year 1763 there was unusual difficulty in Boston. Thus at the adjourned session of the General Court, which assembled on the 27th day of December, 1763, the Selectmen of Boston petitioned the General Court to provide a remedy for *their* collectors of taxes in particular, on account of the insufficiency of the law for Boston, as it then stood. On the next day (Dec. 28th, 1763), a bill was read the first time, entitled, "*An Act to enable the Collectors of Taxes in the Town of Boston to sue for and recover the Rates and Taxes given them to collect in certain Cases.*"

The preamble of the statute, following the title, is in these words, viz. :—

"Whereas, notwithstanding the provision already made by the laws of this Province respecting constables and collectors of taxes, it is represented that in many cases there may be a failure, and the town of Boston have humbly desired that remedy may be provided for *their* collectors in those cases."

The act then goes on to provide, in Sect. 1, that when any person duly taxed in Boston had absconded, or should abscond, not having paid his taxes, and had concealed his goods and estate, the collectors of Boston should have like remedy against the agents, factors, or trustees of such absconding person, to recover the taxes assessed against such absconding person, as by law creditors have for the recovery of their debts.

The second section provides that where any person taxed in Boston had died before paying his tax, or removed to some other town, or where any *feme sole* duly taxed had married before paying her tax, or where the collectors (the time for them to pay in having elapsed) had paid the whole sum committed to them to collect,—in all such cases, the collectors of Boston might sue the person so assessed, and have the like remedy as other creditors have for recovering their proper debts.

This act was read a second and third time on the 29th day of December,

Governor of New Jersey when transferred to Massachusetts. He commenced his administration under favorable auspices, but he failed to appreciate or understand the people among whom his lot had been cast; and his name, as that of a secret enemy to the liberties of America, was ever after detested by the patriots. On his arrival, the Assembly granted him a liberal salary of thirteen hundred pounds

1763, and passed to be engrossed, and sent up to the Council Board for concurrence; and in the third section, it was provided that the act should be in force from and after the first day of February, in the year 1764, viz. for two years and two months only.

Those acquainted with political and party strife, and the relation in which Samuel Adams and Governor Hutchinson stood to each other, will not attach importance to what the latter said of the former.

That in those exciting times some complication may have existed in the accounts of the treasurer of Boston with Samuel Adams and his co-collectors is very probable. The confusion of the times for a considerable period preceding the Revolutionary war, and during that war, and for some time after, probably prevented a formal auditing of those accounts until it became impossible.

Against the attack upon Samuel Adams in relation to the matter of the collection of taxes, we may safely invoke the great weight of his personal character. What is character good for, unless it protects the reputation of a person in a single case of accusation without proof in a long lifetime?

Against that accusation it is sufficient that the town of Boston and the House of Representatives of the Province testified contemporaneously in the strongest manner. Would the town of Boston, in September, 1765, have elected a defaulting collector to fill the vacancy in their representation in the Legislature, occasioned by the death of the famous Oxenbridge Thacher? Would our House of Representatives, on the third day after his becoming a member, have made a defaulting collector the chairman of the committee to present to Governor Bernard the answer to his message on the subject of the stamped paper that had just then arrived in the Province? Does that answer, most palpably drafted by "*the last of the Puritans*," savor of the mind of a defaulting collector? This subject may be dismissed by putting in evidence against the aspersion by Hutchinson the unanimous declaration of our General Court, both House and Council Board, on the seventh day of November, 1776, in the preamble to the act changing the name of the town then called Hutchinson to what it is now, — Barre.

That act cannot be safely abridged; and as it disposes of the character of Hutchinson as a witness against so great a political opponent as Samuel Adams, it is copied entire.

per annum, and presented him with the island of Mount Desert on the coast of Maine. This gratified his avarice, but he remained a hidden foe to the Province. When the troubles with the mother country commenced, he was unwearied in his efforts for the subversion of the Colonial charter, though he constantly professed the contrary. His letters subsequently revealed that he was a persistent advo-

“An Act for discontinuing the name of a Town in the County of Worcester, lately incorporated by the name of Hutchinson, and calling the same Barre.

“Whereas the inhabitants of the town of Hutchinson have by their petition represented to this Court that in June, 1774, when the said town was incorporated, General Gage, the then Governor, gave it the name of Hutchinson, in honor to, and to perpetuate the memory of, Thomas Hutchinson, his immediate predecessor in the chair of government, whom they justly style the well-known enemy of the natural and stipulated rights of America; and that, at a town meeting notified for that purpose, they voted unanimously to petition, and accordingly have petitioned, the General Court, that the name of the said town might be altered, and that it might no longer bear the disgraceful name of Hutchinson; —

“And whereas there is a moral fitness that traitors and parricides, especially such as have remarkably distinguished themselves in that odious character, and have long labored to deprive their native country of its most valuable rights and privileges, and to destroy every Constitutional guard against the evils of an all-enslaving despotism, should be held up to public view in their true characters, to be execrated by mankind, and that there should remain no other memorials of them than such as will transmit their names with infamy to posterity; —

“And whereas the said Thomas Hutchinson, contrary to every obligation of duty and gratitude to this his native country, which raised him from private life to the highest and most lucrative offices in the government, has acted towards her the part of a traitor and parricide, as above described, which has been clearly manifested to the world by his letters lately published; and by his having thus acted, it has become fit and just that every honorable memorial of him should be obliterated and cease: — therefore,

“Be it enacted by the Council and House of Representatives of the State of Massachusetts Bay in General Court assembled, and by the authority of the same, that the land lying in the County of Worcester, formerly called Rutland District, and in June, 1774, incorporated into a town by the name of Hutchinson, shall no more bear that name, but henceforth shall be called and known by the name of Barre, the aforesaid incorporating act notwithstanding. And all officers in the said town shall hold and exercise their offices respectively, in the same manner as they would have done had not the name of the said town been altered.”

cate for bringing troops to Boston. He was vain, fretful, timid, passionate, easily offended, and possessed of little dignity of character. The officers of the army contemned him for his cowardice and duplicity, and the people hated and despised him.

CHAPTER II.

Schemes to tax the Colonies. — Writs of Assistance. — Eloquence of James Otis. — The Sugar Act. — Efforts to procure its Repeal. — Adams draughts the Boston Instructions in 1764. — The Right of Parliament to tax the Colonies first publicly denied; and a general Union of the Colonies recommended. — Character and Influence of Adams. — His Second Marriage. — His Opinions on the Taxation Question. — The Legislature follow the Boston Instructions. — The Stamp Act. — Renewed Parliamentary Debates. — Noble Oratory of Colonel Barré. — Reception of the News in Boston. — Public Indignation and Violence. — Adams drafts the Boston Instructions in 1765. — The New York Congress.

WITH the termination of the French war arrived the eventful period when the Stamp duty, by which the British government proposed to raise a revenue from the Colonies without their having a representation in Parliament, aroused the Americans from the condition of peaceful and generally contented subjects to exasperated assertors of the rights sacredly guaranteed by charter. The freedom and prerogative parties, including on either side the ablest men in Massachusetts, were arrayed on the issues of the relation between the Colonies and Great Britain. The first notable question was on the validity of the writs of assistance, which enabled officers of the customs to forcibly enter dwellings and stores to search for any contraband goods supposed to be concealed there. A petition being sent by an officer to the Superior Court for one of these writs, legal exceptions were taken, and James Otis, a man who thenceforth took a leading part in the support of the liberties of his country, appeared for the Bostonians against Gridley, the King's Attorney. Oxenbridge Thacher was also engaged for the people, and preceded Otis with an argument to prove that the practice of the Exchequer was not good ground

for that court, and that the required seizures were wanton exercises of power. James Otis electrified his audience by a speech, denouncing the writs as instruments of slavery on the one hand, and villany on the other. The orator spoke for four hours, and was remembered by John Adams as "a flame of fire." "The child Independence," he says, "was then and there born. Every man of an immense crowded audience appeared to me to go away as I did, ready to take up arms against writs of assistance."

The speech of Otis spurred the people of Boston to the first acts of resistance; but as yet their unwavering loyalty to the mother country remained intact. There were few indeed who ventured to conjecture such a state of affairs as should lead to a separation. During thirty years, occasional popular commotions, such as followed the writs of assistance, had occurred, and had subsided with the moving cause. That the events of 1761 indirectly led on to those of the Revolution cannot be denied. The inhabitants were aroused by the nearness of the danger, but the struggle did not commence there. The argument of Otis, brilliant, logical, and flaming, was not the prologue of the great drama, for it did not then begin. The American Revolution was caused by, and opened with, the revenue acts. The direct issue in that struggle was the raising of a revenue from the Colonies without their consent, and without their being represented in Parliament. Independence was gained in consequence of the assertion of the right of unconditional taxation by Parliament, whence grew in regular sequence every phase in the ten years of controversy with the royal governors preceding the war. It was not until 1765 that the Stamp Act passed and received the royal assent, and the Revolution was born with the popular resistance to that measure and the acts of 1763.

In 1763, the Colonial agent at London, Mr. Mauduit, notified the Assembly that the act passed in the sixth year of George II., for securing the trade of the sugar Colonies, would

shortly expire, and would be revived with alterations of a more stringent nature. The news of the projected Stamp Act was also received, and the whole country was alive with apprehension. Early in the year, the House, through their committee, instructed the agent to endeavor to procure the repeal of the obnoxious Sugar Act, and to exert himself to prevent the passage of the Stamp Act, "or any other impositions or taxes upon this or the other American Colonies"; and before the adjournment it was proposed to choose another agent to act in concert with Mr. Mauduit in remonstrating with the ministry. Mr. Hutchinson received almost the unanimous vote, but the House soon after changed their views of his fitness for the office. This is believed to have turned him from the position he then held, to an ardent supporter of the measures of the government; and in his manuscript correspondence is found a letter, written about that time, in which he deemed it "a high delinquency towards Heaven if he afforded countenance to any cause longer than it was favored by fortune."

The first public opposition in America to Parliamentary schemes of taxation was made in Massachusetts. Though Virginia has always claimed that honor through her illustrious son, Patrick Henry, the "alarm bell" was earliest rung in Boston by Samuel Adams, who preceded the Virginia patriot a year.*

* See Grahame's *United States*, II. 388. See also Arnold's *History of Rhode Island*, II. 254. "The suggestion of a general union for this object first emanated from the town of Boston. It is contained in the instructions to their Representatives at the General Court in May, drawn up by Samuel Adams, and adopted by that body in a memorial prepared by James Otis, to be sent to the agents in England." Wirt, in his admirable, but somewhat imaginative biography of Patrick Henry,* overlooks this fact, which he doubtless would have recorded had it been brought to his notice. Patrick Henry himself seems to have been ignorant of the decided stand taken by the people of Boston a year before his celebrated resolutions were written. Among his papers was found a copy of this document, on the envelope of which he had fondly inscribed, with his own hand: "The within resolutions passed the House of Burgesses, May, 1765. They formed the first opposition to the Stamp Act,

The spring elections of 1764 having arrived, a committee in town meeting was appointed to prepare instructions by which the newly elected Representatives were to be guided during the year's legislation. The committee chose Samuel Adams, one of their number, to draft the report, which he submitted to the inhabitants assembled at Faneuil Hall on the 24th of May. The original autograph still exists among his papers.

After reminding the Representatives that the people had delegated to them the power of acting in their public concerns in general, with the right of instructing them upon particular matters, he continues:—

“We, therefore, your constituents, take this opportunity to declare our just expectations from you ;

“That you will constantly use your power and influence in maintaining the invaluable rights and privileges of the Province, of which this town is so great a part, as well those rights which are derived to us by the royal charter, as those which, being prior to, and independent of it, we hold essentially as free-born subjects of Great Britain.

“That you will endeavor, as far as you will be able, to preserve that independence in the House of Representatives which characterizes a free people, and the want of which may, in a great measure, prevent the happy effects of a free government ; cultivating, as you shall have opportunity, that harmony and union there which is ever desirable to good men when founded in principles of virtue and public spirit ; and guarding against any undue weight which may tend to disadjust the critical balance upon which our happy Constitution and the blessings of liberty do depend.

and the scheme of taxing America by the British Parliament. All the Colonies, either through fear or want of opportunity to form an opposition, or from influence of some other kind, had remained silent.” The instructions were the signal which first called for combined action against an act of tyranny, the legality of which they were the earliest to deny. Bradford, in his History of Massachusetts, does not overlook the fact. He says : “ In these patriotic measures to resist the encroachment of arbitrary power, the citizens of Boston seem to have been the first. They instructed their Representatives in May, 1764.” See also Bancroft, V. 194 – 200.

The first part of the history is a general account of the
state of the country at the beginning of the reign of
Henry the Second. It describes the state of the
kingdom, the state of the church, and the state of
the people. It also describes the state of the
kingdom at the end of the reign of Henry the
Second. The second part of the history is a
particular account of the reign of Henry the
Second. It describes the state of the kingdom
at the beginning of the reign of Henry the
Second, and the state of the kingdom at the
end of the reign of Henry the Second. It also
describes the state of the church, and the state
of the people. The third part of the history is
a general account of the reign of Henry the
Second. It describes the state of the kingdom
at the beginning of the reign of Henry the
Second, and the state of the kingdom at the
end of the reign of Henry the Second. It also
describes the state of the church, and the state
of the people.

The fourth part of the history is a general account of the reign of Henry the
Second. It describes the state of the kingdom
at the beginning of the reign of Henry the
Second, and the state of the kingdom at the
end of the reign of Henry the Second. It also
describes the state of the church, and the state
of the people. The fifth part of the history is
a general account of the reign of Henry the
Second. It describes the state of the kingdom
at the beginning of the reign of Henry the
Second, and the state of the kingdom at the
end of the reign of Henry the Second. It also
describes the state of the church, and the state
of the people.

But what still increases our Apprehensions is, that these unexpected Pro-
ceedings may be preparatory to more extensive Taxations upon us: For your
^{them. Reduce & in short every thing we possess or make use of.} Trade may be laid on [&] ~~not every thing we possess.~~ It
is common to say, That we apprehend annihilate our Charter Right to govern
& tax our selves: It strikes at our British Privileges, which as we have never
forfeited them, we hold in common with our Fellow Subjects who are Natives
of Britain: If Taxes are laid upon us in any shape, without our having
a legal Representation where they are laid, Are we not reduced from the
Character of free Subjects, to the miserable State of tributary Slaves. We
claim British Rights not by Charter only: We are born to them: They belong
to us as well as our fellow Subjects the Natives of Britain ^{& we} ~~who~~ ^{we}
we depend upon you to assert & maintain for us them.

“As you represent a town which lives by its trade, we expect that in every particular manner you make it the object of your attention to support our commerce in all its just rights, to vindicate it from all unreasonable impositions, and promote its prosperity. Our trade has for a long time labored under great discouragements, and it is with the deepest concern we see such further difficulty coming upon it as will reduce it to the lowest ebb, if not totally obstruct and ruin it. We cannot help expressing our surprise that when so early notice was given by the agent of the intentions of the ministry to burden us with new taxes, so little regard was had to this most interesting matter that the Court was not even called together to consult about it till the latter end of the year, the consequence of which was that instructions could not be sent to the agent, though solicited by him, till the evil had got beyond an easy remedy. There is no more room for delay. We therefore expect that you will use your earliest endeavors in the General Assembly that such methods may be taken as will effectually prevent these proceedings against us. By proper representation, we apprehend it may easily be made to appear that such severity will prove detrimental to Great Britain itself; upon which account we have reason to hope that an application even for a repeal of the act, should it be already passed, will be successful. It is the trade of the Colonies that renders them beneficial to the mother country. Our trade as it is now, and always has been conducted, centres in Great Britain; and in return for her manufactures affords her more ready cash, beyond any comparison, than can possibly be expected by the most sanguine promoters of these most extraordinary methods. We are, in short, ultimately yielding large supplies to the revenues of the mother country, while we are laboring for a very moderate subsistence for ourselves. But if our trade is to be curtailed in its most profitable branches, and burdens beyond all possible bearing are levied upon that which is suffered to remain, we shall be so far from being able to take off the manufactures of Great Britain, that it will be scarcely possible for us to earn our bread.

“But what still heightens our apprehensions is, that these unexpected proceedings may be preparatory to more extensive taxations upon us. For if our trade may be taxed, why not our lands? Why not the produce of our lands, and in short everything we possess or make use of? This, we apprehend, annihilates our charter-

rights to govern and tax ourselves. It strikes at our British privileges, which, as we have never forfeited them, we hold in common with our fellow-subjects who are natives of Britain. If taxes are laid upon us in any shape without our having a legal representation where they are laid, are we not reduced from the character of subjects to the miserable state of tributary slaves? [We claim British rights not by charter only. They belong to us as well as to our fellow-subjects in Great Britain, and we depend upon you to maintain and assert them.*]

“We therefore earnestly recommend it to you to use your utmost endeavors to obtain in the General Assembly all necessary instructions to our agent at this most critical juncture, that while he is setting forth the unshaken loyalty of this Province and this town, its unrivalled exertions in supporting his Majesty’s government and rights in this part of his dominions, its acknowledged dependence upon, and submission to Great Britain, and the ready submission of its merchants to all just and necessary regulations of trade, he may be able in the most humble and pressing manner to remonstrate for us all those rights and privileges which justly belong to us either by charter or birth.

“As his Majesty’s other North American Colonies are embarked with us in this most important bottom, we further desire you to use your endeavors that their weight may be added to that of this Province; that by the united applications of all who are aggrieved, all may obtain redress.”

This is the earliest public document written by Samuel Adams, of which any traces remain; but there can be no question that his pen was often engaged for such purposes, and that he was often consulted by the members of the House of Representatives, and assisted largely in devising its measures, as well as in preparing the drafts of state papers for that body before his election to it. The Instructions form an important landmark in American history, as containing the first public denial of the right of the British Parliament to tax the Colonists without their consent; and the first sug-

* This passage in the original draft seems to have been rejected by the meeting at which the instructions were adopted, as it does not appear in the Town Records.

gestion of a union of the Colonies for redress of grievances. They were published in a few days after their adoption, and circulated through the continent as the avowed sentiments of Boston, and virtually of Massachusetts. The important position is also taken, that the Judges are dependent for their support upon the General Assembly; an appeal is made for unrestricted trade; with a direct hint that, if the burdens imposed upon it are not removed, the result must prove detrimental to Great Britain, by a consequent decrease in the consumption of English manufactures. These principles, the germs of those which afterwards constituted the great issues of the Revolution, had long been immovably fixed in the author's mind.

The effect of the instructions was immediate. They became the basis of the Provincial policy; and as speaking the wishes of the people, their injunctions were at once acted upon by the Legislature, which assembled in June. One of these requirements was that a letter of instructions be sent to the agent in London, setting forth the loyalty of the Province to all just and necessary regulations of trade, and directing him to vindicate the rights and privileges belonging to the people by charter or by birth. A memorial was consequently drawn up by James Otis, and adopted, in which the House asks, using nearly the words of Mr. Adams, "If all the Colonies are to be taxed at pleasure, without any representative in Parliament, what will there be to distinguish them in point of liberty from the subjects of the most absolute prince?"

One more measure remained to be taken. The instructions had recommended a concert of action with the sister Colonies in an application to the ministry for a redress of grievances. The members from Boston made this a portion of their duties; and on the day following the adoption of the letter to the agent, June 14th, a committee was appointed to correspond with the several Assemblies on the continent, who were invited to use their united efforts to

protect their essential rights.* This was the first plan to unite the Colonies in opposition to Parliamentary oppression.† It originated with Samuel Adams, who had the satisfaction of seeing all his plans in successful operation. "To him," says one who personally knew his agency in public actions, "is the nation indebted for the idea of assembling the first Congress at New York, which led, ten years afterwards, to the Continental Congress, and finally to the union and confederation of the Provinces."‡ During the month of June, James Otis and Oxenbridge Thacher had published respectively their pamphlets, the first the "Rights of the Colonies," and the second the "Sentiments of a British American." The former the House adopted as their own, and ordered it to be sent to the agent in England, who was "to make the best use of it in his power, with the addition of such arguments as his good sense should suggest." The House had hardly time to accomplish what they had probably preconcerted, when the Governor prorogued the Assembly.

Throughout the summer the Legislature remained prorogued. The Governor had said at the last session that he did not intend calling another until winter; but the call was made for October, when the House, having convened,

* After the sitting of the New York Congress in the following year, which was the offspring of this measure, Mr. Adams had occasion to write to the patriot Christopher Gadsden of South Carolina, to whom he says, referring to that union of the Colonies: "Happy was it for us that a union was then formed upon which, in my humble opinion, the fate of the Colonies turned. What a blessing to us has the Stamp Act eventually, or, to use a trifling word, virtually proved, which was calculated to enslave and ruin us. When the Colonies saw the common danger, they at the same time saw their mutual dependence, and mutually called in the assistance of each other; and I dare say such friendships and connections are established between them as shall for the future deter the most virulent enemy from making another open attack upon their rights as men and subjects."

† Journal of the House of Representatives for June, 1765. Compare *Grahame's History*, II. 388.

‡ Sketch in Sanderson's *Lives of the Signers of the Declaration of Independence*. Compare *Bancroft's History*, V. 198-200.

again made the Boston Instructions the groundwork of their proceedings by petitioning the King, Lords, and Commons "for a repeal of the Sugar Act." This address had been prepared before the session, and was brought in by Oxenbridge Thacher. Samuel Adams probably had a hand in drafting it. Bradford, in his sketch of him, says: "Before he was a member, he had great influence with the committees appointed to prepare state papers, and took the lead in the proceedings of the town relating to public affairs."* It is certain that in two different state papers of the following year, he referred to this remonstrance as subsequently amended for the House by the pen of Hutchinson; and very soon after, in a letter to Richard Jackson, again deploras the tardiness of the agent in not presenting the petition and pursuing it with proper vigor. Hutchinson seems to suspect the hand of the author of the Boston Instructions, for he says that the original address was in substance conformable to that paper.† Elbridge Gerry, a few years before his death, stated that he had heard a member of the Legislature in the early days of the Revolution assert that Samuel Adams was always consulted, as a matter of course, by committees appointed to draft papers for the House, for some years before he became a member of that body, and that some of these were entirely from his pen. No copy of the address, as originally drafted, has been preserved.

The influence of Adams's vigorous will was now experienced and acknowledged. The few facts which can be gath-

* History of Massachusetts. Hutchinson, III. 133, says: "Mr. Adams had for several years been an active man in the town of Boston, always on the side of liberty, and was the reputed author of many of the publications in favor of it."

† The answer of the House to the Governor's address, at the opening of this session, suggested, in the original draft, that the Colonies would be obliged to manufacture for themselves, which would soon operate to the injury of the British manufacturers. This was rejected by the House, and does not appear in the printed journal. Yet after all the modifications which the first draft underwent, the resemblance to the Boston Instructions is remarkable.

ered of his public actions at this time, though vague and unsatisfactory, are sufficient to portray him as the most active politician of the country. His contemporaries, Otis and Thacher, and several of lesser note in the House, divided with him the public confidence; and of Otis it is true that none wielded an equal power over the multitude in public harangue or in the debates of the Assembly. But Adams, by his superior will and command over his passions, the acknowledged sincerity of his character, and a genial address, which was natural and enabled him to convince and persuade, stood in advance of all others; while in his political creed, he was the embodiment of the most practical opposition to government measures. The honor of originating measures forming the basis of the Colonial policy was of no importance in his estimation compared to the great results to which he looked forward. The time was now at hand for the infusion of his energetic, commanding spirit into the Assembly, by his immediate presence as one of their number.

Attention to public affairs so engrossed his time as to leave him but little leisure for his private business, of which, however, the proceeds were sufficient for the maintenance of his children in a respectable rank in society, and to give them the best education the times admitted. He superintended their instruction with great care, and by precept and example endeavored to impress their minds with correct moral principles. He had the pleasure of knowing that they were esteemed and loved. Both became the pride of his manhood; and though his son, Dr. Adams, was cut off in the prime of life, after the Revolution, his daughter lived to be the solace of his declining years, and ministered at his death-bed.

An intimate friend of his father had been Francis Wells, Esq., an English merchant, who, as his own record states, arrived in his ship, "y^e Hampstead Galley," from London, with his family and possessions, in August, 1723, and settled

in Boston. Mr. Adams married Elizabeth, the fifth daughter of Mr. Wells, for his second wife, on the 6th of December, 1764. She was then twenty-four years of age, a lady of engaging manners, amiable disposition, and in point of education well qualified to become the companion of her husband. An excellent housewife, she eked out by her close economy their small income, so that few comforts were wanting. Through all the darkened periods of the Revolution, with the attendant privations and sufferings, she nobly seconded her husband in his patriotic efforts, and to their latest days their mutual relations were a model of tender love and affection. Their residence was still in Purchase Street, where the family lived until the occupation of the city by the British troops in 1774. The house was partially destroyed by the soldiers at the time of the evacuation.

In his family, Samuel Adams was a delightful and entertaining companion. His cheerful temper, which never desponded, shed a perpetual sunshine of happiness upon those about him; and his intimacy was valued by his acquaintances as much for these qualities as for his counsel and sagacity in public affairs. Though a stern and uncompromising opponent to tyranny, and ever presenting an undaunted front in his ceaseless warfare against schemes of oppression, he could unbend among his friends and with his family. Bancroft introduces him in 1764 with a just and splendid tribute to his greatness of character.

“He was a tender husband, an affectionate parent, and relaxing from severer cares, he could vividly enjoy the delights of conversation with friends; but the walls of his modest mansion never witnessed dissipation or levity or frivolous amusements, or anything inconsistent with the discipline of the man whose incessant prayer was that ‘Boston might become a Christian Sparta.’

“He was at this time near forty-two years of age, poor, and so contented with poverty that men censured him as ‘wanting wisdom to estimate riches at their just value.’

“But he was frugal and temperate; and his prudent and industrious wife, endowed with the best qualities of a New England woman, knew how to work with her own hands, so that the small resources, which men of the least opulent class would have deemed a very imperfect support, were sufficient for his simple wants. Yet such was the union of dignity with economy, that whoever visited him saw around him every circumstance of propriety. Above all, he combined with poverty a stern and incorruptible integrity.”*

Mr. Bancroft quotes the former Lord Ashburton, who gave him an account of his dining with Samuel Adams in Boston.

Familiar letters often reveal the disposition of the writer more truthfully than studied compositions intended for the eye of the world. The following epistle, written fifteen months after his second marriage, illustrates to some extent the foregoing remarks upon his “home character.” It was in reply to his friend William Checkley, a relative of his first wife:—

BOSTON, March 16, 1766.

DEAR SIR:—I received your letter of the 6th instant with the greater satisfaction, as it brought me intelligence of your having taken some resolutions which I cannot but flatter myself will greatly add to your future happiness in life. Believe me, my friend,—I wish I could persuade all the agreeable bachelors to think so,—there are social joys in honest wedlock which single life is a stranger to. You will allow me to be a tolerably good judge, having had experience of each in double turns. You have so long been intimate with Miss Cranston before you made a formal address to her, that I make no doubt your choice of her is well made. I have a good opinion of the young lady, without the pleasure of an acquaintance with her; and it is grounded on the opinion I have long had of your judgment and integrity. Without flattery, I believe you would hardly have made proposals of marriage to any lady who had not those accomplishments which will always make a man of integrity and virtue happy. May the best of Heaven’s blessings attend you both. I somewhere met with a couplet which impressed my mind in early life.

* Bancroft, V. 194.

{ "Sure is the knot Religion ties,
And Love, well bounded, never dies." }

Pray present my own and Betsy's kind respects to your fair one, and be assured nothing that in the least regards your welfare can be a matter of indifference to either of us.

Adieu,

SAM. ADAMS.

March 24th.

I received this moment yours of the 22d. Should have forwarded this per post had he not been interrupted last week. Am now at the wedding-house, — Deacon Hill's.

Yours,

S. A.*

MR. WILLIAM CHECKLEY.

Early in 1765, Grenville brought forward his scheme of taxation, and the American question was presented by the King as involving "obedience to the laws, and respect for the legislative authority of the kingdom." The Lords and Commons responded with a determination to proceed with that temper and firmness which "will best conciliate and insure due submission to the laws and reverence to the legislative authority of Great Britain." The Prime Minister had long been resolved upon raising a revenue from the Colonies to meet the demand for some new source of income; and when the resolutions were brought up, they were carried by an overwhelming majority, despite the opposition of Barré, Beckford, Conway, and Jackson. The generous spirit of Barré shone conspicuously in his reply to Townshend, who held that the Colonies had been "planted by our care, nourished by our indulgence, and protected by our arms." Barré refuted the assertions in detail in a burst of uncontrollable eloquence. Concluding, he said: —

"They protected by your arms! They have nobly taken up arms in your defence; have exerted a valor amidst their constant and laborious industry for the defence of a country whose frontier was drenched in blood, while its interior parts yielded all its little savings to your emoluments; and believe me, — remember I this day

* New England Hist. and Genealogical Register, VII. 45.

told you so, — the same spirit of freedom which actuated that people at first will accompany them still. . . . The people I believe are as truly loyal as any subjects the King has ; but a people jealous of their liberties, and who will vindicate them, if ever they should be violated.”

But the subject had been carefully considered, and the few appeals in favor of the Colonies weighed as nothing against the determination to impose the tax. The bill passed the Commons in February, was agreed to by the Lords in March, and received the royal assent in the same month. The passage of the Stamp Act was the entering wedge, — the first of the series of measures which ended British supremacy in the Colonies.

The opinions of Samuel Adams on the question of Parliamentary taxation, though found in his private correspondence and public writings towards the close of this year, are more directly expressed in a political essay written a few years later, referring to the period of which we are now treating. The arguments will be found to cover the whole ground of the controversy. A writer on the side of the government had asserted and attempted to prove that Parliament was warranted by law and justice in taxing the Colonies. Mr. Adams replied in the organ of the patriots, going back to the commencement of the dispute, and showing the illegality and injustice of the measure : —

“It seems,” says Mr. Adams, “to be generally agreed that every man who is taxed has a right to be present in person or by his own representative in the body which taxes him ; or, as Lord Camden has expressed it, that ‘taxation and representation are inseparable.’ A man’s property is the fruit of his industry ; and if it may be taken from him under any pretence whatever, at the will of another, he cannot be said to be free, for he labors like a bond slave, not for himself, but for another. Or suppose his property comes by inheritance or free gift, it is absolutely his own ; and it cannot rightly be taken from him without his consent. This I take to be the commonly received opinion concerning liberty as regards taxation. And it is moreover generally understood, that upon this opinion the

very being of a free government depends. The writer who signs 'Z. T.' in the two last Evening Posts, think it is very hard that 'he and others should be treated with sneers and ridicule, and as enemies of their country, for not falling in with the commonly received opinion of liberty and taxation'; but till he makes it appear that it is not a just and very important opinion, he has no reason for his complaint.

"He tells us that in the year 1764, 'it was proposed in Parliament to tax the Colonies for the charge of their government and defence'; and intimates the reason: 'The nation being then more than one hundred and forty millions in debt, which was above sixty millions more than it was the last year.' I would ask this gentleman, whether the old-settled Colonies, or particularly whether this Province, ever put the nation to a farthing's expense for its government or defence from the first settlement of it to this day? If he can prove it ever did, he will do that which no one has ever been able to do before; but if he cannot, and I presume he cannot, the reason he offers why the Colonies, or particularly why this Province, should be obliged to pay any part of the national debt is of no validity. But he seems to be aware of this himself, and therefore advances another reason why it was proposed that the Parliament should tax America, viz., to defend the conquered provinces, 'which ought not to be left without troops.' And it was not reasonable that 'England, after having run so deeply in debt for acquiring them, should now tax itself for the maintenance of them.' But did England alone run deeply in debt in conquering the French in America? Did not the Colonies bear a great share in the expense of it? Undoubtedly. Why then should not England tax herself at least for a part of the maintenance of them? Because great stability and security were given thereby to all the American governments. Was Canada conquered then only for the sake of giving stability and security to the American governments? Had Great Britain no view to her own profit? to the advancement of her own glory, the increase of her trade, and the enlargement of her empire? Has she not the sole advantage of the trade, and the immense tracts of land which the Colonies helped her to conquer? And is it a sufficient reason why they should pay the whole expense of defending these acquisitions, because stability and security were given to them by means of the conquest, after they had pushed their settlements to the infinite advantage of the mother

country at their own expense, and in continual wars with the French and Indian enemies, some of them for a century and a half? But the plan is laid; ten thousand troops must be kept up in America, the charge of them only computed at two hundred and fifty thousand pounds; and the charge of troops and government, three hundred and fifty thousand pounds per annum; and, considering the distress of the nation, none could expect to prevail against a tax on the Colonies. And further: 'All that Mr. Grenville desired was, that America would bear the charge of its own government and defence.' In pursuance of this plan, the Stamp Act, he tells us, passed the House of Commons, but 'in complaisance to the Colonies, and, as Mr. Grenville expressed it, to consult their ease, quiet, and good will, it was hung up till the next year, to give them the opportunity to pass it themselves, or some other equivalent.' This, then, was the state of the case: the House of Commons was resolved to propose to the Colonies that they should tax themselves three hundred and fifty thousand pounds sterling a year for the maintenance of ten thousand troops to be kept up in America, and for the support of their own government (which they had always before honorably supported), or they would tax them by the passing the Stamp Act; and our writer, by way of question, expresses his surprise, that, instead of 'considering the distress of the nation, and the justness of the demand, the legality of their right to tax us was disputed, and we proceeded boldly to assert what *we called* our liberties.' But he ought to have shown that the Colonies could be said to be free in either case supposed, nor in the one more than in the other; and until he does this, he cannot reasonably find fault with them for thinking the proposed alternative a just occasion to awaken their attention, and that it was high time for them boldly to assert what they knew to be their indefeasible right, viz. to grant their aid with a free consent and without constraint. I never yet heard it said, that a man who had his purse demanded of him by a superior power acted *freely*, though he delivered it with his *own hand*, instead of waiting for it to be taken from him by force. His will and consent cannot be at all concerned in the matter.

"Our writer tells us that 'the Stamp Act being hung up (in its state of a bill) for a year might have favored us with time to plead our cause; and he doubts not but we might have been freed from the greatest part of those charges.' But does he not consider, that,

in pleading our cause, as he terms it, we implicitly put it in the power of others to be the judges whether they shall tax us without our consent ; for I do not find among the pleadings which he would have us to make, there is anything that looks like a saving of our rights. And supposing that, after having pleaded our cause in the manner in which he would have had us to do it, we should not have prevailed upon them to recede from their purpose of taxing us, if we did not tax ourselves, would they not have done it with a much better grace, and told us that we ought not surely to complain, since in pleading our cause before them, we left it to their sole judgment and decision whether they had not the right to tax us, or, which is the same thing, oblige us to tax ourselves ; and they had determined that they had the right. This, it must be owned, would have afforded a happy precedent for all futurity.

“ But this matter, it seems, was already determined ; for he tells us that ‘ the Parliament, previous to the repeal, resolved that they had a right to tax us.’ If his inference is that they really had the right, because they *resolved* that they had, I shall only say that his reasoning is much like that of a late letter-writer from London, whose wonderful performance, if I mistake not, was inserted in all our newspapers, who says, that, ‘ when an act of Parliament is once passed, it becomes a part of the Constitution.’ This at once, I confess, shuts the mouths of all Americans from complaining of revenue acts, or any other acts of Parliament as unconstitutional ; for what is an essential part of the Constitution, I think, cannot be unconstitutional.

“ Our writer intimates very strongly, that the repeal of the Stamp Act was a matter of favor rather than justice to the Colonies ; that the act itself was the discipline of a tender and prudent parent ; that the Colonies, in opposing it, discover the symptoms of distraction ; that the repeal was derogatory to the honor of the Parliament, but it was done to give the Colonies time to come to reason ; that, instead of this, their obstinate temper, manifested by assuming and insulting airs, has made troops necessary for the order of society. All which, no doubt, entitles him to ministerial favor, with a pension of two hundred a year, or at least a place under the right worshipful American.

“ After all, he acknowledges that ‘ there is a great deal of justice and propriety in the case, that the subjects taxed should give their

consent by their representatives.' But he fears that, if our plea stands good, that the Parliament cannot tax us now, it will hold good at *another time*; and therefore he would have had us, against the time to come, when he supposes we may 'become equal to a fourth part of the whole,' to acknowledge that they had the right to tax us for such sums as they shall think proper to demand of us; and if the matter had been 'thus stated and pleaded in a public manner,' he apprehends 'it would have influenced the people in the Colonies to make a different choice of persons to represent them, and things would have taken a different turn.' Perhaps it would have pleased this writer if they had chosen persons who would have given up the whole dispute about the right; for I cannot see that there is any difference, with regard to the right in question, between the Americans consenting forever hereafter to tax themselves such sums as the Parliament of Great Britain shall apportion them to pay, and their consenting that the Parliament shall tax them as well as apportion the sum. The mode of taxation in the one case might have been allowed to the Americans, and that is generally allowed even to an enemy in the case of military contribution; but the right of consenting to the taxation itself would be given up; and in that case would not the Colonies be tributary to the people of Great Britain, instead of fellow-subjects, coequal in dignity and freedom?" *

By the provisions of the Stamp Act, all written instruments in daily use among a commercial people were to be null and void, unless executed on stamped paper or parchment, upon which a duty was to be collected by government officers. It was to take effect in the following November, and the Colonists had ample time to discuss its bearings and to frustrate its designs.

The news reached Boston in April, and was received with mingled alarm and indignation. A spirit of resistance was shown in every Colony. In Virginia, the Resolves of the House of Burgesses, drawn up by Patrick Henry in May, gave impulse to the movement and sounded over the continent in trumpet-tones. Everywhere they were read and carried

* T. Z., in the Boston Gazette, January 9, 1769.

conviction. In Boston the excitement was intense, and the whole Province was quickly in a blaze of resentment. At the first opportunity the determined hostility to the act broke forth. This was on the 12th of August, the birthday of the Prince of Wales, when the people rent the air with shouts of "Pitt and Liberty"! and, the enthusiasm rising with the occasion, it was concerted to hang the appointed distributor of stamps in effigy. On the morning of the 14th, the stuffed figure of Oliver was seen dangling from Liberty-Tree, together with a large boot, to represent Lord Bute, from the top of which peeped forth a head with horns, intended to personify the Devil. The authorities did not attempt to remove the effigies, for, in the excited state of the popular mind, it was difficult to say how far the rage of the people might lead them. The Sons of Liberty, with whom the proceedings originated, kept the matter in hand, and at evening cut the figures down and carried them in procession through the town, borne on a bier. The multitude moved in perfect order, and their route was lined with people. They passed through the town-house and under the council-chamber, where the Governor and Council were sitting. "Liberty, property, and no stamps"! were shouted in the ears of the listening dignitaries above. The Sons of Liberty were preceded by some forty or fifty tradesmen, decently dressed; and the whole body marched to King Street, where they demolished a frame which they believed the stamp distributor was building for an office. Thence they proceeded to Fort Hill, where Oliver resided, and with fragments of the frame which they brought with them, built a bonfire in which the effigies were consumed. Bernard and Hutchinson fled to the Castle for safety.* Old Boston had rarely witnessed such

* See Hutchinson's letter to Bernard, Sept. 15, 1770, in which, detailing his flight at that time to the Castle, after it had passed from the Provincial authority, he says: "In the evening, I took boat at Dorchester, two or three miles from my house, and went to the Castle; and you will believe I could not help thinking of your and my passage to the same place about five years before." (See Chap. XVII. of the present work, where this letter is quoted in full.)

a commotion. But the popular wrath did not end here. At nightfall on the 26th of August, remembering the agency of Hutchinson in subverting their liberties, a mob collected again at a late hour, burnt the records of the Admiralty, and ravaged the houses of Hallowell, Comptroller of the Customs, and of Hutchinson, whose plate, books, and valuable collection of manuscripts they threw into the street, barely giving the owner time to escape with his family, and utterly destroying the interior of perhaps the finest private residence in the Province.*

These outbreaks of lawless violence, though manifesting the spirit of opposition to the late acts of Parliament, were viewed with horror by most of the popular leaders, and by none more so than Mr. Adams. The period of peaceful remonstrance had not yet terminated with him. It was the policy of the Colonies to avow their sincere loyalty to Great Britain, which they reiterated in every state paper; and acts of insubordination were only calculated to mar the harmony of these plans. Petitions and dutiful representations were to be the basis of operations for ten years to come, though a few looked beyond these measures to an eventual appeal to Heaven. In the present instance, Adams agreed with his friend Mayhew that he would rather lose his hand than encourage such outrages, and he personally aided the civil power in preventing them. He saw no impropriety however in the earlier portion of the proceedings of August 14th, when the tradesmen marched in procession and hung the stamp distributor in effigy; believing that when loyal petitions were unavailing, such an orderly and unanimous demonstration was the only legal method to advise the authorities of the popular feeling.

A town meeting was summoned early on the following day, at which the last night's proceedings were condemned, and a series of resolutions adopted desiring the Selectmen to suppress the like riots for the future, and pledging the aid of

* Mass. Gazette for August 19, 1765. Hutchinson's History, III. 124.

the people to preserve order.* Writing to Richard Jackson, the Colonial agent, a few months later, as one of a committee of the Assembly, Adams referred to this riot particularly, apprehending its evil effects against the efforts which were making in behalf of the Province: "As the Stamp Act had given the greatest uneasiness even to the most judicious men of the Colony," it was not, he thought, "to be wondered at, that among the common people such steps should be taken as could not be justified, it being frequent in populous towns when grievances are felt. This had been the case in Boston, where the people had shown their resentment in such ways as were not uncommon elsewhere." These proceedings he denounced as "high-handed outrages," "of which the inhabitants immediately, at a meeting called for the purpose within a few hours after the perpetration of the act, publicly declared their detestation. All was done the day following that could be expected from an orderly town, by whose influence a spirit was raised to oppose and suppress it. It is possible these matters may be represented to our disadvantage, and therefore we desire you will take all possible opportunities to set them in a proper light."

The society known as the "Sons of Liberty" seems to have originated either immediately after the arrival of the news from England that the Stamp Act had become a law, or about the time of the August riot, as the name was probably adopted from a similar term applied to the Bostonians by Colonel Barré in his late speech. The writer of a one-sided account of the riot, in the Boston News-Letter, immediately after its occurrence, speaks of a report that "the society by the name of the Union Club" was established that night; and doubtless refers to the same organization. The "Sons of Liberty" were soon thoroughly organized and subject to the direction of influential leaders. They were composed, for the most part, of the laboring classes and mechanics, and were successfully secret in all their meetings and prepara-

* Drake's Boston, p. 701.

tions for concerted movements. They issued warrants for the arrest of suspected persons, arranged in secret caucus the preliminaries of elections and the programme for patriotic celebrations, and in fact were the main-spring, under the guidance of the popular leaders, of every public demonstration against the government. They probably numbered about three hundred, and held their public meetings in "Liberty Hall," the name given to a space around "Liberty Tree," at the junction of Newbury, Orange, and Essex Streets, which afforded ample room for a gathering of several thousand persons. Their private meeting place, according to John Adams, was the counting-room in Chase and Speakman's distillery in Hanover Square. The counting-room however, from its size, could have been only the rendezvous of committees of the association. Some of the other towns soon followed the example of Boston, and the "Sons of Liberty" were established in several of the Colonies, especially in New York, Rhode Island, Georgia, Maryland, and South Carolina.

At the opening of the session of the Legislature in May, Governor Bernard had notified the members that the general settlement of the American Provinces, which had long ago been proposed, and was now probably to be completed, would necessarily produce some regulations which, from their novelty only, would appear disagreeable. He recommended a respectful submission to the decrees of Parliament as the duty and for the interest of the people.* Committees were appointed to answer those sections in the speech relating to all matters excepting the Stamp Act, which had been thus tenderly introduced. Upon that subject the House made no reply, but, acting upon the impulse of the last year's Boston Instructions, advising a Colonial union for redress, James Otis proposed the calling of committees from the several Houses of Representatives or Burgesses on the continent to consult together on the dangers and difficulties surround-

* Journal of the House for 1765.

ing them, "and to consider of a general and united, dutiful and humble, representation of their condition to his Majesty and the Parliament, to implore relief." The 1st of October was proposed for the day of assembling at New York, and circular letters to this effect were sent to the other Assemblies.

The co-operation of the sister Colonies, in the opinion of Adams, left no room for delay. He desired that the Legislature should assert and maintain the liberties of the people guaranteed them by charter, and their rights as British subjects, and should preserve the independence of the House of Representatives; and to have the inherent rights of the Province placed upon the records of the House, that posterity might see that men were not wanting in those days who understood and could vindicate them. Before the re-assembling of the Legislature in the fall of 1765, he was appointed, at a town meeting, one of a committee "to consider of what instructions were proper to be given to the Representatives of the town as to their conduct in the General Court for the remainder of the year." It was customary to give these instructions at or immediately after the spring elections; but the critical condition of public affairs demanded that the Boston seats should be specially instructed for the ensuing session, more particularly because, by the extensive publication of these injunctions as ordered by the meeting, the cause of liberty would be subserved. The committee intrusted the task to Samuel Adams, and on the 18th he reported his draft, which, after "being read paragraph by paragraph, was unanimously adopted." The Legislature was to meet one week later, and in the interim, the instructions, which were printed next day in the Boston Gazette, spread far and wide, and set the example to the other towns. Braintree, led by John Adams, soon after made similar declarations, and those written by Samuel Adams thus became the platform of the whole Province.*

* John Adams, in his Autobiography, speaking of the Braintree Instructions drawn up by him, says: "They rang through the State and were adopted in

“At a time,” the paper commences, “when the British American subjects are everywhere loudly complaining of arbitrary and unconstitutional innovations, the town of Boston cannot any longer remain silent without just imputation of inexcusable neglect.

“By the royal charter granted to our ancestors, the power of making laws for our internal government, and of levying taxes, is vested in the General Assembly; and by the charter, the inhabitants of this Province are entitled to all the rights and privileges of natural free-born subjects of Great Britain. The most essential rights of British subjects are those of being represented in the same body which exercises the power of levying taxes upon them, and of having their property tried by juries. These are the very pillars of

so many words, as I was informed by the Representatives of that year, by forty towns, as instructions to their Representatives. They were honored sufficiently by the friends of the government with the epithets of inflammatory,” &c. “About this time,” he continues, “I called upon Samuel Adams, and found him at his desk. He told me he had been employed to draw instructions for their Representatives; that he felt an ambition which was very apt to mislead a man,—that of doing something extraordinary; and he wanted to consult a friend who might suggest some thoughts to his mind. I read his instructions and showed him a copy of mine. I told him I thought his were very well as far as they went, but he had not gone far enough. Upon reading mine, he said he was of my opinion, and accordingly took into his some paragraphs from mine.”

There is an inaccuracy in this narration very excusable in one who is recalling his first public act, performed half a century before. Samuel Adams was appointed to draft the Boston Instructions on the 12th of September; they were accepted on the 18th, and published in the Boston Gazette on the 19th. The Braintree Instructions, which John Adams says he prepared at home and carried with him to the meeting, are dated September 24th. They were not published until October 10th in Draper's Gazette, and October 14th in the Boston Gazette, and Green and Russell's Post Boy and Advertiser. The celebrity therefore gained by either must rather have attached to the Boston Instructions, as those by John Adams were not made public until after the Legislature had assembled and had been a fortnight prorogued.

John Adams also says: “In the Braintree Instructions, if I recollect any reprehensible fault, it was that they concéded too much to the adversary, not to say enemy.” It may be reasonably asked then, if these instructions concéded too much, how could Samuel Adams's have been improved by adopting them?

On the priority of the Boston Instructions, and their influence among the other towns of Massachusetts, see Bancroft, V. 329.

the British Constitution, founded on the common rights of mankind. It is certain that we were in no sense represented in the Parliament of Great Britain where this act of taxation was made, and it is also certain that this law admits of our properties being tried in controversies arising from internal concerns by courts of admiralty without a jury. It follows that at once it annihilates the most valuable privileges of our charter, deprives us of the most essential rights of Britons, and greatly weakens the best security of our lives, liberties, and estates, which may hereafter be at the disposal of judges who may be strangers to us, and perhaps malicious, mercenary, corrupt, and offensive.

“Moreover, this act, if carried into execution, would become a further grievance to us, as it will afford a precedent for the Parliament to tax us in all future time, and all such ways and measures as they shall judge meet, without our consent.

“We therefore think it our indispensable duty, in justice to ourselves and posterity, as it is our undoubted privilege, in the most open and unreserved, but decent and respectful terms, to declare our greatest dissatisfaction with this law. And we think it incumbent upon you by no means to join any public measures for countenancing and assisting in the execution of the same;* but to use your best endeavors in the General Assembly to have the inherent, inalienable rights of the people of this Province asserted and vindicated, and left upon the public records, that posterity may never have reason to charge the present times with the guilt of giving them away.”

After expressing the satisfaction of the town at the consent given by most of the other Colonies to the Congress proposed by the Massachusetts House, Mr. Otis is expressly enjoined “to contribute to the utmost of his ability in having the rights of the Colonies stated in the clearest view and laid before the Parliament; and in preparing a humble petition to the King, our sovereign and father, under whose generous care and protection we have the strongest reason to hope that the rights of the Colonies in general, and the particular

* Compare Answer of the House to the Governor's Speech, Oct. 24th.

charter rights of this Province, will be confirmed and perpetuated."

The meeting substituted the word "patron" for "father." Before the adjournment a committee was appointed, of which Mr. Adams was a member, to prepare a resolution thanking Conway and Barré for their noble and generous speeches at the last session of Parliament, and directing that their portraits should be placed in Faneuil Hall as soon as they could be obtained.

Governor Bernard, in his opening address to the Legislature, on the 25th of September, alluded to the late violences, and the declarations which had been made against the execution of the Stamp Act within the Province. The instructions of the previous week had enjoined the Boston members of the Legislature against participating in any public measures for countenancing or assisting the execution of the act. The ordinary executive authority of the government being insufficient to oppose the force with which such "declarations" were supported, the Governor now called on the Legislature for aid. He asserted that Parliament had the right to make laws for the American Colonies, that it would maintain and support its authority, and that opposition would bring on a contest which might prove the most detrimental and ruinous event which could happen to this people. Parliament would most probably require submission as a preliminary to granting relief. His Excellency then drew a vivid picture of the dreadful effect of a general refusal to use the stamped papers, and the consequent shutting up of the courts of justice and custom-houses, — the fraud and rapine which would succeed to credit and mutual faith. The hand of violence would be let loose, and general distress and out-lawry would reign.

"I would not," he continued, "willingly aggravate the dangers which are before you: I do not think it very easy to do it. This Province seems to me to be on the brink of a precipice, and that it depends upon you to prevent it falling. Possibly I may fear for

you more than you do for yourselves; but in the situation you stand, a sight of your danger is necessary to your preservation; and it is my business to open it to you."

Thus the Governor artfully attempted to excite the House to commit themselves on the limits of Parliamentary authority. On the following day a committee was appointed to prepare a reply. A bill declaring the necessity of going on with the general business of the Province without stamps was introduced, and was occupying the attention of the two Houses, when the alarmed Governor suddenly prorogued the Assembly.

CHAPTER III.

Death of Oxenbridge Thacher. — Adams enters the Massachusetts Legislature. — The Governor prorogues the Assembly. — Adams replies to the Governor's Speech, and prepares the Massachusetts Resolves. — Effect and Celebrity of these Productions. — He is elected Clerk of the Assembly. — Arrival of the Stamps. — Adams instructs the Agent in London. — Is Chairman of a Public Meeting for the opening of the Law Courts. — The Patriotic Club. — John Adams's Description of its leading Members.

THE early contest for American liberty lost a staunch supporter about this time in Oxenbridge Thacher, a lawyer of fine abilities, an unassuming gentleman and scholar, and a man of the most admirable character in all the relations of life. In 1764, his publications in support of the Colonial liberties had been widely circulated; and though of a feeble constitution, which demanded a penalty of suffering for every exertion at the bar, or in the Legislature of which he was a member, he entered into the struggle for liberty with an earnest heart, and his life was shortened by his anxiety and efforts in the cause. He died of disease of the lungs at the age of forty-five, equally conspicuous for his unaffected piety and sterling patriotism.

On the morning of September 27th, a town meeting was called to elect a Representative in the place of Mr. Thacher; and Samuel Adams receiving the majority of votes, was declared by the Selectmen duly elected. He entered the Assembly the same day,* and was immediately qualified, and

* "VENERIS, 27 Die SEPTEMBRIS, A. D. 1765. Mr. Samuel Adams, returned Representative from the Town of Boston, making his Appearance in the House, Ordered, That Mr. Cushing of Boston attend him to the Gentlemen appointed by Dedimus to administer the Oaths required by the Act of Parliament to the several Members of this House. Who returned that they had

not a moment too soon ; for scarcely was the act consummated, when a message was brought down from the Governor proroguing the Assembly to the last week in October. This of course prevented the committee who had been appointed to answer the Governor's speech from replying until the next session. The Legislature reassembled on the 24th of October, when the committee's report, written by Mr. Adams, was taken up and accepted.* This document inaugurated a political era, and was as surprising to the Governor and his friends as it was satisfactory to the patriots.

The reply states that the sentiments of the House would

attended him accordingly, that he had taken the same and subscribed the Declaration; and then Mr. *Adams* took his seat in the House." — *Journal of the House for September, 1765.*

* This paper has, without a shadow of evidence, been ascribed to James Otis (see John Adams's Works, II. 182). The evidences of its being the production of Samuel Adams leave no question as to the authorship. Adams having been, as we have seen, qualified a member of the House only a few minutes before the Governor prorogued the Assembly, it was not possible to place him upon the original committee for drafting the answer; but the best proof that his pen was employed during the recess is found in the fact that on the reassembling, he appears as chairman of the committee appointed to present the answer to his Excellency, — the House naturally making him the bearer of his own production. Hutchinson distinctly ascribes this paper, as well as the celebrated resolves subsequently offered in the House, to Samuel Adams (Hutchinson's History, III. 133, 134). And Governor Bernard, in his letters to the Ministry, points to him without naming him. The style is that of no other person, and the sentiments are not those of Otis, who favored an American representation in Parliament, which this paper pronounces to be impracticable. But the matter is finally set at rest by the fact that Otis was absent at the Congress in New York from the day the last Assembly had been prorogued until November 1st, — or a week after this answer had been reported and sent up to the Governor; therefore he could not have been the author. He moreover pronounced the celebrated Virginia Resolves of May in this year to be treasonable (see Hutchinson, III. 119); and as the Massachusetts Resolves, which appeared almost simultaneously with the answer now under consideration, were intended to accompany and support that answer, and went even further than those of Virginia had done, Otis cannot be consistently associated with the authorship of either of these remarkable papers. On Samuel Adams's authorship, see Bancroft, V. 349.

sooner have been communicated had not the late sudden and unexpected adjournment prevented it.

“Your Excellency tells us that the Province seems to be upon the brink of a precipice! A sight of its danger is then necessary for its preservation. To despair of the Commonwealth is a certain presage of its fall. Your Excellency may be assured that the representatives of the people are awake to a sense of its danger, and their utmost prudence will not be wanting to prevent its ruin.

“Your Excellency is pleased to tell us that declarations have been made and still subsist, that the act of Parliament for granting the stamp duties in the Colonies shall not be executed within the Province. We know of no such declarations. If any individuals of the people have declared an unwillingness to subject themselves to the payment of the stamp duties, and choose rather to lay aside all business than to make use of the stamped papers, we are not accountable for such declarations, so neither can we see anything criminal in them. This House has no authority to control their choice in this matter. The act does not oblige them to make use of the papers; it only exacts the payment of certain duties for such papers as they may incline to use. Such declarations may possibly have been made and may still subsist very consistently with the utmost respect to the King and Parliament.

“You are pleased to say that the Stamp Act is an act of Parliament, and as such ought to be observed. This House, sir, has too great a reverence for the supreme legislature of the nation to question its just authority. It by no means appertains to us to presume to adjust the boundaries of the power of Parliament; but boundaries there undoubtedly are. We hope we may, without offence, put your Excellency in mind of that most grievous sentence of excommunication solemnly denounced by the Church in the name of the sacred Trinity, in the presence of King Henry the Third and the estates of the realm, against all those who should make statutes or observe them being made contrary to the liberties of Magna Charta. We are ready to think those zealous advocates for the Constitution usually compared their acts of Parliament with Magna Charta;

and if it ever happened that such acts were made as infringed upon the rights of that charter, they were always repealed.

“Furthermore, your Excellency tells us that the right of the Parliament to make laws for the American Colonies remains indisputable in Westminster. Without contending this point, we beg leave just to observe that the charter of this Province invests the General Assembly with the power of making laws for its internal government and taxation; and that this charter has never yet been forfeited. The Parliament has a right to make all laws within the limits of their own Constitution. Among these, is the right of representation in the same body which exercises the power of taxation. There is a necessity that the subjects of America should exercise this power within themselves, otherwise they can have no share in that most essential right, for they are not represented in Parliament, and indeed we think it impracticable. Your Excellency’s assertion leads us to think that you are of a different mind with regard to this very material point, and that you suppose we are represented; but the sense of the nation itself seems always to have been otherwise. The right of the Colonies to make their own laws and tax themselves has been never, that we know of, questioned; but has been constantly recognized by the King and Parliament. The very supposition that the Parliament, though the supreme power over the subjects of Britain universally, should yet conceive of a despotic power within themselves, would be most disrespectful; and we leave it to your Excellency’s consideration, whether to suppose an indisputable right in any government to tax the subjects without their consent, does not include the idea of such a power.

“Our duty to the King, who holds the rights of all his subjects sacred as his own prerogative, and our love to our own constituents and concern for their dearest interests, constrain us to be explicit upon this very important occasion. We beg that your Excellency would consider the people of this Province as having the strongest affection for his Majesty, under whose happy government they have felt all the blessings of liberty: they have a warm sense of the honor, freedom, and independence of the subjects of a patriot king; they have a just value for those inestimable rights, which are derived to all men from nature, and are happily interwoven in the British Con-

stitution ; they esteem it sacrilege for them to ever give them up ; and rather than lose them they would willingly part with everything else. We deeply regret it that the Parliament has seen fit to pass such an act as the Stamp Act. We flatter ourselves that the hardships of it will shortly appear to them in such a point of light as shall induce them in their wisdom to repeal it. In the mean time, we must beg your Excellency to excuse us from doing anything to assist in the execution of it."

The answer closes with a refusal to compensate the sufferers by the late riots, as the Governor had recommended ; and as he had cast a reflection on the Province, in consequence of those disturbances, they reply : —

"We inherit from our ancestors the highest relish for civil liberty, but we hope never to see the time when it shall be expedient to countenance any methods for its preservation but such as are legal and regular. When our sacred rights are infringed, we feel the grievance ; but we understand the nature of our happy Constitution too well, and entertain too high an opinion of the virtue and justice of the supreme Legislature, to encourage any means of redressing it, but what are justifiable by the Constitution." *

Pending the recess of the Assembly, Mr. Adams had prepared, in accordance with his Boston Instructions, a series of resolves intended to be offered to the House at its meeting in October. These Instructions had directed that the inherent and inalienable rights of the people should be asserted and vindicated, and their assertion and vindication left upon the public records for transmission to posterity. The opportunity had now arrived when he could introduce those resolves, digested and condensed, as a guide by which the policy of the Province in its subsequent controversies should be directed, and a model according to which public documents discussing the popular liberties should henceforward be framed. The answer to the speech was accepted by the House in the forenoon of October 24th ; and in the afternoon of the same day, a committee, of which Mr. Adams

* Bradford's State Papers, p. 43. Grahame, II. 401.

was a member, was appointed "to prepare proper resolves expressing the sentiments of this House with respect to their rights and privileges." The report was not made until two days later, a delay occasioned by the deliberation naturally arising among the committee upon so important a measure. On the 26th, the report was read to the House, and ordered to be taken into consideration on the 29th at three o'clock, and was meantime "to lie on the table for the perusal of the members." On the day appointed, says the record, "the House, agreeable to the order of the day (there being a full House), entered into the consideration of the resolves, which were particularly considered and passed."

"Whereas the just rights of his Majesty's subjects of this Province, derived to them from the British Constitution, as well as the royal charter, have been lately drawn into question: in order to ascertain the same, this House do unanimously come into the following resolves:—

"1. *Resolved*, That there are certain essential rights of the British Constitution of government, which are founded in the law of God and nature, and are the common rights of mankind;— therefore,

"2. *Resolved*, That the inhabitants of this Province are unalienable entitled to those essential rights in common with all men: and that no law of society can, consistent with the law of God and nature, divest them of those rights.

"3. *Resolved*, That no man can justly take the property of another without his consent; and that upon this original principle, the right of representation in the same body which exercises the power of making laws for levying taxes, which is one of the main pillars of the British Constitution, is evidently founded.

"4. *Resolved*, That this inherent right, together with all other essential rights, liberties, privileges, and immunities of the people of Great Britain, have been fully confirmed to them by Magna Charta, and by former and by later acts of Parliament.

"5. *Resolved*, That his Majesty's subjects in America are, in reason and common sense, entitled to the same extent of liberty with his Majesty's subjects in Britain.

“6. *Resolved*, That by the declaration of the royal charter of this Province, the inhabitants are entitled to all the rights, liberties, and immunities of free and natural subjects of Great Britain to all intents, purposes, and constructions whatever.

“7. *Resolved*, That the inhabitants of this Province appear to be entitled to all the rights aforementioned by an act of Parliament, 13th of Geo. II.

“8. *Resolved*, That those rights do belong to the inhabitants of this Province upon the principle of common justice; their ancestors having settled this country at their sole expense, and their posterity having approved themselves most loyal and faithful subjects of Great Britain.

“9. *Resolved*, That every individual in the Colonies is as advantageous to Great Britain as if he were in Great Britain and held to pay his full proportion of taxes there; and as the inhabitants of this Province pay their full proportion of taxes for the support of his Majesty's government here, it is unreasonable for them to be called upon to pay any part of the charges of the government there.

“10. *Resolved*, That the inhabitants of this Province are not, and never have been, represented in the Parliament of Great Britain; and that such a representation there as the subjects in Britain do actually and rightfully enjoy is *impracticable* for the subjects in America; — and further, that in the opinion of this House, the several subordinate powers of legislation in America were constituted upon the apprehensions of this *impracticability*.

“11. *Resolved*, That the only method whereby the constitutional rights of the subjects of this Province can be secure, consistent with a subordination to the supreme power of Great Britain, is by the continued exercise of such powers of government as are granted in the royal charter, and a firm adherence to the privileges of the same.

“12. *Resolved*, — as a just conclusion from some of the foregoing resolves, — That all acts made by any power whatever, other than the General Assembly of this Province, imposing taxes on the inhabitants, are infringements of our inherent and unalienable rights as men and British subjects, and render void the most valuable declarations of our charter.

“13. *Resolved*, That the extension of the powers of the Court of Admiralty within this Province is a most violent infraction of the right of trials by juries, — a right which this House, upon the princi-

ples of their British ancestors, hold most dear and sacred ; it being the only security of the lives, liberties, and properties of his Majesty's subjects here.

“ 14. *Resolved*, That this House owe the strictest allegiance to his most sacred Majesty King George the Third ; that they have the greatest veneration for the Parliament ; and that they will, after the example of all their predecessors from the settlement of this country, exert themselves to their utmost in supporting his Majesty's authority in the Province, in promoting the true happiness of his subjects, and in enlarging the extent of his dominion.

“ *Ordered*, That all the foregoing resolves be kept in the records of this House, that a just sense of liberty and the firm sentiments of loyalty be transmitted to posterity.” *

These resolves startled the whole Province. They were extensively published, and in fact they rang through the entire continent. Together with the answer, they were received in England as “ the ravings of a parcel of wild enthusiasts.” † Both excited universal applause in New England. Governor Hopkins of Rhode Island, afterwards a signer of the Declaration of Independence, said, at the political club in Providence, that “ nothing had been so much admired there through the whole course of the controversy as the answer to the Governor's speech, though the Massachusetts Resolves were the best digested and the best of any on the continent.”

The 1st of November, the day on which the hated Stamp Act was to go into operation, was ushered in with the tolling of bells and the firing of minute-guns, while the flags of the vessels in port were displayed at half-mast, and an unfaltering determination was everywhere shown to nullify and effectually oppose the act. The crisis was a momentous one, and required decisive measures. At early morning the effigies of Grenville and of Huske, who had recom-

* Journal of the House of Representatives for October 29, 1765. Bradford's State Papers, p. 50.

† Bancroft, V. 349.

mended the passage of the act, were seen suspended from the branches of Liberty Tree, where they hung until afternoon. They were then cut down and carted with great solemnity, escorted by a multitude of the people, to where the General Assembly was in session, and thence to the gallows on the Neck, where they were again suspended, and finally were torn in pieces and flung to the winds. All classes and conditions mingled in these transactions; and such manifestations of public sentiment were not repugnant to the principles of Mr. Adams and his friends, provided they were not coupled with personal violence or damage to property. In this instance the proceedings were conducted without rioting; and, at the conclusion, the people dispersed quietly to their homes, at the request of their leaders, and the night was undisturbed by confusion or noise.*

During the September session the stamped papers had arrived from England, and the Governor, at a loss what disposition to make of them, asked the advice of the Council, who prudently referred him to the Assembly. The latter declined giving him either advice or assistance, conformably to the policy they had adopted, of refusing to assist in the execution of the Stamp Act. The effect of a non-distribution of the stamps would be to suspend business in the Province, and to close the courts of justice, the proceedings of which would be illegal without them. The Assembly, as we have seen, on the day of their last prorogation, were considering a bill declaring the necessity of going on with all business without the stamps. On the reassembling in October, they at once proceeded to adopt measures to counteract, if possible, the evils of the Stamp Act, which was to take effect in another week. A committee, of which Adams was a member, carried up the answer to the Governor's announcement in the previous session, that the stamped papers had arrived; and on the following day he was chosen one of a committee to report upon proper methods to prevent dif-

* Barry's Massachusetts, II. 305. Drake's Boston, p. 708.

difficulties that might arise in the proceedings of courts of justice after the day on which the act was to go into operation.

The stamps had meantime been placed in the Castle, agreeably to the recommendation of the Council; and to protect them, an additional guard had been ordered, for the payment of whom warrants were issued by the Governor and Council, without the necessary resolve of the Assembly. The House took the alarm, and on the first day of the session, a committee, of which Mr. Adams was chairman, was appointed to ascertain what drafts had been made from the several appropriations in the act for supplying the treasury. He was also placed on a second committee, on the 4th of November, to report a proper remonstrance to the Governor and Council in relation to the issue of moneys for repairing forts and fortifications. The two reports were made a few days later to the Governor and Council. The former was from the pen of Mr. Adams. The paper clearly exposes the illegality of the draft of moneys from the treasury for the payment of an additional military company at Castle William.

“If the Governor and Council have a right in any case to raise and pay *one* company, they may raise ten, or a hundred, and at their pleasure subject this people to be governed by a standing army. We therefore, in duty to ourselves, our constituents, and our posterity, declare the said procedure to be a high infraction of the rights of this House, with whom the origin and granting of all taxes on the freeholders and inhabitants of this Province is indubitably and constitutionally lodged.”*

The remonstrance then desires the Council to order the said sum to be replaced in the treasury for the public service.

This was the most dangerous and arbitrary measure that had been attempted, and an emphatic denouncement of it was required. The Council replied on the following day,

* Bradford's State Papers, p. 51.

vindicating their position and themselves from any intended infraction of the rights of the House, and averring that the draft had been sanctioned by them with great reluctance. The House again responded, through a committee of which Mr. Adams was a member, deploring that the obnoxious measure should have been justified, prescribing what, in the opinion of the House, were the limits of the power of the Governor and Council during a recess of the General Court, and denying the right of either to dispose of the public moneys without the assent of the people's representatives.

Mr. Otis, who had been absent during the last session, arrived from New York early in November. The proceedings of the Colonial convention held in that city having been adopted by the House, Dennys Deberdt was chosen a special agent in London to present and support, on the part of Massachusetts, the petitions prepared on that occasion; and on the following day, Mr. Adams was one of a committee to consider what grants of money were proper to be made to Messrs. Deberdt and Jackson. The latter, the standing agent of the Province, had already been instructed. Deberdt, who was a respectable London merchant and ardently attached to the cause of the Colonies, was agent for "the three lower counties," now the State of Delaware, as well as for Massachusetts. A letter of instructions, dated November 7th, was prepared by Samuel Adams for the committee, to convey to Jackson the sentiments of the House. From his original draft the following extracts are transcribed. Jackson had been notified in May of this year what steps to take in relation to the Stamp Act, and Adams believed there was too much reason to apprehend that past applications for redress had failed for want of due zeal in those whose business it had been to support them.

"We cannot but think," he continues, "that the exceptions which the Colonies had to offer against a measure new and extraordinary in its kind would not have been refused, if they had been supported with proper vigor. For although, as you observe, it was

against a bill depending in the House of Commons for imposing taxes, it might and ought to have been urged that those very taxes were proposed to be laid upon many thousands of freeholders who were not represented in Parliament, and who therefore in no other way could make their circumstances known and the hardships which the bill depending would bring upon them, but by humble supplications.

“ We heartily wish it was more fully considered on your side the water than it seems now to be, that the only method whereby Great Britain can make her Colonies useful to her is by encouraging their trade. Our dependence at present is altogether upon your manufactures for many of the necessary articles of life, and it is our trade only that can furnish us with the means of purchasing them. The burdens upon trade already imposed, particularly by the Sugar Act, have made it so difficult to procure remittances, that there will be a necessity of stopping in a great measure the importation of English goods. And indeed the people of the Colonies seem more and more determined to do without them as far as possible; and how much the mother country will be prejudiced thereby is obvious to a common observation.

“ We do not find that the hardships, under color of requiring sufferances in the case of inland navigation from Colony to Colony, have been eased. You will find by the act made by the last session of Parliament, to which we imagine you have a reference, that no vessels are exempt but boats, flats, shallops, and other vessels without decks, under twenty tons, and which shall not be carried out to sea above one league from the shore. The declared design of the act is, that no unnecessary restraint may lay upon the trade and correspondence of his Majesty’s American subjects when goods are carried from Colony to Colony, merely for the use and sustenance of said Colony. You will please to consider that we have a sea-coast of fifteen hundred miles, and very little inland navigation. Few such small vessels, if any, described in the act, are ever employed from Colony to Colony; and besides, they must of necessity, to avoid headlands in passing not only from Colony to Colony, but even from Boston to most parts of this Province, for the necessary article of fuel, go beyond the limit of a league to sea. Moreover, most if not all of our coasters and fishermen, being decked vessels, are obliged

to give bond, and take sufferances which will subject many of them to the expense of travelling many miles. We desire you would look into the act and apply for the relief which the Parliament seem to have had in their intention."

This letter embraces the chief causes of complaint. The hint at non-importation is significant. That measure became a few years later one of the most powerful engines of opposition in Massachusetts, where Mr. Adams was its originator and persistent advocate; and, when resistance was organized into a system including the thirteen Colonies, it was adopted as one of the great measures of concerted warfare against oppression.

The Legislature, which adjourned on the 8th of November, was not to meet again until January. Business declined in the Province, and the utmost distress began to be experienced. Yet no stamps were purchased to legalize business or other transactions. Rather than make use of them, proceedings in all courts of justice were suspended; and the disputes which, under ordinary circumstances, were taken before such tribunals, were decided by arbitration. The act was even disregarded. Ships entered and cleared without stamps; and printers of newspapers, fearless of consequences, boldly disseminated their defences of liberty without the obnoxious stamp affixed to their journals. In New York, Rhode Island, and Connecticut, the exasperated populace had given the most signal proofs of their indignation. So general was the opposition to the act, that the stamp officers in all the Colonies were compelled to resign. In Boston care was taken, on the one hand, to prevent the recurrence of violent proceedings, and, on the other, to keep up in full vigor the spirit of resistance. A newspaper—"The Constitutional Courant,"—was established, having for its device a snake divided into as many parts as there are Colonies, and for its motto, "Join or die." Oliver, the stamp officer, was required to resign his office under Liberty-Tree, in the presence of a great concourse.

Non-importation agreements were adopted in the Colonies, and associations were organized for the encouragement of domestic manufactures. Sullen discontent spread over the Province.

Answering the statement made in England, that the tax was to discharge the Colonists' proportion of the expense of former wars for their defence, Mr. Adams about this time wrote to a friend in London, with the view of furnishing him with arguments in favor of the Province. After showing that the nation were the debtors of the Colonists for subduing and settling an uncultivated wilderness at their own expense, he asks:—

“And is there no credit to be given to the New England Colonies, who not only purchased these territories of the natives, but have defended them for above a century against the encroachments of these warlike savages, with fortitude scarcely equalled, without a farthing's expense to the nation?”

“You are sensible, sir, that it has been her policy to oblige the Colonies to carry the chief of their produce to Great Britain, and take off her manufactures in return; and as they must conform to her price both in buying and selling, one would think the advantage she reaps by this trade would be sufficient. This is an indirect tax. The nation constantly regulates their trade, and lays it under what restrictions she pleases; and the duties on the goods imported from her and consumed here, together with those which are laid on almost every branch of our trade, all of which centres in cash in her coffers, amount to a very great sum. The money drawn from us in the way of actual direct taxes, by means of these regulations, it is thought will very soon put an end to the trade. Of this you are as able to judge as any gentleman; and, if it be the case, it certainly requires prudent and impartial consideration. For all the advantage the nation can expect to reap from the Colonies must arise from commerce. Their whole profits, saving a moderate subsistence for themselves, flow in upon her through various channels. The stamp duty, if the act is continued in force, will probably in a very few years take off the whole of their cash, and leave them none to carry

on any trade at all. I wish that *trade policy*, as a very sensible gentleman has expressed it, was better understood by the present rulers in the mother country with respect to the Colonies. By restrictions and duties she is even now in danger of putting an end to their usefulness to her; whereas, by abolishing those duties and giving them indulgences, they would be enabled to repay her a hundred fold."

These arguments, which were afterwards reproduced in many forms, were thrown away upon the short-sighted statesmen of England. An increase of the trade and opulence of America, it was thought, would have a dangerous tendency to encourage its independence, and the revenue laws were as much designed to keep the Colonies in subjection, as to raise a revenue from them.

On the 18th of December, the day after Oliver had been compelled to resign, a town meeting was called for the purpose of taking measures for the opening of the courts. The stagnation of business was bringing ruin upon all classes; yet the persistency of purpose against using the stamps never once faltered. The meeting appointed a committee, with Mr. Adams as chairman, to present a petition to the Governor and Council for the opening of the courts; and it was agreed to apply to Jeremiah Gridley, James Otis, and John Adams, to appear in behalf of the town in support of the memorial. John Adams, then a young and promising lawyer, was included at the instance of his friend and kinsman of Boston, and he left Braintree for the capital the next day after receiving the summons. The same evening he attended the town meeting. His diary of that date says: "After dinner, went to the town-house, and attended with the committee of the town of Boston and many other gentlemen in the Representatives' room till about dark, after candle-light, when Mr. Adams, the chairman of the committee, received a message from the Governor by the Deputy-Secretary, purporting that his Excellency and the Council were ready to hear the memorial of the town of

Boston, and the counsel in support of it, but that no other persons might attend."* A brief allusion to the arguments and proceedings of the meeting follows. The Governor responded, that there was no precedent for the interference of himself and Council. Samuel Adams, who had presented the petition, reported to the town on the 25th, when the Governor's answer was voted to be unsatisfactory; and Otis, who was present, declared that he knew of no legal and constitutional course the town could take, but to direct their Representatives to request the Governor to call a convention of the members of both Houses; and, if he would not, to call one themselves. The meeting had no further effect than to suggest measures of opposition to the arbitrary proceedings of Parliament; and with the Province courts still closed, and a consequent total suspension of business, a gloomy stillness reigned throughout the country.

John Adams, while in Boston, attended the political club, which he visited in company with Samuel Adams. Of this club, Otis, Cushing, Wells, Gray, Dawes, Austin, two Waldos, Story, Inches, and Dr. Parker are mentioned as members. The father of Samuel Adams had been the leading member of a similar club forty years before. But the Caucus (caulkers') Club of the earlier times was composed mainly of ship-building mechanics, whose political influence was all powerful then as afterwards. This very numerous body were the warm friends of the elder Adams, as they were of his son throughout the Revolution. At the commencement of the difficulties between the Colonies and the mother country, the club was composed of a few persons who met at each other's houses, arranged the preliminaries of elections, discussed public matters, and prepared political articles for the press. Samuel Adams, Dawes, Ruddock, Dr. Cooper, and others of the leading supporters of liberty, were among the early members. At a later period their number was increased by Otis, Dr. Warren,

* John Adams's Works, II. 158, 161. Hutchinson, III. 138.

John Adams, Hancock, Pemberton, Gray, Austin, and others. Their meetings were at last more publicly held, and at various places; sometimes in a small wooden building in Milk Street, occupied by Mr. Samuel Shed, a respectable grocer, whose inner parlor was well known as a rendezvous of the popular leaders; and at others, in a house near the North Battery. They acted in harmony with another political organization known as the Merchants' Club, exchanging with them committees to concert measures as to the choice of public officers. The Caucus Club was a more popular institution than the other. Its number was subsequently increased to above sixty. Many important moves resulting in great political benefits, previous to the organization of the committees of correspondence, originated at these meetings. John Adams, in his contemporary writings, repeatedly mentions "the club" first above referred to, and has left several lively sketches of the principal characters attending it. After his visit there with Samuel Adams, December 23d, he placed on record his impressions of the members.

"The behavior of these gentlemen is very familiar and friendly to each other, and very polite and complaisant to strangers. Gray has a very tender mind, is extremely timid. He says when he meets a man of the other side, he talks against him; when he meets a man of our side, he opposes him; so that he fears he shall be thought against everybody, and so everybody will be against him. But he hopes to prepare the way for his escape at next May from an employment that neither his abilities nor circumstances nor turn of mind are fit for.

"Cushing is steady and constant and busy in the interest of liberty and the opposition, is famed for secrecy and his talent at procuring intelligence.

"Adams is zealous, ardent, and keen in the cause, is always for softness and delicacy and prudence where they will do, but is staunch and stiff and strict and rigid and inflexible in the cause.

"Otis is fiery and feverous; his imagination flames, his passions blaze; he is liable to great inequalities of temper; sometimes in despondency, sometimes in a rage. The rashnesses and imprudencies

into which his excess of zeal have formerly transported him, have made him enemies, whose malicious watch over him occasion more caution and more cunning and more inexplicable passages in his conduct than formerly; and, perhaps, views at the Chair, or Board, or possibly more expanded views beyond the Atlantic, may mingle now with his patriotism.

“The *Il Penseroso*, however, is discernible on the faces of all four.

“Adams, I believe, has the most thorough understanding of liberty and her resources in the temper and character of the people, though not in the law and Constitution; as well as the most habitual, radical love of it of any of them, as well as the most correct, genteel, and artful pen. He is a man of refined policy, steadfast integrity, exquisite humanity, genteel erudition, obliging, engaging manners, real as well as professed piety, and a universal good character, unless it should be admitted that he is too attentive to the public, and not enough so to himself and his family.”*

Up to the late session of the Legislature, when Samuel Adams first became a member, the question of Parliamentary power had not been fully raised. The course of the Province from the beginning of the taxation policy by England had hitherto been by remonstrances and humble petitions for relief, rather than assertions of the natural and charter rights of the Colonies. The answer to the Governor’s speech and the Massachusetts resolves were therefore regarded as the opening of a new policy. From that time, the expediency and right of Parliamentary taxation ceased to be argued in the Massachusetts Assembly, and were tacitly resigned as no longer open to discussion.†

* John Adams’s Diary (Works, II. 162).

† “The firmness of the new legislator,” says Bancroft (V. 350), “was sustained by the unwavering confidence of the people of Boston, beyond what was given to any of his colleagues; and the vacillation of Otis, increasing with his infirmities, ceased to be of public importance. Massachusetts never again questioned with the British ministry the amount of a practical tax, or the inexpediency of taxation by Parliament, or the propriety of an American representation in that body.”

Hutchinson was fully convinced that the state papers of the late session practically denied Parliamentary supremacy in the Colonies. He says, just

CHAPTER IV.

Differences in Political Opinion between Otis and Adams. — Otis advocates an American Representation in Parliament, and sustains the Right of Parliament to Tax the Colonies. — Plans for such a Representation. — Adams denies the Practicability of a Fair Representation, and disproves the Right of Taxation. — Controlling Influence of Adams in the Assembly. — Testimony of Contemporaries. — The first Advocate of American Independence. — His Letters to Gentlemen in England in behalf of the Colonies.

THE differences of opinion existing between James Otis and Samuel Adams, the two principal figures of this period, require special explanation; particularly as this contrast in policy has not been generally understood, though truthfully pictured in the contemporary delineation by the observant John Adams, which has been already quoted. The learning, zeal, and eloquence of Otis, added to his great ability and devotion to the welfare of the Province, made him ever popular with his townsmen, who cherished a regard for him long after he had ceased to be of service, and loved to place him in positions where his restless spirit would be calmed by such attentions. Until 1765 he was the leader of the debates in the House. But thenceforward his opinions grew uncertain, and vacillated as circumstances altered. His fervid eloquence was always at the command of his country, but the direction of its torrent could not be relied on at all times.

The project of sending representatives to Parliament five years afterwards, in a letter to Bernard (October 20, 1770): "Had every man who openly asserted that Parliament was not the supreme authority of the whole Empire been subjected to part of the penalties of the statute of premunire, and every man concerned in every combination to resist the execution of an act of Parliament been subjected to the whole penalties five years ago, I think that few people would have run the risk of them."

from the Colonies, a point on which Otis and Adams essentially differed, was suggested during the Stamp Act difficulties, and found advocates in both countries. It appears to have been first publicly written upon by the historian Oldmixon, and was afterwards more deliberately considered and espoused by Dr. Franklin and others. Until the last stages of the controversy this measure was sincerely urged by distinguished writers, among whom was Adam Smith, who recommended that the number of American representatives should be proportioned to the produce of American taxation.

A pamphlet* was published in London in 1770, and reviewed in the *Monthly Register*, proposing "that about fourscore commissioners from the Colonies should be admitted into the British House of Commons, to be chosen annually, to counterbalance the inconveniency of their remote distance from their constituents, who by this means will have a frequent check over them that will preserve their attention to the interests of the places for which they serve; that their representative power, to prevent accident, should continue after the expiration of the year, until the new commission should renew their powers, or new commissioners arriving, should supersede them; and that no law relating to the Colonies should pass until one year after the reading of the bill."

"These," continues the reviewer, "are the outlines of the plan of representation, which is proposed in a dispassionate, sensible manner; and could it be digested into a feasible, regular system, so as to obviate the objections arising from the interposition of a vast ocean, it might happily tend much towards that consummation which is so devoutly to be wished."

In 1774 an ably written pamphlet appeared in England, strongly urging an American representation.

* "Considerations on the Expediency of admitting Representatives from the American Colonies into the British House of Commons." London, 1770, 8°. pp. 41.

“The Legislature of this kingdom,” says the author, “cannot possibly depart from any part of its supremacy over the Colonies; but it is in the power of the Colonies to share in that supremacy. If they complain of being taxed without having the privilege of sending members to Parliament, let them be represented. Nay, more; let their representation increase in proportion to the revenue they shall furnish.”

During the war, the British government, with concession more or less sincere, offered to the people of America a share in Parliamentary representation, together with the redress of all grievances. Andrew Eliot alludes to it in a letter to Thomas Hollis in the winter of 1769,* and briefly shows the idea to be impracticable. A plan, supposed to have been endorsed by the King, proposing that America should be governed by a Congress of American peers, in number not to exceed two hundred, to be appointed by the Crown, was conveyed to Franklin and John Adams while in France in 1778. Among the names of eminent Americans to be thus honored were Franklin, Washington, Samuel Adams, and Hancock, as having stood foremost, and suffered most in the contest.† Even towards the close of the war, after the capture of Cornwallis, this dream was indulged, when, as Curwen says in his diary, the ministerial plan was “to govern America by a Lord Lieutenant and create nobility; and if she will not agree to Great Britain’s proposal, to make a partition treaty of the Colonies with France, to whom the Northern Colonies and Canada would be ceded, the Southern Colonies remaining to Great Britain.”‡ One of the ideas of the Loyalists in the first Congress in 1774 was a grand Colonial Council to act in conjunction with the British Parliament to regulate American affairs. Galloway, who fathered this scheme, admitted in his subsequent writings that it was defeated through the efforts of Samuel Adams.

* Mass. Hist. Society’s Collections, 4th Series, IV. 439.

† John Adams’s Works, III. 178. July, 1778.

‡ Curwen’s Journal, March, 1782.

The subject had been seriously considered by the royal governors, Bernard and Hutchinson. Says the latter, writing to his friend in England, October, 1770:—

“I can say little or nothing in answer to the queries you propose, more than what has often passed in conversation between us. You know we have both wished for a second branch of the Legislature more analogous to the House of Lords than that in the royal government, or that in the Massachusetts, but have found invincible difficulties attending every projection.”

Hutchinson and Bernard undoubtedly at one time hoped to attain rank in an American peerage which might result from the disputes on taxation and representation. Even before the Stamp Act, Bernard, as shown by his letters to Lord Halifax, had formed plans for a new colonial arrangement, a modification of the Massachusetts charter, and the establishment of an order of nobility for life.* A few years later he succeeded in getting himself knighted, but Hutchinson had less influence at court.

At the commencement of the troubles between the parent state and the Colonies, James Otis urged an American representation in the British Parliament, both in his speeches in the Assembly and in his political essays. Whether he had matured any specific plan is not known. If by a colonial representation the supreme power of Parliament over the Colonies was to have been established, it would at the same time have annihilated their Provincial Assemblies, and rendered their charters absolutely nugatory. He was long in favor of “a general union of all parts of the British empire, under an equal and uniform direction and system of laws.” Had the Colonies sent representatives to the House of Commons, and succeeded in hitting upon an equitable proportion in point of numbers, it would yet not have been a fair representation. The British Legislature consisted of King, Lords, and Commons, but the Colonies would have

* Bancroft, V. 201 — 225.

had a voice only in one branch, unless to perfect the plan it was really intended to create an American nobility, and American peers were to compose a part of the House of Lords on a plan of union similar to that with Scotland. In whatever light the project is viewed, it was visionary, and was so considered by those who sided with Samuel Adams in his opposition to the measure.

Hutchinson says that Otis "always admitted the Parliament of Great Britain to be the supreme Legislature of the whole empire, and every act made to respect all parts of the empire to be wholly obligatory upon every part, whether represented or not; but he insisted that every part had a claim to representation, and that it was an unconstitutional exercise of the power of Parliament to tax any part, and nevertheless to deny it a share in the representation."

Otis also said in the Assembly, "that he had fully informed himself of the relation between Great Britain and her Colonies, and was convinced that the power of Parliament over her Colonies was absolute, with this qualification, that they ought not to tax them until they allowed them to send representatives; and that if the Colonies had representatives, the power of Parliament would be as perfect over America as England. He then argued for an American representation."*

In the "Rights of the Colonists," he says:—

"Besides the equity of a representation in Parliament, a thousand advantages would result from it. It would be the most effectual

* Gordon's Hist., I. 229. He says a member remarked, "that, as they were determined to have representatives, he begged leave to recommend a merchant who would undertake to carry their representatives to England for half what they would sell for when they got there." This seems to show that Gordon had access to Bernard's letters in London, for the anecdote is originally told by the Governor in a letter to the Ministry, January 28, 1768. The argument of Otis, as here reported, was, that a representation in Parliament had become a measure necessary to Great Britain and the Colonies for healing the existing difficulties. In this same letter Bernard advises to take the Colonists at their word, and let them have a representation.

means of giving those of both countries a thorough knowledge of each other's interest, as well as that of the whole, which are inseparable."

Samuel Adams held exactly the opposite doctrine. He considered a fair representation in Parliament to be utterly impossible, and that the purpose contemplated by the scheme could never be realized. He opposed it in the House, in his public essays and state papers, and to his correspondents in England. In the Massachusetts Resolves he declares representation to be impracticable. In his letter to "G. W." he briefly upsets the theory, and completely exposes its fallacy in a letter written about the same time to Deberdt, extracts from which are given at the close of this chapter. To Deberdt, in 1768, he writes that "there is nothing which the Colonies would more dread" than a representation in Parliament.* In fact he never ceased to believe the plan preposterous and chimerical; and even in the Congress preceding the Declaration of Independence he combated the same schemes. There is matter for curious speculation in the question how long the Colonists would have remained contented under the proposed new system. All the Provinces might not have assented to the change, in which case those who did would sooner or later have incurred the enmity of the others. But if it had been universally adopted, the several delegations would eventually have come into conflict as to the application of any general laws for the regulation of the whole. Four elected by each would have given an aggregate of fifty-two members, who could not long have acted in harmony as representatives of such widely separated regions, differing so essentially in productions, climate, and inhabitants. Each Province would have sent its best known and ablest men. Massachusetts would probably have been represented in part from among the delegates to the late New York Congress, including Otis;

* See also his letters in the *True Sentiments of America*, January and February, 1768, quoted hereafter in Chap. VII.

and it is not unlikely that Gridley, Oliver, and Hutchinson would have been candidates. Regarded in the light of a concession to the Provinces, the effect might have been to delay awhile the revenue disputes with the mother country; but when shown to be impracticable and unequal, as it must soon have proved itself, the struggle and separation would as certainly have resulted.

Another vital point of difference between Otis and Adams was on the nature and extent of the authority of Parliament over the Colonies. Their views on the subject were diametrically opposed. Otis maintained, "as it was agreed on all hands the Crown alone could not impose taxes and impositions on trade and other property, we should be justifiable in refusing to pay them, but must and ought to yield obedience to an act of Parliament, though erroneous, till repealed."

"It is the duty of all," said he, "humbly and silently to acquiesce in the decisions of the supreme Legislature. Nine hundred and ninety-nine in a thousand of the Colonists will never once entertain a thought but of submission to our sovereign, and to the authority of Parliament, in all possible contingencies." "They undoubtedly have the right to levy internal taxes on the Colonies." "I detest and abhor the thought of making a question of jurisdiction."

"The power of Parliament is uncontrollable but by themselves, and we must obey. They only can repeal their own acts. There would be an end of all government if one or a number of subjects or subordinate provinces should take upon them so far to judge of the justice of an act of Parliament as to refuse obedience to it. If there was nothing else to restrain such a step, prudence ought to do it; for forcibly resisting the Parliament and the King's laws is high treason. Therefore let the Parliament lay what burdens they please on us, we must, it is our duty to, submit, and patiently bear them till they relieve us."*

"It is certain that the Parliament of Great Britain hath a just,

* Writings of Otis in 1765. "Brief Remarks." "Vindication of the British Colonies," &c. See also Bancroft, V. 271-273; and VI. 118.

clear, equitable, and constitutional power and authority to impose taxes on the Colonies, internal and external, on lands as well as on trade."

These are only some of the instances where James Otis asserts the right of Parliament to tax the Colonies. The firmest advocates of the arbitrary measures of the administration, its warmest apologists, went no further than Otis in supporting that right. The Governor himself in his speech of September 25th was not more explicit:—

"I trust," he says, "that the supremacy of that Parliament over all the members of their wide and diffused empire never was, and never will be, denied within these walls." "The right of the Parliament of Great Britain to make laws for the American Colonies, however it has been controverted in America, remains indisputable at Westminster. If it is yet to be made a question, who shall decide it but the Parliament?"

Such were precisely the views of Otis, which he long adhered to. He appears to have limited himself to advocating the repeal of a grievous and unconstitutional act; when this could not be effected, no steps could, in his opinion, be taken beyond it without transgressing the law.

The opinion of Adams on the nature and extent of Parliamentary authority was unvarying throughout his career. From his college thesis in 1743, when he affirmed that "it is lawful to resist the supreme magistrate if the Commonwealth cannot be otherwise preserved," to the close of the arguments with the royal Governors, through a period of more than thirty years, his sentiments were uniform and decided.

He maintained that an unconstitutional act was *ipso facto* null and void;* that the Constitution was the paramount law of the land, to which every department of the government was separately and collectively subject; and that when

* See Samuel Adams as "Candidus" in the Boston Gazette, January, 1772, quoted in Chap. XXI.

a law was enacted obviously repugnant to its true spirit and principles, and the constitutional mode of redress by petition and remonstrance failed to obtain its repeal, obedience could not be lawfully enforced, and to evade or resist it was neither morally nor politically wrong. Parliament, he held, had no authority whatever over the internal concerns of the Colonies, but this power resided exclusively in the the respective Provincial Assemblies.

One of his letters to a correspondent in London, written December 20th, 1765, expresses his views as to Parliamentary authority. The name of the recipient is unknown, but that this and others of the numerous letters of Adams were now instrumental with persons in authority in England in procuring the repeal of the Stamp Act, there is no reason to doubt.

“But there is another consideration which renders this tax still more obnoxious to the Colonies, and that is, it totally annihilates their essential rights as British subjects. The first settlers of New England had been persecuted in England at a time when the nation was intoxicated with bigotry and the ideas of ecclesiastical tyranny. This induced them to cross an untried ocean, and take shelter in a dreary wilderness. Immediately after their arrival, they recognized their allegiance to the English King, and he declared them entitled to all the rights, liberties, and immunities of natural-born subjects. The other Colonies are by charter or other royal institutions thus acknowledged. Indeed, as they were good subjects in England, and were not prohibited to leave the kingdom, their removal could not disenfranchise them, although they were told by a haughty Bashaw,* — you know whom I mean, — they must not expect their liberties would follow them to the ends of the earth. They undoubtedly brought with them the rights and laws of the mother state. The British Constitution makes no distinction between good subjects with regard to liberty. To talk of British subjects who are free, and of other British subjects who are not free, is absurd. They

* Gov. Dudley in 1702. See also letter to Deberdt, January 6th, 1768, quoted in Chap. VII.

are all alike free. The British Constitution is founded in the principles of nature and reason. It admits of no more power over the subject than is necessary for the support of government, which was originally designed for the preservation of the inalienable rights of nature. It engages to all men the full enjoyment of their rights who take refuge in her bosom. Foreigners who have resided a certain time, and have behaved well, and have taken the oath of allegiance, by act of Parliament are declared to be as free as natural-born subjects (in which act, it is to be observed, the Colonies are considered such). And even conquered people, after swearing allegiance, are entitled to the same honor and freedom."

The subject is so often treated in lengthy state papers by Samuel Adams, that extended quotations here would be needless to explain his views. The Boston Instructions in May, 1764, may be taken as a text for his whole subsequent career. Otis and Adams, however, were generally on friendly terms, despite these differences of opinion. Their relationship was too strong to be affected by occasional collisions of sentiment. Otis, in most cases, acted with the Whig party, and rendered eminent service to the cause, though his original principles were not those which gave independence to the Colonies. He seems to have changed his opinions to some extent in the latter part of 1765, when (in December) he is quoted by Bancroft as saying of the Stamp Act, "if they do not repeal it, we will repeal it ourselves," and when he led and shared the most excited opposition.* For several years afterwards, he was placed nominally at the head of committees, and none more than he loathed and denounced the corrupt crown officers; but his opinions from this time became more and more variable, and few if any state papers can be thenceforth claimed for him.†

The impulse given by Samuel Adams to the cause of liberty, and his influence in the Legislature, is apparent

* Bradford says Otis was the leading member of the House from 1763 to 1766.

† Bancroft, VI. 121.

from the time he became a member. The elder Samuel Dexter, who was generally with him on important committees, asserted in after years, from his own personal knowledge, that from Samuel Adams's entrance into the House, in 1765, he was the soul of that body, and its guide and director through the storms of the succeeding nine years, until the dissolution of the royal authority in Massachusetts. From that hour, he rose naturally, at once, and by general assent, to the position belonging by right to his vigorous mind and firmness of character. No person can read the state papers of the Assembly, through the ensuing nine years up to that of the first Congress, without recognizing in many of them his pervading genius and the productions of his practised pen. He became immediately the leader of the Legislature, the beacon which illumined its counsels in its darkest periods. He originated the most important measures, and bent his energies and invincible will to their accomplishment.

Governor Bernard ruefully pointed to the surprising change in the legislative proceedings in the October session of this year. "Your answer to my speech," he says to the House, "is conceived in terms so different from what you have been used to address me with, that I know not how to account for it, but from the disordered state of the Province, which affects its very counsels."* And in his reply a few years later to the petition of the Assembly for his removal from office, he says that "a very good understanding and agreement of sentiment continually prevailed between the Governor and the Assembly, until the opposition to the Stamp Act, which began in 1765."

Hutchinson, who names Samuel Adams as the author of the Massachusetts Resolves says:—

"They seem to be designed as a sort of Magna Charta, or rather a declaration of the fundamentals of the Constitution." "There is no acknowledgment of the authority of Parliament in any case whatever." "These resolves were passed when three fourths of the

* Journals of the House, Nov. 8, 1765.

members of the House were the same persons who had been members the last year. The House then declared it to be their duty to yield obedience, even to a tax act, until it should be repealed. Inconsistencies in the votes and proceedings of such bodies of men are common. The reason is obvious. The body is governed by a few of its members, sometimes by a single member." "They are agreeable to his [Samuel Adams's] professed principles, which he owned without reserve in private discourse to be independency; and from time to time he made advances towards it in public as far as would serve the great purpose of attaining to it. To his influence may be attributed the great advance made in this session."*

This passage was written by the mortal enemy of Samuel Adams, who, in the hearty dislike he entertained for him, honestly believed that these facts were recorded to his disgrace. Yet at this day, we feel that he could have no nobler monument or more honorable distinction.

During the long interval of inactivity caused by the cessation of business, Mr. Adams employed his pen in the cause he loved to defend. Among his papers are found letters, some of them partially obliterated by time or carelessness so as to be nearly illegible. The few which have been restored prove to be directed to persons in England on the subject of the public grievances. One, over his own signature, dated November 13th, 1765, is addressed to "G. W., London," of whose "good will to mankind, and particular regard to New England," the writer says he had long been convinced, and continues: —

"The free access which I am informed you have to some eminent personages may put it in your power to do us offices of singular kindness. New England has had the misfortune of having many enemies, but He that planted the vine seems hitherto to have had a watchful eye over it.

"Nothing could have given greater disgust than the Stamp Act. The people are in consternation from one end of the continent to

* Hutchinson's History, III. 134, 135.

the other. Whatever the favorers of the act on your side of the water may apprehend, it certainly is esteemed a grievance in the opinions of many thousands of as loyal and quiet subjects as any under the King's government.

“I wish some genius of the Earl of Dartmouth's goodness and penetration might find leisure particularly to attend to this matter, in which I think Great Britain herself, as well as her Colonies, is deeply interested. We stand in great need of some such advocate in England, as the Governor of this Province has declared in a message delivered to the House of Representatives last week, that he has no pretence to interpose in this business, and that he does not think that any governor on the continent has presumed to express his sentiments against the act; which case may be easily supposed, for it is not likely that any gentleman in commission would choose to express his sentiments against what is said to be a favorite point with a minister. It is, however, amusing, that those who are substituted by his Majesty to be the patrons of his subjects in the several Colonies should think themselves to be under this restraint. The Ministry and the Parliament no doubt had the good of the Colonies as well as the nation in view. With respect to the Colonies, they are at so great a distance, and having none in England to represent them, it cannot be wondered at if this interest should be sometimes mistaken. The opinion of a governor will no doubt be of great weight and candidly received; if all of them are silent, the applications of the people will be thought to be of little importance. But should these gentlemen, with the design to please their superiors, express their minds in favor of every measure, the people's uneasiness might then be imputed to a discontented or even a factious humor; and considering the imperfection of human nature, this inclination to flatter a superior is at least a possible supposition.

“In looking over one of the latest London newspapers, I find the following article, viz: ‘The disputes continually arising in the American Colonies, joined to the struggles they make for independence, it is thought will induce the British Legislature to new model their system of government, and to allow them representatives in the great councils of the nation.’ Whether the writer of this piece of intelligence meant only to arouse the nation, I am not able to say. He has endeavored to establish two facts, one of which at least is

without any foundation. That there are frequent disputes between adjoining Colonies about their dividing line is true; but we hope they may be settled as they have always heretofore been, without the necessity of altering their system of government. A very celebrated writer, the author of the Spirit of Laws, has defined political liberty to be 'a tranquillity of mind, arising from the opinion which each man has of his own safety.' Now if a number of Colonies are to have their system of government new modelled at discretion, or even to be threatened with it, because such disputes, which subsist wherever society is, take place among them, there can never be among them any opinion of their safety, from which should arise a tranquillity of mind, and consequently there can be no liberty according to the definition of the before-mentioned learned author. This news-writer shoots his bow at a venture. Where did he learn that the Colonies were struggling for independence? The contrary is most certainly true. You, sir, can be a witness to the loyalty of the Colonies and their affection for the mother country. There is at present no appearance of such a disposition as this writer would insinuate, much less a struggle for independence; and I dare say there never will be, unless Great Britain shall exert her power to destroy their liberties. This we hope will never be done. He tells us 'that we are to be allowed representatives in the great councils of the nation,' which implies that we have no representative there at present. This is a main argument against a constitutional right of Parliament to tax us. It is built upon one of the main pillars of the British Constitution,—the right of representation. If the subject has a constitutional right to be represented in the body that taxes him, it is but altering the expression of the same sentiment to say there can be no constitutional right to tax the subject in a body where he is not represented. When the question is asked, Will any one deny that the Parliament hath a right to tax the Colonies? it needs only to ask again, Are the Colonies represented in Parliament? The writers against the Colonies, when they have been thus pressed, have been obliged to adopt the word 'virtually'; but we must first understand what they mean by being *virtually* represented, before we can give their doctrine a serious consideration.* There is one thing,

* If the gentleman to whom this letter was addressed had that "access to eminent personages," indicated by Mr. Adams, it would be interesting to

however, which perhaps may need explanation. The Colonies depend upon it. As their argument against being taxed by the Parliament because they are not represented must be allowed to be good, to be consistent with the British Constitution, yet they are far from desiring a representation for this reason only, — because they judge it impracticable for them to be equally and fully represented in Parliament. Many things might be said to justify such an opinion, which perhaps may occasion my troubling you with another letter; in the mean time, allow me just to add that the only way to preserve to the Colonists their rights as British subjects, consistent with their acknowledged subordination to the supreme Legislature of Great Britain, as it appears to me, is to continue the same power of government which they have hitherto been used to, with the same checks and no other. This is all they desire.”

Another letter, directed to “J. S., Esq.,” in London, written December 20th, 1765, reviews the occurrences in the Colonies from the first notice of the intended Stamp Act. The person to whom it was addressed has not been ascertained, but he was some gentleman of influence, who had access to those in power. It was intended to prevent any erroneous impressions arising from exaggerated statements of the riotous proceedings in Boston. These disorders were regretted by the respectable class of people; but the Governor and his friends had charged them indiscriminately upon the

know whether this and other communications on the same subject were not shown to Pitt. Two months after it was written and when it had been in England three or four weeks, the “Great Commoner” exposed the absurdity of a virtual representation in Parliament.

“There is an idea,” said he, “in some, that the Colonies are virtually represented in this House. I would fain know by whom an American is represented here. Is he represented by any knight of the shire in any county in this kingdom? Would to God that respectable representation was augmented to a greater number. Or will you tell him that he is represented by any representative of a borough, which perhaps no man ever saw? This is what is called the rotten part of a constitution. It cannot endure a century. If it does not drop, it must be amputated. The idea of a virtual representation of America in this House is the most contemptible idea that ever entered into the heart of a man. It does not deserve a serious refutation.” — *Debates in Parliament*, Jan. 14, 1766.

liberty party, whom they represented as enemies of law and order. In his speech at the opening of the October session he had implied this, and attempted to throw the odium upon all classes of the Province. Mr. Adams, in the reply of the House, effectually demolished that argument, and properly vindicated the people and the Legislature. This letter has the same tendency.

“I do not now attempt,” he says, “to justify this proceeding” (alluding to the riots of August 14th); “yet I will venture to express my belief that if the whole body of the nation had thought their essential constitutional rights had been invaded by an act of Parliament, which really is the apprehension that the whole body of the American people have of the Stamp Act, the nation, after having taken every legal means, to no purpose, to prevent its operation, would have justified itself in the same conduct. The opposition to the act daily increases, and I am satisfied nothing can ever reconcile the people to it.”

By the same conveyance, Dennis Deberdt, the newly appointed agent in London for special purposes, was written to on the 21st of December by several members of the House, who employed as usual the pen of Samuel Adams. After expressing confidence in the ability and inclination of Deberdt to serve the Province, and opening the subject of the late oppressive acts, Adams continues:—

“The Colonies may in consequence of this be put upon contriving some other method, perhaps to their own greater advantage, and not so beneficial to the nation. Be that as it may, it is certain there will be an end to remittances that are now made to Spain, Portugal, and other parts of Europe, through which the greatest part of the produce of America and the profits of the trade flow into Great Britain, and set up her manufacturers of all kinds of work. By means of the trade of the Colonists, as hitherto carried on, millions of them have been enabled yearly to consume British manufactures. An attempt to raise revenue out of their trade, as it will in effect advance the price of your manufactures, will reduce the people to the necessity of setting up manufactures of their own. Their necessity will quicken their invention, and they will become by degrees

less useful, and in time entirely useless to the mother country. But we humbly apprehend it would appear too partial for a nation to confine her views to her own interest in regulating the trade of her Colonies. There is justice due them as subjects. As such, they have an equal right with the inhabitant of Britain of making use of trade and all other honest means of subsisting and enriching themselves.

“The Colonists have as great a regard for right, liberty, and justice as any people under heaven. And they generally have knowledge enough to discover when their rights are infringed. If this be true, you will own they merit the esteem of every man of sense in England, especially when it may be justly added that they are and ever have been as loyal subjects as any the King has. They hold themselves entitled to all the inherent and unalienable rights of nature as men, and to all the essential rights of Britons as subjects. The common law of England, and the grand leading principles of the British Constitution, have their foundation in the law of nature and of universal reason. Hence, one would think that British rights are in a great measure unalienable, — the rights of the Colonists and of all men else. The American subjects are, by charters from the Crown and other royal institutions, declared entitled to all the rights and privileges of natural-born subjects within the realm, and with good reason, for as emigrating subjects they brought the rights and laws of the mother state with them. Had they been conquered, we presume that by the British Constitution, after taking the oath of allegiance, they should be acknowledged as free subjects, — much more when they have been neither rebels nor enemies, but have greatly merited of their mother country by subduing and settling a large continent, to the amazing increase of national power and wealth.

“The right of representation, and the argument against this tax founded upon it, is so constitutional that the writers in favor of it have been put to great shifts to evade it. We have been told that we are *virtually* represented, but we must desire an explanation of this vague term, before we can give it a serious consideration.*

* Compare the letter to “G. W.,” Nov. 13, 1765, *ante*, pp. 99–102.

“When we plead the right of representation, we only mean to have our not being represented upon our own free election considered as a reason why we should not be taxed by the Parliament; and we apprehend that as we are entitled to all the rights of British subjects, it is a reason that cannot be withstood without violence to the Constitution. We are far however from desiring any representation there, because we think the Colonies cannot be fully and equally represented; and if not equally, then in effect not at all. A representative should be, and continue to be, well acquainted with the internal circumstances of the people whom he represents. It is often necessary that the circumstances of individual towns should be brought into comparison with those of the whole; so it is particularly when taxes are in consideration. The proportionate part of each to the whole can be found only by an exact knowledge of the internal circumstances of each. Now the Colonies are at so great a distance from the place where the Parliament meets, from which they are separated by a wide ocean, and their circumstances are so often and continually varying, as is the case in countries not fully settled, that it would not be possible for men, though ever so well acquainted with them at the beginning of a Parliament to continue to have an adequate knowledge of them during the existence of that Parliament.

“The several subordinate powers of legislation in America seem very properly to have been constituted upon their (the Colonists) being considered as free subjects of England, and the impossibility of their being represented in Parliament, for which reason these powers ought to be held sacred. The American powers of government are rather to be considered as matters of justice than favor, — without them, they cannot enjoy that freedom which, having never forfeited, no power on earth has any right to deprive them of.”*

* This letter was not written by direction of the Assembly, but is signed by several gentlemen as individuals. The order of the names is, Otis, Cushing, Gray, Adams, and Sheafe. That Otis was not its author is beyond question from the unqualified opposition to a representation in Parliament which it expresses. His name was probably placed first from the fact that at the close of 1765 he was the most conspicuous member of the Legislature. That it was the production of Samuel Adams is evidenced by the fact that the original draft has been found in his handwriting, while a comparison of whole sen-

CHAPTER V.

Change in the British Ministry.—Effect of the Non-importation Agreements.—Petitions of the English Tradesmen and Manufacturers for the Repeal of the Stamp Act.—Exciting Debates in Parliament.—Pitt and Burke.—Repeal of the Stamp Act.—Rejoicings in London.—Condition of Affairs in Massachusetts.—The Legislature meet in January, 1766.—Bold Language of the House.—Controversy with the Governor on the Opening of the Courts.—Arrival in Boston of the News from London.—Rejoicings at the Repeal of the Stamp Act.—Adams dissatisfied with the Terms.—The Declaratory Act.—Adams brings John Hancock forward into Public Life.—Election Controversy conducted by Adams in the Assembly.—Disputes as to compensating the Sufferers by the late Riots.

IN September, while the country was yet agitated with the measures of the administration, the news had arrived in Boston of a change in the Ministry; Grenville having been succeeded by the Marquis of Rockingham, a young statesman of no great natural abilities, but liberal and honorable in his views. The elevation to power of the "Rockingham Whigs" gave a gleam of hope to the oppressed Americans. Although a portion of the new administration had been among the original supporters of the Stamp Act, Conway, a warm friend of the Colonies, was one of the Cabinet; and Edmund Burke, the most accomplished intellect in the nation, and a giant supporter of the American cause, became private secretary to the Premier. It was not at first contemplated to alter or repeal the Stamp Act. The King was determined on the prosecution of his policy of taxation, and

tences, as well as the general style of the paper, with his private letters written a short time before, will show the same hand in each. Adams undoubtedly wrote the letter, and, to give it additional weight, obtained the signatures of the others. It is printed, with slight variations, in the "Seventy-six Society's" Papers relating to Public Events in Massachusetts preceding the Revolution. Philadelphia, 1856.

a change of measures seemed unlikely. The subject indeed was not then considered of pressing importance; and in the House of Peers, when the Stamp Act became a law, it was not even adverted to by a single lord. A few years served to reveal the whirlwind they had sown. Now, under the Rockingham Ministry, though every ship from America brought tidings of popular tumults, British statesmen had not yet aroused to the importance of the subject. Parliament met on the 17th of December, but immediately adjourned until after the Christmas holidays. Applications not only from the Colonial agents, but from the trades' interests, began to pour in for a repeal of the act. These, backed by the efforts of innumerable influential persons in England, grew so powerful, that the prospect became daily more encouraging. Solemn resolutions had been adopted among the Colonists to import no more British manufactured goods till the act was repealed; and government was in consequence besieged with petitions from manufacturers. Grenville, now out of power, declared that "had he continued in office, he would have forfeited a thousand lives, if the act had been found impracticable." A special hindrance to the repeal was the denial by the Colonial Legislatures of a right to impose taxes. It would therefore be conceding too much; it would be admitting, in fact, that the Parliament had no right to legislate for the Colonies; it would be a "surrender of sovereignty." But the sympathy of the intelligent classes in England was largely with the Americans, whose struggle for liberty could not be regarded merely with mercenary views.

The debate in Parliament early in the new year was one of the most memorable in the annals of England. Pitt and Burke, the Titans of British eloquence, the one fast disappearing from the stage, and the other just entering upon his splendid career, were present and took part. Pitt entered during the debate, having just arrived in town. The Americans in the gallery viewed him as their "guardian angel

and saviour," and waited for his words with eager impatience. The man who had wielded with such mighty effect the power of England in the late war, arose. He regretted, he said, that he had not been able to attend in his place, and oppose the law on its passage.

"It is now an act that has passed. I would speak with decency of every act of this House; but I must beg the indulgence of this House to speak of it with freedom. Assuredly a more important subject never engaged your attention, that subject only excepted, when, nearly a century ago, it was the question whether you yourselves were bond or free.

"Taxation is no part of the governing or legislative power. The taxes are a voluntary gift and grant of the commons alone; when, therefore, in this House, we give and grant, we give and grant what is our own. But in an American tax, what can we do? We, your Majesty's commons of Great Britain, give and grant to your Majesty — what? Our own property? No. We give and grant to your Majesty the property of your commons in America. It is an absurdity in terms."

Conway concurred in the views of the great statesman. Then Grenville, true to his indomitable spirit, censured the Ministry for not giving earlier notices of the disturbances in America, which he said had grown to tumults and riots, and bordered now upon rebellion. "Protection and obedience are reciprocal. Great Britain protects America. America is bound to yield obedience. If not, tell me when these Americans were emancipated."

"I rejoice," replied Pitt, "that America has resisted. Three millions of people so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest.

"The gentleman asks, When were the Colonies emancipated? But I desire to know when they were made slaves? A great deal has been said without doors, and more than what is discreet, of the power, of the strength of America. In a good cause, on a sound

bottom, the force of this country can crush America to atoms. But on the ground of this tax, when it is wished^d to prosecute an evident injustice, I am one who will lift my hands and my voice against it. In such a cause, your success would be deplorable and victory hazardous. America, if she fell, would fall like the strong man. She would embrace the pillars of the state and pull down the Constitution along with her."

He concluded with giving his advice that the Stamp Act should be repealed absolutely, totally, and immediately; that this reason for its repeal be assigned, that it was founded on an erroneous principle.

"At the same time," said he, "let the sovereign authority of this country over the Colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation whatsoever; that we may bind their trade, confine their manufactures, and exercise every power, except that of taking their money out of their pockets without their consent."

Petitions from London, Birmingham, Coventry, Bristol, Liverpool, Manchester, and other towns, were presented, and the recent correspondence with America was laid on the table. Dr. Franklin appeared soon after before the House in committee of the whole, and was examined touching the state of America, and the probable effect upon the inhabitants of the imposition of stamp duties. His novel and pertinent replies, and their evident truthfulness, convinced the House, that "the American people would never submit to the act, unless compelled by force of arms." The question remained in suspense until the 22d of February, when after a debate, in which Pitt, Conway, Burke, and Grenville took part, in the presence of five hundred members, at half-past two o'clock in the morning, Conway's motion to bring in a bill to repeal the Stamp Act prevailed. On the 18th of March, the King sanctioned the bill, and all London was in a blaze of joy. The next night houses were illuminated, the ships displayed their colors, and bells merrily pealed forth in response to the general jubilee.

Meantime, the hand of oppression lay heavily upon Massachusetts. The principal merchants of Boston and other towns, to the number of two hundred, agreed to import no more goods from England, and countermanded their orders for shipments. No compulsion was used at this time to enforce the observance of these agreements. The courts were still closed; no business was done in the custom-house; no wills were proved, no deeds nor bonds executed. The Assembly had been prorogued, and anxiety and distress prevailed. All that prudence and due moderation could suggest had been done by the populace to manifest their indignation, and it only remained to see whether the strenuous efforts of their friends in England would prevail in repealing the act.

The Assembly had been prorogued from November to January 15th. In his opening speech, the Governor recommended the ordinary business, and only distantly alluded to the point in controversy. During this session, Mr. Adams's name appears on numerous committees, to draft answers and prepare general reports. Besides being a member of that appointed to reply to the opening address, he was on the committee "to take into consideration his Excellency's speech of the 8th of November at the prorogation of the General Court, and to prepare the draft of an answer thereto." The Assembly, owing to the Governor's sudden prorogation, had been allowed no time to reply, during the previous session. Hutchinson says of the House, that "their zeal in the cause had rather increased than abated during the recess." Adopting the words of Adams's Massachusetts Resolves, they admit only "a due veneration to the Parliament of Great Britain"; a term in which Hutchinson could see "no acknowledgment of the authority of Parliament in any case whatever." The Governor had expressed the hope "that an estimate of this people would not be formed from a review of the present times"; and the House replied, in the language of Samuel Adams: —

“Of the present times, may it please your Excellency, impartial history will record that the people of this continent, after giving the strongest testimonies of their loyalty to his Majesty, particularly by making their utmost exertions in defending his territories and enlarging his dominion in this part of the world, upon a motion made in this House, gave an equal testimony of a love of liberty and regard to those principles which are a basis of his Majesty’s government, by a glorious stand even against an act of Parliament, because they plainly saw that their essential, unalienable right of representation and of trials by juries, the very foundation of the British Constitution, was infringed and even annihilated by it; but that they had knowledge and virtue enough to regulate their opposition to it by the law, and steadily to persevere in such steps as the Constitution has prescribed to obtain its repeal.*

“Your Excellency says that these times have been made more difficult than they need have been, which is also the opinion of this House. Those who have made them so have reason to regret the injury they have done to a sincere and honest people. We are glad, however, to find that the difficulty of the times is in a great measure removed, and we trust that the Province will be soon restored to its former tranquillity, — your Excellency is pleased to add “reputation.” The custom-houses are now open, and the people are permitted to do their own business. The courts of justice *must* be open, *open immediately*, and the law, the great rule of right in every county in the Province, executed.” †

Among the other committees upon which the name of Samuel Adams appears during the session are the following: “To consider the grievances the people of this Province labor under”; “To prepare the draft of an impost bill”; “To present to the Governor the answer of the House to his speech of November 8th”; “To propose a bill to prevent frauds in flax”; “To consider the light-house keeper’s report”; “To view the papers and wills above stairs, and report”; “To take under consideration the extract from the Right Honorable Mr. Conway (which his Excellency was pleased to communicate to the House), and report.” ‡

* Compare the Massachusetts Resolves, *ante*, pp. 75–77.

† Bradford’s State Papers, p. 61.

‡ Journal of the House for 1766.

Early in the session letters were received from Deberdt and Jackson in answer to those written at the close of the previous year, extracts from which have already been given. Deberdt signified his acceptance of the agency of the House to solicit the petitions of the New York Congress, and gave reason to anticipate their favorable reception. Mr. Adams replied for the House:—

“Your acceptance of the trust imposed upon you by the House, and your early and zealous application to the very important business of it, affords them great satisfaction. Your not having copies of the several petitions authenticated by the speakers was an oversight of the House. It is hoped, however, that their interest will not be prejudiced by this omission, as Mr. Jackson, to whom they were sent, signed by the members of the Congress, was so careful as to deliver them to you, and your appointment as a special agent for these very petitions fully shows that the House had adopted them.

“The favorable reception which the petitions met with from the Secretary of State and Lord Rockingham, the real affection which Lord Dartmouth has been pleased to express for America, and indeed the whole Ministry, which your letter assures us of, will justify us in entertaining the strongest hopes of the success of our applications; and the access which you are honored with to persons of great rank and importance confirm the House in the wisdom of the choice they made of you to act for them in so interesting an affair.

“It is a satisfaction to the House to find by a letter from Mr. Jackson that your appointment is so agreeable to him. He assures the House that he will join his utmost endeavors with you to favor the interest of the Province.

“The House is very sensible of the kindness of the merchants of London in warmly espousing their cause, and promise themselves great success from the aid which the application and interest of so respectable a body of men must afford to our petitions. The many great and powerful friends to America on your side the water, which the Colonies must be convinced of, will serve to prevent that indifference towards the mother country which the late regulations might have produced, and will tend to the mutual advantage of both countries; for, as you rightly observe, the interest of both is inseparable.

arable, and nothing is more to be wished than that this affection may be mutual.

“The House trust that Divine Providence will interpose for them, that your agency, in which this Province is most essentially concerned, will be attended with success.”

His original draft of this letter, Mr. Adams marked “recorded”; and by the journal of the day before it was reported it appears that Captain Sheafe was directed to purchase two books in which to record the correspondence of the House. These books, however, have disappeared.

A full list of Mr. Adams’s committee services for this session cannot be made out, as the journals are incomplete. The results of those already named, however, are found on many pages. Towards the close of the previous session in October, he had been appointed one of a joint committee with the Council, “to consider and report some proper methods to prevent difficulties, which may arise in the proceedings of courts of justice, and in any other matters after the 1st of November next.” The report soon appeared, and recommended that all the judges and court officers “be ordered and directed to proceed in the same manner in the execution of their respective offices as if the Stamp Act had never passed; and all papers whatever which are subject to be stamped by said act shall, without the stamp, be deemed valid during this emergency.” The Council refused to concur, and the House recommitted the report, but do not appear to have proceeded further in the matter, perhaps thinking that the ground was covered by the Massachusetts Resolves, which were reported at that time.

But on the opening of the session in January, 1766, the subject was immediately revived, and the committee on grievances now reported against several arbitrary acts of the Governor; and “that the shutting up the courts of justice, particularly the Superior Court, which is not yet open, nor like to be, as we can learn, has a manifest tendency to dissolve the bonds of all civil society, is unjustifiable on the principles of

law and reason, and dangerous to his Majesty's crown and dignity, and in disherison thereof, and an intolerable grievance on the subject, to be forthwith redressed."* They asked leave to sit again, and after three days, during which there must have been some close discussion among the committee-men and others, they again reported to the same effect, but with the important recommendation that "the judges, and justices, and all other public officers, ought to proceed in the discharge of their several functions as usual."† The first report was evidently not strong enough to suit somebody on the committee.

This went for concurrence to the Council, who refused their assent, but resolved to recommend the judges to meet and determine whether they would proceed upon the trial of civil actions or not. Later in the session the House again passed their resolution, which the Council once more rejected, on the ground that the judges had intimated that the Superior Court would open and proceed to business as usual at the ensuing term. These efforts for the renewal of the legal business of the Province were in keeping with those of Samuel Adams in the previous month, when, as chairman of the town meeting, he had applied for the opening of the courts, and that the town might be heard by their counsel.

The news, that in the House of Commons Pitt had declared himself favorable to the repeal of the Stamp Act, and his vindication of the people of America, prepared the public mind for a happy result. The welcome intelligence reached Boston on the 16th of May by the brigantine "Harrison," which "hove to, in the inner harbor." The jubilee in consequence was as intense as the opposition to the act had been. Bells were rung, the ships in the harbor displayed their colors, guns were fired, and, at dark, bonfires were kindled. On the 19th the event was celebrated with notable

* Journal of the House, Jan. 20, 1766.

† Bradford's State Papers, p. 65.

enthusiasm. At one in the morning, as the sound of the clock striking ceased, the bell in the Rev. Dr. Byles's church, being nearest to Liberty-Tree, began to ring; this was answered by the bells of Christ Church at North End, and soon every bell in town gave forth its joyful clangor. Guns were fired, and drums beat, and music was played in the street before two o'clock in the morning and throughout the day, and peals of artillery boomed from Castle William, the North and South Battery, the artillery train in the city, and from the ships in the harbor. Steeples and house-tops were hung with flags, and the whole town went wild with excitement. Fireworks, exceeding anything before known in New England, were exhibited on the Common, and the houses were universally illuminated; that of John Hancock shone conspicuously. Fireworks were let off from a stage erected in front of the dwelling at his own expense, which answered those of the Sons of Liberty on the Common. "The genteel part of the town" were entertained at his house, and the wealthy, generous-hearted proprietor treated the populace with a pipe of Madeira wine.* Throughout the exhibition, Mr. Otis and others living near the Common kept open house. The celebration appears to have surpassed all others of the kind ever seen in Boston. The people seemed, as Mr. Adams afterwards said, "mad with loyalty," but it would appear from his writings on the subject that he was not carried away by the popular rejoicing. He looked beyond the immediate results, and foresaw the consequences of the mischievous reservation which accompanied the repeal. He could not join in any expression conveying the idea that this was a *favor* to his countrymen, who had resolutely claimed a *total* exemption from taxation, and were now rejoicing over a semblance of relief, while the evil was really unchanged. The effect of the celebration, however, like that in London, was to display to the powers in England the

* Drake's History of Boston, pp. 721, 722; and Boston papers of May, 1766.

determined spirit of American liberty. In one of his controversies with the crown writers on the public grievances, Mr. Adams says : —

“As to the repeal of the Stamp Act, though the people of this Province and America universally regarded this act as an infraction of their constitutional rights, and consequently humbly claimed the repeal as a point of equity, they yet received it with as much gratitude as though it had been a free gift. They blessed their sovereign; they revered the wisdom and goodness of the British Parliament; they felt themselves happy till new acts, equally unconstitutional, were made, and severities imposed upon trade unknown even at the time of the Stamp Act. But it seems we are unpardonable for not being thankful for the removal of one burden, after another is laid upon us, by the same hands, equally hard to bear! How contemptible is such reasoning! What an affront to common sense! I never heard of such discourse in Parliament till I saw our court paper. And can these persons be friends to the leading men in government, who represent *them* as reasoning in such a manner?”*

With the repeal of the obnoxious act, was coupled the Declaratory Act, asserting the authority of Parliament “to bind the Colonies and people of America in all cases whatsoever.” The mere fact of relief from the Stamp Act, as we have seen, diffused heartfelt joy; but as the enthusiasm wore away, the act for “securing the dependency of the Colonies,” began to be viewed with distrust and anxiety by the more intelligent. They had contended, not against the pecuniary loss involved in an enforcement of the act, but for the assertion of a great principle, the right of exemption from taxation unless they were represented, and that representation must ever be impracticable. If the repeal was attended by an avowal of the right to bind the Colonies in all cases whatsoever, it was but a nominal relief; and a precedent was established which could operate on future occasions to the prejudice of their liberties. Samuel Adams saw that the

* Shippen, in the Boston Gazette for January 30, 1769. See also the close of his letter from the House to Dr. Franklin, June, 1771, quoted in Chap. XIX.

danger was equally great, did the Province still complain after the repeal, or remain silent. The first course would be construed against them as turbulent, unruly subjects, seeking after independence; the last might imply acquiescence in the declaration, and lead to further encroachments.

His views on this subject are found more at length a few years after the time of the Declaratory Act, in one of his political essays:—

“Let us take a short retrospect of American affairs. The opposition which the Colonies made to the detestable Stamp Act in the year 1765 finally operated its repeal. I am induced to call it a *detestable* act, not from a warmth of resentment against a measure which, had it taken effect, would have involved this whole continent in perfect absolute slavery, but from the cool dictates of reason. For though it was soon repealed, it yet created such a jealousy between the mother country and the Colonies as it is to be feared will never wholly subside, and, for aught the promoters of it can tell, will finally end in the ruin of the most glorious empire the sun ever shone upon, or at least may accelerate consequences, arising from American independence, which, whenever they happen, will be fatal to Britain herself. As a condition of the repeal, the friends of the American cause, which was the cause of liberty, in the British House of Commons, were obliged to yield to a proposal that an act should be passed expressly declaring the right in the King, Lords, and Commons of Great Britain to make laws which shall be binding on the Colonies in all cases whatever. The Americans, who not long before were viewed by the people of Britain in no better a character than the tawny, aboriginal natives, were not so void of understanding as to overlook the latent meaning of this act. They clearly understood the true intention of the words, *in all cases whatever*, and that a right of making revenue laws binding on the Colonies was *necessarily* included. Thus Great Britain, instead of burying in eternal oblivion a claim so repugnant to the laws of reason and equity, and therefore so obnoxious to all the Colonies, was induced at that critical season, and as I conceive contrary to all the rules of sound policy, as far as she could, to establish it, and while she was, through necessity, about to repeal one law for taxing the Colonies

without their consent, she at the same time held up to them a claim, and in effect told them that she was resolved to make another, or a thousand more, whenever she should be pleased to exercise the right she had assumed. Such were the counsels which ruled in Britain then, and we all know what they have been since.

“The Americans, for the sake of restoring harmony, chose to treat this act with silence, at least till necessity should oblige them to remonstrate the ill effects of it. The repeal of the Stamp Act was received with universal joy; and perhaps future historians may say of the Colonists, as has been said of the people of Britain, upon another occasion, in a former period, that they were ‘mad with loyalty.’ Addresses were offered to our most gracious sovereign on the occasion, and letters of thanks were sent to the patriots, who had signalized themselves as instruments in bringing on this happy event. The commerce with Great Britain, which had been stopped, was again revived upon the additional motive of *gratitude*; and such steps were taken as might probably lead the mother country, in the height of her glory, to imagine that the Americans looked upon the repeal as a singular and *unmerited favor*. It must be owned they seemed too unmindful of the right they had on their part claimed, of a total exemption from taxes not raised with their own free consent; and that the repeal was nothing more, upon their own principles, than the removal of a burden which they were under no manner of obligation to bear. I mention these things to show that the Colonies were at that time heartily disposed to a reconciliation with the mother country, and that she has not the least reason to complain of *them* that differences still unhappily subsist between them; and, if Britain herself would now and then recollect, she might, perhaps, correct some past errors and follies, which might tend to restore that mutual affection which all good men wish for, and she herself, however she may now think of the matter, may *one day want*. Power is intoxicating; and those who are possessed of it too often grow vain and insolent. We have daily instances of this in particular persons; and a haughty nation, inebriated with power, like a drunken man upon a precipice, may fall into inevitable ruin, when the friendly hand of a child, if present, might have led him from danger.”*

During the spring of this year, there had been a number

* “Alfred,” in the Boston Gazette, Oct. 2, 1769.

of town meetings relative to the public liberties. At one of these an address was read from the people of Plymouth to Boston, expressing a generous sympathy with the inhabitants and their thanks for the loyal and legal endeavors of the Bostonians to secure the blessings of liberty, "and transmit them entire and perfect to the latest posterity." Mr. Adams was chairman of the committee to draft an answer, which was reported on the 24th of March. It eloquently rehearses the settlement of the country by their forefathers, recounts the cost, pains, and peril of the adventure, and the increase of dominion, strength, and riches, which had thus accrued to Great Britain. They express their "honest indignation to think there should have been any among her sons so ungrateful, as well as unjust and cruel, as to seek their ruin."

"Instances of this too frequently occur in the past history of our country. The names of Randolph, of Andros, and others, are handed down to us with infamy; and the times in which we live—even these very times—may furnish some future historian with a catalogue of those who look upon our rising greatness with an envious eye, and, while we and our sister Colonies have been exerting our growing strength in the most substantial services to the mother country, by art and intrigue have wickedly attempted to deceive her into measures to enslave us."*

At the annual election on the 6th of May, Samuel Adams, Thomas Cushing, James Otis, and John Hancock were chosen Representatives for the town. This was the opening of the political career of the afterwards famous John Hancock. He had failed of an election the previous year, having received but forty votes. In the mean time his wealth and ambition had attracted the notice of Adams, who saw that the enlisting of so potent an auxiliary must result in signal benefit to the cause. He therefore nominated him in opposition to John Rowe, and secured his election. Hancock was at this time twenty-nine years of age, fifteen years

* Boston Town Records.

the junior of Samuel Adams, with whom his name is indissolubly connected by Gage's proscription. He was bred a merchant in the counting-room of his uncle, Thomas Hancock, where he acquired a knowledge of mercantile life. At the death of his uncle, who made him his heir, Mr. Hancock became possessed of a handsome fortune in shipping and real estate, making him uncommonly rich for that period. His profuse liberality, fine person, and affable manners gave him great popularity. As the struggle with the mother country advanced, Hancock became conspicuous among his countrymen, and eventually reached positions of trust and honor, whereby his name will descend to posterity as one of the illustrious galaxy of Revolutionary patriots.

The Board of Councillors, as well as the Speaker of the House under the royal charter, were elected by a convention of the Legislature, and subject to the approval of the Governor. On the meeting of the General Court, May 28th, the House elected James Otis Speaker, and Samuel Adams Clerk; this officer always being chosen from among their own body. The Clerk took part in the debates of the House, had a vote like the Speaker, and was in no way distinguished from the other members, except in the matter of salary and his official duties. The sums voted at different times in the next eight years, as shown by the records, prove that the salary of Mr. Adams was not above one hundred pounds a year.

The Governor, who was elated at having been praised in the House of Lords for his opinions, and had given out that he "meant to play out his part as Governor," refused Mr. Otis as Speaker, though no one doubted his loyalty. The House however acquiesced, though the whole Colony were filled with an undefined dread by the act, and Thomas Cushing was elected in his place. On the same afternoon, the House revised the list of Councillors, and five, consisting of Hutchinson, the Olivers, Trowbridge, and Lynde, all crown officers, were not re-elected, on the ground, as Samuel Adams afterwards wrote to the agent in England, that "upon the

principle of the best writers, a union of the several powers of government in one person is dangerous to liberty." This was consistency in him, for as early as in Shirley's administration he had opposed the dangerous union of too much civil and military power in one man. The exclusion of these five, among whom was a Judge of the Superior Court, was resented by Bernard, who, from the whole number of twenty-eight elected, rejected six as an act of retaliation. The House submitted without a murmur; but the Governor on the following day, without reason or justice, sought to constrain the election of four of the rejected crown officers, and in his message accused the House of having been guided in their votes "by private interests and resentments and popular discontent."

"It were to be wished," he continued, "that a veil could be drawn over the late disgraceful scenes. But that cannot be done until a better understanding shall prevail. The recent election of Councillors is an attack on government in form, depriving it of its best and most able servants, whose only crime is their fidelity to the Crown, and is an ill-judged and ill-timed oppugnation of the king's authority."

The answer, which was drafted by Samuel Adams, though Hutchinson states that James Otis "was supposed to have had a principal share in its composition," repelled the charge of acting from private interests and resentments, and declared that they had "given their suffrages according to the dictates of their consciences, and the best light of their understandings"; that it had "ever been their pride to cultivate harmony and union upon the principles of liberty and virtue"; and that by dropping some of the old Board, they had "released the judges from the cares and perplexities of politics, and given them an opportunity to make still further advances in the knowledge of the law."* "Surely," con-

* The exclusion of crown officers from a seat in the Legislature had long been a favorite idea with Mr. Adams. In his Boston Instructions of 1764, after recommending to the newly elected members "the cultivation of har-

tinues the writer, "this is not to deprive the government of its best and ablest servants, nor could it be called oppugnation of anything, but a dangerous union of legislative and executive power in the same persons."

The House remained firm, and refused to vote for Councillors of the Governor's choice; the vacancies in the Board therefore remained unfilled; and thenceforward the Council, which with Hutchinson at its head had been the conservative branch, acted under the lead of his successor, James Bowdoin, who was zealous in the popular cause.

The spirit of freedom was abroad, and to accommodate its demands a gallery was opened in the House for the public to attend the debates. No reports were made of speeches, — the journals affording only the outlines of proceedings, and at times giving the votes of the members upon important questions. At this time, debates were generally confined to the adoption of the reports of committees appointed to express the sentiments of the House on the measures and opinions advanced by the Governor; and as such reports, either as answers or resolves, were mostly from the pen of Mr. Adams, it must frequently have devolved upon him to support or explain the views taken by the committees. Of the character of these debates, the State papers preserved in the journals give the only indication.

The remainder of this session was occupied in discussing the requisition of the Governor for the indemnification of the sufferers by the Stamp Act riots in the previous year, and the right of the crown officers to a seat in the King's Council. On the 3d of June, Bernard informed the House that he had received a letter from the Right Honorable Secretary

mony and union" in the Legislature, "which is ever desirable to good men, when founded in the principles of virtue and public spirit," he proposes the passage of a law, "whereby the seats of such gentlemen as shall accept of posts of profit from the Crown or the Governor, while they are members of the House, shall be vacated." He also recommends that the judges, "having in their minds an indifference to all other affairs, shall devote themselves wholly to the duties of their own department and the further study of the law."

Conway, enclosing two acts of Parliament; one for securing the dependency of the Colonies on the mother country, and the other for the repeal of the Stamp Act. He was ordered, he said, to recommend to the House that full and ample compensation be made to the sufferers.

He also lamented that the letter had not arrived before the meeting of the General Court, or the rejection of the crown officers would not have taken place; and he invited them to choose again, among others, Hutchinson, who had been plunged in melancholy at the thought of a retreat after thirty years' uninterrupted concern in public affairs. So anxious indeed was the Lieutenant-Governor to remain, that he had the presumption to still occupy his seat, where he was discovered by a committee of the House.

It appeared subsequently that the demand for indemnification made by Bernard was based upon the simple "recommendation" of Secretary Conway in his circular letter; but the Governor, in his anxiety to see Hutchinson made whole, used the word "requisition" on his own responsibility, adding, that "the authority with which it is introduced should preclude all disputation about complying with it."

At this time, the Province was "hushed into silence" by the repeal of the Stamp Act, which had stopped public clamor, and "composed every wave of popular disorder into a smooth and peaceful calm." "Every newspaper and pamphlet, every public and private letter which arrived in America from England, seemed to breathe a spirit of benevolence, tenderness, and generosity." "The letters from the Ministry to the Governor recommended the mildest, softest, and most lenient and conciliating measures; and even the resolve of the House of Commons, and the recommendation from his Majesty concerning an indemnification to the sufferers, was conceived in the most alluring language." Such was the contemporary record of John Adams,* who observed that the indemnification was then the reigning topic of conversation.

* John Adams's Diary (Works, II. 203).

The speech by the Governor, especially the part relating to the Council, was received with indignation. Samuel Adams considered it as not less "infamous and irritating than the worst that ever came from a Stuart to the English Parliament," and he called the Province happy in having for its Governor one who left the people no option but between perpetual watchfulness and total ruin.*

In the reply of the House, both of these subjects are considered by Mr. Adams, who was its author, and reported it two days after the appointment of the committee.

"Had the most excellent letter from one of his Majesty's principal Secretaries of State, which has been communicated to the House, arrived sooner, it could not have prevented the freedom of our elections, nor can we, on the strictest examination of the transactions of the day of our general election, so far as the House was concerned, discover the least reason for regret. So long as we shall have our charter privileges continued, we must think ourselves inexcusable if we should suffer ourselves to be intimidated in the free exercise of them. This exercise of our rights can never, with any color of reason, be adjudged an abuse of our liberty.

"We believe your Excellency is the first Governor of this Province that ever formally called the two Houses of Assembly to account for their suffrages, and accused them of ingratitude and disaffection to the Crown, because they had not bestowed them on such persons as; in the opinion of the Governor, were quite necessary to the administration of government. Had your Excellency been pleased in season to have favored us with a list, and positive orders whom to choose, we should on your principles have been without excuse. But even the most abject slaves are not to be blamed for disobeying their master's will and pleasure, when it is wholly unknown to them."

The report then reviews the recommendation contained in Secretary Conway's letter, and promises to embrace the first convenient opportunity to consider and act upon it.

"In the mean time we cannot but observe that it is conceived in much higher and stronger terms in the speech than in the letter.

* Samuel Adams to Arthur Lee, April 19, 1771, referring to this period.

Whether by thus exceeding, your Excellency speaks of your own authority or a higher, is not with us to determine."*

On the 24th of June, the House appointed a committee, of which Mr. Adams was a member, to prepare a special answer to the Governor's speech in relation to the proposed compensation; in which, after expressing their abhorrence of the riot, they decide to refer the subject to the next session, "that the members might have an opportunity to take the minds and instructions of their several towns thereon." A few days later, the Governor again pushed the matter, and the House still deferred the subject to the next session. After an address of thanks to the King for his assent to the repeal of the Stamp Act, Mr. Adams of course being of the committee to prepare it, the Assembly was adjourned.

While these events were happening in Massachusetts, another change was taking place in the Ministry. The Marquis of Rockingham, with several of his Whig colleagues, after a year's trial, was dismissed, much to the surprise and regret of the liberal politicians in England; but the Prime Minister, with all his good qualities of heart, was not the statesman for the times. The Duke of Grafton threw up the seals of Secretary of State, which were in turn refused by several noblemen, and at length were accepted by the Duke of Richmond. At the head of the new Cabinet was placed the Duke of Grafton, a Tory; and Charles Townshend, one of the promoters of the Stamp Act, became Chancellor of the Exchequer. Pitt, the "Great Commoner," who had sprung from the people to the leadership of the nation, clouded the lustre of his name by accepting a peerage and the office of Lord Privy Seal. The title of Earl of Chatham, however much he may have earned it by his brilliant career, could add no dignity to his character, while his desertion of the popular branch of Parliament for the House of Lords was but strengthening a Ministry raised on the downfall of Rockingham and his patriot friends. In

* Bradford's State Papers, p. 88.

America, however, the elevation to office of Chatham and Camden was considered a fortunate offset to the Townshend influence.

Though Governor Bernard professed to be a friend to the Colonies, his letters, as was subsequently ascertained, always urged upon government such a course as should secure their more perfect subordination to Great Britain. He was opposed to the several charters; and in his letters to the Ministry, he complained of the elective character of the Council as the "fatal ingredient in the Provincial Constitution." He considered the only anchor of hope to be the sovereign power, which would secure obedience to its decrees if they were properly introduced and effectually sustained. In support of these views, he made studied attempts to distort every act of popular rejoicing on public occasions into turbulence and riot. The anniversary of the outbreak against the Stamp Act was celebrated with great parade in Boston, and the Governor's party represented the patriotic toasts as treasonable. Bernard also renewed his complaints of illicit trade. After having long colluded with some merchants in their infractions of a revenue law, he now claimed the legal penalty of treble forfeits, and secretly reported the crowds collected by some sudden attempts to enforce the law by search-warrants as a general rising against the execution of the law.

Towards the close of October, the Governor again called the Legislature together to obtain, as he stated, a positive answer to the recommendation made during the previous session as to compensating the sufferers by the Stamp Act riots. In the discussion which ensued, Joseph Hawley, a lawyer of Northampton, the intimate and warm friend of Samuel Adams, took the leading part. He was a man of unblemished integrity; and after the year 1766, when he entered the Legislature, his strict religious principles and sincerity of character gave a wide influence to his opinions. Adams oftener consulted him on legal points than any other

man, and it is probable that neither penned any very important public paper without the revision of the other. Mr. Hawley was in the Legislature until the war, and he was excelled by none in his stern zeal and uncompromising hostility to oppression. He was the most distinguished counsellor in Western Massachusetts, where his practice was very extensive. During his legislative service, his name appears on many committees for drafting state papers. He and Samuel Adams worked together, having the most implicit confidence in each other's judgment. Mr. Hawley, in the intervals between the sessions, resided in Hampshire County, and their intimacy was continued at such times by lengthy correspondence on public affairs.

Most of the towns had voted in favor of compensating the sufferers, or left it to the discretion of their Representatives. The discussion in the House was long and animated, so that a fortnight elapsed before they replied to the Governor's message. During this time, Mr. Hawley opposed compensation except on condition of a general amnesty, which was to include several of his clients; who were in prison in Hampshire County for non-payment of fines and costs of court, having been convicted of riotous opposition to the Stamp Act. "Of those seeking compensation," said he, "the chief is a person of unconstitutional principles, as one day or other he will make appear." The resolves of Parliament were cited in reply. "The Parliament of Great Britain," retorted Hawley, "has no right to legislate for us." At these words Otis, rising in his place, bowed and thanked him, saying, "He has gone further than I myself have yet done in this House." The general opinion of Hawley's integrity and understanding acted upon the House, and a bill was framed, granting compensation to the sufferers and pardon to the offenders, even to the returning of the fines which had been paid. It is most probable that Adams was at first opposed to making any compensation, but, being on the committee with Hawley, was induced to acquiesce by the general am-

nesty clause. Hawley's name appears as chairman of the committee to answer the Governor's speech and to draw up the resolve setting forth the motives which induced the House to pass the bill. It was adopted in December, the House having meanwhile taken a recess in which to consult their constituents.

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CHAPTER VI.

The Crown Officers misrepresent the Town to the Ministry. — Dennys Deberdt appointed Special Agent of the Assembly. — Adams corresponds with the new Agent and with Christopher Gadsden. — He desires Union and Correspondence among the Merchants throughout the Continent. — Hutchinson attempts to force himself into the Council. — Adams writes on the Subject to the Agent in behalf of the Assembly. — He liberates a Slave presented to his Wife.

IN November of the previous year, Mr. Adams had expressed his dissatisfaction with the apparent want of zeal manifested by Jackson, the Colonial agent in England. This opinion he repeated indirectly in state papers of the House in the following session. He had much more confidence in the abilities of Deberdt, who had already served the Province as its special agent in urging the petitions prepared by the Congress at New York. This lack of energy was now particularly feared; for, after the August celebration in honor of the repeal of the Stamp Act, it was known that Paxton, Marshal of the Court of Admiralty, was to be sent to England, with the intention of representing there the interests and statements of the crown officers, and to appear as the special friend of Oliver and Hutchinson. The Governor had not lost the opportunity of advising the Ministry, after his own views, of the condition of affairs in the Province. An attempt had been made by Paxton and the under-sheriff to search the house of Daniel Malcom for a second time, under the disputed authority of writs of assistance. The sturdy patriot had refused to open his doors, and in the altercation which ensued a crowd had gathered. These and other incidents had been misrepresented to the government. On the 8th of October, a town meeting was called,

and a committee, of which Mr. Adams was a member, was appointed to wait upon the Governor in behalf of the town, and desire him to give the Secretary orders to furnish the town clerk with copies of all the depositions relating to the information given the custom-house officers and the proceedings thereon, so that the town, having knowledge of their accusers and of the nature and design of the testimony taken, might have it in their power to rectify mistakes and counterwork the designs of any who would represent them in a disadvantageous light to his Majesty's ministers. The committee reported in the afternoon that the Governor, by order of the Council, considered the depositions secret; but that he had no difficulty himself in complying with the request of the town, if the Council should so advise him. This assertion, however, was contradicted by the Council, who transmitted the depositions to the meeting, with a note, stating that "they had never given any advice either for or against the said testimony being transmitted." Otis, Adams, Rowe, Hancock, and others, were then appointed a committee to take the depositions into consideration, and procure such evidence as might be further necessary to set this matter in its proper light.

The subject occupied the attention of the public for some days. Town meetings were held, and every effort was made to counteract the known intentions of the designing Governor and his officers. The address of the freeholders and other inhabitants to the Governor, on the 22d of October, and that to Deberdt on the 26th, were both written by Mr. Adams.

It was necessary now that the danger from Paxton's voyage to London should be met by the efforts of an active as well as an honest friend of the people; and the House, towards the close of the session in December, dismissed Jackson from the service of the Province, and appointed Dennys Deberdt as its own special agent. In that capacity, he was the frequent recipient of letters, both private and public, from

Mr. Adams, who for several years made him the medium of reaching the Ministry.

The first letter of Mr. Adams to the agent, after this appointment, was on a subject which engaged his pen for some years afterwards, — that of billeting soldiers upon the inhabitants of the Province. In Parliament's making provision for the royal troops at the expense of the people of the Colonies, the sagacious patriot, in common with his fellow-citizens, saw the commencement of military rule with which the government could enforce any arbitrary demands that it might conceive. The first instance therefore which could act as a precedent in Massachusetts awoke his anxiety.

Soon after the adjournment of the Legislature in December, a vessel was driven into port by stress of weather having on board two companies of royal artillery. The General Court not being in session, the Governor, by the advice of the Council, directed that provision should be made for them at the expense of the Province. The precedent had been made by the Governor and Council, when a new company was established at the expense of the Province, and without the consent of the House of Representatives, to protect the stamps deposited at Castle William. At that time Samuel Adams had declared that "if the Governor and Council could raise and pay *one* company, they might *ten* or a *hundred*, and at their pleasure subject the people to be governed by a standing army." The Council answered that they were "by no means fond of exercising such a power, and wish the occasion for it had never arisen and may never arise again." In a twelvemonth the occasion had arisen. Earlier in the year, the Assembly of New York refused to make provision for quartering the King's troops, and Parliament passed an act to suspend the legislative power of the Assembly until the billeting act was complied with.

Mr. Adams applied himself to this subject with the same assiduity that marked his every effort in the cause. Several

of his letters written at this time have come to light. Two of these are to Deberdt, to whom he explains the evil designs which his penetration had already divined. His fear of the quartering of a military force in the Colonies had commenced with the first acts of oppression, and his earliest public paper, of which any record exists, urges upon the Representatives a decrease in the military establishment of the Province. He now instructed Deberdt to oppose the apprehended establishment of a military force in America, as needless for protection and dangerous to liberty.

“Certainly,” he continues, “the best way for Great Britain to make her Colonies a real and lasting benefit is to give them all consistent indulgence in trade, and to remove any occasion of their suspecting that their liberties are in danger. While any act of Parliament is in force which has the least appearance of a design to raise a revenue out of them, their jealousy will be awake.”*

On the 11th of December, he wrote to Christopher Gadsden, whom Bancroft calls “the patriot most like himself,” and having felicitated him upon the Colonial Congress of which Gadsden had been a member, and towards which the writer had offered the first suggestion, he continues:—

“But is there not reason to fear that the liberties of the Colonies may be infringed in a less observable manner? The Stamp Act was like the sword that Nero wished for, to have decollated the Roman people at a stroke; or like Job’s sea monster, in the heightened language of Young, ‘who sinks a river, and who thirsts again.’ The sight of such an enemy at a distance is formidable; while the lurking serpent lies concealed, and not noticed by the unwary passenger, darts its venom. It is necessary that each Colony should be awake and upon its guard. You may ask me what is the danger. I answer, none from his present Majesty and the Parliament in their intention, yet such is human frailty ‘that the best may err sometimes’; and consider, sir, we are remote from the national Parlia-

* Letter to Deberdt, Dec. 16 and 17, 1766. Autograph letters of Samuel Adams to Deberdt, on public questions, exist, dated Oct. 26, Nov. 11, 12, and Dec. 2, 16, and 18, 1766.

ment, and unrepresented. You are aware that what are called *Acts of Trade* sensibly affect the Colonies. May not such acts be made through the inadvertency of our friends, or for want of suitable intelligence from the Colonies, as may not only injure their trade but wound their liberties? Suppose, for instance, that sometime hereafter, under the pretext of regulating trade only, a revenue should be designed to be raised out of the Colonies; would it signify anything whether it be called a Stamp Act or an act for the regulation of the trade of America? I wish there was a union and a correspondence kept up among the merchants throughout the continent. But I am still upon the liberties of the Colonies.

“I should tell you what perhaps you know already, were I to mention an act of Parliament I have lately seen, wherein the Governor and Council of any Province wherein his Majesty’s troops may happen to be, are enjoined to make certain provision for them at the expense of the people of such Province. Tell me, sir, whether this is not taxing the Colonies as effectually as the Stamp Act? and if so, either we have complained without reason or we have still reason to complain. I have heard that George Grenville was told to his face that he missed it in his politics, for he should have stationed a sufficient number of troops in America before he sent the Stamp Act among them. Had that been the case, it is possible your Congress might have been turned out of doors. New York has had regular troops among them for some months. I never could hear a reason given to my satisfaction why they were ordered, at least to remain there so long. Perhaps I am captious; however, I always looked upon a standing army, especially in a time of peace, not only as a disturbance, but in every respect dangerous to civil community. Surely, then, we cannot consent to their quartering among us; and how hard it is to be obliged to pay our money to subsist them. If a number should happen to come into a Province through necessity, and stand in need of supplies, as is the case at present here, is it not a disgrace to us to suppose that we should be so wanting in humanity or in regard to our sovereign as to refuse to grant him the aid with our free consent?”*

The subject was considered early in the next session, when the House desired to be informed by the Governor whether

* Letter to Christopher Gadsden, Dec. 11, 1766.

any provision had been made at the expense of the Province for the troops lately arrived, and by whom? A lengthy discussion ensued, giving the House an opportunity of adding their opposition to the Billeting Act, against which the Assembly of New York was still contending.

It was the Governor's policy to keep the Legislature in session for brief periods, — summoning them only to hear instructions and orders from the Ministry. The Council and the House were now acting in harmony, and gave his Excellency continual cause for anxiety and matter for his letters to England. At the opening of the session, January 28, 1767, he briefly recommended the support of the authority of the government, and other duties, which, truly pursued, would leave "no room for disagreement or dissatisfaction."

To recommendations which seemed to imply that the House was negligent in the performance of their duties, they replied that they understood their rights and powers, and those of the civil officers of the Province; that those rights and powers would be firmly maintained, and the authority of government supported; and that they should feel greatly rejoiced to find his Excellency exciting and animating them in the discharge of that important duty.

They then resumed the subject of the Lieutenant-Governor's occupying a seat in the Council. Having been excluded in a previous session at the annual election for councillors, Hutchinson determined to claim a seat by virtue of his office as Lieutenant-Governor. The House insisted on his removal, considering his presence as "a new and additional instance of ambition and lust of power." The Council, now under the lead of the resolute Bowdoin, agreeing with them, Hutchinson at last resigned his claim and retired. It might well be termed "a lust of power." Not only was he Chief Justice, Judge of Probate, and Lieutenant-Governor, but several of his relatives held lucrative positions under government, and yet his rapacity clutched

at every additional means of advancement. Samuel Adams considered him the most dangerous man to American liberty in the Province, and lost no opportunity to oppose his designs. On the 3d of March, the House appointed Hawley, Otis, Adams, Sheafe, and Bowers a committee to write to Deberdt in relation to Hutchinson's claim to a seat in the Council. A voluminous paper, written by Adams, was reported on the 16th. The rough draft, endorsed "read and accepted," is preserved entire, with the erasures and interlineations in his own hand. It differs in no respect from the copy in the journal of the House, with which it has been compared. The subject is carefully considered in all its bearings, and the infamous construction put upon the charter by those who had been appointed to search for precedents to the usurpation is completely exposed. The answer of the House to the Governor's speech on the same subject, at the opening of the session, was enclosed to the agent with the letter. The reasons urged by Bernard in Hutchinson's behalf were, that the Lieutenant-Governor was empowered by the charter, equally with the Governor, to administer the oaths to the returned members; that, "in order to execute that trust, he must necessarily meet them on the day when they were returned, and met to form the General Assembly; and because the duty of his trust must bring him among the Representatives, before they themselves were qualified to sit and act in General Assembly, therefore that power or authority gave him a right to a place and seat in Council at all times during the being of the General Assembly, although the full exercise of that power must end and be determined, and the trust fully discharged, before the Representatives themselves have a right to take a place or to do any one act in General Assembly, and consequently before the General Assembly existed." Pointing out the "absurdity of this reasoning," which the writer says "must be obvious to every man," Mr. Adams continues:—

"As it is said that, in that paragraph, he [the Lieutenant-Gov-

error] has given to him an immediate, original, and inherent right to administer the oaths to the returned members of the House, it may be matter of curious inquiry, why it is chosen as a consequence that a right to a place or seat *in Council* is thereby given, rather than a right to a seat in the House of Representatives. According to this manner of deducing inferences, any one may, among the infinite variety of propositions altogether foreign to any given premises, take an absolute and arbitrary liberty to infer some one *favorite* conclusion, rather than any other which may not so well suit his humor or interest. When the imagination is suffered to rove at random, and phantoms are made use of to establish power and authority supported neither by the charter nor by reason or necessity, it is not easy to conceive why a right of still greater importance than a seat *without a voice* was not imagined. It was full as easy to collect from the charter a right in the Lieutenant-Governor, as such, to *a voice* in Council, or in the House of Representatives, or in either, as should best suit his fancy, or in each at different times. But perhaps it was judged prudent to begin with lesser claims, and gradually to advance to greater, as imaginary countenances should become more familiar.

“ We are the more astonished at this attempt of the Lieutenant-Governor, as, at his own desire, he has been so lately admitted to the floor of the House, and there publicly acknowledged the generous compensation granted him for his losses and sufferings in the late times of universal distress, despair, and of course of great confusion. At the same time, he gave the highest assurances of his affection for his native country, and of the fresh obligations he felt himself under to support the rights, liberties, and privileges of his countrymen. After all this, it is truly surprising that he should make an attack upon the charter, and endeavor to support a claim, jointly with his Excellency, which, if they attain their ends, has a manifest tendency very unduly to influence and alter, if not totally to subvert, the free legislative of the Province.

“ We cannot but think this attempt of his Honor the more unnatural, as he has so long enjoyed every honor and favor in the power of his native country to confer upon him. Some of his high offices are so incompatible with others of them, that in all probability they never will hereafter be, as they never were heretofore, thus accumu-

lated by any man. This gentleman was for years together Lieutenant-Governor, Councillor, Chief Justice of the Province, and a Judge of the Probate. Three of these lucrative as well as honorary places he now enjoys, and yet is not content. It is easy to conceive how undue an influence the two first must give.

“The office of a chief justice is most certainly incompatible with that of a politician. The cool and impartial administration of common justice can never harmonize with the meanders and windings of a modern politician. The integrity of the judge may sometimes embarrass the politician, but there is infinitely more danger, in the long run, of the politician’s spoiling the good and upright judge. This has often been the case, and in the course of things may be expected again.

“As the Governor and the Lieutenant-Governor now, firmly persist in the claim, and his Excellency seems determined to make a representation of this matter home, it is incumbent upon us to be particularly attentive to it, though both of them have in effect desired the present House to remain quiet and inactive. We must therefore earnestly recommend it to you to make it a matter of your special care, and if any stir should be made about it in England, that you would use your utmost endeavors to prevent a determination thereon till we can be heard; or otherwise, that you make the best use you can of the papers enclosed.”

We have in this letter an illustration of the logical severity and purity of style characterizing the writings of Samuel Adams. He never overdid any private or public paper. Always keeping within the bounds of reason and legal procedure, he had nothing to retract, and no indiscreet ebullition of passion or prejudice to regret. His knowledge of mankind, and an almost infallible judgment, gave the stamp of wisdom to all his measures, not one of which had to be recalled after passing final revision. In these trying times, without precedent to guide him, and steering into an unknown sea of perilous experiment in opposition to the arbitrary course of the government, the patriot might well pause or advance with caution. But the certainty of being right nerved the leaders to an unshrinking fortitude, and

pointed out, to at least the more discerning, the dim but glorious future. Among the remnants of the Adams papers are rough drafts of letters written during this session to the agent and others in England, relating to public matters, some of which appear to have been adopted by the House.

The question of slavery had been discussed in Boston for nearly a year. At the town meeting in May, 1766, the Representatives had been instructed to advocate its total abolition in the Province. The subject came up again at a town meeting on the 16th of March, 1767, when it was decided to adhere to that part of the town's instructions. It was probably about this time that an incident occurred, revealing the sentiments of Samuel Adams in regard to slavery. It was related, in 1837, by Mrs. Mary Avery of Shrewsbury, Mass., the niece of Samuel Adams. She was then eighty-two years of age, having been born in February, 1755, but retained her powers of memory in a remarkable degree. Mrs. Avery stated that when she was eight or ten years old (1764 or 1766), a female slave called "Surry" was given to her aunt, Mrs. Adams, and that on her returning home and mentioning the gift to her husband, he said to her immediately, "A slave cannot live in my house. If she comes, she must be free." He accordingly liberated her on her going into his family, where she lived many years, and where she died in the midst of kind ministrations both to her body and soul.*

The agent in England, who had access to members of the Ministry, had reason to believe from his interviews, especially with Shelburne, the Secretary of State for the Southern Department, that the feeling towards the Colonies was

* The gentleman to whom the author is indebted for the above anecdote (the Rev. George Allen of Worcester, Mass.) adds in his letter: "I have thought the anecdote above related worth preserving, and have therefore taken the liberty to send it to you, who have so many materials for the biography of a master spirit in an age which shaped the destinies of the world. It serves to show the unity of his character, and that the love of liberty, for which he strove so early and with so much zeal and constancy, was *at home* with him and indeed a part of his very being."

modified despite the defeat of the government party and the withdrawal of Chatham. Shelburne proposed changes in certain departments favorable to American liberties, but his colleagues disapproved of them. He was not entirely committed to the policy in the Billeting Act, and objected to the dependence of the judges. Deberdt wrote to Samuel Adams his impressions of the state of affairs. The affection which still warmed in the hearts of the Colonists towards England, and which it took years of oppression to eradicate, is shown in the reply:—

BOSTON, May 9, 1767.

SIR:—Your favor of 10th February and 9th March came to hand. It gives me the greatest satisfaction to find that this Province stands in an agreeable point of light with the Ministry and the Parliament, and I hope with our gracious Sovereign himself. The nation has no reason to be offended with us, or to entertain any jealousy of us. We are naturally attached to the people of Great Britain. We esteem them, not barely as fellow-subjects, but as brethren of the same blood. We can look back a few years, and find the same men the fathers of us all. Why then should Britain hate America, or they envy her? Our dependence is mutual; our interest is undivided; one cannot be sensibly injured, but the other must feel it.

I now send you the journal of the House for the remaining part of the year. You will find in the beginning of February some messages between the Governor and the House relating to the supply of about seventy of his Majesty's troops, arrived here last fall. Heretofore it has been the practice of this government to make provision in such cases by an act of their own. Thus they granted to their sovereign the necessary aid of their own free accord, which was strictly constitutional; and I am satisfied the people would always be ready cheerfully to make such grants upon all future occasions. Does not an act of Parliament made to oblige us in this case deprive us of our honor as well as our right, and imply a mistrust of us in the mother country? It is probable some persons here had induced the Ministry to believe it would have been refused by us, and argued from thence the necessity of the Parliament's interfering. But there is no room for such a suggestion. If the question should

at any time be put, I am persuaded the people would show their loyalty in this as they have done in all other requests. I wish, if our enemies should put an ill construction upon this matter, it might be thus explained, for it is the truth. The House made you a grant for your services for one year, as you will see by the journal of March. His Excellency did not think proper to sign it; perhaps he will assign the reason at the May session, when it will no doubt be again considered.

Your constant endeavors to serve this people merit their warmest gratitude as well as an ample recompense; and I hope, sir, you will not fail of an infinitely better reward than it is in their power to give you.

I am, with very great esteem, sir,

Your sincere friend and humble servant,

SAMUEL ADAMS.

DENNYS DEBERDT, ESQ.

CHAPTER VII.

Adams re-elected to the Assembly.—Arrival of Recruits from Scotland.—The King and Ministry resolved to draw a Revenue from the Colonies.—Revenue Acts passed by Parliament, and a Board of Custom Commissioners appointed for Boston.—Reception of the News by the Patriots.—Samuel Adams and Independence.—Opinions of James Otis.—Of Andrew Eliot.—Of Josiah Quincy.—Joseph Hawley.—Bancroft's description of Adams.—Meeting of the Legislature.—Adams drafts the celebrated Letter to Deberdt, the Petition to the King, and Letters to several English Noblemen.—They are published in England as "The True Sentiments of America."—He prepares a Circular Letter to the other Colonies, and secures its Adoption by the House.—Its Effect in England and America.—Public Celebrations.—The Governor writes to England for Troops.—Earl Hillsborough denounces the Circular Letter.—Adams labors for the Removal of Governor Bernard, whom he suspects of Treachery to the Province.

AT the May elections this year, Adams, Cushing, and Hancock were chosen to the Legislature, which was convened by the Governor, May 27th. As usual, Thomas Cushing was elected Speaker, and Samuel Adams Clerk. The subject of quartering troops on the Province, without the consent of the people's representatives, again came up, on the arrival from Scotland of recruits for the Fourteenth Regiment of Foot under Ensign Dalrymple. The Governor advised the House of the fact, and that he had ordered them to the barracks of the Castle. The Council, on his application to them for the usual allowances, had referred him to the House. Mr. Adams was one of a committee, with Otis, Hawley, Dexter, and others, to reply. They reported a brief resolve that such provision be made, while they remained, — the usual course towards troops *occasionally* in the Province. This resolution showed that, while the House were disposed to comply with an act of Parliament, they saw and feared the first steps towards

establishing an armed force in the Province, and that the parent government was determined to carry out the act, however oppressive and unpopular.

Mr. Adams was also on the committee to reply to the Governor's opening speech, in which he had advised the despatch of public business, and "a spirit of harmony in the public councils, which seemed to have lately departed from the several branches of the government." He declared that he "should not decline the full exercise of the powers of his office, yet intended to use them with due moderation. "Unnecessary disputes," he said, "were expensive, and he hoped would be avoided." The House replied that they were not sensible of any act on their part, which tended to interrupt the general harmony. They referred to the misrepresentations of the Province to the government, and added that they should be glad to receive proof which would enable them to assure the people that the Governor was not their author. As regarded his use of power, they reminded him that *there was such a thing as an indiscreet use of legal power*, of which they must form their own judgment.

"There are matters that immediately concern his Majesty's government of this Province, which properly now come before us. These we shall despatch in as short a time as will admit of a due deliberation upon them. . . . As the rights of this people are now intrusted to us, it is our indispensable duty to maintain and defend them. We hope none of them will be drawn into question; but should that be the case, we are bound in conscience to contend for them, and therefore we shall not think the dispute on our part unnecessary, or the time employed in it misspent."*

To raise a revenue from America, despite the repeal of the Stamp Act, was still the policy of the leading statesmen in England. Parliament now regretted the repeal as much as the act itself had been condemned a year before. A feeling of injured pride and mortified ambition was expressed.

* Journal of the House, June 2, 1767.

The King, who regarded the repeal as a "fatal compliance," was made to believe that he had been humiliated, and the courtiers urged Townshend to retrieve the dignity of the Crown by some financial measure which should establish the authority of Parliament over the Colonies beyond question. The King, anxious to maintain his prerogative, favored the idea. Chatham, hitherto the great advocate of Colonial rights, was rendered useless by ill health, and Townshend, boasting "that he knew how to draw a revenue from the Colonies without giving them offence," announced his new project in the Cabinet. Grenville and Conway, the latter still Secretary of State, gave it their approval. "I am still," said Townshend, "a firm advocate for the Stamp Act, — for its principle and for the duty. I laugh at the distinction between internal and external taxes. I know no such distinction. It is perfect nonsense." Camden, who had lately asserted with the Colonists that taxation and representation were inseparable, now declared that his doubts were removed by the declaration of Parliament itself, and that its authority must be maintained. The Chatham power and influence were overthrown in Parliament. Shelburne, who for a time was an advocate of some modifications favorable to the Colonists, was overruled by his associates in the Cabinet, and now declared that the Billeting Act must be enforced, and that no relaxation of its provisions should be made. In his opinion, the Colonies were on the verge of rebellion, which firmness alone could check. The noble stand of the Americans in support of their just rights as Britons and men, and their assertion of principles upon which were based the freedom of the whole British Empire, were lost on this school of statesman, whose determination to destroy them seemed to increase with the generous efforts made in their behalf.

Having matured his scheme, Townshend proposed a tax on glass, paper, painters' colors, and tea, to be paid as impost duties. Lord Camden objected to the measure; but after a

discussion of several weeks' duration, it finally passed both Houses, and being approved by the King, on the 29th of June, it became a law. Its passage was assisted by Paxton, who had arrived in England, and by the representations of Bernard and Hutchinson. At the same time, acts were passed legalizing writs of assistance and establishing a board of commissioners of customs at Boston. These measures convinced the patriots that their liberties were to be wrested from them, and the press grew eloquent with the effusions of nervous and fearless thinkers. Already the employment of ships of war and troops was advocated to insure tranquillity, and the approach of military rule was foreseen. The Stamp Act was in reality less subversive of the popular rights than these new revenue acts. Even the moneys accruing from them were to be beyond the control of the subjects from whom they were raised, but were at the King's disposal, to be employed in the support of the very officers who were appointed to collect them. The ignominy and perfect servitude involved filled the Colonists with alarm, and seemed the culmination of Ministerial oppression.

It has been observed by contemporary writers, and the assertion is generally admitted, that Samuel Adams was the first man in America who openly advocated the independence of the Colonies. The rapid succession of the Declaratory and Billeting Acts, and the passage, after mature deliberation, of these arbitrary measures for taxing the Colonies, must have convinced Adams of the hopelessness of peaceful efforts for redress. He saw that forcible resistance would inevitably ensue, and that the only question was, when events would call for decisive action.

Hutchinson says that, as early as 1765, Samuel Adams owned without reserve, in private discourse, that he was for the independence of the Colonies, and adds, that "from time to time he made advances towards it in public, as far as would serve to the great purpose of attaining to it." But the private and public writings of Adams up to this time do

not disclose such an intention. If he entertained a settled determination towards independence as early as the year of the Stamp Act, he concealed it for prudential reasons, deeming it premature to advance it until tyranny had wrought the people to the proper pitch of exasperation, and the Ministry had been placed sufficiently in the wrong before the world.

But independence was not yet his policy. That Samuel Adams had for many years foreseen a great empire, free and independent, and under his favorite democratic form of government, is not denied. He saw that such a structure was possible and probable. It might spring from the genius and peculiar character of the American Colonies, — a character he had studied, and knew in its minutest details. That American independence would be hastened by the unwise policy of the British government we must believe was fixed in his mind as an absolute certainty; but his conversations on independency, to which Hutchinson alludes, had this bearing and no other, that while it was certain the Colonies must eventually fall from the parent stem and become a great Western power, the time for the separation had not yet arrived, nor was the popular mind ready for its discussion.

The general feeling throughout America, up to the year of the Stamp Act, was one of deep loyalty to the King and Parliament. England was known, even among those who had never left the Provinces, by the affectionate name of "home." Massachusetts had freely exhausted her treasury and spilt her blood in fighting the battles of Great Britain in America for the conquest of territory, which, while it resulted in no benefit to the Province, enlarged the British dominion. The idea of a separation, if it was ever entertained, was regarded as one of the greatest evils which could befall the country. Its trade would be ruined, its credit destroyed, and the people left a prey to the power of France. Vague terrors attached to the thought, and the wealth and intelligence of the country were opposed to it. Andrew Eliot

wrote: "The Colonies disunited from Great Britain must undergo great convulsions before they would be settled on a firm basis. Colony would be against Colony, and there would be in every one furious internal contests for power. . . . I hope not to see the American British Colonies disconnected from Great Britain."* With this general opinion in the country, whatever may have been the private convictions of Samuel Adams, to have asserted in any public manner at this time the doctrine of independence, would not only have lost the Colonies some of their warmest advocates in England, but would materially have retarded the progress of liberty by alarming those whose demands for redress went no further than for a restoration of the Province to its position at the close of the French war. Such indeed were the views of many eminent patriots as late as 1776. Hence Mr. Adams, in his private letters to England as well as his public papers, takes frequent occasion to refute the charge that the Assembly aimed at independence.

To a correspondent in London, in November, 1765, he asserts the loyalty of the Colonists and their affection for the mother country, and adds: "There is at present no appearance of such a disposition as this writer would insinuate, much less a struggle for independence; and I dare say there never will be, unless Great Britain shall exert her power to destroy their liberties." It is observable, however, that the tenor of this extract makes the effort for independence contingent upon the course of England towards the Colonies.

One of his letters to Deberdt, written in December, 1765, says:—

"We find that attempts have been made to raise a jealousy in the nation, that the Colonists are struggling for independence, than which nothing can be more injurious. It is neither their interest, nor have they ever shown the least disposition to be independent of Great Britain. They have always prided themselves on being British sub-

* To Thomas Hollis, Dec. 10, 1767.

jects, and have with the greatest cheerfulness done everything in their power to promote the common cause of the nation. And we have reason to believe that the Colonists will ever remain firmly attached to the mother country."

To an absent friend, whose name cannot be ascertained, he wrote, about the same time : —

"I should have taken the liberty of writing to you by vessels which have already sailed, had I known it was your intention to spend the winter in England. Your acquaintance with this country, its civil constitution, its religious establishment, the temper, education, manners, and customs of the people, their attachment to, as well as connections with, the mother country, their trade and the advantages of it to Great Britain, their ardent love of liberty, civil and religious, make you an able advocate in her behalf, when her friends have everything to fear for her. Perhaps there never was a time when she stood more in need of friends in England, and had less reason to expect them; not because she has justly forfeited them, but from the nature of the unhappy controversy which has of late arisen between Great Britain and the Colonies, while the prosperity of both depends upon mutual affection and harmony."

This prudence and insight into the bearings of the great cause he espoused was a perpetual check upon the suggestion of Colonial independence. The propagation of such sentiments at that time would have been deeply injurious to American liberty. In all his state papers, therefore, up to the time of the Congress, when what he had long foreseen became patent to the country at large, that petitions were but a waste of words, and that the "ultima ratio" could alone decide the question, it will be found that the idea of independence, which had frequently been charged upon the popular leaders, is repeatedly and explicitly denied as the opinion of the Assembly.

Judge Sullivan in his biographical sketch of Samuel Adams, written a few days after the death of the latter in 1803, having quoted some of the confidential friends of the deceased in proof of his having been the first man in Amer-

ica who contemplated a separation of the Colonies from England, adds that his enemies charged him with hypocrisy in concealing his views in the dawning of the Revolution. "But in this," continues the writer, "he was justifiable; for, unless he could believe that the whole body of the people could discern and trace political effects from their deep causes, it would have been folly in him to have exposed his views. He lived in a world where one man had been burned for asserting the motion of the planets, which is now known to every one, and where the originators of new theories have suffered disgrace for exposing systems which after ages have respected and honored."

When the news of the revenue bill arrived in Boston, it was met with a determined spirit of opposition. "The die is cast," "the Rubicon is passed," cried some. "We will form an immediate and universal combination to eat nothing, drink nothing, wear nothing, imported from Great Britain." "Our strength consists in union. Let us, above all, be of one heart and of one mind. Let us call on our sister Colonies to join with us in asserting our rights. If our opposition to slavery is called rebellion, let us pursue duty with firmness, and leave the event to Heaven." Others, among them young Quincy, rashly advocated armed resistance. Josiah Quincy, who was one of the political pupils of Samuel Adams, was then twenty-three years of age. His talents had already attracted attention, and gave promise of great future usefulness to his country. "Should we be told to perceive our inability to oppose the mother country," he wrote in the Boston Gazette, "we boldly answer that in defence of our civil and religious rights, with the God of armies on our side, we fear not the hour of trial; though the host of our enemies should cover the field like locusts, yet the sword of the Lord and of Gideon shall prevail."*

The Revolution had commenced. Hutchinson dated its beginning from the previous year; but now the tone of the

* "Hyperion" (Josiah Quincy) in the Boston Gazette, Oct. 5, 1767.

press and the public sentiment showed that the faith in the integrity of Parliament was undermined, and that resistance was believed to be right and possible. The project of non-importation and non-consumption of English manufactures had, from the commencement of the disputes, been a favorite idea with Mr. Adams. He frequently reminded his correspondents in London of the alternative to which the taxation schemes of Parliament must drive the Colonists. In 1764 he hinted that if the trade of the Americans was to be taxed, they would be less able to consume the manufactures of Great Britain. In a letter to Deberdt, in November, 1765, he refers to stopping the importation of British goods, which the Colonies were more and more determined to forego. Again in December, 1765, in a letter sent to a friend in England, he says that "an attempt to raise a revenue out of the trade of the people will reduce them to the necessity of setting up manufactures of their own." * — "To him," says a writer, who thoroughly knew his whole political life, "is also attributed the design of the non-importation system, which he persuaded nearly all the merchants in the Colony to adopt and adhere to." Every indication points to Samuel Adams as the author of this important means of resistance. Town meetings were now held to encourage the produce and manufactures of the Province, and to lessen the use of superfluities, of which long lists were enumerated. Committees were appointed to obtain subscriptions to these agreements, which interdicted the use or purchase of the articles named. A clause, introduced at the meeting of October 28th, reads: —

"And we further agree strictly to adhere to the late regulations respecting funerals, and will not use any gloves but what are manufactured here, nor procure any new garments upon such an occasion but what shall be absolutely necessary." †

* For proof that the American non-importation schemes commenced in Boston, see Samuel Adams to Dennys Deberdt, May 14, 1768.

† Massachusetts Gazette for Nov. 5, 1767. See Grahame, II. 429, 430.

At one of the meetings, Otis advised against opposition to the new duties, and recommended caution. "The King has the right," he continued, "to appoint officers of the customs in what manner he pleases, and by what denominations; and to resist his authority will but provoke his displeasure."

The non-consumption agreements were not to go into force until the close of the year, and meantime an unusual quiet prevailed. The leaven, however, was working. The agreements were to be sent to all the towns in the Province and also to the other Colonies. Bernard reported that the faction "dared not show its face," and that "the Province would recover its former reputation" for loyalty. Hutchinson wrote, "our incendiaries seem discouraged," and he circulated the statement that the people of Boston would be left alone, as the New-Yorkers were all for peace.*

The Legislature was not to meet until January. The petition of the town, prepared by a committee of which Adams, Otis, and Cushing were members, desiring the Governor to convene the General Assembly, had been rejected with contempt. Still the Province remained tranquil; and even the anniversary of the repeal of the Stamp Act passed away in quiet, the usual ceremonies being conducted with strict propriety, — the few placards and effigies exhibited having been removed by the friends of the people.

The new Ministry entered upon their duties, determined to maintain the authority of Parliament on the basis of the late

* These agreements, as will hereafter be seen, were not faithfully kept in several of the Colonies, much to the regret of Mr. Adams, who spared no pains to maintain a general observance. Even in Boston they were broken, but were renewed at intervals throughout America, until Congress, in 1774, adopted a non-importation act embracing the whole continent. In October, 1769, leading merchants in several Colonies signed such an agreement, and Hutchinson wrote to Bernard: "The Land Bank movement in this Province, in 1740, was a peccadillo compared with the combinations now afloat in so many Colonies. That was thought to deserve an act of Parliament, and all who continued in it were subjected to the penalties of the statute of premunire. These, therefore, which are absolutely incompatible with a state of government, can never be overlooked."

Charles Townshend's tax bills. Artful misrepresentations by Bernard, Hutchinson, and the crown officers, especially Paxton, who, with the Commissioners of the Customs, arrived in November to commence the odious system, had increased the anger of the Colonial Department, which was still more inflamed by non-consumption meetings in Boston; and the abrogation of the Colonial charters was agitated as a means of reducing the Americans to obedience, under a uniform system of government. Lord Hillsborough, now appointed Colonial Secretary, though professing a regard for the liberties of America, was but an enemy in disguise; and Lord North, who had been summoned to fill Townshend's place, was steeled against concessions to the Colonists. The new year opened with gloomy prospects; but great events were to happen in its first month, — events which more directly led to the Revolution than any that had preceded them. Hillsborough's first act relating to Massachusetts was to grant a pension of two hundred pounds to Hutchinson, to be paid annually by the Commissioners of the Customs, — collected of course from the industry of the people. This act was regarded with special abhorrence. The independence of the bench was gone if it received money of the King. "We shall be obliged," said Andrew Eliot, "to maintain in luxury sycophants, court parasites, and hungry dependents, who will be sent over to watch and oppress those who support them." *

It was at this crisis that the wisdom and genius of Samuel Adams shone forth, evoked by the perilous necessities of his countrymen. Bancroft, who has long and carefully studied the character of Adams, gradually developing its great points as he advances in his History, thus glances at the three leaders of the Massachusetts Legislature in 1768.

"Such were the sentiments of the more moderate among the patriots. Still the attempt at concerting an agreement not to import

* Andrew Eliot to Thomas Hollis, Dec. 15, 1769.

had thus far failed; and unless the Assembly of Massachusetts should devise methods of resistance, the oppressive law would gradually go into effect. The hot spirits in that body were ready to break out into a flame; there were men among them who would not count the consequences. Of the country members, Hawley, than whom no one was abler or more sincere, lived far in the interior; and his excitable nature, now vehement, now desponding, unfitted him to guide. The irritability of Otis had so increased that he rather indulged himself in 'rhapsodies' and volcanic 'flashes' of eloquence, than framed deliberate plans of conduct. Besides, his mind had early embraced the idea of 'a general union of the British empire, in which every part of its wide dominions should be represented under one equal and uniform direction and system of laws;' and though the Congress of New York drew from him a tardy concession that an American representation was impossible, yet his heart still turned to his original opinion, and in his prevailing mood he shrunk from the thought of independence. The ruling passion of Samuel Adams, on the contrary, was the preservation of the distinctive character and institutions of New England. He thoroughly understood the tendency of the measures adopted by Parliament; approved of making the appeal to Heaven, since freedom could not otherwise be preserved; and valued the liberties of his country more than its temporal prosperity, more than his own life, more than the lives of all. The confidence of his townsmen sustained his fortitude; his whole nature was absorbed by care for the public; and his strictly logical mind was led to choose for the defence of the separate liberties of America a position which offered no weak point for attack. His theory, on which the Colonies were to repose until the dawn of better days, as a small but gallant army waits for aid within its lines, he embodied in the form of a letter from the Assembly of the Province to their agent."*

The draft of this celebrated letter was submitted by Mr. Adams on Wednesday, the 6th of January, soon after the meeting of the Legislature, through the chairman of the committee on the state of the Province, which had been appointed in June of the previous year. It has been called

* Bancroft's History, VI. 117-120.

the most remarkable paper which had yet appeared in America on Colonial affairs. Its principles were such that the House long hesitated to adopt it, and had the original draft under consideration for seven days, while it was debated and revised seven times and every sentence and word carefully weighed. Though directed to the agent, it was evidently for the Ministry, who could only be approached through Deberdt; and opinions which were unchangeable and to be published to the world might well be rigidly considered before they were sent forth in the journals as the "true sentiments of America," as Mr. Adams afterwards called them. On the afternoon of the 13th, after the letter had been finally debated and revised, the question was put whether it should be accepted, and passed in the affirmative.*

The letter is too voluminous to admit of more than occasional extracts.† It commences by a reference to the revenue acts, which had arrived since the last sitting of the General Court. The equality of constitutional rights in all parts of his Majesty's dominions is asserted, and the idea of independence is fully disclaimed as the wish of the Colonists.

"They are far from being insensible of their happiness in being connected with the mother country, and of the mutual benefit derived from it to both. It is therefore the indispensable duty of all to cultivate and establish a mutual harmony, and to promote the intercourse of good offices between them; and while both have the free enjoyment of the rights of our happy Constitution, there will be no grounds of envy and discontent in the one, nor of jealousy and mistrust in the other.

"It is the glory of the British Constitution that it hath its foundation in the law of God and nature. It is an essential natural right that a man shall quietly enjoy and have the sole disposal of his own property. This right is adopted into the Constitution. This natu-

* On Samuel Adams's authorship of the letter to Deberdt, see Bancroft, VI. 119; Barry's *Massachusetts*, II. 342; and the note on p. 172 of the present work.

† Bradford's *State Papers*, p. 124.

ral and constitutional right is so familiar to the American subjects, that it would be difficult, if possible, to convince them that any necessity can render it just, equitable, and reasonable, in the nature of things, that the Parliament should impose duties, subsidies, talliages, and taxes upon them, internal or external, for the sole purpose of raising a revenue. The reason is obvious; because they cannot be represented, and therefore their consent cannot be constitutionally had in Parliament.

“It is observable that, though many have disregarded life and contemned liberty, yet there are few men who do not agree that property is a valuable acquisition, which ought to be held sacred. Many have fought and bled and died for this, who have been insensible to all other obligations. Those who ridicule the ideas of right and justice, faith and truth, among men, will put a high value upon money. Property is admitted to have an existence even in the savage state of nature. The bow, the arrow, and the tomahawk, the hunting and fishing ground, are species of property as important to an American savage as pearls, rubies, and diamonds are to the Mogul, or a nabob in the East, or the lands, tenements, hereditaments, messuages, gold, and silver of the Europeans. And if property is necessary for the support of savage life, it is by no means less so in civil society. The utopian schemes of levelling, and a community of goods, are as visionary and impracticable as those which vest all property in the Crown are arbitrary, despotic, and, in our government, unconstitutional.

“The security of right and property is the great end of government. Surely, then, such measures as tend to render right and property precarious tend to destroy both property and government; for these must stand and fall together. It would be difficult, if possible, to show that the present plan of taxing the Colonies is more favorable to them than that put in use here before the Revolution. It seems by the event, that our ancestors were in one respect not in so melancholy a situation as we, their posterity, are. In those times, the Crown and the ministers of the Crown, without the intervention of Parliament, demolished charters and levied taxes on the Colonies at pleasure. Governor Andros, in the time of James II., declared

that wherever an Englishman sets his foot, all he hath is the King's; and Dudley declared at the Council Board, and even on the sacred seat of justice, that the privilege of Englishmen not to be taxed without their consent and the laws of England, would not follow them to the ends of the earth.* It was also in those days declared in Council, that the King's subjects in New England did not differ much from slaves; and that the only difference was, that they were not bought and sold. But there was, even in those times, an excellent Attorney-General, Sir William Jones, who was of another mind; and told King James that he could no more grant a commission to levy money on his subjects in Jamaica, though a conquered island, without their consent by an Assembly, than they could discharge themselves from their allegiance to the English Crown. But the misfortune of the Colonists at present is, that they are taxed by Parliament without their consent. This, while the Parliament continues to tax us, will ever render our case in one respect more deplorable and remediless under the best of kings than that of our ancestors was under the worst. They found relief by the interposition of Parliament. But by the intervention of that very power we are taxed, and can appeal for relief from their final decision to no power on earth; for there is no power on earth above them."

The argument then considers taxation as a question of law and equity. The great value of the American trade is explained, and the military efforts of the Colonies for their own protection and the enlarging of the British dominion fully illustrated.

"This House apprehends that it would be grievous and of dangerous tendency if the Crown should not only appoint governors over the several Colonies, but allow them such stipends as it shall judge proper at the expense of the people and without their consent. Such a power under a corrupt administration, it is to be feared, would introduce an absolute government in America; at best, it would leave the people in a state of utter uncertainty of their security, which is far from being a state of civil liberty. The judges

* In a letter to an unknown person in London, Dec. 20, 1765 (see p. 102), Mr. Adams quotes this remark of Governor Dudley, whom he calls a "haughty Bashaw."

in the several Colonies do not hold their commissions during good behavior. If then they are to have salaries independent of the people, how easy will it be for a corrupt governor to have a set of judges to his mind, to deprive a bench of justice of its glory, and the people of their security. If the judges of England have independent livings, it must be remembered that the tenure of their commissions is during good behavior, which is a safeguard to the people."

Of the grievance of a standing army in the Colonies, which is regarded as a needless expense, Mr. Adams continues:—

"Or if it be admitted that there may be some necessity for them in the conquered province of Canada, where the exercise of the Romish religion, so destructive to civil society, is allowed, surely there can be no need of them in the bowels of the old Colonies, and even in cities where there is not the least danger of a foreign enemy and where the inhabitants are as strongly attached to his Majesty's person, family, and government, as in Great Britain itself. There is an English affection in the Colonies towards the mother country, which will forever keep them connected with her, to every valuable purpose, unless it shall be erased by repeated unkind usage on her part. As Englishmen, as well as British subjects, they have an aversion to an unnecessary standing army, which they look upon as dangerous to their civil liberties; and considering the examples of ancient times, it seems a little surprising that a mother state should trust large bodies of mercenary troops in her colonies, at so great a distance from her, lest in process of time, when the spirits of the people shall be depressed by the military power, another Cæsar should arise and usurp the authority of his master.

"The act enabling his Majesty to appoint Commissioners of the Customs to reside in America has also been read in the House. . . . These gentlemen are authorized to appoint as many as they shall think proper, without limitation. This will probably be attended with undesirable effects. A host of pensioners, by the arts they may use, may in time become as dangerous to the liberties of the people as an army of soldiers; for there is a way of subduing a people by art as well as by arms. We are happy and safe under his present Majesty's mild and gracious administration; but the time may come when the united body of pensioners and soldiers

may ruin the liberties of America. The trade of the Colonies, we apprehend, may be as easily carried on and the acts of trade as duly enforced without this commission; and, if so, it must be a very needless expense, at a time when the nation and her Colonies are groaning under debts contracted in the late war, and how far distant another may be God only knows.

The suspension of the legislative authority of the Assembly of New York is taken up and treated as "alarming to all the Colonies. A legislative body, without the free exercise of the powers of legislation, is to us incomprehensible. There can be no material difference between such a Legislature and none at all."

"What is the plain language of such a suspension? We can discover no more nor less in it than this: if the American Assemblies refuse to grant as much of their own and their constituents' money as shall, from time to time, be enjoined and prescribed by the Parliament, besides what the Parliament directly taxes them, they shall no longer have any legislative authority; but if they comply with what is prescribed, they may still be allowed to legislate under their charter restrictions. Does not political death and annihilation stare us in the face as strongly on the one supposition as the other? equally in case of compliance as of non-compliance?"

"The establishment of a Protestant episcopate in America is also very zealously contended for; and it is very alarming to a people whose fathers, from the hardships they suffered under such an establishment, were obliged to fly their native country into a wilderness, in order peaceably to enjoy their privileges, civil and religious. Their being threatened with the loss of both at once must throw them into a very disagreeable situation. We hope in God such an establishment will never take place in America, and we desire you would strenuously oppose it. The revenue raised in America, for aught we can tell, may be as constitutionally applied towards the support of prelacy as of soldiers and pensioners. If the property of the subject is taken from him without his consent, it is immaterial whether it is done by one man or five hundred; or whether it

be applied for the support of ecclesiastic or military power, or both. It may be well worth the consideration of the best politician in Great Britain or America, what the natural tendency is of a vigorous pursuit of these measures. We are not insensible that some eminent men, on both sides the water, are less friendly to American charters and Assemblies than could be wished. It seems to be growing fashionable to treat them, in common conversation as well as in popular publications, with contempt. But if we look back a few reigns, we shall find that even the august assembly, the Parliament, was in every respect the object of a courtier's reproach. It was even an aphorism with King James I., that the Lords and Commons were two very bad copartners with a monarch; and he and his successors broke the copartnership as fast as possible. It is certainly unnatural for a British politician to expect that even the supreme executive of the nation can long exist, after the supreme legislative shall be depressed and destroyed, which may God forbid."

The paper closes with a terse and unanswerable argument against the dissolution or annihilation of the North American Assemblies, and the agent is desired to make known to his Majesty's ministers the sentiment of the House, and implore a favorable consideration of America.

From the adoption of this letter to the middle of February, the House were engaged in the consideration of addresses to the Ministry, including Shelburne, Chatham, Rockingham, Conway, Camden, and the Lords of the Treasury, a petition to the King, and a circular letter to be sent to each House of Representatives or Burgesses on the continent. These were all from the pen of Samuel Adams, are models of simplicity and elegance of style, and, together with the letter to the agent, attracted more attention than any other state papers of the time. They contain similar sentiments with the letter, and speak the unalterable mind of Massachusetts on the rights of America.

To the Earl of Shelburne,* after reciting the hardships of the early settlers of the Colonies, and their allegiance to the

* Bradford's State Papers, p. 137.

Crown, the House claim all the rights of the British Constitution, on the ground that no part of the subjects of the same prince can be justly deprived of the full enjoyment of the rights of that Constitution, upon which the government itself is formed, and by which sovereignty and allegiance are ascertained and limited.

“There are, my Lord, fundamental rules of the Constitution, which, it is humbly presumed, neither the supreme legislative nor the supreme executive can alter. In all free states the constitution is fixed; it is from thence that the legislative derives its authority; therefore it cannot change the constitution without destroying its own foundation. If, then, the Constitution of Great Britain is the common right of all British subjects, it is humbly referred to your Lordship’s judgment, whether the supreme legislative of the empire may rightly leap the bounds of it, in the exercise of power over the subjects in America, any more than over those in Britain.”

The Right Honorable Henry Seymour Conway was borne gratefully in mind by the House, “for the signal and successful exertions” he had made for the Colonists when their liberties were in danger. His known attachment to the rights of the subjects in their just extent induced the Assembly to implore his aid.* In an eloquent appeal, Mr. Adams asserts: —

“It is the glory of the British Prince, and the happiness of all his subjects, that their Constitution hath its foundation in the immutable laws of nature; and as the supreme legislative as well as the supreme executive derives its authority from that Constitution, it should seem that no laws can be made or executed that are repugnant to any essential law in nature. Hence a British subject is happily distinguished from the subjects of many other states, in a just and well-grounded opinion of his own safety, which is the perfection of political liberty.”

The Marquis of Rockingham had expressed his friendship for the liberties of the Province in a letter to the House,

* Journals of the House for 1768. “The True Sentiments of America.”

communicated through the Speaker, promising not to adopt a system of arbitrary rule. The Assembly gratefully acknowledged his goodness,* reiterating their allegiance to the Crown, but apprehending the arbitrary rule of the supreme power of the nation in its unjust system of taxation.

“My Lord, the superintending power of that high court over all his Majesty’s subjects in the empire, and in all cases which can consist with the fundamental rules of the Constitution, was never questioned in this Province, nor, as the House conceive, in any other. But, in all free states, the constitution is fixed; it is from thence that the supreme legislative as well as the supreme executive derives its authority. Neither, then, can break through the fundamental rules of the constitution, without destroying their own foundation.

The Lord High Chancellor of Great Britain, Lord Camden, had been a sterling friend of the Colonies during the Stamp Act agitation. The House, addressing him, appeal to his influence in their behalf, feeling assured that he still had their cause at heart.

“This House can speak only for the people of one Province. But no Assembly on this continent, it is presumed, can long be silent under an apprehension that, without the aid of some powerful advocate, the liberties of America will soon be no more.

“If it is an essential, unalterable right in nature, ingrafted into the British Constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what is a man’s own is absolutely his own, and that no man hath a right to take it from him without his consent, may not the subjects of this Province, with a decent firmness which has always distinguished the happy subjects of Britain, plead and maintain this natural constitutional right?

“The position that taxation and representation are inseparable is founded on the immutable laws of nature. But the Americans had no representation in Parliament when they were taxed. Are

* Bradford’s State Papers, p. 142.

they not then unfortunate in these instances, in having that separated which God and nature had joined? Such are the local circumstances of the Colonies at the distance of a thousand leagues from the metropolis, and separated by a wide ocean, as will forever render a just and equal representation in the supreme legislative utterly impracticable."

The next letter was to the Earl of Chatham, the illustrious champion of American rights in Parliament. To him they stated their grievances in language whose moderation and clearness must have powerfully impressed a mind ever sensitive to human liberties.

"Surely it is no ill disposition," continues the address, "in the loyal subjects of a patriot King, with a decency and firmness adapted to their character, to assert their freedom." The arguments in the main are similar to those of the preceding; the inseparability of taxation and representation; the impossibility of representation on an equal basis; the loyalty of the Colonists to the mother country, and their rights as guaranteed by the charters granted to their forefathers. Remembering the increasing infirmities of the great statesman, they say:—

"Nothing would have prevailed upon the House to have given your Lordship this trouble but the necessity of a powerful advocate when their liberty is in danger. Such they have more than once found you to be; and as they humbly hope they have never forfeited your patronage, they entreat that your great interest in the national councils may still be employed in their behalf, that they may be restored to the standing of free subjects."

The last of the series was directed to "the Right Honorable the Lords Commissioners of the Treasury." This board included Lord North, the determined assertor of coercive measures; Grafton, First Lord of the Treasury, the particular object of the keen satire of "Junius"; and Jenkinson, the proposer of the Stamp Act. In this letter, which the House kept under consideration for two days, Mr. Adams, as in all the others, denies the possibility of an

American representation in Parliament. The dependence of the Colonies on Great Britain is asserted, and the grievance of supporting the administration of justice out of the Colonial taxation fully set forth.

“By act of Parliament, your Lordships are sensible that the Colonies are restrained from importing commodities the growth or manufacture of Europe, saving a few articles, except from Great Britain. By this policy, the demand of British manufactures from the Colonies is greatly increased; and the manufacturers have the advantage of their own price. Hence it appears, that what is gained by the subjects in Britain is a loss to those in America; for there can be no doubt, as this House conceive, but that if the Colonists were allowed to purchase such commodities at foreign markets, they might have them at a cheaper rate; or, which is the same thing to them, the British manufacturers would be necessitated to reduce their price. Thus also, with regard to the many articles of their produce, which the Colonies are by act of Parliament restrained from sending to foreign ports. This occasions a great plenty of American exports, and oftentimes a glut at the British markets, which always diminishes the price, and makes a loss to the American and an equal gain to the subject in Britain. This regulation, evidently designed in favor of those of his Majesty's subjects inhabiting in Great Britain, the House is not at this time complaining of, but they beg your Lordships' consideration, whether, in addition to these burdens, it is not grievous to their constituents to be obliged to pay duties on British manufactures here; especially considering, that, as the consumers of those manufactures, they pay a great proportion of the duties and taxes laid upon them in Britain. It is computed by a late celebrated British writer, that the artificial value arising from these duties is not less than fifty per cent. Your Lordships will then form an estimate of the part that is paid annually upon the importation into America, which is generally allowed to be at least two millions sterling. So great are the advantages arising yearly to Great Britain from the Colonies, most of which, it is said; were settled and have been maintained and defended, till within a very few years, solely at their own expense. This House can affirm for one Province only.

“But the bearing an unequal share of the public burdens, though

a real grievance, is of but small consideration when compared with another, in the mentioning of which, the House beg your Lordships' indulgence. The duties levied in America by virtue of the aforementioned acts were imposed with the sole and express purpose of raising a revenue; and are to be applied, in the first place, for the making a most certain and adequate provision for the charge of the administration of justice, and the support of civil government, in such Colonies where it shall be found necessary; and the residue is from time to time to be disposed of by Parliament, towards defraying the necessary expenses of defending, protecting, and securing the Colonies. It is humbly submitted whether his Majesty's Commons in Britain have not, by these acts, granted the property of their fellow-subjects in America, without their consent in Parliament. Your Lordships will allow, that it is an unalterable rule in equity, that a man shall have the free use and sole disposal of his property. This original principle, to the lasting honor of our British ancestors, was in early time ingrafted into the British Constitution, and is the greatest security as well as the brightest ornament of a British subject. It adds to the real grandeur of the British Monarch, whose happy subjects have an unshaken opinion of their own safety, which is the perfection of political liberty. Such a constitution shall in future ages be admired when the names of tyrants and their vassals shall be alike forgot. This Constitution, my Lords, is fixed: it is from thence that all power in the state derives its authority: therefore no power can exceed the bounds of it without destroying its own foundation. It is conceived that even the remotest and most inconsiderable subject hath an equitable claim to the benefit of the fundamental rules of the Constitution; for all British subjects are alike free. The blessings of the British Constitution will forever keep the subjects in this Province united to the mother state, as long as the sentiments of liberty are preserved: but what liberty can remain to them, when their property, the fruit of their toil and industry and the prop of all their future hopes in life, may be taken from them at the discretion of others? They have never been backward in affording their aid to his Majesty, to the extent of their ability. They can say without vanity, and they may be allowed to boast, that, from the days of their ancestors, no subjects have given more signal proofs of zeal for the service and honor of their Sovereign, and affection for the parent country. It

has, till of late, been the invariable usage for his Majesty's requisitions to be laid before their own representatives; and their aid has not been tributary, but the free and voluntary gift of all. The change is in its nature delicate and important; your Lordships will judge whether there be any necessity or pressing reasons for it. The House are not insensible that the Colonies have their enemies, who may have represented them to his Majesty's ministers and the Parliament as seditious, disloyal, and disposed to set up an independency on Great Britain; but they rely upon the candor of your Lordships' judgment. They can affirm, that with regard to this Province, and, they presume, all the Colonies, the charge is injurious and unjust; the superintending authority of his Majesty's high court of Parliament, the supreme legislative over the whole empire, is as clearly admitted here as in Britain, so far as is consistent with the fundamental rules of the Constitution; and it is presumed it is not further admissible there.

“The House are humbly in opinion that a representation of their constituents in that high court, by reason of local circumstances, will forever be impracticable and that his Majesty's royal predecessors were graciously pleased, by charter, to erect a legislative in the Province, as perfectly free as a subordination would admit, that the subjects here might enjoy the unalienable right of a representation; and further, that the nation hath ever since considered them as subjects, though remote, and conceded to the acts of their subordinate legislation. Their charter is a check upon them, and effectually secures their dependence on Great Britain; for no acts can be in force till the King's Governor has given his assent, and all laws that are made are laid before his Majesty, who at any time, during three years after they are made, may disannul them at his royal pleasure. Under this check, the House humbly conceive, a representation in Parliament cannot be necessary for the nation, and for many reasons it cannot be eligible to them. All they desire is, to be placed on their original standing, that they may still be happy in the enjoyment of their invaluable privileges, and the nation may still reap the advantage of their growth and prosperity.

“The House entreat your Lordships' patience one moment longer, while they just mention the danger they apprehend to their liberties, if the Crown, in addition to its uncontroverted right of appointing a governor, should also appoint him a stipend at the expense of the

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With Fort & Fatigue, perhaps not to be conceived by
their Brethren & Fellow Subjects at home, & with the constant
Scarc of their Lives, from a numerous, savage & warlike Race
of Men, they began their Settlements & God prospered them
They obtained a Charter from King Charles the first, where
in his Majesty was pleased to grant to them & their Heirs & Assigns
forever ~~the absolute title & propriety of the land~~ ^{leaving ourselves}
only of the Gold & Silver Ore, which might be found in it for & on
Behalf of ~~the Duke's Dominion & Service~~ ^{whenever} ~~the~~ ^{land}
to ~~be assigned to them & their Heirs~~ ^{granting} ~~all the Rights, Privileges~~
~~& Immunities of his natural Subject born within the Realm~~

people, and without their consent; and also whether, as the judges and other civil officers of the Province do not hold commissions during good behavior, there is not a probability that arbitrary rule may in some time take effect, to the subversion of the principles of equity and justice, and the ruin of liberty and virtue.

“It is humbly hoped that your Lordships will conceive a favorable opinion of the people of the Province; and that you will patronize their liberties, so far as, in your great wisdom and candor, you shall judge to be right.”

(Signed by the Speaker.)

The petition to the King cannot be overrated as a blending of simple and chaste language.* A close perusal of its carefully constructed sentences reveals nothing that the severest critic could wish altered. The Representatives, addressing their “most gracious Sovereign,” beg leave to approach the throne, and lay at his Majesty’s feet their humble supplication. †

“Our ancestors, the first settlers of this country, having, with the royal consent, which, we humbly apprehend, involves the consent of the nation, and at their own great expense, migrated from the mother kingdom, took possession of this land, at that time a wilderness the right whereof they purchased, for a valuable consideration, of the Council established at Plymouth, to whom it had been granted by your Majesty’s royal predecessor, King James the First.

“From the principles of loyalty to their sovereign, which will ever warm the breast of a true subject, though remote, they acknowledged their allegiance to the English Crown; and your Majesty will allow us, with all humility, to say, that they and their posterity, even to this time, have afforded frequent and signal proofs of their zeal for the honor and service of their Prince, and their firm attachment to the parent country.

“With toil and fatigue, perhaps not to be conceived by their brethren and fellow-subjects at home, and with the constant peril of their lives, from a numerous, savage, and warlike race of men, they began their settlement, and God prospered them.

“They obtained a charter from King Charles the First, wherein

* See Bancroft, VI. 123.

† Journal of the House for 1767–68, Appendix. Bradford’s State Papers, p. 121.

his Majesty was pleased to grant to them, and their heirs and assigns forever, all the lands therein described, to hold of him and his royal successors, in fee and common soccage; which, we humbly conceive, is as absolute an estate as the subject can hold under the Crown. And in the same charter were granted to them and their posterity all the rights, liberties, privileges, and immunities of natural subjects born within the realm.

“This charter they enjoyed, having, as we most humbly conceive, punctually complied with all the conditions of it, till in an unhappy time it was vacated. But after the Revolution, when King William and Queen Mary, of glorious and blessed memory, were established on the throne, — in that happy reign, when, to the joy of the nation and its dependencies, the crown was settled in your Majesty’s illustrious family, the inhabitants of this Province shared in the common blessing. They then were indulged with another charter, in which their Majesties were pleased, for themselves, their heirs, and successors, to grant and confirm to them as ample estate in the lands or territories as was granted by the former charter, together with other the most essential rights and liberties contained therein; the principal of which is that which your Majesty’s subjects within the realm have held a most sacred right, of being taxed only by representatives of their own free election.

“Thus blessed with the rights of Englishmen, through the indulgent smiles of Heaven and under the auspicious government of your Majesty and your royal predecessors, your people of this Province have been happy, and your Majesty has acquired a numerous increase of loyal subjects, a large extent of dominion, and a new and inexhaustible source of commerce, wealth, and glory.”

They then acknowledge “his Majesty’s High Court of Parliament the supreme legislative power of the whole empire; the superintending authority of which is clearly admitted in all cases that can consist with the fundamental rights of nature and the Constitution.” The enforcing of the late revenue acts, they say, will leave them “only the name of free subjects”; and they implore his Majesty to take their unhappy circumstances under his royal consideration, and afford them relief in such manner as in his Majesty’s great wisdom and clemency should seem meet.

Mrs. Hannah Wells, the daughter of Samuel Adams, used to relate that, on this or some other occasion, when her father had been writing at night, and was glancing over the petition to the King before leaving the house, she remarked that the paper would doubtless soon be touched by the royal hand. "It will, my dear," replied he, "more likely be spurned by the royal foot,"—showing that although it may have been the general opinion that his Majesty would regard their supplications favorably, the writer had but little faith in the mercy and justice of the King.

No one can read this petition, and the preceding letters, without a profound impression of the firm loyalty of the Colonists towards the mother country. As yet the most distant idea of independence was disclaimed. All that the Americans asked was to be restored to their condition before the passage of the late revenue acts; and of the justice of these requests, time has afforded the most undeniable proofs, even were they not supported by the reasoning of the American patriots and of the most eloquent of British statesmen. How exactly the private opinions of Samuel Adams accorded with those expressed in his public writings is revealed by the subjoined letter to the agent in England, written just after the above-named state papers had been penned. Those papers indeed, by a comparison with the extract from Mr. Adams's letters in 1765, already given, will be found to agree with his individual views in the minutest details, and illustrate the entire consistency of the writer's character.

BOSTON, January 30th, 1768.

SIR,—

I am to acknowledge your favor, enclosing the several acts of Parliament passed in the last session relating to America. The House of Representatives have written you so fully, in which I have the good fortune to have my own private sentiments so exactly expressed as to render it needless for me to say anything in this letter. The House have sent a humble petition to his Majesty and

representations to his ministers, some of which it is hoped have ere now come into your hands, and others will soon be transmitted to you. It may seem strange that these addresses do not pass through the medium of the Governor of the Province; but it is my private opinion, that there is a want of confidence between the Governor and the House, which will never be removed as long as this gentleman is in the chair. In short, the dependence seems to be altogether upon those noblemen and others who have heretofore distinguished themselves as the guardians under his Majesty of the rights of British American subjects.

You will observe that the House still insist upon that inestimable right of nature and the Constitution, of being taxed only by representatives of their own free election; which they think is infringed by the late acts for establishing a revenue in America. It is by no means to be understood that they desire a representation in Parliament, because, by reason of local circumstances, it is impracticable that they should be equally and fairly represented. There is nothing, therefore, the Colonies would more dread.

The few gentlemen in the House who did not give their votes declared this as a reason,—that they feared if the House should insist that they could not be legally taxed, because they were not represented in Parliament, it would be construed as if they would be content to be represented. And I hope you will, as you have opportunity, make it known to the Ministry, that the people here, as they always have done, will cheerfully afford their utmost aid for the honor and service of their sovereign, and the interest of the mother state, to which they are inviolably attached. All they desire is to be placed on the standing in which they were originally put, and to have, as free subjects, the honor and privilege of voluntarily contributing to the service of his Majesty at all times, when his Majesty shall be graciously pleased to order his requisitions to be laid upon their own representatives.

The House yesterday made you a grant of six hundred pounds sterling for two years' services, and the same sum to Richard Jackson, Esq., for his services for two years. I have not the honor of a correspondence with that gentleman, but I think it might not be amiss that he, as well as you, should be made acquainted that every member that spoke upon these grants expressed a high sense of the

merit of both your and his services; and I have no reason but to think they spoke the sentiments of the whole House. Neither of your expenses were considered, as it was thought improper, till the House should receive your several amounts.

Your acceptance of the enclosed pamphlets will oblige, sir,

Your most humble servant,

SAMUEL ADAMS.

DENNYS DEBERDT, Esq.

It will be observed, that among the calm and earnest papers which the House had prepared during the month of January, appealing to the most eminent statesmen and noblemen of the realm, they had sent no memorial to the Parliament, thereby clearly indicating their denial of the right of taxation by that body. Their petition, made directly to the King, recognizes only the immediate authority of the Throne, whence had emanated their original charter.

The House having adopted the letters and petition, the next step was to inform the other Colonial governments, with a view of securing their co-operation. Mr. Adams, in his account of the proceedings of the House to Lord Hillsborough,* states that a motion was made, on the 21st of January, to consider the expediency of writing to the Assemblies of the other Colonies, "with respect to the importance of joining with them, in petitioning his Majesty at this time." On the day assigned, eighty-two members being present, the question was debated. The motion failed by a vote of two to one, on the ground that it would be considered in England as forming a second congress. The House at this time consisted of about one hundred and ten members, and the country members especially, with perhaps a few exceptions, had yet to fully appreciate the impending danger. The defeat of the resolution was highly gratifying to Bernard, who probably saw in it the dawn of returning obedience; but Samuel Adams was indefatigable in his opposition to the principle of taxation, and the Governor, in a

* Bradford's State Papers, pp. 153, 154. See Bancroft, VI. 125.

letter to Lord Hillsborough, testifies to the efforts of Adams and the few members who worked with him. The results were soon apparent.* On the 4th of February, a complete revolution had been accomplished in the views of the House, when, eighty-three members being present, the question was again put, and carried by a large majority. The former vote was erased from the journals, and a committee, of which Adams was one, was appointed to prepare a letter to be sent to each of the other Colonies.

The report was made on the 11th,—Samuel Adams, the originator of the measure, being the author of this “masterly circular letter,” which was accepted almost unanimously.† The letter, which is directed to “the Speakers of the respective Houses of Representatives and Burgesses on this continent,” commenced by referring to the late acts of Parliament.

“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 representations 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.”

It then recites in brief the representations of the House to the Ministry in their late appeals, embracing every point of those papers, and makes an emphatic denial of any disposition to make themselves independent of the mother country.

“The House,” they conclude, “is fully satisfied that your Assembly is too generous and enlarged in sentiment to believe that this letter proceeds from an ambition of taking the lead or dictating to the

* Bancroft, VI. 125.

† Bancroft. Bradford's State Papers, p. 134.

other Assemblies. They freely submit their opinion 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.”*

The Ministry considered this circular as surpassing all that had yet been done in opposition to the government. Their evil estimation of it was increased by the representations of informers and government writers in Boston, who distorted its effects on the other Colonies, and used it as an additional incentive for sending an armed force into the Province. A few years later, Mr. Adams, as “Candidus,” devotes several columns in the press to a history of this paper and its results.†

“I have already mentioned the circular letter, written by the House of Representatives of this Province to the other Colonies, dated the 11th of February, 1768, and the very different treatment it met with from the Earl of Hillsborough and the respectable bodies to whom it was addressed. And also the circular letter which his Lordship himself was pleased to send to those Colonies, wherein he recommended to them ‘to treat it with the contempt it deserved.’ But, as the sentiments contained in the letter of the House were so exactly similar to those of the other Colonies, and the subject of it was of equal importance to them all, it was not in the power of his Lordship to efface the impressions it made, or to disturb that harmony which was the happy effect of it. *Vis unita fortior*. That union of the Colonies in their common danger, by which they became powerful, was the occasion of the greatest perplexity to their enemies on both sides the Atlantic; and it has been, ever since, their constant endeavor by all manner of arts to destroy it. In this, it must be confessed, they have discovered a unanimity, zeal, and perseverance, worthy to be imitated by those who are embarked in the cause of American freedom. It is by united counsels, a steady zeal, and a manly fortitude, that this continent must expect to recover its violated rights and liberties.”

The replies of the other Colonies were all that the warm-

* Bancroft, VI. 125. Grahame, II. 431-432.

† Boston Gazette for September 16, 1771.

est patriot in Massachusetts could desire.* The idea of a regular correspondence between the several Provinces, in opposition to government,—Samuel Adams's favorite measure,—was undoubtedly quickened and directed to practical results by this circular, and in this respect the Ministry might well have regarded it as dangerous, and tending towards independence, though its immediate object was the reverse of such a plan, as all the papers of the present session distinctly assert; for it was not until midsummer of this year, when it was evident that armed force was to be used to crush the Province into submission, that Samuel Adams resigned the hope of justice from Parliament, and made American independence the one aim of his existence.†

* Grahame, II. 482. Bancroft, VI. 146—150.

† In Tudor's *Life of Otis*, the series of legislative papers from which extracts have just been given are claimed as his production. The only ground upon which such an assumption can be based is the supposition by John Adams, half a century afterwards, that Otis must have written them (see letter to William Tudor, March 7, 1819, in *John Adams's Works*, X. 367) because he remembered Otis to have said that he, having drawn them up, had given them "to Sam to *quieu whew* them,"—an expression which John Adams said he was unable to explain. He then goes on to quote from the papers, repeatedly giving it as his opinion, that they must have been written by Otis and pruned by Samuel Adams.

When John Adams wrote the above letter, the third volume of Hutchinson's *History*, pointing out Samuel Adams as the principal writer of state papers for the House of Representatives, had not been published, though it had been many years in manuscript in England, in the keeping of the Governor's descendants. There were periods when John Adams, in the pursuit of his profession as a lawyer, knew but little of the minutiae of the proceedings of the Assembly, and his respect for the legal abilities of Otis led him repeatedly, in his old age, to hastily attribute to him writings which, as his contemporary diary of those times shows, could not have been by Otis. He was thus in error in pointing to Otis as in part author of the "Appeal to the World"; and as the writer of the pamphlet in October, 1772, which he remembered as containing "the essence" of the Declaration of Independence. The first of these, as is hereafter shown, was by Samuel Adams, as was also that portion of the pamphlet included under the head of "The Rights of the Colonists as Men, as Christians, and as Subjects." (Compare Bancroft, VI. 312, 431; and Barry's *Massachusetts*, II. 399, 450.) In 1771, Samuel Adams unquestionably wrote the masterly letter to Franklin from the Assembly. Otis was then in

In Massachusetts the circular letter created no less commotion than in England. The Governor and his officers renewed their applications to persons in authority across the Atlantic, advocating the immediate sending of a fleet and regiments to counteract the growing freedom of action and expression in the Province. The Board of Commissioners of the Revenue sent a powerful memorial to the Ministry, designed to further these requests. Every act of the Colonists, though characterized by moderation and calm good sense, was distorted into rebellion by these malignant enemies of the popular liberties, and the Ministry were at once ready to proceed with the most rigorous measures, particularly against Massachusetts.

The moving cause of these threatened proceedings could

the House, but certainly could not have had any hand in its composition. Now had John Adams, in after years, known of this letter, he would have been equally likely to think that it was by Otis, but perhaps "pruned" by his colleague. These remarks will apply to very many of the state papers of Samuel Adams.

But against the supposition of John Adams — a supposition sustained by no proof — that Otis was the writer of the celebrated letter of the Assembly of 1768, there is positive contemporary evidence that the author was Samuel Adams. This is asserted by Andrew Eliot, a minister of Boston, a reliable man, a firm patriot, and thoroughly versed in the political movements of the town. Bancroft (VI. 119, 120) shows that Samuel Adams wrote the letters. The facts which would seem to set all controversy at rest on the subject have come to light since the Life of Otis was published, or those state papers would scarcely have been there claimed for him.

Neither the style nor the sentiments are those of Otis. The sentiments are the reverse of Otis's doctrines repeatedly expressed, but are exactly those of Samuel Adams, as found in all his previous as well as subsequent state papers and private letters; while the language is so evidently his, that upon a curious comparison, it would almost appear that he had had his own letters of 1765-6 before him while penning these documents.

They were published in London in 1768, at the instance of Thomas Hollis; and as Samuel Adams forwarded them to the agent in the winter of that year, it is most likely that Hollis, who was the warm friend of education in the Colonies, was furnished with early copies by Deberdt, who doubtless also exhibited to him Mr. Adams's private letters, in which these very state papers are repeatedly alluded to as the "true sentiments" of Massachusetts, by which the title of Hollis's book, "The True Sentiments of America," may have been suggested. This title has since been erroneously based upon a political essay, "A Disser-

not long be kept secret from the Colonists. Samuel Adams in all his writings, private and public, at this time reveals his firm conviction that the Governor and his minions had been engaged in misrepresenting the acts and motives of the Province in their secret correspondence; and he repeatedly advocated the removal of Bernard, between whom and the people he knew all confidence had been destroyed. Time has proved the correctness of his views. The letters both of Bernard and Hutchinson, on file at the State-paper Office in London, are filled with urgent appeals for armed forces to subdue the spirit of liberty. The determination to exclude the crown officers from the Council had been particularly the object of Bernard's correspondence, and the Earl of Shelburne having replied that the question of admitting the

tation on the Canon and Feudal Law," by John Adams, which was printed at the end of the book, and which Hollis had attributed to Gridley on sending it to Eliot. "The Dissertation on the Canon and Feudal Law," replies Eliot, "was not written by the late Mr. Gridley. I have been *privately*, but authentically, informed that the author was Mr. Adams, (not our Representative, who penned the address to the King and the letters contained in the first part of the collection, but) a young gentleman of the law, who hath lately removed from the country into Boston, and is likely to make a shining figure at the bar." The state papers in the book, being the avowed opinions of the House of Representatives, were the "true sentiments"; to which John Adams's essay was manifestly an appendix, — the effusion of an individual, not the accepted doctrines of a people.

Some of the papers in the collection are extant in the autograph of Samuel Adams, — evidently original drafts, as shown by the style of the penmanship, and the erasures and interlineations, which would hardly be found in a copy of another's production; and it is yet to be shown that any of them ever existed in the handwriting of any other person. The "address to the King, and the letters contained in the first part of the collection," alluded to by Mr. Eliot as having been written by Samuel Adams, are those adopted by the House during this session, including that to the agent, and those to the several members of the Cabinet, extracts from which have already been given. This is direct, contemporary, and unimpeachable evidence as to the authorship. Moreover, their style is uniform, and shows the hand of one author. Finally, of the celebrated letter to Deberdt, Mr. Adams, writing to that gentleman (see p. 167), almost admits that he was the writer. He speaks of it as one "in which I have the good fortune to have my own private sentiments so exactly expressed as to render it needless for me to say anything in this letter."

Lieutenant-Governor to the Board rested exclusively with the Council, and signifying his Majesty's approval of the Governor's conduct, the House requested a copy of the nobleman's letter which had been read to them. The letter was at length reluctantly submitted, the Governor stating that he knew of no letters of his own which he thought could be of use on this occasion. Mr. Adams was on the committee to reply, and the original draft of the answer yet remains in his handwriting. The unwillingness of Bernard to exhibit the letter from Shelburne was easily accounted for, upon finding that his Lordship distinctly alluded to the Governor's statements in several letters to the Ministry. These letters had not only maligned the Province generally, but had singled out Otis and Adams as the "two chiefs of the faction." The answer to the Governor's speech fully reviews the tendency of his Lordship's letter, traces his unfavorable disposition against the Province to Bernard's correspondence, and does not fail to show his Excellency the opinion of the House on his conduct.

A writer, over the signature of "A True Patriot," probably Otis, though thought by some to be Joseph Warren, who had lately become conspicuous as a contributor to the public press, attacked the Governor, late in February, on his "enmity to the Province," his "cruelty to a loyal people," and his "obstinate perseverance in the path of malice." "But I refrain," so the writer concludes, "lest a full representation of the hardships suffered by this too long insulted people should lead them to an unwarrantable revenge."* The excited tone of the publication points rather to Otis than to Warren as the author. The Governor, on the following day, denounced the article to the Legislature as libellous, and demanded the prosecution of the author. The House refused to take further notice of the publication, on the ground that it contained nothing that could "affect the majesty of the King, the dignity of the government, the

* Boston Gazette, Feb. 29, 1768.

honor of the General Court, or the true interest of the Province." *

"The liberty of the press is a great bulwark of the liberty of the people. It is therefore the incumbent duty of those who are constituted the guardians of the people's rights to defend and maintain it. This House, however, as one branch of the Legislature, in which capacity alone they have any authority, are ready to discountenance an abuse of this privilege whenever there shall be occasion for it. Should the proper bounds of it at any time be transgressed to the prejudice of individuals or the public, it is their opinion at present that provision is already made for the punishment of offenders in the common course of the law."

The peevishness and vanity of Bernard made him show great annoyance at the attacks of the press, which a more dignified character would have passed over in silence.

Towards the close of the session, a committee, consisting of Otis, Adams, Dexter, and Sayward, reported a series of resolutions for the encouragement of manufactures in the Province, which were carried by the vote of all except Timothy Ruggles, a stanch loyalist, who generally voted against the measures of the patriots.

"*Resolved*, That this house will use their utmost endeavors, and enforce their endeavors by example, in suppressing extravagance, idleness, and vice, and promoting industry, economy, and good morals in their respective towns."

"And in order to prevent the unnecessary exportation of money, of which the Province has of late been so much drained, it is further *resolved*, that this House will, by all prudent means, endeavor to discountenance the use of foreign superfluities, and to encourage the manufactures of this Province."

After the House had passed a resolution requesting the executive to appoint a day of fasting and prayer throughout the Province, the Governor prorogued the Legislature with a speech, in which he discovered his hatred of the leading members. Referring to Shelburne's letter, he says:—

* Journal of the House, March 3, 1768. Bradford's State Papers, p. 119.

“Prudent men, moderate men, would have considered it as an admonition rather than a censure, and would have made use of it as a means of reconciliation rather than of farther distraction. But there are men to whose being (I mean the being of their importance) everlasting contention is necessary. And by these has this letter been dragged into public. . . . Time and experience will soon pull the mask off those false patriots who are sacrificing their country to the gratification of their own passions. . . . I shall defend this injured country from the imputations which are cast upon it, and the evils which threaten it, arising from the machinations of a few, very few, discontented men.”*

Such was the royal Governor’s estimate of those who considered themselves the keepers of the public liberties, and as holding them in sacred trust for the millions of posterity. He continued his importunities for troops; and the crown officers availed themselves of the anniversary of the repeal of the Stamp Act, March 18th, to invent new libels against the people. As they spread reports of an intended insurrection on that day, the Sons of Liberty were the more determined to preserve order. Rioting had been unknown since the repeal of the Act. Passive resistance as yet was the policy, as exemplified in the meeting of the merchants on the day on which the Court was prorogued, when they had renounced by subscription their commerce with England, and invited the merchants of the whole continent to join them.

The 18th was celebrated with the usual enthusiasm, but without violence of any kind. The effigies of two of the crown officers were found suspended on the Liberty Tree at daybreak, but were instantly taken down by the more moderate and prudent. A festival was held at Faneuil Hall, where toasts were drunk to the freedom of the press, to Paoli and the martyrs of liberty. The dinner broke up early, and, though the occasion had generally been celebrated with an illumination, no bonfire was lighted at night. Hutchinson recorded at the time that “the mob, if there was one, was

* Journal of the House, March 4, 1768.

only such as was usual on the fifth of November and other holidays." Yet Bernard represented that "many hundreds paraded the streets with yells and outcries, which were quite terrible," and when they passed his house he was afraid they were breaking in. Asserting that he and the Commissioners were without protection, and himself without the shadow of power, and exposed to the "madness of the people," he again urged the sending of military force; and while he entreated that his correspondence might be kept secret, he artfully protested his innocence among those whom he had maligned, and wished they might see his letters to the Ministry as an evidence of his friendship for the Province!

Encompassed by powerful and designing enemies, whose efforts were to rule by the bayonet, and having lost all confidence in Government, in consequence of the corrupt rotten-borough system of elections to Parliament, the Colonists saw but faint gleams of hope in the gloomy future. How many descried the distant light of independence beyond these clouds, none can tell. Continued oppression must have suggested it as perhaps near at hand. Rash writers spoke of forcible resistance, and it seemed at times that the proper occasion only was needed to bring on a crisis. But in Boston the public mind was held within the bounds of reason, and, swayed by the sagacious counsels of the patriot leaders, the Americans never passed beyond the limits of legal opposition. The press, made eloquent by the pens of gifted writers, spoke for the people, declaring their unalterable determination to refuse the payment of the taxes which a depraved Parliament had imposed. That Parliament,—the twelfth,—which was dissolved in March, was the most corrupt that had disgraced England,—open to bribes, profligate, and shameless. The rights of America, intrusted to such a body, became a by-word; and the Colonists, from regarding the Parliament as the bulwark of their liberties, came at last to look upon it as their worst enemy.*

* Bancroft, VII. 137.

The solemn declarations of the press in Boston were approved by the prudent and moderate Dickinson in Pennsylvania, whose "Farmer's Letters" had already inspired thousands with his own ennobling sentiments. "Almighty God himself," said he, "will look down upon your righteous contest with approbation. . . . You are assigned by Divine Providence, in the appointed order of things, the protectors of unborn ages, whose fate depends upon your virtue." The magic of his eloquence met the spirit of Boston; and on the 22d of March the people responded to his appeal, appointing Samuel Adams, John Hancock, and Joseph Warren to express their thanks to the author of the Farmer's Letters, as the friend of Americans and the benefactor of mankind.*

No sooner did the Circular Letter arrive in England, than the Ministry seeing the effect it must have in establishing a concert of action between the several Assemblies, denounced it as of "most dangerous and factious tendency, calculated to inflame the minds of his Majesty's good subjects in the Colonies, to promote an unwarrantable combination, to excite and encourage an open opposition to, and defiance of, the authority of Parliament, and to subvert the true principles of the Constitution." In April, letters were despatched to the several Governors in America, directing each to use his utmost exertions "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." †

Such was Lord Hillsborough's estimate of a legal and patriotic attempt by Massachusetts to obtain the unbiassed sentiments of her sister Colonies on the gathering dangers which menaced their liberties. This letter was written in London on the 29th of April. On the 20th of the same month, Samuel Adams had forwarded to the agent in Lon-

* Boston Gazette for March 28, 1768.

† Lord Hillsborough's Circular Letter, April 21, 1768.

don the journals of the House of Representatives for the last year, with the appendix containing the letters to the Ministry and others in full.

“The letters and the appendix,” he writes, “I hope you have received ere now. I think they contain the true sentiments and spirit of this part of the Province.* The manner and event of their reception in England is a matter of great expectation here. I wish that Great Britain may not be deceived with regard to the Colonies to her own prejudice, by the false, very false, representations of her and their enemies on this side the water.”

Those “false representations,” however, had been constantly going forward, and even as he wrote, the plan for the destruction of the Provincial Legislature was maturing in England. The pathetic and dutiful petition to the King was never officially presented by Lord Hillsborough, to whom the agent intrusted it: but the Council ordered Bernard to direct the Assembly of Massachusetts to rescind their Circular Letter; and, on their refusal, to immediately dissolve them. Upon their next choice, he was again to press the matter, and to dissolve them as often as they should refuse. To complete the new system, General Gage, Commander-in-chief of his Majesty’s forces in America, was ordered “to maintain the public tranquillity.” Tyranny seemed to culminate with this novel measure. The Colonists felt that the plan to enslave them had been perfected, and enthusiasts looked forward with certainty to the accomplishment of “the grand design of God in the settlement of New England.”

* When Hollis had these letters printed in London, he gave them the name suggested in Adams’s letters. The pamphlet has the following title:—

“The True Sentiments of America: contained in a Collection of Letters sent from the House of Representatives of the Province of Massachusetts Bay to several Persons of High Rank in this Kingdom: together with certain Papers relating to a supposed Libel on the Governor of that Province, and a Dissertation on the Canon and Feudal Law. London, printed for I. Almon, in Piccadilly. 1768.” 80. pp. 158.

At the town elections on the 4th of May, Cushing, Adams, Hancock, and Otis were chosen Representatives for the ensuing year.

On the 14th of this month, Mr. Adams again addressed the agent in London, recommending the removal of Governor Bernard to another government.

“I have no reason to think,” he says, “that a cordiality will ever subsist between the present Governor and the representatives of the people. . . . I now speak my mind with freedom, and, I hope, with candor and impartiality. . . . The Board of Commissioners are neglected by men of fortune and character, and are viewed in general in no better light than the late commissioners of the stamps; they appear to be a very useless and expensive set of officers, and the arrival of their appendages from time to time with large salaries, together with the many officers of inferior class which they have created since they came here, alarm the people with disagreeable apprehensions. . . .

“The resolution of the Americans, which had its rise in this town, not to make use of foreign superfluities, I perceive by the London prints is disregarded there as a mere puff, because, upon inquiry, it was found that the merchants had not stopped their orders for such kind of articles, and these have the usual exportations to America this spring. But I wish that this matter was considered with a little more attention; for, although it is very probable that many persons may break through their agreements, yet there is no doubt in my mind that such numbers will adhere to it as will affect the British manufacturers. There is certainly such a disposition among the people to furnish themselves with American manufactures as never was known before; and there have been late instances of the manufacture of a variety of articles much beyond expectation. It is well known what large quantities of British manufactures are annually consumed in America. Could Great Britain endure a total stop to this consumption? or what part of it would she be willing should be saved? Will not the making of one piece of woollen cloth encourage the making of another? And if this spirit of manufacturing is excited by resentment, as some of your writers allege, is it natural to suppose it will stop short of the utmost possibility? Can any

man in England or America ascertain the bounds? Will it not affect the mother country in proportion to the extent of it?

“But there is another consideration of great weight. Let the importations from Great Britain be ever so large, the trade of America is so embarrassed and burdened, that it will not afford the people the ability of wearing fine clothes and paying for them, so that, in the course of things, the importations must cease through necessity. I pray God that those who conduct the affairs of the nation may be endowed with true wisdom; that all measures destructive to the common interest may be reversed; that fomenters of division on both sides the Atlantic may be detected and punished; that Great Britain and the Colonies may thoroughly understand their mutual interest and dependence; that harmony may be cultivated between them, and that they may long flourish in one undivided empire.”*

The posterity to which the patriots so often appealed to witness their loyalty to Great Britain, while loyalty remained a virtue, and to bear them out in their assertions of the justice of their cause, need but to consult this letter. A more disinterested and sincere love of country was never breathed. The calm reasoning which Deberdt was to exhibit to the Ministry was the basis, as time eventually proved, upon which alone the Colonies might have been preserved to England. But the genius of liberty was not comprehended by the haughty statesmen of the mother country. The dispassionate appeals of devoted patriotism, which every true Englishman should have been proud to claim as coming from fellow-countrymen,—rejoicing with Pitt “that the Americans had resisted,”—were regarded as the factious efforts of a “discontented few,” who were making contention the stepping-stone to some fancied personal preferment. The suggestions of Bernard to the Ministry for quartering an armed force upon the people to reduce them to obedience were eagerly listened to, and his malicious slanders adopted as truths.

* Samuel Adams to Denny Deberdt.

Still Hutchinson and Bernard continued their secret letters to England for a military force; and these solicitations were considered while Massachusetts, yet ignorant of the reception of her appeals for justice, confidently awaited a favorable hearing of the petition to the King. The Legislature met on the 25th, and unanimously elected Thomas Cushing Speaker, and Samuel Adams Clerk. The usual sermon before the Assembly was this year preached by Shute of Hingham, who denied the absolute authority of Parliament, and justified resistance to laws not based on equity. Confident in the result of their petition to his Majesty, the two parties in the House evinced a warmer loyalty than had been known since the passage of the revenue acts, and, on the election of councillors, Hutchinson came within three votes of being restored to that body. He would have been but for Samuel Adams and James Otis, who were not to be deceived by his hypocrisy. Bernard considered the rejection of the crown officers by the House "such a notorious instance of undutifulness and insolence" that he had refused the people's candidates for councillors at each election since the repeal of the Stamp Act.

"Your Lordship," he wrote to the Earl of Hillsborough, "must understand that in New England a different mode of election prevails from what is used in Britain. Here it is not sufficient for a man to have a greater number of votes than the rest of the candidates; but he must also have a majority of the whole number of electors. By this rule the Lieutenant-Governor has twice out of three times lost his election. In the present case, in the choice of the first eighteen, he was the eighteenth in the order of election, but, wanting a majority of three of the whole electors, he was to be put up again. In this interval, the two chief heads of the faction (Otis and Adams) told the House that the Lieutenant-Governor was a pensioner of Great Britain, and averred that he had a warrant from the Lords of the Treasury for two hundred pounds a year out of the new duties which they were then opposing. This being urged in a manner which left no opportunity or time for refutation or explanation,

gave a turn against him, so that, upon the second polling, he had ten votes less than before. This obliged his friends to give up the cause." *

What "refutation" could have been attempted, it is difficult to see, since Hutchinson soon after confessed, in a letter to Pownall, that "but for the warrant, he would have been elected." Had the arch traitor to the liberties of his country been successful through this mistaken friendship of the House, it would have proved a dangerous blow to the efforts of the few uncompromising members, whose rule was, never to look back when once the hand was on the plough.

* Governor Bernard to Lord Hillsborough, May 30, 1768.

CHAPTER VIII.

Boston to be subdued. — Troops and a Fleet ordered to the Town. — Exasperation of the People. — Seizure of Hancock's Sloop Liberty; Excitement on the Wharf. — Burning of the Collector's Boat. — The King commands the Assembly to rescind its Resolutions of the previous Session. — They refuse, and adopt the Letter of Adams to Earl Hillsborough, assigning their Reasons. — To the same effect he answers the Message of the Governor, who, in obedience to Royal Instructions, dissolves the Assembly. — Aware of Bernard's Misrepresentations of the Province, they petition the King for his Removal.

AT last the misrepresentations sent to England by the Commissioners of the Customs, added to those sent by Bernard and Hutchinson, had the desired effect; and in June, General Gage was ordered to station a regiment permanently in Boston, while the Admiralty was directed to send a frigate, two sloops, and two cutters, to remain in the harbor, and the Castle was to be occupied and repaired. This was the first palpable use of force against the Colonists, and was made at a time when they had resorted only to passive resistance and peaceable opposition by petitions and non-importation acts, which were manifestly legal and just. The fifty-gun ship Romney arrived in May, at the request of the Commissioners; and her commander, Captain Corner, impressed New England seamen, some of whom were taken from merchant vessels at sea, on the passage of the war-ship from Halifax. The captain was visited by a deputation of the citizens, to represent the effect of the outrage; and he promised that no one should be pressed, "belonging to, or who were married in the Province, nor any employed in the trade along the shore or neighboring Colonies." The subject was also considered in the House, soon after its organization, where Mr. Adams was one of a committee to prepare

a written request to the Governor for his influence to obtain the release of the impressed citizens. The rough draft of this is among the Adams papers. The desired relief, however, was not given, and one of the men was rescued from the hands of his captors. The captain, when an offer of a substitute was made, to release another, stormed with anger against the town. "No man," said he, "shall go out of this vessel. The town is a blackguard town, ruled by mobs: they have begun with me by rescuing a man whom I pressed this morning; and, by the eternal God, I will make their hearts ache before I leave it." This was the officer who, a year and a half before, was waited on by a committee of the town, when he left the station, to express their appreciation of his kindness and courteous demeanor towards the people. That committee was composed of Samuel Adams, John Rowe, and John Hancock.

These events served only to increase the excitement, and an opportunity for violence was soon offered. The sloop Liberty, belonging to John Hancock, had lately arrived from Madeira, loaded with wine. Her owner was hated by the crown officers for his bold denouncement of the revenue acts, and his avowed enmity to the Commissioners. For a false entry, which it was alleged had been made several weeks before, they resolved to seize the vessel. On the evening of the 10th of June, when the laboring people, having quitted their work, were numerous in the streets, Harrison the collector, and Hallowell the comptroller, repaired to Hancock's wharf, placed the sloop under the broad arrow, and to prevent interference decided to moor her under the guns of the Romney. While signals were made for that purpose, a crowd collected, among whom was Malcom, an importing merchant, who with others recommended that the vessel be allowed to remain at the wharf. An angry altercation ensued, while the master of the Romney, with a number of marines, cut the fasts and towed the sloop away. The master had threatened violence, and repeatedly, in his anger,

ordered his men to fire upon the people. The gathering now increased to a mob, many of whom did not understand what had taken place. Some imagined that the excitement grew out of another attempt at impressment, and, becoming furious, followed the officers of the customs as they retired, pelting them with stones, bricks, and dirt. They broke in the windows of the officers, "to the value of five pounds," much alarming the inmates.*

Samuel Adams, Warren Hancock, and others, were meantime deliberating together what was to be done. It was important that the peaceable reputation of the town should be preserved, in order to keep the enemy in the wrong; for though the people had long suffered under the hand of tyranny, and the popular rage might well be expected at times to display itself, still everything was to be gained by continued moderation and by keeping within legal bounds. Failing to find a boat belonging to the Romney, the mob seized that of the collector, and having dragged it to the Common, burned it in triumph. It was falsely represented to the Ministry, in relation to this affair, that the boat was burned before Mr. Hancock's house. To shield his friend from any vengeance that this might draw upon him, Mr. Adams, in a letter to the agent in London, denies the statement.

"The truth is," he continues, "the barge was burnt on a common surrounded with gentlemen's seats, and the scene could not be said to be before Mr. Hancock's door, any more than before the doors of divers other gentlemen in the neighborhood. The mean insinuation that it was done under the influence of Mr. Hancock is so far from the least shadow of truth, that it is notorious here, that the tumult was finally dispelled principally by his exertions, animated by his known regard to peace and good order." †

* Affidavits quoted in Bancroft, VI. 155-157.

† Bernard, in his account of the affair to the Earl of Hillsborough, says: "Whilst the boat was burning, some gentlemen who had an influence over them persuaded them to depart. This was afterwards put to the vote, whereupon proclamation was made, 'each man to his tent.' Before this, they were

An hour before midnight the crowd dispersed at the words, "Each man to his tent," which seems to have been a watchword between the people and their leaders up to the commencement of the war.

This disturbance came *a propos* to the Commissioners, who joyfully construed it into an insurrection; and several of them, to give the appearance of imminent danger, took refuge at the Castle in the harbor, where they remained some time.

"We took shelter," say the Commissioners, in their letter* to Commodore Hood, "on board his Majesty's ship Romney, and desired Captain Corner to put us ashore at Castle William, where we now are, and at our request Captain Corner will continue near the Castle for our protection."

This, however, deceived no one in Boston, and the weak artifice was not long afterwards repented of by the Commissioners themselves. Even General Gage admitted that "dangerous disturbances were not to be apprehended." † It must have been difficult indeed to construe the tumult of a crowd, manifestly under the control of the first gentlemen of the Province, into a concerted plan of insurrection, such as the crown officers industriously represented it.

Samuel Adams took every occasion to undeceive the Ministry as to the malicious statements of these men. In the "Appeal to the World," written in the following year, he says: —

"It was, however, far from being so great a riot as the Governor represents it to be. The collector and comptroller of the customs indeed represent it as a 'numerous mob,' but they being particularly interested, their fears might deceive them. It was not a numerous mob, nor was it of long continuance, neither was there much mischief done. It was occasioned by the unprecedented and unlawful manner of seizing a vessel by the collector and comptroller, and, conharanged by a leader, who, among others, used these words: 'We will support our liberties, depending upon the strength of our own arms and God.'"

* Seventy Six Society's Massachusetts Papers, p. 87.

† General Gage to Lord Hillsborough, June 17, 1768.

sidering their illegal proceedings in making the seizure, attended with the most irritating circumstances, which occasioned this mob, the intolerably haughty behavior which the Commissioners who ordered this seizure had constantly before discovered towards the people, the frequent threats which had been given out that the town should be put under a military government, and the *armed* force actually employed as a prelude to it, it cannot be wondered at that, in a populous town, such high provocation and the sudden exertion of lawless power, should excite the resentment of some persons beyond the bounds of reason, and carry them into excess."

While the public mind was at the pitch of excitement from the seizure and impressment scenes, a placard was posted about town, calling on the Sons of Liberty to meet on the following day at "Liberty Hall," the name given to the space around the "Liberty Tree,"—a name hateful to the Loyalists for years afterwards. On account of the rain the meeting was adjourned to Faneuil Hall; but as that building could not contain the crowd that assembled, they proceeded to the Old South, where James Otis, being chosen moderator, was "ushered into the church by an almost universal clap of hands."* After fully debating the subject at issue, the meeting was adjourned to the following day, when Otis addressed the inhabitants, strongly recommending the preservation of order, and expressing the hope that their grievances might in time be removed. "If not," he continued, "and we are called on to defend our liberties and privileges, I hope and believe we shall, one and all, resist even unto blood; but I pray God Almighty this may never so happen."

The result of the first meeting had been the appointment of a committee of twenty-one, Adams of course being of the number, with Otis at their head, and including the names of Warren, Rowe, Dana, Young, Hancock, Church, Tyler, and Quincy, to wait upon the Governor. They went in procession, "in eleven chaises," to the country-seat of his Ex-

* Letters of Governor Bernard to Lord Hillsborough.

cellency in Roxbury, where the address was delivered. It asserted for the town the right of self-taxation, commented upon the hated Board of Customs and the late impressment outrages, and demanded the removal of the Romney from the harbor. Hutchinson says the address was probably drawn up or at least approved by Otis.

“To contend,” it says, “with our parent state is the most shocking and dreadful extremity, but tamely to relinquish the only security we and our posterity retain for the enjoyment of our lives and properties, without one struggle, is so humiliating and base, that we cannot support the reflection. It is at your option to prevent this distressed and justly incensed people from effecting too much, and from the shame and reproach of attempting too little.”

Bernard met the committee politely, but, on the following day, refused to remove the ship of war.

“I received them,” thus he wrote soon after the event, “with all possible civility, and having heard their petition, I talked very freely with them upon the subject, but postponed giving a formal answer till the next day, as it should be in writing. I then had wine handed round, and they left me highly pleased with their reception, especially that part of them which had not been used to an interview with me.”*

The Governor's pride had been wounded by his humiliating position; and he had no sooner delivered his reply, intimating a desire to effect a reconciliation, than he and all the crown officers redoubled their efforts to obtain troops, asserting that a rebellion was at hand, that a great storm was about to break, and that the leaders of the people would urge them to open revolt. In the meantime Samuel Adams, Warren, and Church had been appointed by the town to draw up a narrative of the late occurrences, to be transmitted to Deberdt, that the Ministry might not be influenced entirely by the misstatements.

The usual instructions to the Boston Representatives were

* Bernard to Lord Hillsborough, June, 1768.

this year drawn up by John Adams, the "young gentleman of the law," lately removed to Boston from Braintree, whom Andrew Eliot spoke of as "likely to make a shining figure at the bar." Mr. Adams, in his autobiography, mentions that "his friends in Boston were very urgent with him to remove into town." Probably the most solicitous of these friends was his kinsman, who took the liveliest interest in his advancement. It is to be regretted that a blank occurs in John Adams's diary for nearly the whole of 1768,—a year when the most interesting events of the early Revolution happened. He refers to the offers which were in vain made to him by the royal Governor to accept an office under the Crown, but no record is found of the struggles of the patriots against the tightening gripe of tyranny. The instructions spoke the voice of the town:—

"Under all these misfortunes and afflictions, however, it is our fixed resolution to maintain our loyalty and duty to our most gracious sovereign, a reverence and due subordination to the British Parliament, as the supreme legislative in all cases of necessity for the preservation of the whole empire, and our cordial and sincere affection for our parent country, and to use our utmost endeavor for the perservation of the peace and order among ourselves, waiting with anxious expectation for a favorable answer to the petitions and solicitations of this continent for relief: at the same time, it is our unalterable resolution at all times to assert and vindicate our dear and invaluable rights and liberties, at the utmost hazard of our lives and fortunes; and we have a full and rational confidence that no designs formed against them will ever prosper."*

The confident expectation that the last winter's petitions for relief would meet with a favorable reception, as expressed in the above extract, was shared by nearly the whole Province; after all that had occurred, the fatal reality had not yet impressed itself upon the public mind. The justice of those appeals was so self-evident, that people were loath to

* Hutchinson's History, III. 490.

credit the cold-blooded system already pursued in England.

In less than a week after the adoption of John Adams's instructions by the town, the news arrived that Massachusetts had been ordered by the King to rescind its resolutions of the past winter. The Legislature was still in session, and, on the 21st of June, the Governor transmitted to the House the Earl of Hillsborough's letter to him.

"And, therefore," so the mandate ran, "it is the King's pleasure, that so soon as the General Court is again assembled at the time prescribed by the charter, you should require of the House of Representatives, in his Majesty's name, to rescind the resolution which gave birth to the Circular Letter from the Speaker, and to declare their disapprobation of, and dissent to, that rash and hasty proceeding. . . . And if, notwithstanding the apprehensions which may justly be entertained of the ill consequences of a continuance of this factious spirit, which seems to have influenced the resolutions of the Assembly at the conclusion of the last session, the new Assembly should refuse to comply with his Majesty's reasonable expectation, it is the King's pleasure that you should immediately dissolve them, and transmit to me, to be laid before his Majesty, an account of their proceedings thereon."

A committee, including Samuel Adams, was immediately appointed to consider the Governor's message, transmitting this letter, of which his Excellency had at first submitted only a part.* The Governor, who had grown impatient after a few days, sent a hasty message, to the effect that he could not adjourn the General Court until he had received their answer to the requisition. The affair was in suspense for a week, and was largely debated. It depended on them to sustain by their firmness the liberties of America. They had deliberately adopted the Circular Letter as the unalterable opinion of the Legislature of Massachusetts. The measure had struck their tyrants with consternation, and won the applause of the entire continent. Connecticut, New

* Journal of the House of Representatives, June, 1768.

Jersey, Georgia, and Virginia had responded, — the courage inspired by the latter raising the hopes of all. Samuel Adams, as he reflected upon the immense importance of Virginia's co-operation in the measure, had had good reason to regard the result with satisfaction. Using words which, seven years later, he was to repeat under still more exciting circumstances, he had cried, "This is a glorious day!" and his friend, the consistent and true Samuel Cooper, replied, "This is the most glorious day ever seen!"* Now, to retrace their steps would subject the cause to ridicule, and perhaps seal the fate of American liberty. Both letters from Hillsborough having been placed in their hands, the committee were ready, after mature deliberation, on the 30th of June, when the Speaker informed the House that the report was prepared. The galleries were cleared, and all communication with the other Board or from the outside was shut off during the debate.† One could wish that there had been a phonographic reporter in that gallery. Here was the Legislature of a Provincial town, the political and commercial centre of New England, coolly bearding the terrible power of Britain, and convened to consult upon the question of refusing to comply with a direct command of the King. The fiery and heated harangues of Otis, and the less fervid and more deliberate reasoning of Adams, were both heard, and probably more than one plain farmer from the interior delivered his sentiments. The journal indicates simply that the debate was secret. The first business was the consideration of a letter to Hillsborough, written by Sam-

* Bancroft, VI. 165.

† Journal of the House, June, 1768. While the doors were thus closed, a committee from the Council applied for admittance to ask the concurrence of the House in a series of resolutions, desiring the Governor to issue a proclamation offering a reward for the discovery of the rioters and their abettors in the late disturbances, that they might be brought to condign punishment. The message was not admitted; and as the House was prorogued on the same day, and dissolved the next day, no other opportunity occurred for presenting the resolutions.

uel Adams, now vindicating his own measure. After being twice read, it was twice accepted by a vote of ninety-two to thirteen, and ordered to be fairly copied and forwarded by the Speaker to his Lordship at the first opportunity.*

The writer reviews the action of the former House, giving a succinct narrative of the circumstances attending the passage of the Circular Letter, and distinctly asserting that it was the declared sense of a large majority of the members:—

“It may be necessary to observe that the people in this Province have attended with a deep concern to the several acts of the British Parliament, which impose duties and taxes on the Colonies, not for the purpose of regulating the trade, but with the sole intention of raising a revenue. This concern, my Lord, so far from being limited within the circle of a few inconsiderate persons, is become universal. The most respectable for fortune, rank, and station, as well as probity and understanding in the Province, with very few exceptions, are alarmed with apprehensions of the fatal consequences of a power exercised in any one part of the British empire to command and apply the property of their fellow-subjects at discretion. This consideration prevailed on the last House of Representatives to resolve on a humble, dutiful, and loyal petition to the King, the common head and father of all his people, for his gracious interposition in favor of his subjects of this Province. If your Lordship, whom his Majesty has honored with the American department, has been instrumental in presenting a petition so interesting to the well-being of his loyal subjects here, this House beg leave to make their most grateful acknowledgments, and to implore your continued aid and patronage.

“As all his Majesty’s North American subjects are alike affected by these parliamentary revenue acts, the former House very justly supposed that each of the Assemblies on the continent would take such methods of obtaining redress as should be thought by them respectively to be regular and proper. And being desirous that the several applications should harmonize with each other, they resolved on their

* Journal of the House, June, 1768. Bancroft, VI. 165. Eliot’s N. E. Biog. Dictionary.

Circular Letter, wherein their only view seems to be, to advertise their sister Colonies of the measures *they* had taken upon a *common* and important concern, without once calling upon them to adopt those measures or any other.

“Your Lordship surely will not think it a crime in that House to have taken a step which was perfectly consistent with the Constitution, and had a natural tendency to compose the minds of his Majesty’s subjects of this and his other Colonies, until, in his royal clemency he should afford them relief, at a time when it seemed to be the evident design of a party to prevent calm, deliberate, rational, and constitutional measures from being pursued; or to stop the distresses of the people from reaching his Majesty’s ear, and, consequently, to precipitate them into a state of desperation and melancholy extremity.

“And the House humbly rely on the royal clemency, that to petition his Majesty will not be deemed by him to be inconsistent with a respect to the British Constitution, as settled at the Revolution by William the Third: that to acquaint their fellow-subjects, involved in the same distress, of their having so done, in full hopes of success, even if they had invited the union of all America in one joint supplication, would not be discountenanced by our gracious sovereign as a measure of an inflammatory nature.”*

The letter was sent by the first conveyance. Much curiosity was felt to know its contents, as none but members of the House had heard it read. Bernard shared this curiosity, as appears by a letter to Hillsborough. Mr. Adams withheld it from publication as long as he considered that the public interests were subserved by so doing; then he resolved to have it printed in the Boston Gazette. Bernard thus relates a scene reported to him:—

“I informed your Lordship that I had not seen, nor probably should see, till it is printed, the letter of the House to your Lordship, although, I am informed, I am much interested in the contents of it. But I shall soon have that satisfaction, being informed it is to be printed next Monday. It seems that this morning the two

* Bradford’s State Papers, p. 151.

consuls of the faction — Otis and Adams — had a dispute upon it in the Representatives' room, where the papers of the House are kept, which I shall write as a dialogue to save paper:—

“*Otis.*— What are you going to do with the letter to Lord Hillsborough?

“*Adams.*— To give it to the printer to publish next Monday.

“*Otis.*— Do you think it proper to publish it so soon, that he may receive a printed copy before the original comes to his hand?

“*Adams.*— What signifies that? You know it was designed for the people, and not for the minister.

“*Otis.*— You are so fond of your own drafts that you can't wait for the publication of them to a proper time.

“*Adams.*— I am Clerk of this House, and I will make that use of the papers which I please.

“I had this” continues the Governor, “from a gentleman of the first rank, who I understood was present.”*

On the same day with the adoption of the letter, the great question, whether, in obedience to the royal mandate, the House would rescind the resolution which gave birth to their Circular Letter, came up and was decided in the negative by a vote of ninety-two to seventeen. The votes were by word of mouth, and stand recorded, name by name, in the journals and in the next Boston Gazette.

Again employing the pen of Samuel Adams, the House replied to the Governor's message on the opening of the session. The answer was “twice read and accepted by a great majority.”

“We cannot but express our deep concern, that a measure of the late House, in all respects so innocent, in most so virtuous and laudable, and, as we conceive, so truly patriotic, should have been represented to administration in the odious light of a party and factious measure, and that pushed through by reverting in a thin house to, and reconsidering, what in a full Assembly had been rejected. It was and is a matter of notoriety, that more than eighty members

* Bernard to Lord Hillsborough, July 9, 1768. The letter of the House was published in the Boston Gazette of July 18, 1768.

were present at the reconsideration of the vote against application to the other Colonies.

“The Circular Letters have been sent, and many of them have been answered; those answers are now in the public papers; the public, the world, must and will judge of the proposals, purposes, and answers. We could as well rescind those letters as the resolves; and both would be equally fruitless if, by rescinding, as the word properly imports, is meant a repeal and nullifying the resolution referred to.

“You have also thought fit to inform us that you cannot think yourself at liberty, in case of the dissolution of this, to call another Assembly without the express orders of his Majesty for that purpose; and, at the same time, your Excellency has been pleased to assure us that you have communicated the whole of Lord Hillsborough’s letter and your instructions, so far as relates to the requisition. In all this, however, we cannot find that your Excellency is more than directed to dissolve the present Assembly in case of a non-compliance on the part of the House. If the votes of the House are to be controlled by the direction of a minister, we have left us but a vain semblance of liberty.”*

The success of this noble stand of a little province against the authority of Great Britain, involving as it did a practical illustration of the power of the Colonies *united*, was for years afterwards a source of keen pleasure to Mr. Adams. He occasionally refers to it in his political writings thereafter, to animate his countrymen in the great struggle. In September, 1771, he devotes a large space in the public press to a graphic narrative of the proceedings of the Legislature in regard to the Circular Letter, when, he says, the House was actuated “by a conscientious and a clear and determined sense of duty to God, their King, their country, and their latest posterity.”†

* Bradford’s State Papers, p. 147.

† “Candidus,” in the Boston Gazette, Sept. 16, 1771.

“This determination of the House gave general satisfaction, not only to the people of this Province, but of the other Colonies also, as well as the friends of liberty in Britain. It was spoken of by all, except the disappointed few, with great applause. Indeed, the essential rights of all were involved in the question. A different determination would therefore have been to the last degree *infamous*, and attended with fatal consequences. Not only the right of the subjects *jointly* to petition for the redress of grievances, which all alike suffer, but also that of *communicating their sentiments freely to each other* upon the subject of grievances and the means of redress, which was the sole purport of the Circular Letter, would in effect have been given up. I have often thought that, in this time of common distress, it would be the wisdom of the Colonists more frequently to correspond with, and to be more attentive to, the particular circumstances of each other. It seems of late to have been the policy of the enemies of America to point their artillery against one Province only, and artfully to draw off the attention of the other Colonies, and, if possible, to render that single Province odious to them, while it is suffering ministerial vengeance for the sake of the common cause. But it is to be hoped that the Colonies will be aware of this artifice. At this juncture, an attempt to subdue one Province to despotic power is justly to be considered as an attempt to enslave the whole. The Colonies ‘form one political body, of which each is a member.’ The liberties of the whole are invaded. It is, therefore, the interest of the whole to support each individual with all their weight and influence.”

In obedience to the royal mandate, the Governor prorogued the House on the day of their refusal to rescind, but not before they had appointed a committee to prepare a petition to the King, “praying that his Majesty would be graciously pleased to remove his Excellency, Francis Bernard, Esq., from the government of the Province.”

CHAPTER IX.

Massachusetts applauded for her Firmness. — The Province still Loyal. — Boston in 1768. — Its Forms of Worship. — Right of Suffrage. — Common School System. — Industry. — Samuel Adams among the Mechanics. — His Democratic Tendencies. — His great Influence. — His Capacity for Work. — Anniversary of the Stamp Act. — Joseph Warren, his Talents and Popularity. — Adams sees the Necessity of Independence. — Affidavits taken against him and forwarded by the Governor to the Ministry. — Otis, Adams, and Warren mature their Plans. — Town Meeting in expectation of the Troops. — The Governor still refusing to assemble the Legislature, a Convention of Delegates from the Towns is called by popular Voice. — Proceedings of the Convention. — Its Objects accomplished. — Arrival of the Troops.

MASSACHUSETTS was now without a Legislature, and as fully the victim of tyranny as the subjects of the most absolute despot in Europe. How long this was to continue was left to conjecture. It had been resolved by the Ministry that the Governor should dissolve the Assembly as often as it should refuse to rescind the obnoxious resolution. From the other Colonies came expressions of sympathy with the people of Massachusetts, and the act of arbitrary power had exactly the opposite effect to that intended. The necessity of a union of interests for a common cause was seen, and the refusal to rescind was everywhere applauded. It was indeed an extraordinary spectacle. No act of rebellion had taken place; no insurrection existed; the feeling of loyalty was yet firm among the people. They had but peaceably and legally asserted their charter and constitutional liberties.

Boston, at this time, contained about sixteen thousand inhabitants, and, as regards its local system, was the most orderly and best governed town in the world. In whatever light it is viewed, even now when moral and intellectual appliances have wonderfully advanced the means of human

improvement, the capital of New England, as it then existed, must be regarded as a model. It was a little democracy or republic within itself, based upon the traditional and natural rights guaranteed to its founders in the previous century, who had fled from religious persecution to the wilds of the Western world for the enjoyment of "freedom to worship God."

The form of church government of the great majority was the congregational, each church being supported by the voluntary contributions of its members; while the opinion remained unaltered, as of old, that each was independent and in no way under the control of any other. Popery and slavery were nearly synonymous terms with them, and though the Church of England was represented in the town they still opposed prelacy, and were against the establishment of a Protestant episcopacy in the Colonies. "The revenue raised in America, for aught we can tell," said the House in their letter to Deberdt, already quoted, "may be as constitutionally applied towards the support of prelacy, as of soldiers and pensioners"; and they considered it as "alarming to a people whose fathers, from the hardships they suffered under such an establishment, were obliged to fly their native country into a wilderness. . . . We hope in God such an establishment will never take place in America."*

No Roman Catholic church or congregation existed in the town, the rites and ceremonies of papists being regarded as the pitiable and worn-out superstitions of the ignorant. The people were rigid in the performance of religious requirements, which had descended in their original strictness from the early settlers; and the ministers disseminated the principles of morality and liberty as equally important,—the Old South, the largest church in the town, being often the scene of the most exciting demonstrations of the people in the support of their rights.

The right of suffrage, though involving a small property

* Bradford's State Papers, p. 132.

qualification, was only sufficiently exclusive to produce a laudable ambition for the acquirement of the requisite possessions. Faneuil Hall was the political head-quarters where the principles of liberty were freely debated, and there freedom of thought and speech was never questioned.

A carefully guarded common-school system gave the benefit of a practical education to all. The schools were opened each day with public prayer, and were under the immediate control of the selectmen, who visited them once a year, generally in June, in company with a committee of the principal gentlemen of the town, and a number of ministers. In these schools, the apostles equally of religion and liberty, Mayhew, Chauncy, and Cooper, and the phalanx of patriots, the Adamses, Otis, Warren, Hancock, Cushing, and the rest, received the germs of liberal culture which, developed at Harvard College, enabled them to establish the liberties of their country.

There has probably never been in the history of man an instance of a more perfect democracy, of a society where the rights of the lower classes were more jealously observed. It was a society where no titled aristocracy was acknowledged, — where sturdy personal independence had never known any other honors than those cheerfully accorded to worth and talents. The royal governors alone had sometimes worn aristocratic distinctions as representatives of the King, but the towns' people would ill have tolerated among themselves the badges of a superior class. The workingmen, especially the ship-building mechanics, who were the most numerous among the inhabitants, and who excelled the whole world in their skill, loved the honest equality insured by good citizenship, and yet, with no levelling schemes, regarded without jealousy the well-earned wealth of the few opulent citizens whose circumstances gave them social prominence.

In the shipyards, where the real popular power resided, Samuel Adams was especially the favorite from among the

champions of the public liberties. He found the people willing listeners and converts to his doctrines, and, as a most perfect embodiment of the democratic theory, he exercised more influence with them than any other man. His good judgment was often appealed to, and, in many instances, lawsuits were avoided by making him the umpire. They placed the most implicit confidence in him as a man and a patriot, and he never deceived them. No man could less brook than he the insolence of arbitrary power and the overbearing manners of the crown officers towards the common people, among whom he desired always to instil a consciousness of superiority over those minions of tyranny, believing that with such sentiments was connected the successful assertion of their liberties. His first public writings reveal this idea, when he inveighs against the aspiring few who would "despise their neighbor's happiness, because he wears a worsted cap or leathern apron"; and, to his latest days, his sympathies were with the poor and the lowly. Samuel Adams, during all his life, was their tribune. He was the true "Father of Democracy" in America, whose voice and pen were ever employed for the *common people*; and he labored to build up American liberty, not only by public measures, but by cultivating an individual independence of thought among the working-classes as the true basis of national freedom. Careless of personal gain, he seemed to have been specially ordained for the times in which he lived. Frugal and temperate in his habits, his wants were few, and his powers of endurance fitted him for ceaseless industry. Most of his public papers were written in a study or library adjoining his bedroom; and his wife, after his death, related how, in the stillness of the night, she used, in the Revolutionary times, to listen to the incessant motion of the pen in the next room, whence the solitary lamp, which lighted the patriot in his labors, was dimly visible. Mr. Joseph Pierce, who personally knew Samuel Adams, and whose business obliged him for a long time to pass after midnight by the

house, related, early in the present century, that he seldom failed to see the study lighted, no matter how far the night was gone, "and he knew that Sam Adams was hard at work writing against the Tories."

The Sons of Liberty celebrated the third anniversary of the outbreak against the Stamp Act this year with extraordinary festivity. The 14th of August falling on Sunday, the celebration was postponed until the next day. The account in the Boston Gazette says:—

"At the dawn the British flag was displayed on the Tree of Liberty, and a discharge of fourteen cannon ranged under the venerable elm saluted the joyous day. At eleven o'clock a very large company of the principal gentlemen and respectable inhabitants of the town met at the Hall under the tree, while the streets were crowded with a concourse of people of all ranks, public notice having been given of the intended celebration. The music began at high noon, performed on various instruments, joined with voices, and concluding with the universally admired American Song of Liberty. The grandeur of its sentiment, and the easy flow of its numbers, together with an exquisite harmony of sound, afforded sublime entertainment to a numerous audience fraught with a noble ardor in the cause of freedom. The song was closed with the discharge of cannon and a shout of joy; at the same time, the windows of the neighboring houses were adorned with a brilliant appearance of the fair daughters of liberty, who testified their approbation by smiles of satisfaction."

Among the fourteen toasts given were "The memorable 14th of August, 1765," "The Farmer," "John Wilkes," "The glorious Ninety-two" (non-rescindors), "Pascal Paoli and his brave Corsicans," and "Magna Charta and the Bill of Rights";—

"Which being finished," continues the Gazette, "the French horns sounded; and after another discharge of the cannon, completing the number NINETY-TWO, the gentlemen, in their carriages, repaired to the Greyhound Tavern in Roxbury, where a frugal and elegant entertainment was provided. The music played during the repast," and forty-five patriotic toasts were drunk.

“Upon this happy occasion, the whole company, with the approbation of their brethren in Roxbury, consecrated a tree in the vicinity, under the shade of which, on some future anniversary, they may commemorate the day which shall liberate America from her present oppression. Then, making an agreeable excursion round Jamaica Pond, in which excursion they received the kind salutation of a friend to the cause by the discharge of cannon, at six o'clock they returned to town, and passing in slow and orderly procession through the principal streets and round the State House, they retired to their respective dwellings. It is allowed that this cavalcade surpassed all that has ever been seen in America. The joy of the day was manly, and uninterrupted regularity presided through the whole.”*

These annual celebrations were held at the suggestion principally of Otis and Samuel Adams, who, with the other leaders, were always personally present. The general plan was to have a gala day in town until about noon, and then to complete the festivities by a barbecue at some noted tavern in the environs, whose proprietor was known to be friendly to the cause. After the present year, this celebration was superseded by the more solemn ceremonial of the anniversary of the Boston Massacre.†

At this time the political writings of Dr. Joseph Warren had attracted public attention. From the first evidence of the distinguished ability of Warren, Samuel Adams had determined, in conformity with his unvarying practice where genius displayed itself, to engage his talents and enlist his sympathies in favor of his native country. Judging from the declarations of John Adams, in relation to this subject, Warren's first efforts in the public cause were made through the influence of “the Father of the Revolution.” Not that the generous spirit and noble genius of Warren needed to be spurred to maintain the great cause of human liberty, but Adams was twenty years the senior of Warren, who was

* For an account of the celebration, see *Boston Gazette* of Aug. 22, 1768.

† *John Adams's Diary* (Works, II. 218).

but twenty-four years of age at the time of the Stamp Act, and to him the veteran leader might well act as a guide and a friend. They were most intimate until the glorious death of Warren, in 1775. They labored together, and, after the present year, no man in Massachusetts so fully enjoyed the confidence of Adams in all political measures as Warren. As early as 1766, the young statesman had expressed his views in his private letters. He comprehended the force of the great truth, that American society exhibited a more equal division of property than existed in the old country; he saw how this tended to an equality of influence and authority.

“Until now,” Warren said, “the Colonies were ever at variance and foolishly jealous of each other; but this Stamp Act has brought about what the Colonies could never have expected to have brought about. They are now united for common defence against what they believe to be oppressors. Nor will they soon forget the weight which the union gives them. Does not all history teach that the strength of a country depends on being united? But was it the object to force the Colonies into the path of rebellion, and then by military power to reduce them to the state of servitude? Let it be considered, that every power in Europe looks with envy on the Colonies which Great Britain enjoys in America. He must be ignorant of human nature who does not know, that when the rage of a people is raised by oppression to such a height as to break out in rebellion, any new alliance is preferable to the miseries which a conquered country must necessarily expect. Would no power in Europe take advantage of such an occasion, and tempt such an alliance? Will politic and powerful France be restrained by treaties to recover so fair a portion of their ancient possessions.”

These views were as sound in theory as those of the oldest patriots in the Province. So ripe a judgment, allied to such brilliant talents, found a friend and kindred spirit in Adams. But Warren was only one of the many young men whom Adams led into the arena of patriotism. He was constantly on the alert to bring out such characters, and train

them for the great purpose of liberty. Truly was he called the "pilot" of the times, and the "director" of the public affairs. His guiding influence in the Legislature we have already seen in the important measures originated and consummated by him. Going back a couple of years to the time of the Stamp Act, we find an interesting and eloquent allusion to his greatness at that crisis and thenceforward in the funeral discourse of the Rev. Mr. Thacher, in which he gave a truthful sketch of Samuel Adams, collected from the statements of his fellow-patriots, who still survived in 1803, and who had intimately known his political course from the commencement of the Revolution. After alluding to Mr. Adams's career as a legislator, the writer continues:—

"Truly difficult and responsible was the duty of a pilot called to steer in so violent a tempest! Such, however, was the skill and dexterity discovered by our departed friend, that even the favorable and flattering opinion which his fellow-citizens had formed was exceeded by the ability he displayed in directing their affairs. He became at once the most influential member of the Legislature. He was the soul that animated that respected body to their most important resolutions and to their unequivocal opposition to every unjust claim and innovation made by the corrupt ministers of Great Britain. In cases where other great and good men were perplexed and apprehensive that this ardor for liberty would hasten, not defeat, the design of despotism, this illustrious patriot remained undismayed. *Aut Cæsar aut nullus*, was his maxim. He wished either to see his country completely emancipated from every unjust, unconstitutional claim, or else that it might become the common sepulchre of its inhabitants. For slavery and dependence he abhorred, even in their mildest and most polished form."

The town which we have described, and the class of characters to which a brief allusion has been made, the British Ministry, in whom anger had usurped the place of reason, were now determined to crush. The exaggerated statements of the recent occurrences had been received in England, and "vengeance" was denounced "against

that insolent town." Any modification or repeal of the infamous and oppressive revenue acts was scouted at. In the Council, the petitions had no effect but to increase the insane rigor against the Colonies, and it was decided to use force to subdue the inhabitants of Boston. The most seditious were to be made an example to strike terror into the other Colonies; for which purpose Hillsborough, far from being moved by the logical and respectful address of the House, now sent over orders to inquire "if any persons had committed acts which, under the authority of the statute of Henry the Eighth against treason committed abroad, might justify their being brought to England for trial." The ancient and legal town meetings were to be terminated. Two regiments and a frigate were at once to be sent to Boston.

It was now that Samuel Adams became convinced that the harsh policy of Great Britain was unalterable. An army and fleet were on the way to enforce the despotic measures of Parliament. Petitions and humble protestations had been met only with contempt and renewed tyranny. These things had led the patriot slowly and deliberately to the conclusion that American independence was a political and natural necessity. He admitted to a friend, in 1775, that from this moment he struggled unremittingly for the accomplishment of that object, which absorbed his soul for eight years, until the great charter of human liberties was signed. A plain narrative of his career, up to that immortal event, will reveal that no one of the galaxy of Revolutionary characters wrought so much in attaining that end as Samuel Adams. Fully aware of the agency of the Governor and other royal pensioners in bringing an armed force upon the Province, he took up the subject of the public grievances in the Boston Gazette, immediately after his Excellency's proclamation treating of the "tumultuous" condition of affairs. The misrepresentations had been received in Halifax, and Boston was commonly supposed there to be

in a state of insurrection. "If these falsehoods," says Adams, "make such impressions on the minds of persons so near us as Halifax, it cannot be wondered at if the mother country, at the distance of a thousand leagues, should think we are in a state of confusion."

"When the people are oppressed, when their rights are infringed, when their property is invaded, when taskmasters are set over them, when unconstitutional acts are executed by a naval force before their eyes, and they are daily threatened with military troops, when their Legislative is dissolved! and what government is left is as secret as a *Divan*, when placemen and their underlings swarm about them, and pensioners begin to make an insolent appearance, — in such circumstances the people will be discontented; and they are not to be blamed; their minds will be irritated as long as they have any sense of honor, liberty, and virtue. In such circumstances, while they have the spirit of freemen, they will *boldly assert* their freedom; and they are to be justified in so doing. I know very well that to murmur, or even whisper a complaint, some men call a riotous spirit; but they are in the right of it to complain, and *complain aloud*, and they *will* complain till they are either redressed or become poor, deluded, miserable, ductile dupes, fitted to be made the slaves of . . . arbitrary power."*

By such appeals he aroused the people to a full sense of their danger, and he did not lay by the pen in this cause until the liberties of his country had been acknowledged by her oppressors, — until America stood before the world as a recognized power among the nations. Never did man devote his entire energies to any one great object with more courage, sagacity, and determination, than did Samuel Adams to the achievement of American independence.

"To promote that end," says Bancroft, in his History, "he was ready to serve and never claim a reward for service; to efface himself, and put forward others; seeking the greatest things for his country, and content with the humblest for himself. Boston gathered about him. From a town of merchants and mechanics, it grew

* "Determinatus," in the Boston Gazette, August 8, 1768.

with him to be the hope of the world ; and the sons of toil, as they took courage to peril fortune and life for the liberties they inherited, rose to be, and feel that they were, the champions of human freedom. With the people of Boston, in the street, at public meetings, at the shipyards, wherever he met them, he reasoned on the subject that engrossed his affections."*

In proportion as this man advanced his great idea among the people, the Governor and crown officers saw his object, and resolved upon his destruction. A pretext was wanted to arrest some of the leaders on a charge of treason, for trial in England, where conviction and execution would certainly have followed ; but much as victims were desired "to strike terror into the other Colonies," some appearance of legality was necessary, and, as yet, the crown lawyers could discover no act that might be brought under the head of treason. Above all, they desired to "take off" Samuel Adams, whom Bernard especially hated. With a view to this, information was collected secretly, sworn to before Chief Justice Hutchinson, and sent by the Governor to the Secretary of State with a letter, in which he says to the Earl : "I shall enclose in the cover of this a deposition taken before us, in which the spirit of the movers of the Boston mobs will be explained, and the intention of the faction exemplified in one of the principal and most desperate of the chiefs of the faction." This affidavit, which is still on file in the London State-paper Office, was read and noted in Council ; but apparently its contents were not considered as sufficient to warrant the "taking off" intended.

"PROVINCE OF MASSACHUSETTS BAY.

"The information of Richard Sylvester of Boston, in the Province aforesaid, innholder, taken before me, Thomas Hutchinson, Esq., Chief Justice of said Province, this twenty-third day of January, in the ninth year of his Majesty's reign :

"This informant sayeth, that the day after the boat belonging to

* Bancroft's History, VI. 192 - 194.

Mr. Harrison was burnt, the last summer, the informant observed several parties of men gathered in the street at the south end of the town of Boston, in the forenoon of the day. The informant went up to one of the parties, and Mr. Samuel Adams, then one of the Representatives of Boston, happened to join the same party near about the same time, trembling and in great agitation.* The party consisted of about seven in number, who were unknown to the informant, he having but little acquaintance with the inhabitants, or, if any of them were known, he cannot now recollect them. The informant heard the said Samuel Adams then say to the said party, 'If you are men, behave like men. Let us take up arms immediately, and be free, and seize all the King's officers. We shall have thirty thousand men to join us from the country.' The informant then walked off, believing his company was disagreeable. The informant further sayeth, that after the burning of the boat aforesaid, and before the arrival of the troops, the said Samuel Adams has been divers times at the house of the informant, and at one of those times particularly the informant began a discourse concerning the times; and the said Samuel Adams said: 'We will not submit to any tax, nor become slaves. We will take up arms, and spend our last drop of blood before the King and Parliament shall impose on us, and settle crown officers in this country to dragoon us. The country was first settled by our ancestors, therefore we are free and want no king. The times were never better in Rome than when they had no king and were a free state; and as this is a great empire, we shall have it in our power to give laws to England.' The informant further sayeth, that, at divers times between the burning of the boat aforesaid and the arrival of the troops aforesaid, he has heard the said Adams express himself in words to very much the same purpose, and that the informant's wife has sometimes been present, and at one or more of such times, George Mason of Boston, painter, was present. The informant further sayeth, that about a fortnight before the troops arrived, the aforesaid Samuel Adams, being at the house of the informant, the informant asked him what he thought of the times. The said Adams answered, with great alertness, that, on lighting the beacon, we should be joined with

* The constitutional tremulousness of hand and voice common to Mr. Adams and his family is elsewhere described.

thirty thousand men from the country with their knapsacks and bayonets fixed, and added, 'We will destroy every soldier that dare put his foot on shore. His Majesty has no right to send troops here to invade the country, and I look upon them as foreign enemies!' This informant further sayeth, that two or three days before the troops arrived, the said Samuel Adams said to the informant, that Governor Bernard and Mr. Hutchinson and the Commissioners of the Customs had sent for troops, and the said Adams made bitter exclamations against them for so doing, and also repeated most of the language about opposing the King's troops, which he had used as above mentioned about a fortnight before. The informant contradicted the said Samuel Adams, and attributed the sending troops to the resolve of the General Court and the proceedings of the town meeting.*

"Sworn to T. HUTCHINSON."

No other affidavits, if any were taken, are on file against Mr. Adams, but statements were made by this informant against Dr. Benjamin Church, Dr. Joseph Warren, and Thomas Chase of Boston, distiller, to the same purport as that already quoted. However truthful the information, it could not have been the serious intention of the patriots to attempt any organized armed resistance. It would have been madness at that time. As yet the bond of union between the Colonies, necessary for successful resistance, had not been formed. The time to strike was not come. Hot spirits there were who could not count the consequences, and, as in all bodies of oppressed people, were prepared to rush into conflict. Thirty-thousand men, gun in hand, could undoubtedly have been raised to drive the soldiers into the sea, but their efforts must have resulted in failure.

Even in 1776, after all hope of redress had left the Americans, and when blood had been spilled, it required constant exertions to maintain a unanimity in favor of the last appeal. To have attempted it as early as the midsummer of 1768 would have retarded American liberty many years.

* London State-paper Office, "America and West Indies," No. 152.

On the 5th of September, a paper in the form of queries, signed "Clericus Americanus," appeared in the Boston Gazette, taking the ground that, as the late acts implied a leaping over all those covenants and compacts which were the basis of the political union with Great Britain, it was expedient for the inhabitants of every town in the Province to choose representatives for a General Assembly, to petition for an enlargement of their privileges. The writer having explained his plans, continues: —

"If an army should be sent to reduce us to slavery, we will put our lives in our hands, and cry to the Judge of all the earth, who will do right, saying: Behold, how they come to cast us out of thy possession, which thou hast given us to inherit. Help us, O Lord, our God, for we rest on Thee, and in thy name we go against this multitude!"*

The author of this is unknown. Bernard, in a letter to Lord Hillsborough, called it "a system of politics exceeding all former exceedings." "Some took it," he says, "for the casual ravings of an occasional enthusiast, but I persuaded myself that it came out of the cabinet of the faction."† On Wednesday the Senegal left port, and on the following day the Duke of Cumberland sailed for Nova Scotia. The Governor took care that the news should be circulated that they had gone for troops, and long before night it was known all over town. A petition for a town meeting was signed on the 9th, "to consider the most wise, constitutional, loyal, and salutary measures" as to the expected arrival of the troops. The next evening, Otis, Samuel Adams, and Warren met at the house of Warren, — now the site of the American House, — to draw up resolves, arrange for the proceedings, and prepare the order of debate.‡ Bernard says, in one of his letters to Hillsborough, "the faction im-

* Boston Gazette, Sept. 5, 1768.

† Bernard to Hillsborough, Sept. 16, 1768.

‡ Capt. Corner's Diary, kept aboard the war-ship Senegal in Boston Harbor, now in the London State-paper Office.

mediately took the alarm" on hearing that the troops were expected; and the timid Governor, fearful of every event, distorted the calm and deliberate measures concerted at Warren's house into "a plan to surprise and take the Castle on the night following"; but his Excellency's informant on this occasion evidently allowed his fears or imagination to guide his report. Insurrection was far from the intention of the patriot trio. In the crisis before them, union first of the towns of the Province, and afterwards of the Colonies, was the plan. On Sunday, the Governor, in a panic, ordered the removal of the old iron "skillet," which from the earliest times had stood on Beacon Hill, to be lighted when the country was to be alarmed. The meeting took place on Monday, the 12th, at Faneuil Hall, where four hundred muskets lay upon the floor. Otis was moderator, and the eloquent Cooper opened the proceedings with prayer. Cushing, Samuel Adams, Dana, Rowe, Hancock, Kent, and Warren were appointed a committee to wait upon his Excellency, to inquire his reasons for expecting the troops, and "to humbly request him to issue precepts for a General Assembly to be convened with the utmost speed, in order that such measures might be taken as, in their wisdom, they might think proper" for the preservation of the rights and liberties of the people. A committee was also appointed to report the measures most salutary for the present emergency. The meeting adjourned, and came together again on the following day, when the committee reported that the Governor had no official communication to make upon the subject of the troops, and had refused to issue precepts for an Assembly. Upon this, the meeting adopted a "Declaration," in which it was resolved that the inhabitants of Boston, at the utmost peril of their lives and fortunes, maintain and defend their rights, liberties, privileges, and immunities. Otis addressed the meeting, and pointing to the arms, "These are the arms," said he; "when an attempt is made upon your liberties, they will be delivered. Our declaration wants no

explanation." The Governor's account of the meeting to the Ministry says:—

"When first it was moved that the Governor be desired to call an Assembly, it was said to be to provide for the safety of the Province, and put it in a posture of defence; it was therefore observed that that would make troops necessary, and it was immediately struck out. This was overruled, for indeed it was rather premature. Another, an old man, protested against everything but rising immediately, and taking all power into their own hands. One man, very profligate and abandoned, argued for massacring their enemies. His argument was, in short, liberty is as precious as life; if a man attempts to take my life, I have a right to take his; *ergo*, if a man attempts to take away my liberty, I have a right to take his life. He also argued, that when a people's liberties were threatened, they were in a state of war, and had a right to defend themselves; and he carried these arguments so far, that his own party were obliged to silence him."*

But the object in calling the meeting was not to be attained by rash counsels, which served rather to arm the enemy against them. In the "Declaration" "they intrenched themselves within the self-evident law, that it is the first principle in civil society, founded in nature and reason, that no law of the society can be binding on any individual without his consent, given by himself in person, or by his representative of his or her own free election." Wisdom and caution ruled the hour, and no measure was suffered to prevail which could cause the inland towns to withhold their cheerful assent from the great experiment which was to be tried. The Legislature had been arbitrarily dissolved, and the Governor had refused to call another. Following the precedent of 1688, the meeting proposed a convention of the towns of Massachusetts by their representatives; and for Boston, elected Cushing, Otis, Samuel Adams, and Hancock. The prevailing rumor of a war with France, and an ancient

* Bernard's letter to Lord Hillsborough.

precedent in England, was also used to support a vote that every one of the inhabitants should provide himself with fire-arms and ammunition.*

The town was still under the greatest excitement. The loyalists universally condemned the meeting and its objects. "They have delivered their sentiments," said General Gage, when he read the proceedings, "in the style of a ruling and sovereign nation, who acknowledge no dependence. Captain Corner, on board his ship, kept a diary for the greater part of September, which he forwarded to Commodore Hood. It tells of "panics at the Castle," of "cabals and menaces," news from England of "fifty state prisoners to be sent home" for trial, "the militia under arms, exercising and firing," "confusion and alarms," rumors of "an attack on the Castle," and other exciting details; but though a war-ship was stationed to protect the Castle, and the crown officers appear to have been much frightened, there was evidently no intention of violence.

The convention, which met on the 22d of September, was regarded by many with anxiety and alarm. They feared it might result in such acts as would lead to a forfeiture of the charter. But the controlling minds had been too long schooled in prudence to pass the limits which should "keep the enemy in the wrong"; and though, after the convention had adjourned, the crown officers exultingly asserted that the members had committed treason, it was found in England, after a thorough canvassing of their proceedings, that they had taken no step without careful deliberation, and had warily guarded against any infraction of the law.† The main object, which was the moral effect of an assembly of the people, held independently of the regular Legislature, whose action tyranny had clogged, was accomplished; and, on future occasions of a similar or more aggravated nature, the precedent could be used for other conventions with perhaps even greater results.

* Hutchinson's History, III. 205.

† Bancroft, VI. 206.

The delegates from sixty towns assembled at Faneuil Hall on the first day. Before the close of the convention, there was a representation from ninety-six towns and eight districts,—or nearly every settlement in the Province. Otis, though he had acted as moderator of the meeting which gave birth to this assembly, unaccountably absented himself in the country during the first three days of its sitting.* This greatly disconcerted his friends, and, consequently, after the choice of Cushing as moderator, and Adams as clerk, they remained with open doors the rest of the week, taking no steps further than to send a message to the Governor, praying “that his Excellency would be pleased to convene the constitutional Assembly of the Province,” thus publishing to the world that their object was to procure the meeting of their charter Legislature, at which they might consider the threatened destruction of their liberties. The Governor declined to receive their petition, assuming that such an act would be virtually admitting the legality of the assembly. He also addressed them a message against continuing their session, and urged that instantly and before doing any business they should break up and separate.

“I speak to you now,” he continued, “as a friend to the Province and a well-wisher to the individuals of it: but if you pay no regard to this admonition, I must, as Governor, assert the prerogative of the Crown in a more public manner. For, assure yourselves (I speak from instructions) the King is determined to maintain his entire sovereignty over this Province, and whoever shall persist in usurping any of the rights of it shall repent his rashness.”

The continued absence of Otis still retarded the proceedings; for his popularity and position as a leader rendered it indispensable that he should be there. Without the presence of so important a character, the popular party would have been regarded by the royalists as divided in counsel, where unanimity was the basis of success. In the following week he reappeared, when the proceedings were continued

* Capt. Corner's Diary for Thursday, 22d September.

with closed doors.* It was thought by members residing in remote districts, that violent acts were contemplated by the leaders, — a fear perhaps engendered by the false reports of the crown officers. It was, therefore, not without difficulty that the measures of the convention were carried by their originators, and there is reason to believe that Adams was not entirely satisfied with the proceedings, although the petition to the King, written by himself, was probably adopted through his efforts. A few days after the adjournment, Bernard wrote to Hillsborough: —

“Many of the deputies came down with instructions and disposition to prevent the Bostoneers involving the Province in their own mad devices. Many of them were sensible, from the beginning, of the impropriety and danger of this proceeding, and were desirous, by a moderate conduct, to correct the one and ward off the other. My message, which was said to be very high (though I hope not too high for the occasion), although it did not disperse them, had the good effect to keep them in awe. Hence it was that Otis, when he joined them, was perfectly tame, and his colleague Adams, when he attempted to launch out in the language used in the House of Representatives, was presently silenced.” †

The stern and inflexible character of Samuel Adams could ill brook these vacillations of political sentiment. It was either on this or a similar occasion, during the sitting of the convention, that he exclaimed, as the words were remembered by his daughter: “I am *in* fashion and *out* of fashion, as the whim goes. I will stand alone. I will oppose this tyranny at the threshold, though the fabric of liberty fall, and I perish in its ruins.” ‡ For six days the convention was in session. Besides adopting the petition to the King (that emanating from the House of Representatives in the previous winter), and a letter to Deberdt, also written by Adams, they carefully disclaimed the assumption by the convention of any

* Bernard to Lord Hillsborough, Sept. 27, 1768.

† Bernard to Lord Hillsborough, Oct. 3, 1768.

‡ Manuscript Memoir by the daughter of Samuel Adams, 1804.

legislative and government authority, declared their object to be the obtaining of relief from the oppressive system of imposts, custom-house officers, and regular troops, which were grievous to the Province, and incompatible with its just authority, its rights and liberties. In their address, they say:—

“ We hold that the sovereignty of King George the Third is entire in all parts of the British empire. God forbid that we should ever act or wish anything in repugnation of the same. We appear as plain, honest men, humbly desiring peace and order; and while the people observe a medium between abject submission and a slavish stupidity under grievous oppressions on the one hand, and illegal attempts to obtain relief on the other, and steadily persevere in constitutional applications to recover their just rights and liberties, they think they may promise themselves success.”

The object of the convention having been accomplished, it dissolved; and in the absence of a charter Assembly, the Governor and Council remained in charge of the public affairs.

On the day the convention dissolved, the squadron of seven armed vessels arrived from Halifax with two regiments of troops. The Council refused to prepare quarters for them, upon which the fleet, with springs on their cables, was placed off the wharves, so as to command the town; and then the Fourteenth and Twenty-ninth Regiments, with drums beating, fifes playing, and colors flying, were landed on Long Wharf, and marched to Boston Common, where they paraded in full uniform, each soldier being provided with sixteen rounds of shot, and all hostile preparations made as if they were entering the territory of a foreign enemy. Colonel Dalrymple, their commander, encamped the Twenty-ninth Regiment, and demanded quarter of the selectmen for the Fourteenth. The law would have justified a refusal, but the compassion of the inhabitants being moved for the soldiers standing shelterless in the cold night, they were allowed by the Sons of Liberty to sleep in Faneuil Hall,—the first time that the “Cradle of Liberty,” as it came afterwards to be called, had echoed to the clank of a foeman’s tread. The

menace of military rule served only to exasperate the little town which it was intended to overawe. The following letter illustrates the temper of the people: —

SIR, —

BOSTON, Oct. 3, 1768.

I am to acknowledge your favor of the 27th June per Blure. The troops, which you mentioned in your letter to the Speaker, arrived last week. Barracks are provided for them at the Castle, which is within the limits of the town, sufficient to contain more than their number. Governor Bernard, in opposition to the unanimous advice of his Council, insists upon their being quartered in the body of the town; they remain this day unprovided with any other quarters. The people, in general, as you may naturally suppose, are utterly averse to their continuing among them; yet such was their humanity towards them that they were careful to shelter them from the open air for a night or two, even in the City Hall. What will be the event of, I had almost said the obstinacy of the Governor against the sense of a provoked people, God only knows. The revenue, be it just or not, is not at all affected in this struggle. It has been paid without interruption during the retirement of the Commissioners to the Castle, which was of their own accord, and, some suspect, was to make an appearance and a plausible pretence to the nation. The troops are hitherto orderly. The inhabitants preserve their peace and patience. The late convention has no doubt contributed much towards it. They, however, look upon their situation, being surrounded with men of war, hostile, at least in appearance, and the determination of the Governor to quarter soldiers upon them when there are barracks provided according to act of Parliament, which was made undoubtedly to prevent such a calamity, to be a new and intolerable grievance. They are resolved not to pay their money without *their own* consent, and are more than ever determined to relinquish every article, however dear, that comes from Britain, till the acts are repealed and the troops removed. May God preserve the nation from being greatly injured, if not finally ruined, by the vile ministrations of wicked men *in America*.

I am, in haste, your most humble servant,

SAMUEL ADAMS.

DENNYS DEBERDT, Esq.

CHAPTER X.

Military Rule in Boston. — Adams warns the People against the Approach of Tyranny. — His Essays in the Boston Gazette. — Conduct and Influence of the Soldiery. — Meeting of Parliament. — The King enraged against the Town of Boston. — Edmund Burke defends Massachusetts. — Lord North and his Policy. — Boston to be subjugated and her Leaders tried for Treason.

Now that the troops were quartered in Boston, they found themselves in an orderly town, without an enemy to fight. The inhabitants, keenly alive to their rights, and yet careful not to be the aggressors, stood quietly by, and witnessed this tyranny, but knew that the time for action was not yet. To the requisition for allowances for the soldiers which was laid before the Council, that body replied that they were ready to comply on their part with the act of Parliament, if Colonel Dalrymple would on his. But the latter was too haughty to make any promises. They were willing to appoint a commissary, if he would "take the risk of the Province's paying," since the Legislature was dissolved, and no other power, by the charter, could appropriate the money of the Province.

General Gage, Commander-in-Chief of the forces in America, came to Boston to demand quarters for the troops; but the Council still refused until the barracks at the Castle were filled, and, after trying every plan, the Governor admitted that he was "at the end of his tether," for the law was unquestionably on the side of the town. Finally, as the weather was growing inclement, the main guard was established opposite the State House, which was occupied by troops, and their cannon were pointed towards the legislative hall.*

* Massachusetts Gazette, Nov. 3, 1768.

The Council appealed to the General, in a memorial, to testify from his own observation, that the town was peaceful, and desired him to remove the obnoxious regiments to the Castle or Point Shirley. But, though Gage admitted the justness of their statements, he declined to remove the troops. Boston was under a military despotism. The refusal to make use of the barracks at the Castle, which were yet unfilled, and quartering the soldiers on the town, was a manifest infringement of the act of Parliament, but remonstrances were lost upon the commander.

Mr. Adams viewed the establishment of military power as the first step in the system which must eventually bring on a collision. As "Principiis Obsta," he showed the danger of an armed force among a people.*

"Where law ends," says Mr. Locke, "tyranny begins, if the law be transgressed to another's harm." No one, I believe, will deny the truth of the observation; and, therefore, I again appeal to common sense, whether the act which provides for the quartering and billeting the King's troops was not transgressed when the barracks at the Castle, which are sufficient to contain more than the whole number of soldiers now in this town, were absolutely refused. This, I presume, cannot be contested. Should any one say that the law is not transgressed 'to another's harm,' the assertion, I dare say, would contradict the feelings of every sober householder in the town. No man can pretend to say that the peace and good order of the community is so secure with soldiers quartered in the body of a city as without them. Besides, where military power is introduced, military maxims are propagated and adopted which are inconsistent with, and must soon eradicate, every idea of civil government. Do we not already find some persons weak enough to believe that an officer is obliged to obey the order of his superior, though it be even against the law? And let any one consider whether this doctrine does not directly lead even to the setting up that officer, whoever he may be, as a tyrant?

"It is moreover to be observed, that the military government and civil are so different from each other, if not opposite, that they

* Boston Gazette, Oct. 17, 1768.

cannot long subsist together. Soldiers are not governed properly by the laws of their country, but by a law made for them only. This may, in time, make them look upon themselves as a body of men different from the rest of the people; and as they, and they only, have the sword in their hands, they may sooner or later begin to look upon themselves as the lords, and not the servants, of the people. Instead of enforcing the execution of the law, which by the way is far from being the original interest of soldiers, they may refuse to obey it themselves, — nay, they may even make laws for themselves, and enforce them by the power of the sword! Such instances are not uncommon in history, and they always will happen when troops are put under the direction of an ambitious or covetous Governor. And if there is any reason to fear that this may be the consequence of a transgression of the act of Parliament, it is a transgression not ‘to the harm’ of individuals only, but of the public. It behoves the public, then, to be aware of the danger, and like sober men to avail themselves of the law while it is in their power. It is always safe to *adhere to the law*, and to keep every man of every denomination and character within its bounds. Not to do this would be in the highest degree imprudent. Whenever it becomes a question of prudence, whether we shall make use of legal and constitutional methods to prevent the encroachments of any kind of power, what will it be but to depart from the straight line, to give up the law and the Constitution, which is fixed and stable, and is the collected and long digested sentiment of the *whole*, and to substitute in its room the opinion of individuals, than which nothing can be more uncertain. The sentiments of men, in such a case, would, in all likelihood, be as various as their sentiments in religion or anything else; and as there would be no *settled* rule for the public to advert to, the safety of the people would probably be at an end.”

In another essay, signed “*Cedant Arma Togæ*,” he also considers the quartering of troops upon the people, and exposes its illegality and uselessness in the present instance.

The troops were no sooner established in the town than they began to desert, — about forty having disappeared by the middle of October; and their escape was facilitated by the fact that none of the people would betray them. On the

3d, a proclamation was read on King Street (now State Street) to the troops, offering a reward of ten guineas to each soldier who should inform of any one attempting to seduce him from the service. The severest discipline was enforced, and, at last, a deserter having been captured, he was shot on the Common, and buried on the place of execution.* A petition for his pardon was sent to the commanding officer by some of the first ladies of Boston. On the morning of the 6th, nine or ten soldiers of Colonel Carr's regiment were severely whipped on the Common,—the punishment being inflicted by negro drummers. These cruel spectacles were revolting to the Americans, who had hitherto been strangers to such horrors. Samuel Adams, whose sensitive and merciful disposition could never harbor the idea of a human creature being thus lacerated, was inexpressibly shocked with the barbarities of military discipline, and, in at least one instance, succeeded in saving from the lash a soldier who had been sentenced to a degree of punishment nearly equivalent to death. The wife of the unfortunate man applied to him in her distress, in hopes that the weight of his character would have some influence with the commander to avert the penalty. Mr. Adams promised to intercede, though with what likelihood of success can be imagined, from his position in opposition to government measures, and when affidavits were taken against his life for alleged treason. His appeal, however, much to his own surprise, was successful; the culprit was pardoned solely on his intercession, and the grateful woman was ready, would he have permitted it, to embrace the knees of her noble advocate. His daughter, who related this anecdote, believed that the act was preparatory to some overtures which were afterwards made to Mr. Adams to secure him for the government cause.

Orders at last arrived for the Commissioners of the Customs, who had remained in the Castle since the September mob, to return to Boston. Before returning, they desired

* Drake's History of Boston, p. 752.

to obtain from the Council some excuse for their flight: but the object of their artful departure was fully understood, and the Council instead of gratifying them, voted that "they had no just reason for absconding from their duty." The officers, left to their own discretion, returned on the 10th, and took an office at Concert Hall on Queen Street, where a sentinel was posted at the door for their protection. Almost their first act was to revive the affair of the sloop Liberty; and Hancock and Malcom were both arrested, and the former prosecuted for the recovery of the cargo of the sloop and treble damages. Bail having been given, the prosecutions were dropped in the following March by order of the King's advocate, as there was not sufficient evidence to support the allegations. During the winter, John Adams was engaged by Mr. Hancock as his counsel and advocate, and he says there were few days* when he was not summoned to attend the Court of Admiralty. The Commissioners, now supported by the troops, resumed their haughty and overbearing manners, and became even more disgusting to the inhabitants.

Samuel Adams assailed them in a series of essays published in the Boston Evening Post, over the signature of "Candidus." These myrmidons of royalty insolently set themselves up as beyond the reach of the provincial writers, and presumed upon the nature of their office and consequent ability to annoy the merchants in proportion as they were interfered with. In these essays they are treated without mercy.† One of the articles concludes thus:—

"And I shall here quit him at present, to assure my readers, that I esteem the liberty of the press (within its proper limits) as the greatest blessing to the good, and the severest scourge to the licentious; and in no other way will I ever use it, having a thorough detestation to licentiousness of all denominations; nor shall threats from men in power, nor any mean, underhand methods, prevent me

* John Adams's Diary, 1768 (Works, II. 215, 216).

† Evening Post, Dec. 26, 1768.

from exposing the abuse of the power put into their hands. In time, I will show the conduct of those men in proper colors, choosing to finish with them as individuals before I take notice of their public conduct in a particular manner."

While Boston, as the citadel of American liberty, was the special object of ministerial vengeance, and the sympathies and co-operation of the other Assemblies were extended to Massachusetts, great changes had taken place in the English Cabinet. Chatham, weighed down by infirmities, had resigned. Townshend was dead, and the Earl of Rochford had been appointed Secretary of State. Parliament assembled on the 8th of November, when the King, in his speech, alluded to the fresh troubles in America, and levelled his chief animosity at the town of Boston. He promised, with the concurrence and support of the Ministry, to defeat "the mischievous designs of those turbulent and seditious persons who, under false pretences, have but too successfully deluded my subjects in America." In the animated debate that followed, the Bostonians were charged with "defying all legal authority"; and one of the lords recommended that the charter and laws of Massachusetts should be so changed as "to give the King the appointment of the Council, and to the sheriffs the sole power of returning juries." This was carrying tyranny to a point which the most violent had scarcely contemplated. The independence of juries and the rights of charters should have been sacred in the eyes of every Briton. A threat to suspend them in any part of the British dominions might well have aroused the jealous attention of the English people; but the menace was scarcely noticed by them. Samuel Adams marked the words, and weighed them well. In an essay on the rights of the whole people he says:—

"I know very well that some of the late contenders for a right in the British Parliament to tax Americans who are not, and cannot be, represented there, have denied this. When pressed with that fundamental principle of nature and the Constitution, that what is

a man's own is *absolutely* his own, and that no man *can* have a right to take it from him without his consent, they have alleged, and would fain have us believe, that by far the greater part of people in Britain are excluded the right of choosing their own representatives, and therefore that *they* are taxed without their consent. Had not this doctrine been repeatedly urged, I should have thought the bare mentioning it would have opened the eyes of the people there to see where their pretended advocates were leading them; that in order to establish a right in the people in England to enslave the Colonists under a plausible show of great zeal for the honor of the nation, they are driven to a bold assertion, at all adventures, that truly the greater part of the nation are themselves subject to the same yoke of bondage. What else is it but saying that the greater part of the people of Great Britain are slaves? For if the fruit of all their toil and industry depends upon so precarious a tenure as the will of a few, what security have they for the utmost farthing? What are they but slaves, delving with the sweat of their brows, not for the benefit of themselves, but their masters? And after all the fine things that have been said of the British Constitution, and the boasted freedom and happiness of the subjects who live under it, will they thank these modern writers, these jealous assertors for the honor of the nation, for reducing them to a state inferior to that of indented servants, who generally contract for a maintenance, at least, for their labor?" *

Edmund Burke ably and eloquently defended the action of Massachusetts during the debate in Parliament. He insisted that the order requiring that Colony to rescind her Circular Letter to the other Assemblies, was absolutely illegal and unconstitutional; and Grenville, the originator of the plan to tax the Colonists, agreed with him in his opinion. Thus not only was the refusal of Massachusetts to rescind at the arbitrary mandate of Hillsborough founded in legal and natural justice, but they were supported in their course by the finest intellects in England.

"America must fear you before she can love you," said Lord North to Alderman Beckford, who recommended a repeal of the late

* "Vindex," in the Boston Gazette, Dec. 19, 1768.

act, and a policy of moderation and kindness. "Punishment," he continued, "will not be extended beyond the really guilty; and if rewards shall be found necessary, rewards shall be given. But what we do, we will do firmly; we shall go through our plan, now that we have brought it so near success. I am against repealing the last act of Parliament, securing to us a revenue out of America. I will never think of repealing it, until I see America prostrate at my feet."

In uttering this threat, the Minister defined his policy throughout his premiership. Courageous, good humored, and apathetic in temperament, he was devoted to the royal prerogative, and was strict in the performance of his duties. Opposed to reforms, and bitterly against concessions to the Americans, having voted for the Stamp Act and against its repeal, he was exactly the man to blindly pursue the measures of the headstrong King, and thus, under Providence, to bring about the liberty of the Colonies. It was in November, 1768, that he was determined to see "America at his feet." In November, 1781, he was fated, as Prime Minister, to hear of the surrender of Cornwallis, which virtually ended the war of independence. Then his self-possession deserted him, and he looked back with horror and chagrin upon the measures of his administration, and reluctantly yielding to a vote of censure from the House of Commons for his American policy before and during the war, the vanquished peer retired from the Cabinet, followed by the execrations of his countrymen.

But Parliament was now blind to everything but the determination to subdue the Colonies, and Lord North, who led the Ministry, having given his ultimatum, the address to the King was carried in both Houses, pledging the nation to support his Majesty in all such future measures as should be found requisite to enforce a due obedience to the laws, to restore the Colonial dependence, and "to maintain entire and inviolate the supreme authority of the Legislature of Great Britain over every part of the British empire." The die

was cast; and the work of subjugation was to be commenced. The government was preparing to take determined measures. Lord North demanded united action to awe Boston, the head of the rebellion, into obedience. It was asked by Grenville, "How do we know parliamentarily that Boston is the most guilty of the Colonies?" Some of the peers, who were opposed to the measures, expressed their horror at them, and their deep sympathy with the Colonists; but the vote in the Commons passed by a majority of twenty-seven. The first step towards this subjugation of a peaceable and loyal town was the introduction by Lord Hillsborough, in the House of Lords, of a series of resolutions condemning the Assembly of Massachusetts, its Council, and the September convention; approving of the military force, and planning a change in the charter of the Province. Bedford followed with an address to the King, "to bring to condign punishment the chief authors and instigators of the late disorders," and, if sufficient ground should be seen, to put them on trial for treason. The resolutions and address were adopted almost unanimously.*

* That these measures were inconsistent as well as unnecessarily harsh is especially apparent when we reflect upon the riots and confusion in England itself at this very time, to quell which no especial act was considered to be necessary.

Dr. Franklin writing from London in May of the same year, says: "Even this capital, the residence of the King, is now a daily scene of lawless riot and confusion: mobs patrolling the streets at noonday; some knocking down all that will not roar for Wilkes and liberty; courts of justice afraid to give judgment against him; coal-heavers and porters pulling down the houses of coal-merchants, that refuse to give them more wages; sawyers destroying saw-mills; sailors unrigging all the outward-bound ships, and suffering none to sail till merchants agree to raise their pay; watermen destroying private boats and threatening bridges; soldiers firing among the mobs and killing men, women, and children; which seems only to have produced a universal sullenness that looks like a great black cloud coming on, ready to burst in a general tempest. What the event will be, God only knows." And again he writes: "I have seen within a year riots in the country about corn; riots about elections; riots about work-houses; riots of colliers; riots of weavers; riots of coal-heavers; riots of sawyers; riots of Wilkesites; riots of government chairmen; riots of smugglers; in which custom-house officers and excisemen have been murdered,

Intimations of the proposed seizing of the popular leaders had already arrived in Boston. It was known that the threatened calamities were the result of the repeated misrepresentations by the Governor and his underlings. "They expect a voyage to England against their inclinations," wrote Commodore Hood; and the crown officers did not conceal their exultation at the double satisfaction of having the leaders hanged for treason, and their own safety provided for by the presence of troops. At the same time that these coercive measures were adopted against Boston for riots hugely exaggerated by the loyalist writers, an actual spirit of insurrection and riot was constantly manifesting itself in England, and yet no troops were quartered upon the turbulent towns. But the interposition of a wide ocean, it seems, had disfranchised Britons, and by residing on the opposite side of the water they had lost the rights and privileges of Englishmen. The year was closing, and yet the Legislature remained dissolved. There seemed no probability of relief, and a gloomy despondency settled upon the Province. But the spirit of inquiry was abroad. The genius of liberty was not dead nor asleep. Arbitrary power, indeed, pressed heavily upon the community, but there was a fire beneath the surface and, at any moment, there might be an eruption.

Meantime the troops, without an enemy to fight, were standing proofs of the uselessness of their mission. The fleet, consisting of eight war vessels, commanded the harbor; and the royal regiments had possession of the only land communication with the town. Red coats, glittering bayonets, martial music, and all the paraphernalia of war were constantly paraded in the faces of the exasperated people. The legislative halls were occupied by armed mercenaries, and cannon pointed at the doors; the quiet of the Sabbath was disturbed, and citizens were challenged at every corner

and the King's armed vessels and troops fired at." But these disturbances were at home, and among privileged Englishmen. The restiveness of their Colonists under oppression was another thing.

as in time of martial law. As the hatred between the people and the troops daily increased in virulence, complaints were made that numbers of the inhabitants had been insulted and arrested, jostled in the streets, and thrust at with bayonets. A merchant was struck down in a coffee-house, and some of his friends, who attempted to expostulate, were roughly handled. The slaves were excited against their masters, and the law was openly violated in innumerable instances. Brawls and revels by night, and outrages by day, characterized the life of the soldiers; while, to scandalize the town and corrupt the morals of the young, hundreds of abandoned women, who had followed the army from Europe to Halifax, came thence to Boston. They were the most dissolute creatures, and many soon found their way into the alms-house, and thus increased the public burdens. To keep his countrymen thoroughly aroused to the ignominy of their position under these outrages, Mr. Adams lost no opportunity of stinging the public mind to the quick with cogent essays in the newspapers, which, among the many acts of tyranny, had not yet been suppressed. His object was to have it constantly in view, that the military was under the civil power, and that the British Constitution was violated by the quartering of troops upon the people. He demanded to know by what right the towns-people were constantly challenged:—

“There is something in it,” said he, “which looks as if the town was altogether under the government and control of the military power; and as long as the inhabitants are fully persuaded that this is not the case at present, and moreover hope and believe that it never will, it has a natural tendency to irritate the minds of all who have a just sense of honor, and think they have the privilege of walking the streets without being controlled.

“I am informed that not less than nine gentlemen of character, some of them of the first families in this Province, were stopped and put under guard the other evening, for refusing to submit to this

military novelty; and, still more alarming, that even one of his Majesty's Council was stopped in his chariot in the daytime when going out of town, under a flimsy pretence that possibly he might have concealed a deserter in his chariot, and was treated with insolence. The honorable gentleman, I dare say, felt his resentment kindle; and every one who hears of so high-handed an insult must feel anger glowing in his breast. I forbear to mention the constant practice of challenging, as it is called, the country people when passing and repassing upon their lawful business through the gates of the city, where a guard-house is erected upon land belonging to the public. . . .

“Are we a garrisoned town, or are we not? If we are, let us know by whose authority and by whose influence we are made so: if not, and I take it for granted we are not, let us then assert and maintain the honor, the dignity, of free citizens, and place the military where all other men are, and where they always ought and will be placed in every free country, — *at the foot of the common law of the land*. To submit to the civil magistrate in the legal exercise of power is forever the part of a good subject; and to answer the watchmen of the town in the night may be the part of a good citizen, as well as to afford them all necessary countenance and support. But to be called to account by a common soldier, or any soldier, is a badge of slavery which none but a slave will wear.

“Is there any who dares to say that Americans have not the rights of subjects? Is Boston disfranchised? When and for what crime was it done? If not, is it not enough for us to have seen soldiers and mariners forejudged of life, and executed within the body of the county by martial law? Are citizens to be called upon, threatened, ill-used at the will of the soldiery, and put under arrest, by pretext of the law military, in breach of the fundamental rights of subjects, and contrary to the law and franchise of the land? And are the inhabitants of this town still to be affronted in the night, as well as the day, by soldiers armed with muskets and fixed bayonets? Are these the blessings of government? Is this the method to reconcile the people to the temper of the present administration of government in this Province? Will the spirits of people as yet unsubdued by tyranny, unawed by the menaces of arbitrary power, submit

to be governed by military force? No! Let us rouse our attention to the common law, — which is our birthright, our great security against all kinds of insult and oppression, — the law, which when rightly used, is the curb and the terror of the haughtiest tyrant. Let our magistrates execute the good and wholesome laws of the land with resolution and an intrepid firmness, aided by the *posse comitatus*, the body of the county, which is their only natural and legal strength, and they will see their authority revered. The boldest transgressors will then tremble before them, and the orderly and peaceable inhabitants will be restored to the rights, privileges, and immunities of free subjects.”*

In the series of writings signed “Vindex,” extending through the month of December, all of far greater length than can be here introduced, Mr. Adams continued to attack the principle and practice of establishing military rule. In his private conversations among his friends, and wherever he could meet any number of his fellow-townsmen, he endeavored to depict the ruin of liberty under an armed force, and to inspire them with a sense of the injury they were sustaining. He held that a standing army within the kingdom in time of peace, without the consent of Parliament, was against the law; that the consent of Parliament necessarily implied the consent of the people, who were always present in Parliament either by themselves or their representatives; and that the Americans, as they were not and could not be represented in Parliament, were therefore suffering under military tyranny over which they were allowed to exercise no control. In one of these essays, he says: —

“It is a very improbable supposition that any people can long remain free, with a strong military power in the very heart of their country, unless that military power is under the direction of the people; and even then it is dangerous. History, both ancient and modern, affords many instances of the overthrow of states and kingdoms by the power of soldiers, who were raised and maintained at first under the plausible pretence of defending those very liberties

* “Vindex,” in the Boston Gazette, Dec. 5, 1768.

which they afterwards destroyed. Even where there is a necessity of the military power *within the land*, which by the way but rarely happens, a wise and prudent people will always have a watchful and a jealous eye over it; for the maxims and rules of the army are essentially different from the genius of a free people, and the laws of a free government. . . . The whole continent of America is charged by some designing men with treason and rebellion for vindicating their constitutional and natural rights; but I must tell these men on both sides the Atlantic, that no other force but that of reason and sound argument on their part . . . will prevail upon us to relinquish our righteous claim. Military power is by no means calculated to convince the understandings of men. It may in another part of the world affright women and children, and perhaps some weak men, out of their senses, but will never awe a sensible American tamely to surrender his liberty. Among the brutal herd, the strongest horns are the strongest laws; and slaves, who are always to be ranked among the servile brutes, may cringe under a tyrant's brow. But to a reasonable being, one, I mean, who acts up to his reason, there is nothing in military achievement, any more than in knight-errantry, so terrifying as to induce him to part with the choicest gift that Heaven bestows on man."*

Again, in writing on the same subject, in the latter part of December, he devotes a large space in the Boston Gazette to the danger of standing armies in any country in time of peace.

"A standing army is an army raised and kept within the community to defend it against any sudden attacks. If it be asked who is to judge when the community is in danger of such attacks, one would naturally answer, — the community itself. For who can be more proper judges of it than they for whose safety alone, and at whose expense alone, they are kept and maintained? The people, while they enjoy the blessings of freedom and the security of their property, are generally early enough in their apprehension of common danger, especially when it is so threatening as to require the military aid; and their judgment of the necessity or expediency of a standing army is, generally, at least as honest as that of their

* "Vindex," in the Boston Gazette, Dec. 12, 1768.

superiors. Indeed, in arbitrary governments, and, alas! how few are there in the world that are not so! the people give up the power of judging in this matter, as well as in all other matters of public concern, to their governors, who always sooner or later, instead of governors, make themselves their masters and tyrants, and even their executioners; and this change is commonly brought on by the means of standing armies. But in free governments the people have an influence in public affairs, and they always will, so far at least as to prevent their being ruined by the avarice, ambition, humor, caprice, or violence of one man or a few men whose interest it may be to ruin them. Thanks be to Heaven, the government of Great Britain has still its proportion of a democracy; the people have their share in the Legislature, and no law can be made nor any public measures taken, which can effect their interest, without their consent." *

* "Vindex," in the Boston Gazette, Dec. 26, 1768.

CHAPTER XI.

Debates in Parliament on Colonial Affairs. — Colonel Barré defends the Colonists. — Passage of Bedford's Address. — The leading Patriots to be sent to England for Trial. — Otis and Adams especially marked. — Adams attacks the Crown Writers. — The Boston Press. — Newspapers in the last Century. — Their Influence in shaping Public Opinion. — Public Meeting to vindicate the Town. — Adams drafts a Petition to the King and a Letter to Isaac Barré. — He appeals to the Sons of Liberty.

THE debate on American affairs was resumed in the House of Commons in January and February, 1769. Hillsborough's resolutions and Bedford's address had passed the Lords by twenty-seven majority; and now the masters of English eloquence stood up in the Lower House in defence of American rights. Even Grenville spoke against the address, and scoffed at the insane and unjust system. The debate was long and able. The project of extending the act of Henry the Eighth to the Colonies, in order legally to arrest and transport the leaders to England to be tried for treason, was particularly opposed by the great champion of America, Edmund Burke. "Suppose," said he, "you do call over two or three of these unfortunate men, what will become of the rest? 'Let me have the heads of the principal leaders,' exclaimed the Duke of Alva: but these heads proved hydra's heads. Suppose a man brought over for high treason; if his witnesses do not appear, he cannot have a fair trial. God and nature oppose you."

Barré, in an eloquent speech, denied that the Americans were proper objects for taxation, and warned the Commons that all America, not merely a single Colony, was ripe for revolt. To prostrate America at the feet of the Ministry, he said, would prove no easy task; and he deprecated the spirit which would wish to see a respectable, free, and hardy people thus humbled.

“In such a situation,” said he, “she would serve only as a monument of your folly. For my part, the America I wish to see is America increasing and prosperous, raising her head in graceful dignity, with freedom and firmness asserting her rights at your bar, vindicating her liberties, pleading her services, and conscious of her merit. This is the America that will have courage to fight your battles, to sustain you when hard pushed by some prevailing foe, and by her industry will be able to consume your manufactures, support your trade, and pour wealth and splendor into your towns and cities. If we do not change our conduct towards her, America will be torn from our side. I repeat it, unless you repeal this law, you run the risk of losing America.”

Pownall and Dowdeswell were also among the opponents of the resolves. The former, who had lived in the Colonies, knew the character of the people, their earnest devotion to their just rights, and their loyalty, which only a long succession of oppressive measures could destroy. “The people of that country,” said he, “and the King’s troops are, as it were, set in array against each other. The sword indeed is not drawn, but the hand is upon it. The word for action is not indeed yet given, but mischief is on tiptoe, and the slightest circumstance would in a moment throw everything into confusion and bloodshed.” He predicted that the union between Great Britain and North America would be broken, if some change of policy did not interpose to remove this show of military power. But the resolutions and address were both passed, and Boston was thenceforth to be the special object of British vengeance.

The policy was now to arrest and bring over the accused to England for trial; and this had been suggested by the repeated letters of Bernard and Hutchinson. Burke regarded this measure with horror. “At the request of an exasperated governor,” he cried, during the late debate, “we are called upon to agree to an address advising the King to put in force against the Americans the act of Henry the Eighth. And why? Because you cannot trust the juries of that

country! Sir, that word must convey horror to every feeling mind. If you have not a part among two millions of people, you must either change your plan of government, or renounce the Colonies forever."

News had already been received in Boston that on the arrival of the regiments from Ireland, Cushing, whose position as Speaker of the House gave him especial prominence in England, and sixteen others, who had been members of the convention, were to be arrested. Oliver wrote to England, that he had long entertained the opinion, "if there be no way to take off the original incendiaries, they will still continue to instil their poison into the minds of the people through the vehicle of the Boston Gazette." That the "taking off" of the "incendiaries" was not consummated, was owing to the fact, that the most careful examination of their proceedings, magnified as they were by the letters of the crown officers, revealed no acts of treason. De Grey and Dunning, the Attorney and Solicitor General, had declared that there were not sufficient grounds to fix the charge of treason upon any of the persons named in the papers laid before them. The September convention, which had been specially misrepresented, was particularly scrutinized, but the result was only to excite the admiration of De Grey, to see how well the Americans were versed in the crown law; and he doubted whether they had been guilty of an overt act of treason, but "was sure they had come within a hair's breadth of it." Bernard and Hutchinson, however, continued to hunt up evidence against the leading patriots, especially Otis and Samuel Adams. It was on the 23d of January that an affidavit, already quoted, was taken against Mr. Adams, and proceedings were at the time instituted against Edes and Gill, the publishers of the Boston Gazette, the "trumpeters of sedition," and "the authors of numberless treasonable and seditious writings." Hutchinson, while he pretended to be still a friend of the Colonies, wrote secretly across the ocean, "there must be an abridgment of what are called English liberties."

The presence of the troops started into life a number of writers in defence of the measures of government. One of these appeared in the Evening Post, in a series of articles signed "Z. T.," upholding the right of taxing the Colonies, on the ground that the nation had protected the Americans at great expense, and that, therefore, they should assume their portion of the public debt. Mr. Adams, reversing the signature,* replied in the organ of the patriots, and went over the entire ground from the commencement of the difficulties with the mother country, taking up in detail the specious arguments of the crown writers, and logically refuting every statement. The essay, which covers a large space in the Gazette, embraces every disputed point in the controversy, and in its conclusions is unanswerable.

"Our writer says, that 'if such grants and privileges as are pleaded by the Colonists (such as charters, &c.) may ever exempt them from paying such a proportion of taxes, it must be concluded that the empire is founded on unjust principles, which need a reform in order to make an equality among the subjects.' But he seems to be too apt to forget that the rights of nature, as well as the Constitution of Great Britain, exempts the subjects from paying any money at all, upon any account, without their consent. This is one of the principles upon which the British empire is founded and has stood firmly for many ages; if this writer thinks it needs a reform to make an equality, surely his proposal, that one part of the empire should consent that the other should be lords *proprietors*, has no tendency to promote an *equality* among the subjects. He tells us that formerly the right of taxation was in the King only. I should have been glad if he had pointed us to that time. We know that kings — even *English* kings — have lost their crowns and their heads for assuming such a right. 'Tis true this strange claim has occasioned much contention, and it always will as long as the people understand the great charter of nature upon which Magna Charta itself is founded, — *No man can take another's property from him without his consent.* This is the law of nature; and a violation of it is the same thing, whether it be done by one man who is called a king, or by five hundred of another denomination."

* "T. Z.," in the Boston Gazette, Jan. 9, 1769.

The government writers, who were most likely some of the Commissioners of Customs, received liberal pay for their labors; and being actuated by no higher motive, they were not to be convinced by justice or reason. The "Court Gazette," as the patriots termed the royalist organ, still sent forth its articles to deceive the people; and Samuel Adams, who has been called "more than a match for them all," with a thorough understanding of the question at issue, the clearest intelligence, and an untiring industry, met them at every point with convincing arguments and plain statements.

The failure to find the Bostonians guilty either of sedition or treason had spurred Hutchinson to renewed exertions, and depositions against the leaders continued to be taken. His object was not unknown to the patriots, some of whom publicly reproached him for his baseness as a "public informer." But the Lieutenant-Governor, in his desire for preferment, was careless of the means he employed. The debates in Parliament, at the opening of the session, had been grossly misrepresented by a writer in the "Court Gazette." Mr. Adams, in his reply, defended the conduct of the town in all its struggles against tyranny, especially the convention of the previous year, exposed the infamy of the crown informers, and set forth the true condition of the Province as it should have been stated to the Ministry and Parliament. The accusations of the Governor against the Colony had not been sustained by facts, on which Mr. Adams remarks: — *

"New vouchers, we are told, are called for from authority. This is no favorable symptom to the sudden and warm accusers; for I believe there are more than one who may find it an Augean enterprise to support their own representation. For it is certainly beyond human art and sophistry to prove that British subjects, to whom the privilege of possessing arms is expressly recognized by the Bill of Rights, and who live in a Province where the law re-

* "Shippen," in the Boston Gazette, Jan. 30, 1769.

quires them to be equipped with arms, &c., are guilty of an illegal act in calling upon one another to be provided with them as the law directs. But if some are bold and base enough, where the interest of a whole country is at stake, to penetrate into the secrets of the human breast, to search for crimes, and to impute the worst of motives to actions strictly legal, whatever may be thought of their expediency, it is easy to recriminate in the same way; and one man has as good reason to affirm that a few, in calling for a military force, under pretence of supporting civil authority, secretly intended to introduce a general massacre, as another has to assert that a number of loyal subjects, by calling upon one another to be provided with arms, according to law, intended to bring on an insurrection.

“But Boston ‘may be deprived of all its trade, and made a village.’ Sad, indeed! And so may New York and all the trading towns on the American continent; and what then? Why then Bristol and Liverpool and London itself may become villages too. Was this said in Parliament, or was the threatening moulded here to excite ridicule? Could a British politician, finding public credit suffering at such a critical season from the unsettled state of America, ever imagine that the nation might be remedied by turning our seaports into villages? The compiler goes on to inform us that Governor Bernard has been spoken of with great respect. And so has Mr. Otis, and compared to the Pymms, the Hampdens, the Shippens, and to the Sir John Barquards of Great Britain. But poor G. B——, it was judiciously observed in the House of Commons, has had some very uncommon difficulties to contend with. Mr. Otis and his compatriots have doubtless had none!—no toils, no self-denials, no threatenings, no tempting baits! No! all the virtue is on one side. Virtue was never known to be separated from power or profit.”

Among the patriots who stood boldly forward in these trying times, let us not forget the intrepid Edes and Gill, publishers of that stanch vehicle of free speech, the Boston Gazette. It was now a well-established weekly newspaper, having been first issued in 1755, when it was a half-crown sheet printed on two pages folio. For several years this firm

were "printers to the Honorable House of Representatives," as appears on the title-pages of the records of that body. The copartnership between the proprietors lasted twenty years, when, in 1775, Gill retired, and the Gazette was continued by Edes until 1798. Its venerable proprietor died in 1803, in his eightieth year, worn out by age and sickness, miserably poor, and neglected by those whose blessings he had helped to secure. From the commencement of the Revolution, the Boston Gazette was the chosen mouthpiece of the patriots. When the attempted enforcement of the writs of assistance agitated the public mind in 1760, the columns of the Gazette were headed with a patriotic device, which remained there through the long period preceding the outbreak of hostilities and through the war.

The files which have been preserved offer an interesting field for the historian and biographer, and furnish a more truthful picture of the condition of Boston, during the Revolution, than can be obtained from any other source. Rightly studied, its pages are a history of that time. The proceedings of town meetings, legislative state papers, public resolves, political essays, and occasional narratives of passing events, transport the reader back to the last century, and bring the whole public life of the Province before him. These time-stained columns are the same that were perused by the citizens of a hundred years ago; and it is not difficult to fancy ourselves in the quaint old town, and to imagine the comments and discussions arising from the foreign intelligence and political writings which, once a week, it placed before its readers.

A free press was the just pride of the Bostonians. Jealous of their liberties, they turned to it early in the Revolutionary struggle, to make known their grievances, and defend their rights. But though an important engine in the cause, it was feeble compared with the press of to-day. The editorial leaders, in which great questions are now handled, seldom appeared; their place being supplied by

the essays of occasional correspondents, which occupied all the available space, and formed and directed public opinion. The columns of the newspapers, throughout the Revolutionary period, are devoid of articles of general interest. Editorial ability, as understood in our day, was unknown, — the communications being addressed “to the printer” or the publisher by name. There were really, in the present acceptance of the term, no editors beyond the contributors upon whose favors the influence and circulation of the paper principally depended. The wide distance intervening between populous centres, added to the imperfect roads and irregular conveyances, rendered the speedy transmission of news impossible. The journey from Boston to New Haven occupied two or three days; to New York a week or ten days; and to Philadelphia eight or ten days. Northward, where the roads were not of the best, travelling was even less expeditious, and with Europe, the sole communication was by means of not very fast vessels, unprovided, of course, with the appliances and discoveries in seamanship and navigation by which modern voyages are so much shortened. Very late intelligence was therefore not to be expected in the newspapers of the last century. That active, indefatigable personage, the reporter, was unknown in the New England press, nor were the services of such a news-gatherer required. Events in small communities were soon current verbally, and if published in the papers, it was more for their political bearing beyond the theatre of their occurrence, than to inform the people in the neighborhood. Though the debates of the House were open to the public from 1767, and the gallery appears to have been generally well attended, very few reports were made of debates on momentous questions; and yet that these questions were fully discussed is shown by the occasional references to the scenes in the House by the loyalist writers. A correct report of the speeches of the leaders in the Colonial Assemblies, from the year of the Stamp Act to the close of the royal author-

ity, would now be one of the most interesting memorials of a period when the first principles of American liberty were developing themselves under the progressive tyranny of England. There must have been many notable instances of close, nervous reasoning, fervid debate, and flashing eloquence, which, if preserved in the files of the newspapers with a tithe of the care now devoted to recording the harangues of politicians, would throw open a curious page of our country's history.

The first purely political newspaper was the Independent Advertiser, of which Samuel Adams had been one of the conductors long prior to the Revolution; and, until then, no journal in the Colonies had proclaimed its special championship of "the rights and liberties of mankind." When the revenue acts aroused the Colonists to their danger, three newspapers were published in Boston. The Gazette, already alluded to, had been established some ten years. The Evening Post, published weekly by Thomas and John Fleet, was an independent paper, holding its columns open to both political parties,—a privilege of which the loyalists availed themselves to assail the patriot writers. The latter, at one time, occasionally sent articles to it, perhaps believing that the professed independence of character leaned towards the side of liberty. The Massachusetts Gazette, sometimes known as "Draper's," or the "Court Gazette," was "published by authority," in conjunction with the News Letter, which, at the commencement of the troubles, espoused the cause of the people. Draper's paper was the organ of the administration, and had the printing of the acts and proclamations and the other government business. The ablest writers in the royal cause contributed to its columns, and the whole course of the paper was in support of government officers and measures. The Chronicle, which was published from 1767 to 1770, was of the same stamp. The Boston Gazette thus remained for some time the sole champion of American freedom in the town. Its publishers

were among the special objects of ministerial displeasure, and proceedings were instituted against them as the "trumpeters of sedition." Hutchinson complained in a letter to a friend in England of the influence of the Gazette. "The misfortune is," said he, "that seven eighths of the people read none but this infamous paper, and so are never undeceived."*

In the summer of 1770, Isaiah Thomas and his former master, Fowle, proprietor of the Independent Advertiser, commenced the publication of the Massachusetts Spy, which, after a year's course as an independent paper, came out for the liberty party, received a liberal support from the Whigs, and was a vehicle for powerful writers against the administration until 1775, when, a few days previous to the battle of Bunker Hill, Thomas removed his press and types to Worcester, where the Spy was again issued for about a year. The Essex Gazette, the publication of which was commenced at Salem in the summer of 1768, was also a staunch patriot paper, and occasionally received contributions from able pens in Boston; but the Boston Gazette was the favorite in the capital, where its columns were regarded as oracular. Its publication-room in Queen Street was the resort of the most distinguished political writers. James Otis, Samuel Adams, Joseph Warren, Josiah Quincy, John Adams, Dr. Cooper, and others who were personally prominent without being contributors to the press, frequented the office, and perhaps glanced over the foreign journals on the arrival of a packet from England, prior to their regular publication, or it may be read the proofs of their own writings.

During the month of February, the subject of America continued to be the theme of discussion in the House of Commons. Mr. Rose Fuller moved to recommit the address, foreseeing the dreadful evils to the nation which must ensue from an attempt to collect a revenue from the Colo-

* Hutchinson to Bernard, Aug. 12, 1770.

nies. "As for money," said he, "all that sum might be collected in London at less than half the expense." Phipps asserted that the proposed measures were more calculated to raise than quell a rebellion; and Pownall, with the whole strength of his reasoning and eloquence, combated the course pursued against the injured Americans. But the efforts of these wise and humane statesmen were unavailing. Fuller's motion was lost by an overwhelming majority: and it was decided that the patriots should be brought over to be tried for treason before a special commission. The Bostonians, conscious of the justice of their cause, freely discussed their rights in the press.

"In the days of the Stuarts," said Samuel Adams, "it was looked upon by some men as a high degree of profaneness for any subject to inquire into what was called the mysteries of government. James the First thundered his anathema against Dr. Cowell for his daring presumption in treating of those mysteries, and forbade his subjects to read his books or even to keep them in their houses. In those days passive obedience, non-resistance, the divine, hereditary right of kings, and their being accountable to God alone, were doctrines generally taught, believed, and practised. But behold the sudden transition of human affairs! In the very next reign the people assumed the right of free inquiry into the nature and end of government, and the conduct of those who were intrusted with it. Laud and Strafford were brought to the block, and, after the horrors of a civil war, in which the best blood of the nation was spilt as water upon the ground, they finally called to account, arraigned, adjudged, condemned, and even executed the monarch himself! and for a time held his son and heir in exile. The two sons of Charles the First, after the death of Oliver Cromwell, reigned in their turns; but, by copying after their father, their administration of government was grievous to their subjects and infamous abroad. Charles the Second, indeed, reigned till he died; but his brother James was obliged to abdicate the throne, which made room for William the Third and his royal consort Mary, the daughter of the unfortunate James. This was the fate of a race of kings bigoted to the greatest degree to the doctrines of slavery, and regardless of the natural,

inherent, divinely hereditary, and indefeasible rights of their subjects.*

No one doubted in Boston that the military force had been brought there by the false representations of Bernard and Hutchinson. Indeed, copies of some of their letters were received from Mr. Bollan, placing their guilt beyond question. On the 13th of March a town meeting was called to see what further measures ought to be adopted to vindicate the town from the aspersions cast upon it; and Otis, Samuel Adams, Cushing, Dana, Warren, John Adams, and Samuel Quincy were appointed a committee for that purpose. They reported on the 4th of April a petition and address to his Majesty, which was forwarded with a letter to Barré, with the request of the town that he should present it as soon as it reached his hands. Several of Bernard's and Hood's letters, which Bollan had obtained through Beckford, were read at this meeting. In their representation the town complained of the Governor's refusal to inform them of his statements against them, though their selectmen had respectfully petitioned him to that purpose. They had thus been kept in ignorance of the charges which had brought the troops, contrary, as they conceived, to the act of Parliament. They therefore prayed not only that the troops might be removed, but that his Majesty would be pleased to order that the town might be favored with Governor Bernard's letter, the memorials of the Commissioners, and other like papers. They wished to know what charges were brought against them, and desired to be heard by counsel. The letter to Barré, and fragments of the petition, are found as original rough drafts among the papers of Samuel Adams, in his handwriting. The letter defends at great length the course of the Council after the riots of the previous year, and vindicates the letter to Lord Hillsborough. It is indorsed "For Mr. Otis [Moderator of the

* "E. A." in the Boston Gazette, Feb. 27, 1769.

meeting]; to be signed and transmitted to Isaac Barré, Esq.”

But petitions were useless, and it is surprising that the Colonists should have attempted them after 1768. Desire for reconciliation and unshaken loyalty were, however, still the prevailing sentiments. Even the respectful remonstrance of New York was rejected, — a vote not to receive it having passed the Commons at the instance of Lord North, despite the renewed appeals of Barré, who warned them that the whole continent of America would rise in arms, and the Colonies be lost to England forever. Ignorance of the true bearing of the subject and a mistaken national pride ruled the hour, and blindly led the King, Ministry, and Parliament to the consummation of a policy which, in a few years, fatally realized the predictions of the wisest and greatest on both sides of the Atlantic. Almost at the very time that far-seeing English statesmen were warning the nation of the inevitable result of these coercive measures, Samuel Adams, on the anniversary of the repeal of the Stamp Act, which was still duly celebrated, thus addressed his countrymen : —

“TO THE SONS OF LIBERTY.

“DEARLY BELOVED, —

“Revolving time hath brought about another anniversary of the repeal of the odious Stamp Act, — an act framed to divest us of our liberties and to bring us to slavery, poverty, and misery. The resolute stand made by the Sons of Liberty against the detestable policy had more effect in bringing on the repeal than any conviction in the Parliament of Great Britain of the injustice and iniquity of the act. It was repealed from principles of convenience to Old England, and accompanied with a declaration of their right to tax us; and since, the same Parliament have passed acts which, if obeyed in the Colonies, will be equally fatal. Although the people of Great Britain be only fellow-subjects, they have of late assumed a power to compel us to buy at their market such things as we want of European produce and manufacture; and, at the same time, have

taxed many of the articles for the express purpose of a revenue; and, for the collection of the duties, have sent fleets, armies, commissioners, guardacostas, judges of admiralty, and a host of petty officers, whose insolence and rapacity are become intolerable. Our cities are garrisoned; the peace and order which heretofore dignified our streets are exchanged for the horrid blasphemies and outrages of soldiers; our trade is obstructed; our vessels and cargoes, the effects of industry, violently seized; and, in a word, every species of injustice that a wicked and debauched Ministry could invent is now practised against the most sober, industrious, and loyal people that ever lived in society. The joint supplications of all the Colonies have been rejected; and letters and mandates, in terms of the highest affront and indignity, have been transmitted from little and insignificant servants of the Crown to his Majesty's grand and august sovereignties in America.

"These things being so, it becomes us, my brethren, to walk worthy of our vocation, to use every lawful mean to frustrate the wicked designs of our enemies at home and abroad, and to unite against the evil and pernicious machinations of those who would destroy us. I judge that nothing can have a better tendency to this grand end than encouraging our own manufactures, and a total disuse of foreign superfluities.

"When I consider the corruption of Great Britain, their load of debt, their intestine divisions, tumults, and riots, their scarcity of provisions, and the contempt in which they are held by the nations about them; and when I consider, on the other hand, the state of the American Colonies with regard to the various climates, soils, produce, rapid population, joined to the virtue of the inhabitants, — I cannot but think that the conduct of Old England towards us may be permitted by Divine Wisdom, and ordained by the unsearchable providence of the Almighty, for hastening a period dreadful to Great Britain.

"A SON OF LIBERTY.*

"PROVIDENCE, March 18th, 1769."

This address was found early in the morning of the 18th of March, posted on the Liberty Tree of Providence, and

* Providence Gazette for March 18, 1769; and Boston Gazette for March 27, 1769. Bancroft, VI. 267.

another in the most public part of the town. It was sent by Mr. Adams to Providence for the annual celebration, and appeared on the same morning in the Providence Gazette.

Throughout the other Colonies the flame of liberty burned steadily and brightly. The deepest sympathy was manifested for the oppressed Bostonians. The British claims of power had been everywhere denied. Georgia sided with the policy of Massachusetts and Virginia; New York had asserted its legislative rights; and in Philadelphia, at a meeting in honor of the late successes of General Paoli, the patriot Corsican, the Massachusetts Ninety-two, the town of Boston, Mr. Cushing, Mr. Otis, and Mr. Adams were toasted.

The plans for reducing the refractory Americans to obedience were modified by the visible injuries brought upon commerce through the non-importation agreements. It was seen that the stringent enactments against the Colonists were injuring only the British merchants. The importations from England into America decreased greatly in a single year. The total produce of the new taxes for the first year was less than one tenth of the attendant military expenses, while the actual revenue, after deducting the full expenditures, amounted to only a pitiful sum. Even now, the headstrong Ministry would not have yielded an inch, had not the loud complaints of the merchants finally caused Lord Hillsborough to lay aside for a while the plan of altering the charter of Massachusetts, and to send to General Gage discretionary orders to withdraw the troops from Boston. But the fatal assertion of the right of taxation remained, and the troops still insulted the people with their presence.

Mr. Adams entered the lists about this time in defence of the Rev. Dr. Chauncy, who had been bitterly attacked in a New York paper by the Rev. Mr. Seabury of the Church of England in that city.* The controversy seems to have grown out of some inadvertent statement, alleged to have

* "A Layman," in the Boston Gazette for March 27, 1769.

been made by Dr. Chauncy in one of his religious pamphlets, respecting the Society for the Propagation of the Gospel. Dr. Chauncy, besides being an earnest patriot, was, like most of the Bostonians, an uncompromising enemy of the plan of establishing an episcopate in America; and it was probably in one of his publications on this subject that he gave offence to Mr. Seabury. In retaliation the Boston minister was assailed in no dignified terms, and Mr. Adams became the champion of his friend; for the two were on the most intimate terms. At some length he mercilessly analyzed the production of the New York writer, who, according to Mr. Adams, "had managed his cause with the heart, though he had evidently discovered that he wanted the head, of a Jesuit." The clergyman is handled with sarcastic severity, yet with due regard to his cloth. Dr. Chauncy himself, probably, did not exceed his friend in his decided opposition to all schemes for the appointment of bishops in America.

Mr. Adams soon after attacked General Gage and Governor Bernard for their misrepresentations of the town to the Ministry, and, by a concise narration of the facts, showed the untruthfulness of those statements. "No man's station," said he, "ought to exempt him from being called upon by a loyal people, either to make good or retract his charge against them."

"When contests run high, the proverb, however homely it may be, will be allowed by impartial men to be just, that 'one story is good till another is told.' If good King David was in haste when he once said that all men were liars, yet surely the General has studied mankind more thoroughly than to suppose it altogether impossible for a governor of a province to misrepresent and abuse the people, even to the ear of majesty itself. The history of *his own* times may confute such an opinion; and should it finally appear, by the statements of facts sent home in the last ship by his Majesty's Council and the town of Boston, that Governor Bernard is an instance of the truth of it, I would only ask, upon a candid supposition

that the General grounded his letters upon what such a Governor told him, what reparation he can make without publicly acknowledging his mistake? If the General has characterized the town and Province upon his own observation, I appeal to the candid world, whether the bare affirmation of a gentleman, unsupported by any evidence, can be deemed sufficient to blast the reputation of a Province."*

* "A Bostonian," in the Boston Gazette for April 24, 1769.

CHAPTER XII.

The Colonial Policy modified. — The late Duties taken off, save as to the Article of Tea. — The Right of Taxation still claimed. — Governor Bernard recalled. — Meeting of the Massachusetts Legislature. — Adams drafts a Remonstrance against the Presence of the Troops. — The Governor adjourns the Legislature to Cambridge. — The Virginia Resolutions are received. — The Assembly prepare similar ones, and readopt those of Adams, written in 1765. — He publishes them in the Gazette. — The Consequences. — Adams's Opinion of the partial Repeal of the Revenue Acts. — Progress of the Non-importation Schemes. — Governor Bernard sails for England, and is created Baronet of Nettleham.

THE principle of representation, which had been shamefully violated in England in the rejection of Wilkes by Parliament, was producing as wide-spread an excitement there as in the Colonies. The fact that the opposition to the revenue law was extending throughout the American continent began at last to warn the Cabinet when petitions and remonstrances were unavailing; and on the ground that the duty on the British manufactures of glass, paper, and painters' colors was contrary to the true principles of commerce, it was repealed, leaving the one article of tea as an assertion of the right of taxation. A circular was sent by Lord Hillsborough to the Colonies, intimating that the duties would be taken off as a measure of *expediency* from all articles enumerated in the late act, excepting tea. Bernard, who was at length seen to be ill suited to conciliate the people among whom he had been placed, was directed to return to England, — the Ministry having promised the English merchants, so obnoxious had his name become, that he should not be employed again in the Colonies; although, to indorse his measures as those of the administration which he represented, he was created a baronet.

This evidence of the royal approbation of Bernard's course

gave great offence in Boston, and showed the patriots that they had little to hope from the miscalled clemency of the King and Ministry. In a sarcastic address to his Excellency, Mr. Adams held up the appointment to ridicule, and pointed out the injuries done to the Province by the newly made baronet.

“Your promotion, sir, reflects an honor on the Province itself; an honor which has never been conferred upon it since the thrice-happy administration of Sir Edmund Andros, of precious memory, who was also a baronet. Nor have the unremitting endeavors of that very amiable and truly patriotic gentleman to render the most substantial and lasting services to this people, upon the plan of a wise and uncorrupt set of m—rs, ever been paralleled till since you adorned the ch—r. . . . Pity it is that you have not a pension to support your title. But an Assembly *well chosen* may supply that want even to *your* wish. Should this fail, a late letter, said to have strongly recommended a tax upon the improved lands of the Colonies, may be equally successful with the other letters of the like nature, and funds sufficient may be raised for the use and emolument of yourself and friends, without a dependence upon a ‘military establishment supported by the Province at Castle William.’

“I am, sir, with the most profound respect, and with the sincerest wishes for your further exaltation, the most servile of all your tools.

“A TORY.”*

The relief promised in the circular was only partial. The *principle* of taxation remained the same, whether one or a hundred articles were taxed. The implied concession, therefore, only the more plainly discovered the ultimate determination to raise a revenue from the Colonies. If the duties were removed from certain articles merely as a matter of expediency, and one article was reserved for taxation to maintain the right, that reserve covered everything possessed by the Americans. The denial of a right of taxation had lain at the bottom of the contest from the commencement. In 1764, Samuel Adams had asserted that if taxes

* Boston Gazette for May 1, 1769.

could be legally levied in *any* shape, the right could be made to extend to land and its produce, and, in short, to all property. The whole people had now become thoroughly imbued with the theory that taxation and representation are inseparable. To continue one article, therefore, as dutiable argued a hopeless ignorance of the American character and feelings, which must have convinced far-seeing men that England would not yield without a resort to force.

“I am sorry,” said Samuel Adams about this time, “that some of the most valuable privileges of this Province should prove so great difficulties to Governor Bernard, but can by no means wish them annihilated for the sake of giving him ease. I never heard that they were quite so offensive to any of his predecessors, and cannot think they ever will be to so much as one of his successors. The Province has been, and may be again, quietly and happily governed, while these terrible difficulties have subsisted in their full force. They are, indeed, wise checks upon power in favor of the people; but power, vested in some men, can brook no check. To assert the most undoubted rights of human nature and of the British Constitution they deem *faction*; and having embarrassed a free government by their own impolitic measures, they fly to the military power, which, with equal justice and spirit, was said, in the late debate in the House of Commons, to be ‘the last resource of ignorant despotism.’ But force is no very suitable means of changing the sentiments of the people; it is rather adapted to rivet and confirm them. Arms ought to be very cautiously employed, even against faction, which they have often increased rather than quelled. The present uneasiness in America has been falsely and insolently called by this odious name. Can any man suppose the almost *universal* complaints of a people to deserve this appellation? As well might the general uneasiness that introduced the Revolution by William the Third, and that settled the succession in the illustrious House of Hanover, be called a faction.”*

When Massachusetts had been nearly a year without a Legislature, the Governor issued writs in the name of the King, calling a session of the General Court under the usual

* “Shippen,” in the Boston Gazette, Jan. 30, 1769.

charter provisions. The election for Representatives, on the 5th of May, resulted in the choice of Otis, Cushing, Samuel Adams, and Hancock, who received each more than five hundred votes out of five hundred and eight that were cast. The selectmen had waited upon General Mackay, who commanded in Boston, and desired him to withdraw his soldiers from the town during the election. The General replied that he had no authority to remove the troops, but would confine them to their barracks. This was not entirely satisfactory, but it was something to know that even this degree of respect to the elective franchise could be legally exacted. Three days after the election, the town, through John Adams, instructed their Representatives to require the removal of the troops, to maintain freedom of debate, to oppose the raising of money for the payment of the troops, and to make diligent inquiry for Bernard's letters misrepresenting the town to the Ministry.*

The troops had arrived in September of the previous year, and after the prorogation of the Assembly, so that no opportunity had occurred for legislative remonstrance against their presence. It was customary on assembling to first elect a Clerk, who, being sworn, received the votes for Speaker, and declared the choice. On the 31st of May the members, as soon as they were sworn, made it their instant business to oppose the breach of their privileges, and requested the removal of the troops.

“An armament by sea and land, investing the metropolis, and a military guard with cannon pointed at the very door of the State House, where this Assembly is held, is inconsistent with that dignity as well as that freedom with which we have a right to deliberate, consult, and determine. . . . We have a right to expect that your Excellency will, as his Majesty's representative, give the necessary and effectual orders for the removal of the above-mentioned forces, by sea and land, out of this port and the gates of the city, during the session of the said Assembly.” †

* Boston Gazette, May 15, 1769.

† Journal of the House for 1769.

The remonstrance, which was written by Samuel Adams, as two drafts in his autograph indicate, was in pursuance of that of the town at the late election; but the Governor refused where the military commander had conceded, and waived the subject by denying that he had any authority over the ships or troops, and affirmed that he could give no orders for their removal.* On the following day, after disapproving of no less than eleven Councillors, he briefly reminded the House to be diligent in the transaction of general business; his whole course indicating a haughty disinclination to enter into any discussion of rights and privileges. A committee, consisting of Otis, Adams, Hawley, Hancock, Preble, and Warren, was appointed to consider the Governor's last message. They reported on the second. Their draft was not accepted, and the same committee were directed to prepare an answer to the Governor's denial of any authority to remove the troops. This subject was under consideration from day to day, until the thirteenth, when the answer was reported, that the King was the supreme executive power through all parts of the British empire, and that the Governor of the Province, being the King's lieutenant and captain-general and commander-in-chief, in as full and ample a manner as the Lord-Lieutenant of Ireland or any other of his Majesty's lieutenants, it indubitably followed that all officers, civil and military, within the Colony were subject to the order, direction, and control of his Excellency. The injustice and illegality of a military government in the Province is then discussed at length.† The Governor thereupon adjourned the Legislature to Cambridge, on the ground that as the House refused to proceed to business while virtually under military duress, they could urge no such objection to the place whither he removed them.‡ Almost at the same time that Bernard had refused to remove the troops, because he lacked the authority, he was corresponding with General Gage in New York on the

* Bradford's State Papers, p. 168. † *Ibid.*, p. 169. ‡ *Ibid.*, p. 171.

subject, and, with the advice of Hutchinson and Oliver, gave it as his opinion that the removal of the troops would have very dangerous consequences, and prove ruinous to the cause of the Crown, though he thought that perhaps one regiment at the Castle and another in the town might be sufficient. And this was when Gage, who had received discretionary power, had written to Bernard for his opinion as to whether it would be safe to effect a total removal. While cannon remained pointed at the doors of the State House, the Assembly had refused to proceed with their business. But as if in defiance of their honest objections, the very night after the adjournment to Cambridge, the cannon were taken away.* Such unworthy rancor could not but generate the bitterest feelings. The authority of the Governor to hold an Assembly in any other place than Boston had been disputed by the House in 1728; and when, afterwards, instructions from England were urged as a reason for the continued session at Cambridge, a long controversy was caused by the refusal of the House to proceed to business under any such mandate. In the present instance, the Assembly went to Cambridge, protesting, however, against being thus made to give way to armed force, and obliged to assemble away from the ancient and usual place. They soon after replied — Samuel Adams again answering for the House — to the Governor's message urging them to hasten their proceedings, to save time and money: —

‘No time can be better employed than in the preservation of the rights derived from the British Constitution, and insisting upon points which, though your Excellency may consider them as non-essential, we esteem its best bulwarks. No treasure can be better expended than in securing that true old English liberty which gives a relish to every other enjoyment.’ †

Bernard had meanwhile received his recall to England, in accordance with the new policy of the Cabinet; and as this:

* Message of the House (Bradford's State Papers, p. 173).

† Bradford's State Papers, p. 173.

was the season for the annual granting of the Governor's salary by the Assembly, as stipulated by the charter, his Excellency informed the House of his removal and approaching voyage, and urged upon them his support, intimating that he would join in no legislative business until his demand for a year's salary in advance had been complied with. But the House refused to pay for services which, as they said, they had no reason to expect would ever be performed, as they believed he would not be continued in office; and reminding him that he had been paid to August next, expressed their willingness to "support the dignity of government" (quoting Bernard's own words in his demand for salary) when his Majesty should be pleased to appoint another Governor. Towards the close of the last year's Assembly, a committee, including Otis, Adams, Hancock, and Bowers, had been appointed to prepare a petition to the King for the removal of Bernard. The prorogation prevented a report; but on the 27th of the present month, after a lapse of a year within two days, the Committee on the State of the Province submitted a petition to his Majesty, in which, after setting forth the Governor's falsifications, they humbly entreat that his Excellency may be *forever* removed from the government of the Province. The petition was presented by the agent in the following September, with a request for further time to obtain proofs against the late Governor. He was allowed until February, when the agent asked for a continuation. Bernard presented a counter petition, and the hearing took place on the 28th of February, 1770, before the Council, who dismissed the petition, with the opinion that its charges were groundless, vexatious, and scandalous.*

Early in the session the noble resolves of Virginia had been received, as passed by that Assembly on the 16th of

* The Governor published his defence in pamphlet form, a copy of which is found among Mr. Adams's papers, the margins completely filled with notes in his handwriting, evidently preparatory to publication. But the misrepresentations of Bernard were sufficiently exposed by Samuel Adams subsequently in the "Appeal to the World."

May. They were communicated to the House by the Speaker, and must have been received with the warmest emotions of pleasure by those who knew how to appreciate the value of a union of the Colonies on questions affecting their general welfare. A committee "to consider the state of the Province" seems to have been in existence for several sessions. It was renewed each year, and, of course, included the leading members. Mr. Adams, on the 19th of June, was specially added to this committee;* and a few days later they reported a series of resolutions, embodying word for word three of those of Virginia on taxation, intercolonial correspondence, and trial by jury of the vicinage. Going back to the admirable platform laid down four years previously by Samuel Adams, as the basis for the Colonial legislation, they resolved:—

"That this House do concur in and adhere to the resolutions of the House of Representatives in the year one thousand seven hundred and sixty-five, and particularly in that essential principle, that no man can be justly taxed by, or bound in conscience to obey any law to which he has not given his consent in person or by his representative." †

In this resolution, says Hutchinson, ‡ "was more fully expressed than had ever been before the sense of the House that 'no laws,' made by any authority in which the people had not their representatives, could be obligatory on them." The resolutions of 1765 asserted nearly as much, though not so directly; but decided expressions at that time did not carry with them such weight and significance with the Ministry as now, when the legal opposition to parliamentary oppression had been construed into open rebellion, requiring to be met with an armed force.

There were now four regiments in Boston, whose useless-

* Journal of the House for 1769.

† For this resolution, as originally reported, see *Boston Gazette*, July 3, 1769.

‡ Hutchinson's *History*, III. 241.

ness among a peaceable population was so apparent, that orders came from the Ministry for the removal of at least two of them to Halifax. Hutchinson says that one of these had already sailed, and the other was embarking, when the resolves of the House were published in the Boston Gazette of July 3d, having been sent to the printers by Mr. Adams.* These had passed unanimously in a full House, — one hundred and nine members being present. Their appearance in the Gazette was made an excuse by the Governor, in a consultation with Commodore Hood, to detain this regiment, lest that the other Assemblies would adopt the resolutions; and an express was sent to General Gage at New York for instructions. Many took alarm at this, and the publication of the resolves was stopped in papers where they had not yet appeared; another express was sent to overtake and recall the first, or to acquaint the General that the difficulty was removed; and the House, on a revision of their resolutions, altered the obnoxious one, which reads on the journals: —

“*Resolved*, as the opinion of this House, that the sole right of imposing taxes on the inhabitants of this, his Majesty’s Colony of the Massachusetts Bay, is now, and ever hath been, legally and constitutionally vested in the House of Representatives, lawfully convened according to the ancient and established practice, with the consent of the Council, and of his Majesty, the King of Great Britain, or his Governor for the time being.” †

The alteration by the House having removed the apprehensions of the royalists, the other regiment sailed for Halifax, leaving the Fourteenth and Twenty-ninth quartered upon the town. The ill-feeling between them and the people increased, and affrays were frequent. Mr. Adams continually reminded his friends that these mercenaries were amendable to the laws of the Province, — officers as well as privates. “It was soon found,” says Hutchinson, “that

* Hutchinson’s History, III. 242.

† Journal of the House, July 7, 1769. Bradford’s State Papers, p. 176.

prosecutions of soldiers for a breach of law were as easily carried on as against any other persons; and that all reports against them more easily obtained credit." *

"Soldiers," said Mr. Adams, "are used to obey the absolute commands of their superiors; it is death for them in the field to dispute their authority or the rectitude of their orders; and sometimes they may be shot upon the spot without ceremony. The necessity of things makes it highly proper that they should be under the absolute control of the officer who commands them, who saith unto one come, and he cometh, and unto another go, and he goeth. Thus, being inured to that sort of government in the field and in time of war, they are too apt to retain the same idea when they happen to be in civil communities and in a time of peace; and even their officers, being used to a sort of sovereignty over them, may sometimes forget that when quartered in cities they are to consider themselves and their soldiers in no other light than as a *family* in the community, — numerous, indeed, but like all other families and individuals, under the direction of the civil magistrate and the control of the common law. Like them they are to confine their own rules and maxims within their own circle; nor can they be supposed to have a right or authority to oblige the rest of the community or any individuals to submit to or pay any regard to their rules and maxims, any more than one family has to obtrude its private method of economy upon another.

It is of great importance, and I sincerely conceive it ought to be the first care of the community, when soldiers are quartered among them, by all means to convince them that they are not to give law, but to receive it. It is dangerous to civil society when the military conceives of itself as an independent body, detached from the rest of society, and subject to no control. And the danger is greatly increased, and becomes alarming, when society itself yields to such an ill-grounded supposition. If this should be the case, how easy would it be for the soldiers, if they alone should have the sword in their hands, to use it wantonly, and even to the great annoyance and terror of the citizens, if not to their destruction. What should hinder them, if once it is a given point that society has no law to restrain them, and they are disposed to do it? And how long can we im-

* Hutchinson's History, III. 241.

agine it would be, upon such a supposition, before the tragical scene would begin? — and especially if we consider further how difficult it is to keep a power in its nature much less formidable and confessedly limited within its just bounds? That constitution which admits of a power without a check admits of a tyranny; and that people who are not always on their guard to make use of the remedy of the constitution, when there is one, to restrain all kinds of power, and especially the military, from growing exorbitant, must blame themselves for the mischief that may befall them in consequence of their inattention; or, if they do not reflect on their own folly, their posterity will surely curse them for entailing upon them chains and slavery.”*

The session of the Legislature was drawing towards a close, and Bernard met with a refusal whenever he entreated the Assembly to advance him a year's unearned salary. They assured him of their satisfaction that his Majesty had been pleased to order a true state of the Province to be laid before him; “for we have,” said they, “an abundant reason to be assured that when his Majesty shall be fully acquainted with the great and alarming grievances which his truly loyal subjects here have suffered through your administration, and the injury they have suffered in their representation, he will, in his great clemency and justice, frown upon and forever remove from his trust all those who, by wickedly informing his ministers, have attempted to deceive even his Majesty himself.”†

The Governor next demanded, on the authority of the Billeting Act, the amount of expenditures incurred by quartering the troops on the Province. Samuel Adams again replied for the committee of which he was a member. After proving that the Governor and Council were powerless to draw money from a Colonial treasury, and laying bare the infamy of the act, the answer concludes: —

“And if the present system of measures should be much further

* “Vindex,” in the Boston Gazette, Dec. 12, 1768.

† Journal of the House for 1769.

pursued, it will soon be very difficult, if possible, to distinguish the case of widows and orphans in America, plundered by infamous informers, from those who suffered under the administration of the most oppressive of the Roman provinces at a period when that once proud and haughty republic, after having subjugated the finest kingdoms in the world, and drawn all the treasures of the East to imperial Rome, fell a sacrifice to the unbounded corruption and venality of its grandees. But, of all the new regulations, the Stamp Act not excepted, this under consideration is the most excessively unreasonable. For, in effect, the yet free representatives of North America are called upon to repay of their own and their constituents' money such sum or sums as persons over whom they can have no check or control may be pleased to expend! As representatives, we are deputed by the people, agreeable to the royal charter and laws of this Province. By that charter, and the nature of our trust, we are only empowered to 'grant such aids,' and 'levy such taxes for his Majesty's service as are reasonable'; of which, if we are not free and independent judges, we can no longer be free representatives, nor our constituents free subjects. If we are free judges, we are at liberty to follow the dictates of our own understanding, without regard to the mandates of another; much less can we be free judges, if we are but blindly to give as much of our own and our constituents' substance as may be commanded or thought fit to be expended by those we know not. Your Excellency must therefore excuse us in this express declaration, that as we cannot consistently with our honor or interest, and much less with the duty we owe our constituents, so we shall NEVER make provision for the purposes in your several messages above mentioned."*

Bernard was now repulsed at every point. His haughty bearing and supercilious airs were thrown away on the Assembly, who despised him for his mean treachery and peevish cowardice. In his attempt to obtain a year's salary for merely nominal services, he had been foiled by the sturdy determination of the House, and "this answer," Hutchinson observes condolingly, "was just what his friends had predicted," who had advised him against communicating his

* Bradford's State Papers, p. 186.

recall to the House. He had attempted to coerce them by threatening a refusal of his assent to any act which was not preceded by a grant of the advance salary; and they replied, "we have a just right to expect that your Excellency will give some assent to all such resolves and acts that may be laid before you as will be for the interest of the people and the real service of the Crown." He had passed by their message at the opening of the session with a brevity amounting to insolence, but coolly reminded them that the business of the Province was in arrears.

"We agree with you, sir," they answered, "that the business of the Province is got into such an arrear that it will require the utmost diligence to get it done within the usual time generally allotted to this session. Who brought the Province under this difficulty, your Excellency can be at no loss to determine. Had the Assembly been called in the fall of the year past, there would have been no cause of such complaint."

These replies are from the joint answers of both Houses to his opening speech. His last letter to Lord Hillsborough scarcely conceals his chagrin and rage.

"On Tuesday, July 4th," he says, "the committee of both Houses presented a joint answer to my speech at the opening of the session. The barefaced chicanery and falsity of this writing, as well as the style, which is well known, make it evident it was wrote by Adams, and yet it was sent to the Council to originate with them."

To the last reply of the House, refusing absolutely to provide for the support of the troops with the people's money, Bernard responded with a threat to lay their conduct before the King, when he immediately prorogued the Court "to the usual time of its meeting for the winter session."

The circular to the Colonies, from the Earl of Hillsborough, having arrived, with the proposition to repeal the duties on all articles but tea, which was reserved to save the right, the merchants of Boston held a meeting on the 26th of July, to express their dissatisfaction with the terms of the

repeal. The duties had been taken off from glass, paper, and colors, as being "contrary to the true principles of commerce"; but while the one article of tea was left for taxation, the pernicious principle still remained. Hutchinson says of these merchants' meetings, that from early in 1768, others, not engaged in mercantile pursuits, had mixed with them, and he names James Otis and Samuel Adams as especially influential in obtaining their resolutions.* In the present instance, it was voted unanimously that the removal of the duties from certain specified articles would by no means relieve the trade from its difficulties, and was, as they apprehended it, a measure intended only to quiet the manufacturers in Great Britain, and prevent the fitting up of those manufactures in the Colonies. It was also voted to strictly adhere to the agreement entered into in August last, and send no orders for any goods contrary to said agreements, unless all the revenue acts were repealed.† As before, certain articles were excepted, which it was thought might be imported, without in any measure interfering with the intent and design of the agreement. The better to enforce this, the inhabitants of the town were recommended to make no purchase from violators of the agreement, and the names of the recalcitrant importers were published. Two principal merchants, whose greed exceeded their patriotism, were visited by a committee appointed by the townspeople to consider the acts of trade, and compelled to sign an agreement to sell none of their goods until the expiration of the time fixed upon for non-importation. Among those who refused to submit to such measures were a son of Bernard and two sons of Hutchinson, all of whom were expecting to reap handsome profits from the distresses of the country. Hutchinson himself, as charged by Hancock at a public meeting at Faneuil Hall, was engaged in importation with his sons. To defeat

* Hutchinson's History, III. 201.

† Resolutions adopted at the merchants' meeting of July 26, reported in the Boston Gazette for July 31, 1769.

their designs, a paper was carried from house to house throughout the town, and was almost unanimously signed, not to purchase of them.

Similar means were resorted to in the other Colonies, where the insidious nature of the reserved right of taxation was fully understood.

“The Colonies,” thus Mr. Adams wrote in the public press, “have since had a *temporary* relief from the alternative before mentioned (of resistance or slavery), by the public-spirited proposal of the merchants in the several governments to withdraw their commercial connections with the merchants and manufacturers of Great Britain; which is esteemed by all judicious and well-disposed persons as a noble sacrifice of their own private rights, and a well-chosen expedient for the recovery of the public rights of their country. It is not to be wondered at that this salutary measure should be violently opposed by the cabal and their abandoned instruments.”

This was intended to apply to Bernard particularly, who, as it afterwards appeared, had written to the Ministry that the signers in Boston did not intend to comply with the agreement, and that there were still remaining enough of the most reputable merchants, non-subscribers, to defeat the scheme, even if the subscribers were to keep their promise. He displayed his malignity to the last, and having done his best to ruin the Province, and to reap all possible personal benefit from its destruction, took his departure on the last day of July for England. He left the Lieutenant-Governor Hutchinson to administer the government, of whom he wrote, that he “well understood his system”;* and, as events proved, Hutchinson, who was the superior of his predecessor in all mental acquirements, was precisely the man to inflame the growing dissatisfaction of the people against the mother country. The occasion of Bernard’s departure was made a public gala-day. Bells were rung, flags were hoisted, cannon fired from the wharves, and a huge bonfire kindled upon

* Bancroft, VI. 303.

Fort Hill. "He was to have sent home whom he pleased," said the Boston Gazette in the following week; "but the die being cast, poor Francis Bernard was the rogue to go first."

By the same vessel which carried Bernard to England, Mr. Adams wrote to the agent, sending him the petition of the House for the removal of the Governor from his position *forever*, and also a letter on the same subject, signed by the Speaker. He concludes with the following allusion to Bernard's standing with the people of the Province: —

"Such a measure unanimously voted in a full House, consisting of one hundred and nine members, forty of whom by the charter make a quorum, is sufficient to justify what I wrote you formerly, — that I thought it impossible he should ever recover the affections of the people. Indeed, it never appeared to me that the conciliating their affections was any part of his view. If he had had this in contemplation, he would never have attached himself to a small party, of which the people, even the better sort of them, had the most contemptible idea. Whether the Governor herein discovered that he had conceived a deep-rooted prejudice against the people, or that he was totally ignorant of the only method to secure his own happiness and promise his Majesty real service in the Province, I will not pretend to say. This, I believe, must be acknowledged by all, that the surest refuge of a monarch himself is, under God, in the bosom of his subjects."*

Bernard arrived safely in England; and though he never returned to America, he retained, for upwards of a year, the title of Governor of Massachusetts. For nine years he had ruled the Province, and in that time had been the chief instrument to prejudice the Ministry against the Colonies. His name was a byword and the detestation of every honest American until long after the War of Independence; and even the title which rewarded his machinations against the people, whom he should have tried to protect and conciliate, was a matter of derision, and served only to perpetuate his infamy.

* Samuel Adams to Dennys Deberdt, July 31, 1769.

CHAPTER XIII.

Lieutenant-Governor Hutchinson. — His Character. — Assumes the Government of the Province. — Anniversary of the Stamp Act. — Patriotic Celebration. — Samuel Adams's Disregard of Wealth. — His Scanty Means of Support. — His House in Purchase Street. — Economy and Thrift of his Wife. — James Otis and the Commissioners. — The Affray at the British Coffee House. — Adams supports the Cause of his Friend in the Press. — He opposes London Tradesmen arriving to violate the Non-importation Agreements. — Hutchinson and his Sons prevented from selling Tea.

HUTCHINSON was now at the head of affairs in the Province. Under other circumstances, his name might have been recorded among the most honorably distinguished of New England; but his timid, nervous temper unfitted him for the momentous times of the Revolution. "Born and bred in the Province," he yet failed to understand the character of his countrymen, in whose cause he had no faith; and he believed, from the first, that the power of England would at any time be exerted to force the patriots into submission. A coward by nature, he lacked the firmness to make his real opinions known; and while he was persistently advising the sending of troops, the abridgment of the people's liberties, and a general system which would enslave them, he did not scruple to deny his secret correspondence, and repeatedly asserted that his letters were "full of tenderness for the Province." Samuel Adams saw through his character long before the Revolution, and marked him as the most dangerous man in the country. His sole objects were the acquisition of riches, and to gain the approbation of the great and powerful, to attain which the sacrifice of the liberties of his country and the lives of her best citizens was accounted as nothing. That fatal voluminous letter-book, which was found after his departure for England, is a perpetual record

of his treachery, meanness, and falsehood. An author, and careful of his style when addressing the great, he wrote the first draft of his correspondence in rough notes, which, when digested and corrected, he transcribed in a fair hand. These original drafts, which are in a perfect state of preservation, reveal in every page his hostility to his native Province. He repeatedly begs that his letters may be kept secret, and then artfully recommends a variety of plans to subvert the popular liberties and to transport the principal "incendiaries" to England for trial. Among his low tricks to deceive the people was the writing of letters favorable to the Province, addressed to influential persons in England, which he would hand round to be read, but which were never sent to their alleged destination. He was one of the ablest men in New England, and his History of Massachusetts placed him among the first of her authors. He had shown zeal and integrity at an earlier time in several public capacities, was an upright judge of grave deportment, and an industrious legislator. It was when the great issues of the Revolution came up, and men were summoned to take sides, that he became at once the enemy of the Province, the destroyer of his own fortunes, and a principal means by which England lost her Colonies.

The anniversary of the outbreak against the Stamp Act was this year celebrated with great display, the 14th of August being "the day of the *union* and firmly combined association of the 'True Sons of Liberty.'"* The people having assembled at eleven o'clock at Liberty Tree, a number of patriotic toasts were drunk, when the Sons repaired to Dorchester, where, three hundred and fifty in number, they dined at Robinson's Liberty-Tree Tavern with their invited guests, among whom were Mr. Dickinson, brother of the author of the celebrated Farmer's Letters, and Joseph Reed of Philadelphia, with whom Samuel Adams became acquainted and conversed. John Adams, who was present, says in his diary :

* Boston Gazette for August 21, 1769.

“ We had two tables laid in the open field by the barn, with between three and four hundred plates, and an awning of sail-cloth overhead, and should have spent a most agreeable day, had not the rain made some abatement of our pleasures.”* Public celebrations such as these were among the most efficient methods adopted by the patriots to keep alive and disseminate the fire of liberty. John Adams says, that “ their promoters were James Otis and Samuel Adams,” and adds, “ they tinge the minds of the people ; they impregnate them with the sentiments of liberty ; they render the people fond of their leaders in the cause, and averse and bitter against all opposition.” Such of the Boston papers as were engaged on the popular side contained accounts of the affair. The dinner at Robinson’s must have been a jovial occasion. Liberty songs were sung, a variety of flags were flung to the breeze, music enlivened the scene, and at proper intervals cannon were fired. Among other provisions, three large pigs were barbecued for the dinner. Forty-five regular toasts were drunk with cheers and discharge of cannon. Among these were, by name, the English statesmen who had espoused the American cause, and the champions of freedom the world over. A few will illustrate their general tone : “ May the detested names of the very few importers everywhere be transmitted to posterity with infamy ” ; “ May Sir Francis Bernard of Nettleham, Baronet, the Commissioners, and others his confederates, the infamous calumniators of North America, soon meet with condign punishment ” ; “ The speedy removal of all taskmasters and the redress of all grievances ” ; “ Strong halters, firm blocks, and sharp axes to all such as deserve either.” These toasts were evidently prepared by the “ promoters ” of the festival the day before the celebration.

“ About five o’clock,” says the Boston Gazette,† in its account of the affair, “ the company left Mr. Robinson’s in a

* John Adams’s Works, II. 218.

† Boston Gazette for August 21, 1769.

procession that extended near a mile and a half, and before dark entered the city, went around the State-House, and retired each to his own house." Hancock left the ground at the head of the line in his chariot, and another chariot brought up the rear. John Adams records, that, "to the honor of the Sons, he did not see one person intoxicated during the festival or near it." The Gazette thus concludes its account: "The amusements of the day were conducted with that propriety and exact decorum which gentlemen ever observe. All gentlemen of distinction from other Colonies, known to be in town, had cards. Should this account overtake the Baronet of Nettleham on this side of T—b—n, he and Lord H———h are at liberty to write seventy-seven columns of their High Dutch and low diabolical commentaries 'about it and about it'!" This last remark is accounted for in a note in the same paper, explaining the mention of moderate drinking at the dinner, to the effect that in the letters of Bernard, known in Boston as "the budget of Nettleham epistles," relating to the celebration of the previous year, that dignitary had inquired "how *forty-nine* drams could be drunk in the morning, and *ninety-two* in the afternoon, consistently with temperance."

A review thus far of the course of Samuel Adams shows him to have entirely devoted his time and energies to the public. History hardly furnishes an example of a man so completely lost to self and the natural desire, common to all, of improving their pecuniary condition. He was so regardless of wealth or the means of attaining it, that those about him censured him for it. His friend John Adams repeatedly alludes to this singular disregard of riches, a trait, by the way, which made Samuel Adams a source of curious wonder to his more thrifty kinsman. One day in June, in the next year, when a serene summer sky spanned a landscape in which waving fields and rustling orchards formed to some extent, as now, the pleasant scenery about New England's capital, the two friends rode out together in a chaise,

and conversed of their personal affairs. They often called each other "brother," and the relationship implied was in after years supposed by strangers to exist in reality.

"My brother Samuel Adams," thus the lawyer and patriot wrote that day in his diary, "says he never looked forward in his life; never planned, laid a scheme, or formed a design of laying up anything for himself or others after him. I told him I could not say that of myself: 'If that had been true of me you would never have seen my face.' And I think this was true; I was necessitated to ponder in my youth, to consider of ways and means of raising a subsistence, food, and raiment, and books and money to pay for my education to the bar. So that I must have sunk into total contempt and obscurity, if not perished for want, if I had not planned for futurity; and it is no damage to a young man to learn the art of living early, if it is at the expense of much musing, and pondering, and anxiety."*

The only means of subsistence which Samuel Adams had for his family was the pittance he occasionally received from the Assembly for his services as their Clerk. Without that, it is hard to see how he could have lived. He still owned his house in Purchase Street; and a considerable portion of the grounds which had belonged to his father's estate remained in his possession until 1802, shortly before his death. But so entirely did he give himself up to the public good, laboring day and night in the righteous cause of his country, that no attempt at any other occupation could have succeeded. The great struggle for liberty was a passion with him, an inborn, unquenchable flame; and he followed it with all the ardor of an inspired apostle of Freedom, losing sight of personal advancement and comfort, forgetful of the ordinary pursuits which occupy the minds of men, and only like others in his practical ability. He was truly and really contented with poverty, which, as he used to say to those who advised him to take more care for his personal and family concerns, brought him no present

* John Adams's Works, II. 238.

anxieties or forebodings for the future. He could live happily in poverty. His wife and children understood him, and idolized him as their protector, adviser, and companion, whose genial, courageous disposition knew not despondency, and preserved a warm sunshine in the hearts of all who shared his society.

And to the uncomplaining cheerfulness of a brave New England woman, who could meet the duties and privations of her humble household with a generous devotion to the views of her husband, is largely due the benefits which his exertions secured for his countrymen. Those who remembered Mrs. Adams have spoken of her as a noble instance of the blending of womanly grace and dignity with the energy which characterized her sex throughout the Revolution. Into that little home, during the darkened hours of the struggle, privation and even distress often entered. But there the admirable traits of the true wife were displayed, and with it a consciousness of duty that rose superior to the shades of adversity. She knew how to make the most of their slender means, and so economically did she manage, that none who visited at the house could detect, from outward evidences, the lack of any essential comfort.

The ill-feeling between the Commissioners of the Customs and the people daily increased. They hated the sight of each other, the one party being constantly reminded of an odious surveillance for the collection of an illegal tax, and the other conscious of the disgust they excited among the inhabitants while fattening on the spoils of this oppression, in the pursuit of which they were supported by the military arm. Their letters, which were laid before Parliament, defaming the town, had just been published; and Otis, whose mental condition now rendered him peculiarly sensitive to their attacks, was wrought to frenzy by the calumnies against him. More than any of the leaders, he had looked forward with longing to a reconciliation with the government, and, while he expressed his abhorrence of the acts of trade, he

was sincere in his loyalty and ardent affection for England. Though he had begun the active opposition to Britain's arbitrary rule, he had nevertheless cautioned his party against some of their more decided measures, and did not entirely agree with the principles of the other patriots. Had the right of taxation been surrendered by Parliament, and the Colonies restored to their condition at the close of the French War, no man in America would have so largely enjoyed the political results accruing from a renewal of friendly feeling as James Otis. His fine legal acquirements and oratory would have given him the leading position in Massachusetts, — a position which neither Samuel Adams, Hawley, nor Thacher could have attained. And had Otis's theory of a representation in Parliament been adopted, he undoubtedly would have stood in the British House of Commons as the most conspicuous and eloquent American representative.* The statements, therefore, of Bernard and the Commissioners, charging him with words of a treasonable nature, stung him to madness.

On the 1st day of September, James Otis and Samuel Adams, who, as we have seen, had not escaped the calumniating pens of the crown officers, went to Concert Hall, where the Commissioners still had their office, and had a conference with each of those officers. Early the next morning, Otis met them alone at the British Coffee-House. The cause and end of these conferences were generally unknown in the town, but they excited much speculation.

The next evening Samuel and John Adams, with a few friends, supped with Otis, where the time was spent preparing articles for the next day's newspaper. John Adams, who records the fact in his diary, calls it "working the political engine."

"Otis," he says, "talks all; he grows the most talkative man alive; no other gentleman in company can find a space to put in a

* See Chap. IV. Compare John Adams's Diary (Works, II. 163).

word. As Dr. Swift expresses it, he leaves no elbow-room. There is much sense, knowledge, spirit, and humor in his conversation, but he grows narrative, like an old man; abounds in stories."

The next evening there was a meeting of the club at Dr. Perkins's, where Otis introduced a gentleman from Georgia.

"Otis," continues John Adams, "indulged himself in all his airs, attacked the selectmen, Inches and Pemberton, for not calling a town meeting to consider the letters of the Governor, General, Commodore, Commissioners, Collector, Comptroller, &c. Charged them with timidity, haughtiness, arbitrary dispositions, and insolence of office. But not the least attention did he show to his friend the Georgian. No questions concerning his Province, their measures against the revenue acts, their growth, manufactures, husbandry, commerce. No general conversation concerning the continental opposition; nothing but one continued scene of bullying, bantering, reproaching, and ridiculing the selectmen, airs and vapors about his moderatorship and membership, and Cushing's speakership. There is no politeness nor delicacy, no learning nor ingenuity, no taste or sense, in this kind of conversation."*

In this frame of mind the overwrought imagination of Otis prompted him to hurl defiance at the creatures whose calumnies had helped to drive him to desperation. Probably the article which appeared in the Gazette he prepared at his house the night previous. Over his own signature he launched his indignation against the Commissioners by name, denouncing their false representations of himself, and asserting that for their "personal abuse of himself satisfaction had been personally demanded, due warning given, but no sufficient answer returned."† The same paper and the Evening Post contained other documents, such as correspondence with the Collector, and extracts from the letters of the Commissioners to the Ministry.

About seven o'clock the next evening, Otis, quite alone,

* John Adams's Diary (Works, II. 219-221).

† Boston Gazette, Sept. 4, 1769. Tudor's Life of Otis. Bancroft, VI. 310

went into the British Coffee-House, where he found seated Robinson, one of the Commissioners, and a number of officers of the army, navy, and revenue. After a short altercation, an assault was commenced by Robinson with a cane, when a fight ensued, and, the lights being extinguished in the confusion, the friends of Robinson attacked Otis, severely handling him, as shown by his wounds on the following day. A young man named Gridley, who was passing, came to the assistance of Otis, but was also beaten and put out of the house. The disgraceful scene was terminated by a separation of the combatants, and Otis, bruised and bleeding, was led to his home.* In the disturbed state of the town, this affair caused much excitement. Both sides had their version of the story; but the commonly received account was, that Otis had been set upon with a view to his assassination. A suit was instituted against Robinson, who left the country, bonds having been given by his father-in-law, a merchant named Boutineau. Fitch, John Adams, and Blowers were retained as counsel for Otis. In the preliminary examination, it appeared that swords were drawn by the officers, who fell upon Otis, with cries of "God damn him!" "Kill him! kill him!" and it was stated that wagers had been previously made upon the issue; young Gridley testified that there was foul play, and that he protested during the scene against the dirty usage which Mr. Otis received. Bludgeons and a scabbard were found on the floor after the struggle, and the whole proceeding was regarded as cowardly and brutal on the part of the crown officers.

Samuel Adams, ever careful of his friend's welfare, reviewed the examination at considerable length in the press, showing that foul play was practised; that Otis had challenged Robinson to go abroad or withdraw to a private place, and there decide the controversy between them.† Robinson

* Tudor's Life of Otis. Drake's History of Boston. Articles in the Boston papers on the subject.

† "An Impartialist," in the Boston Gazette, Sept. 25, 1769.

stated that he had laid aside his sword when he saw his adversary without one. But the surgeons, Drs. Perkins and Lloyd, who attended Otis, pronounced the wound in his forehead to have been made by an edged weapon, and Mr. Adams held that Robinson had either misstated the facts or that some one else had attacked Otis with a sword. At the trial, the jury found two thousand pounds sterling damages for the plaintiff and costs of suit. This sum Otis generously refused to take upon Robinson's expressing sorrow for his conduct, confessing himself the aggressor, and asking pardon of the injured men through Boutineau, who, being a lawyer, managed the case for the defendant. Thirty pounds each for the counsel, the doctor's bills, and the cost of court were paid by Robinson; but, as the release stipulated, "not a farthing for the use of the said James Otis, he having (as before observed) a most thorough contempt for a pecuniary recompense when a better can be obtained."* The injuries received by Otis probably assisted in the destruction of his intellect, which had already shown symptoms of failure in a variableness of opinion and an uncertainty of conduct, which, henceforth increasing, incapacitated him for calm deliberation. The only other effect of the fray was to increase the quarrels between the people and the officers, and to intensify the opposition to government. The revenue act was more fiercely attacked, and the public mind wrought to exasperation by the contributors to the press.

"Let me ask the cabal," said Samuel Adams, "whether the Colonies in general are perfectly reconciled to this act. They now see the contrary with grief and despair, and they may ere long see it with terror and amazement. The Colonies are more than ever united in a determined opposition to these acts, and I hope in God they will continue their opposition to them till they are all repealed; till the locusts and caterpillars, which now swarm among us, are driven off like chaff, and every American grievance is redressed.

* Tudor's Life of Otis, p. 505 (Appendix).

“Let any one imagine the distress of these people, — a free city — I mean once free, and still entitled to its freedom — reduced to the worst of tyranny, an aggravated tyranny! Was not an army of placemen and pensioners sufficient, who would eat us up as they eat bread, but an army of soldiers must be stationed in our very bowels! Where is the Bill of Rights, Magna Charta, and the blood of our venerable forefathers? In this dilemma, to what a dreadful alternative were we reduced, — *to resist this tyranny, or submit to chains!* The one might have been done with the greatest ease, for what was a handful of troops to subdue a large country! Surely two or three regiments could never have been intended to exterminate the inhabitants of this Province, and it could not have been expected that such a petty armament could produce any other effect than that of ‘inspiring the people with resentment.’ Those who imagined that the inhabitants of Boston would oppose the landing of the King’s troops knew very little of their temper or design; and yet, I believe, the thought of finally submitting to chains was never suffered to harbor in their hearts. God forbid that free countries should ever again yield to tyranny! This has long been the unhappy fate of the world, while it was overspread with ignorance and enveloped in darkness. Mankind, I hope, are now become too enlightened to suffer it much longer.”*

Bernard having written to England that the most respectable of the merchants would not hold to their non-importation agreements, and that the subscriptions would come to naught, encouragement was given to British merchants to engage anew in the colonial trade. By intelligence received in September, it was known to Mr. Adams that “a factor,” as he expressed it, “from London was daily expected in the next ship, and, as it was said, under ministerial favor, with a very large importation of British manufactures.” This was regarded as an attempt to force the obnoxious goods upon the inhabitants, and a direct issue was thus to be made between the supporters of this importation scheme and the virtuous determination of the people not to purchase. The suspicion entertained by Mr. Adams that these goods came

* “Alfred,” in the Boston Gazette, Oct. 2, 1769.

under "high authority" was not without foundation, for the military officers had been preparing to protect the factors on their arrival. He also knew that many of the proscribed articles were imported in the names of the military officers, ostensibly for the use of the soldiers.

"Good God," he wrote, "how much longer is it expected that the patience of this injured country shall hold out? Have we not already been sufficiently provoked? Is it possible that any man should have the effrontery, against the united resolutions of a continent, to import and vend its bane? Unparalleled presumption! Shall a stranger dare to be the tool of the cabal, and the instrument of oversetting a measure upon the success of which the hopes of millions are suspended? What a degree of intolerable vanity and insolence is here! Shall this man avail himself, and make a precedent for others to avail themselves of the sacrifice which our own merchants and tradesmen have voluntarily made for the public good, and hereafter wrest that part of the trade out of their hands, whenever the safety of the country shall admit of its being again carried on? What man will purchase goods of such a bold intruder? Who will not look upon him as a public enemy, and treat him with the marks of contempt and hatred? But, contemptible and odious as he must appear, yet, in comparison with these few *natives* of the country — and, blessed be God, there are but few — who can pride themselves in the importations they have made, and impudently boast of their success, — in comparison, I say, with such *parricides* as these, a stranger must, in an impartial eye, appear even innocent."*

On that very day, the expected ships arrived. The tocsin had not been sounded an hour too soon. Bryant, the factor, landed on the 4th, and a meeting of the merchants was immediately convened; and having obliged Greene and Boylston, the owners, to engage to house all their goods and deliver the key to the committee, "they called before them a young fellow who belonged to England, and brought about a thousand pounds sterling in goods for sale, and required him to send his goods back again."† The unhappy Lieu-

* "Alfred," in the Boston Gazette, Oct. 2, 1769.

† Hutchinson to Bernard, Oct. 5, 1769.

tenant-Governor wrote in rueful plight, and doubtless foresaw what might befall his own adventure in the interdicted articles.

On the same day the town held a meeting, at which Cushing, Samuel and John Adams, Otis, Dana, Hancock, Henshaw, Jackson, Kent, and Warren were appointed a committee to vindicate the town from the false representations contained in the letters of Bernard, Gage, Hood, and others, authentic copies of which had been transmitted to the selectmen.* The meeting then took up the subject of those who had broken the non-importation agreement, and the names of four, "*few indeed, to the honor of the town,*" were placed upon the records as infamous, "that posterity may know who those persons were that preferred their little advantage to the common interest of all the Colonies in a point of the greatest importance." These proceedings having been published in the next day's paper, Hutchinson added, by way of postscript to his letter to Bernard:—

"I am now able to send you this day's paper, *with the infamous vote of the town of Boston.* It was approved, and some said my sons had given up their goods; but Adams, Kent, and others replied, that it was not voluntary; they should have done it before.† I know that I should have been afraid to put such a question as moderator, or sign it as town clerk. I have been in pain for your son, but am now in hopes he may stand it out." ‡

The names of Hutchinson's two sons were also recorded by the town as infamous, though, by their father's directions, they had given up eighteen chests of tea; but the meeting had no faith in their sincerity. Another ship arrived on the 15th, and a similar disposition was made of the goods, while the troops, however much their officers may

* Boston Town Records, Oct. 4, 1769.

† These two sons kept a shop in which their father was interested. Several weeks previously, Mr. Adams as "Populus" in the Boston Gazette had publicly warned them by name as "bringing up the rear in the ignoble list of importers."

‡ Hutchinson to Bernard, Oct. 5, 1769.

have desired to act, stood idle spectators, knowing that their hands were tied, for they could not legally interfere. In the midst of these proceedings, a letter was received from New York, inviting Boston to continue the non-importation agreement until *all* the revenue acts were repealed, and by the great influence of Molineux, Otis, Samuel Adams, and William Cooper, the new form was adopted by the merchants.* Hutchinson, who kept a daily record by letter of everything, thus expressed to Bernard his rage and chagrin: —

“I cannot but be of the opinion that an act subjecting every person who had been concerned in any of these combinations, and who held any sort of office of honor or trust, and did not in any such way or manner as should be directed, disclaim, &c., should forever after be disqualified, would make a number of these people, and, among the rest, Cooper, Adams, &c., tremble; though I don't think this half enough for so atrocious a crime; and for any persons who should hereafter be concerned, no penalty is too great.

“If Parliament does not before the holidays show their indignation against this defiance of their authority, I shall think I am mistaken, and that it is not such an offence as it has always appeared to me to be. At least, processes ought to be made out for the apprehension of all who have been concerned and who do not immediately disclaim.

“The merchants, in their meeting referred to in the foregoing, voted to continue their agreement for non-importation *until all the revenue acts be repealed*, and a subscription is now carrying about; but it seems that they have thought proper not to suffer their proceedings to be printed until they know that they shall succeed in their subscriptions. A rigorous spirit in Parliament will yet set us right: without it, the government of this Province will be split into innumerable divisions. Every town, every parish, and every particular club or connection, will meet, vote, and carry their votes into execution just as they please.” †

* Bancroft, VI. 311.

† Hutchinson to Bernard, Oct., 1769.

CHAPTER XIV.

Report of the Town's Committee. — Adams writes the "Appeal to the World." — Its Effect. — Treatment of an Informer. — John Mein and his Publications. — Increasing Animosity between the Troops and the People. — Adams warns the Agent in London. — Liberty in the other Colonies. — Adams declares that the Troops must quit the Town. — Assembling of Parliament. — Lord North becomes Prime Minister. — Spirit of the New England Women. — Public Disturbances. — The Governor desires Bloodshed. — The Case of Richardson.

WHEN two weeks had passed since the appointment of the committee to vindicate the town from the aspersions of Bernard and the crown officers, a town meeting was called on the 18th, and the report, with some slight alterations, was unanimously adopted.* This paper, which was printed by order of the town, was the afterwards celebrated "Appeal to the World," and was written by Samuel Adams. It received a wide circulation in America.† Copies were sent to the leading friends of the Colonies in England, where it was republished. The vigor of its style, the plain reasoning which unmasks the character of the writers against the Province, the boldness of the vindication, yet tempered with the calm confidence of a just cause, gave it a prominence which had only been equalled by the "True Sentiments of America," by the same hand in the previous year. It was read in England during the height of the Wilkes excitement, and when the public mind was prepared by the writings of

* Boston Town Records, Oct. 18, 1769.

† An Appeal to the World; or a Vindication of the Town of Boston, from many False and Malicious Aspersions contain'd in certain Letters and Memorials, written by Governor Bernard, General Gage, Commodore Hood, the Commissioners of the American Board of Customs, and Others, and by them respectively transmitted to the British Ministry. Published by order of the Town. Printed and sold by Edes and Gill, in Queen-Street, Boston, 1769. 8°. pp. 37.

“Junius” to listen with peculiar interest to an appeal for American rights, which, on the principle of representation, were alike invaded in both countries. The work goes over the ground covered by previous essays and letters of Mr. Adams, relative to the misrepresentations of the crown officers and their animosity to the Province. Bernard’s letters to the Earl of Shelburne and Lord Hillsborough are considered at great length; each statement is dissected, and the exaggerations clearly proved.

The consequent ordering of troops to coerce a loyal people disclosed a purpose which the pamphlet declares to be “dangerous and abhorrent to the British Constitution and the spirit of a free government, namely, to support the civil authority. A measure which has caused continual terror to his Majesty’s peaceable subjects here, and has been productive of more disturbance and confusion than has been known in the memory of any now living, or than is recorded by any historian, even the most partial, against this country.”

The Governor’s nervous timidity, which was constantly wishing for an armed force to protect him, is exposed, as well as his exaggerations relative to the meeting in June, 1768, under “Liberty Tree.”

“He always discovered,” says the Appeal, “an aversion to free assemblies: no wonder then that he should be so particularly disgusted at a legal meeting of the town of Boston, where a noble freedom of speech is ever expected and maintained; an assembly of which it may be justly said, to borrow the language of the ancient Roman, with a little variation, ‘*Sentire quae volunt et quae sentiunt dicere licet,*’ — they think as they please, and speak as they think. Such an assembly has ever been the dread, often the scourge, of tyrants.”

Of the proceedings adopted at the town meeting of September 12th in the previous year, the Appeal says:—

“The resolves and determinations of this meeting, as the Governor says, were published to the world; and they remain in the rec-

ords of the town, that posterity may judge of them. The town has seen no reason since to revoke these resolves, notwithstanding they have been sentenced as 'very dangerous resolves, procured by mad people,' by so exquisite a judge in matters which regard civil government, as well as so polite a gentleman, as General Gage. The Governor himself has been since respectfully requested by the selectmen, in behalf of the town, to show in what respect the resolves and proceedings of this very meeting had militated with law, but he declined it; and we believe he declined it, because he was not able to do it. Spirited, indeed, they were, but not too spirited for the times. When the Constitution is threatened, the principles of the Constitution must, if ever, be asserted and supported. The Governor, indeed, takes notice of our claim to a certain clause in the Bill of Rights, as 'a large stride'; but as we are free British subjects, we claim all that security against arbitrary power to which we are entitled by the law of God and nature, as well as the British Constitution. And if a standing army may not be posted upon the subjects in one part of the empire in time of peace, without their consent, there can be no reason why it should in any other; for all British subjects are, or *ought to be*, alike free.

“Notwithstanding the town have been obliged in justice to themselves to say thus much in their own vindication, we should yet be glad that the ancient and happy union between Great Britain and this country, which Governor Bernard has labored so industriously to interrupt, might be restored. Some have indeed flattered themselves with the prospect of it, as intelligence is said to have been received from Administration that *all* the revenue acts would be repealed. But as it since appears, by Lord Hillsborough's own account, that nothing more is intended than the taking off the duties on paper, glass, and painters' colors, upon commercial principles only, if that is all, it will not give satisfaction. It will not even relieve trade from the burdens it labors under: much less will it remove the grounds of discontent which runs through the continent upon much higher principles. Their rights are invaded by these acts: therefore, until they are *all* repealed, the *cause* of their just complaints cannot be removed. In short, the grievances which lie heavily upon us we shall never think redressed, till EVERY act passed by the British Parliament for the express purpose of raising

a revenue upon us without our consent is repealed; till the American Board of Commissioners of the Customs is dissolved, the troops recalled, and things are restored to the state they were in before the late extraordinary measures of administration took place."

The temper and style of the Appeal, which occupies twenty-nine pages of the records, may be gathered from these extracts. The town endeavored by this vindication to place itself plainly in the right before the world; and for that purpose there is no attempt to convey a meaning by covert expressions. It was a candid, outspoken announcement of the sentiment of Boston touching their just rights; and its solemn warning, which it was intended the British Ministry should peruse, that they should *never* consider their wrongs redressed until *the whole* assumed right of taxation was renounced, might have warned any far-seeing statesman of the approaching crisis, but an overruling Providence ordained it otherwise. The town appointed a committee to transmit the Appeal to persons of influence in England; and Mr. Adams, who was a member, prepared a letter which was signed by the committee, and forwarded with the pamphlet. It emphatically repeats what measures of relief are expected, and enumerates particularly the repeal of the revenue act, the removal of the troops, and the restoration of affairs to the state they were in before the late measures of administration. Hutchinson, who had particularly assisted in misleading opinion in England, saw in the Appeal an additional instance of sedition; and he forthwith sent it to Bernard, who, as fresh from the Province, was an oracle on American affairs, and had the ear of the Ministry.*

* The Appeal to the World has been erroneously ascribed to James Otis. In 1819, fifty years after it was written, John Adams thought it not improbable that Otis and Samuel Adams might have composed it together; and the biographer of Otis also claims it as their joint production, probably on the same authority. Independent of the fact, that a careful examination of the Appeal shows no resemblance to the style of Otis, while it has exactly and unmistakably that of Adams, the condition of Otis just previous to this time,

"The thing," said he, "is calculated to take the vulgar and mislead others who are not acquainted with the facts; but it is so shamefully evasive and fallacious, that I cannot but hope you will furnish some person of leisure with the true state of facts, that it may be answered. I have no doubt that they design to publish it in England; and they would suffer no copies to go out until the vessels which were then ready had sailed. I was obliged to employ Frank to procure me one from a journeyman who then worked in the press. I send another, as the former may have miscarried. It was offered to the town by Adams, and probably most of it is his performance. But there are some parts appear to me the work of another hand; what relates to the Council is probably the production of a gentleman who was then of the Council."*

as disclosed in the diary of John Adams and the letter of Hutchinson soon after, renders it impossible that he could have been even partly its author.

The title of the paper, "Appeal to the World," had long been a favorite and peculiar expression with Samuel Adams. As "Determinatus," in the Boston Gazette, Aug. 8, 1768, he says when treating this very subject of misrepresentations by the crown officers:—

"*I appeal to the world* upon this short but full narration of the facts, whether," &c.

And in the same paper, as "Shippen," Jan. 30, 1769, while vindicating the town against its false accusers:—

"Without saying anything more on this point, we may venture *to appeal to the candid world* where the ingratitude lies."

And again as "A Bostonian," April 24, 1769:—

"If the General [Gage] has characterized the town and Province upon his own observation, *I appeal to the candid world* whether the bare affirmation," &c.

All these instances occur before the Appeal to the World appeared, and reveal the hand of one writer discussing the same theme,—the vindication of the town.

In May, 1773, writing to Arthur Lee, he again uses the expression. Sending to his friend the printed proceedings of the town at a late election, he says: "*They may be looked upon as fresh appeals to the world.*" The Appeal was reported to the town by Samuel Adams in person,—so Hutchinson wrote at the time,—which is a strong indication that he was its author. But when to these evidences we add the fact that fragments of the original manuscript, with the erasures, interlineations, and corrections, still exist in the handwriting of Samuel Adams, the question would seem to be set at rest, especially as no portion of the paper has ever been found in the hand of any other person. For Samuel Adams's authorship, see Bancroft, VI. 312.

* Hutchinson to Bernard, October, 1769.

Hutchinson had come to know the peculiar style of Adams almost as well as though the writings had been his own. He had his spies too, who kept him informed as to the authorship of pieces in the public press; and the government employed a number of informers, whose business it was to watch the movements of the popular leaders, and report all they saw and heard. These were sometimes detected by the people, and, in such cases, suffered rough treatment from them. An instance occurred on the 28th of October, when an informer against a quantity of smuggled wine, brought from Rhode Island, was tarred and feathered, and carted in the evening through the streets for three hours, attended by a vast concourse of people, who obliged the wretched man to carry a large glass lantern, and, under the Liberty Tree, "made him swear never to be guilty of a like crime in future." Passing the office of the Chronicle, a government paper published by Mein and Flemming, the procession was fired upon, when the crowd broke in the doors, and the inmates would probably have shared the fate of the informer, but for their speedy flight.* The senior partner in this publishing firm was John Mein, a Scotchman, who had been brought up a bookseller, and had come to Boston in 1764 from Glasgow. His paper remained neutral at the commencement of the stamp and revenue troubles; but in the summer of 1769, he found it for his interest to take the government side, and in August he endeavored to dissuade the merchants from adhering to their non-importation agreements by misrepresenting the signers. Mr. Adams publicly warned him against "this opposition to an awakened, an enlightened, and a determined continent"; and at last, when the publisher ventured to caricature the leading patriots, he was attacked on Pope-day in King Street, near his office, and driven to the main guard for protection. The people followed and demanded that he should be surrendered to

* Drake's Boston, p. 776. Bancroft, VI. 313. Barry's Massachusetts, II. 400.

them; but he finally escaped in disguise, and soon after sailed for England.*

The inactivity forced upon the troops, amid all these commotions, was humiliating; but they could only chafe and exhibit their anger by occasional frays with the people. The leaders constantly endeavored to impress them with the fact that they were useless appendages of illegal power, and subservient to the civil magistrate. A captain in the Twenty-ninth Regiment, who gave directions to his soldiers, "If they touch you, run them through the body," was indicted for the speech, and early in November the grand jury found a true bill against Bernard, General Gage, and others, for "slandering the town of Boston." "Surely," said Mr. Adams, as he mused upon the possibility of some sanguinary event, "no Provincial magistrate could be found so steeled against the sensations of humanity and justice as wantonly to order troops to fire on an unarmed populace, and (more than) repeat in Boston the tragic scenes exhibited in St. George's Field. I shudder at the thought!" †

The event, however, which was to seal in blood the deliverance of the town from the immediate presence of these mercenaries was but a few months distant. How far they were fallen into contempt with the people, and how the persistent oppression of the mother country was cementing the determined bitterness of the opposition, may be inferred from the following letter.

SIR, —

BOSTON, Nov. 16, 1769.

I received your favor by Mr. Reed, whose good sense, agreeable conversation, and polite behavior entitle him to very great respect and esteem among the best part of the world.

It is with astonishment and indignation that Americans contemplate the folly of the British Ministry, in employing troops which have heretofore been the terror of the enemies to liberty, only to parade the streets of Boston, and by their ridiculous merry-andrew

* Drake's Boston, p. 774. Buckingham's Reminiscences, I. 214.

† "Alfred," in the Boston Gazette for Oct. 2, 1769.

tricks to become the objects of the contempt of even women and children. If the noble Corsicans were not worthy the least of their attentions, surely they ought to have been alarmed at the large strides which the French and Spaniards, the inveterate foes to Britain, are making towards the recovery of their lost territories in America. One winter more trifled away, or worse than trifled, in fruitless endeavors to enslave a people who are more than ever resolved to be free, may afford those powers the opportunity of completing a plan already begun, and to finish a stroke in America which may awaken the attention of Britain in vain. We tremble for her fate; we wish her prosperity; we hope she will soon employ herself to much nobler purposes than picking up pins and pebbles. Those who have succeeded in their endeavors to alienate the affections of her Colonies have served her enemies in the very point they could have wished for. Britain may fall sooner than she is aware; while her Colonies, who are now struggling for liberty, may survive her fate, and tell the story to their children's children. I conclude in great haste.

Your friend and humble servant,

SAMUEL ADAMS.

DENNYS DEBERDT, Esq.

There was a spirit of prophecy in this letter, as events proved. It now seems scarcely credible that the government should have been unmindful of the dangers which are here pictured. The downfall of British rule in America was ardently desired by every trading rival in Europe, and the peril increased as the absurd contest was prolonged. Her commercial monopoly had been long regarded with a jealous eye; and nations eagerly watched the progress of a systematic folly which, as all but the infatuated King and Ministry saw, led plainly to a great catastrophe. A convention had already been entered into between France and Spain, with the ultimate view of crippling the British Colonial strength, towards which the first step was made early in 1771, by an attack by the Spanish forces upon the Falkland Islands.* Yet, amid these hostile indications, the taxation

* See Grahame's History, II. 426, 456; Bradford's State Papers, p. 296.

policy was pursued. The revenue to be derived was but trifling. It was the arbitrary right alone for which the contest was waged, risking the loss of the "brightest jewel in the crown." That right would never be conceded, and would be resisted to the last.

Deberdt, who still served the Province as the agent of the Assembly, endeavored to obtain additional evidence against Bernard to support the petition of the House for his removal. The letter spoken of above was probably on that subject, as was one to Cushing, received by the same ship, to which Hutchinson thus alludes:—

"The remonstrance of the House I knew would be odious to you. Undress it, and let the facts appear naked, and you are not accused of doing anything which it would not have been culpable in you to have left undone. The Speaker, a day or two ago, opened a letter which he received by the last ship from Deberdt, and began to read it in company. Deberdt says, that if the Speaker will furnish him with evidence of any damage the Province has sustained by your acts of oppression, he will bring an action against you, now you are in England. He was going on; but Adams, who sat by, told him he believed it was a private letter, and then he stopped."*

If the voluminous evidence contained in the Appeal to the World, exposing the false representations of Bernard and others, was not to be regarded as proof against the Governor, it would be useless indeed to have gone through the farce of taking affidavits which would be spurned by the royal Council. The damage sustained by the Province through the subversion of its liberties could never be brought to the eyes of the Ministry, who ignored the British rights claimed by the Americans, and had no word but sedition for their efforts in support of those rights. The petition was rejected as "groundless, vexatious, and scandalous," and all the evidence in the world would not have prevented this result.†

* Hutchinson to Bernard, November, 1769.

† Opinion of the Ministry in Council of the petition of the House against Gov. Bernard.

The great principles upon which the claims of the American people were based were never recognized by Hillsborough, whose contempt for the motives which actuated the opposition, unchangeable from the first, was strengthened by the advice of Bernard, who was at his side, and by the letters of Hutchinson, who plied the Baronet with correspondence, which he knew would be shown to the Ministry, and perhaps aid in his own advancement.

While Boston was thus boldly facing the awful power of England, the generous enthusiasm of liberty animated the other Colonies, but with a general tendency to conciliation. South Carolina steadily adhered to the non-importation agreement, and appointed a standing executive committee. Georgia supported the correspondence and resolutions of Massachusetts. North Carolina adopted in her Assembly the protest of Virginia. The Legislature of New York moved for a general representative body to be composed of delegates from each Province. Virginia had the pledge by its Governor of the royal word, renouncing all intention of taxing the Colonies. Maryland's Lieutenant-Governor "advised" to give up the tax, and the Philadelphia merchants were still for non-importation, but under less stringent restrictions. The only matter of complaint among them all was the tax upon tea; all other obnoxious measures, such as the Billeting Act, having been abandoned. Upon the principle involved in the assumed right to tax the Colonies rested the whole issue between them and Great Britain. The spirit, however, which still looked hopefully for redress prevailed less in Massachusetts, where the continual broils between the Bostonians and the troops nursed the rancor of both parties.

The Massachusetts Legislature was to meet on the 10th of January, — one day after the assembling of the British Parliament. Would the little body of Provincial statesmen still refuse to legislate, while arbitrarily removed from their ancient and legal seat of government? Would wise coun-

sels prevail in Parliament, and the just rights of America be admitted? The new year was to decide forever the fate of the Colonies, and involve results more momentous than the most far-seeing could estimate in their effect upon Great Britain. A crisis seemed to impend on both sides of the Atlantic. In Massachusetts, the plan for the approaching session was probably prepared. It was to demand the removal of the troops, and to offer an uncompromising opposition to any legislation, should the Lieutenant-Governor persist in illegally convening the Assembly at Cambridge. Towards the close of the year Hutchinson wrote to Lord Hillsborough:—

“The time approaches to which the Assembly stands prorogued. As I have received no instructions from England to the contrary, nobody doubts its sitting to do business. I have evidence of the declaration of one or more of the members of this town, that the first attempt shall be for a vote to insist upon the troops being removed out of the town. I am taking every prudent measure in my power to prevent the attempt from succeeding in the House, and do not despair of defeating it.”

To the same nobleman he writes immediately after, having apparently received additional information.

“Adams has declared the troops must move to the Castle, and that it must be the first business of the Court to remove them out of the town.”*

If the design of this was to have Samuel Adams or others transported to be tried for treason, the idea had been met more than half-way from England. “The talk is strong of bringing them over and trying them by impeachment,” said Mauduit in London. “Do you write me word of their being seized, and I will send you an account of their being hanged.” †

The public liberties were at this time contested in England

* Hutchinson to Bernard, Dec. 20, 1769.

† Israel Mauduit to Hutchinson, London, Nov. 19, 1769.

with unusual violence and acrimony. The whole nation was convulsed with the struggle between the House of Commons and the Middlesex electors, and reflecting men considered that the crisis involved the stability of the government. Parliament met on the 9th of January, when the troubles in Ireland, the revenue difficulties in America, and the disfranchisement of Wilkes, together occupied their entire attention. A great contest had been going on between the aristocracy and the returned wealthy nabobs from Hindostan, desirous of obtaining seats and influence in the British Legislature, on the one side, and the popular element declaring for free speech, a free press, and unrestricted rights, on the other. Wilkes, who but for his expulsion from the House would have sunk into insignificance, became by his representation of the prevailing sentiment the most prominent man in the kingdom. The debate, which embraced the popular liberties in England and the American policy, was led by Chatham in the House of Lords, where he now reappeared after two years absence, and combated with marked eloquence the address to the King against the Colonies, in which he was joined by Lord Camden, who "proclaimed to the world" his opposition to "this illegal and unconstitutional vote." In the House of Commons Barré stood up, as usual, as the defender of American rights. Lord North replied that he would never acquiesce in the absurd opinion that all men are equal. The character of the debates, as well as the votes, showed that America had little to hope for, and that the determination to crush out the principle of constitutional liberty had suffered no change since the previous winter.

Late in January the Duke of Grafton suddenly resigned his position as Prime Minister, and Lord North, whose policy towards the Colonies was well known, assumed the reins of government. He knew the will of his master, George the Third; but his subsequent course proved that both he and the stubborn King did not know the character of the Ameri-

can people, when they ignorantly hugged the idea of driving them into a compliance with an infamous tyranny. Lord North was actuated by a violent hatred of popular rights, and a blind resolution to enforce obedience to illegal legislation, before relaxing such assumed power; and in these feelings he was confirmed by the King, whose knowledge of America was probably confined to the distorted accounts coming to him through his servants in the Colonies.

The commencement of the year in Massachusetts was signalized by a new exercise of arbitrary power. When Bernard left the Province for England, in the previous summer, the Legislature stood adjourned to the 10th of January, 1770; and, as we have seen by Hutchinson's letter already quoted, it was to have met then. But a few days previous to that time, instructions were received from the Earl of Hillsborough, directing the Lieutenant-Governor to prorogue the Court to meet at some future time at Cambridge. This outrageous treatment of a popular legislative body, whose movements, as stipulated by charter, were only dependent upon the directions of a Governor paid by the people, was probably by Bernard's advice, who had in November received the Appeal to the World, and, with the Ministry, had perused the newspaper reports of the non-importation agreements. The measure, then, was retaliatory, and of course had exactly the reverse of the intended effect. Hutchinson, on receiving the order, issued a proclamation conformable to its directions. On the 10th he wrote:—

“The letters by the November packet came to hand the 3d instant in the evening; and the next morning I prorogued the Court to the second Wednesday in March. Some of the distant members will be on their journey before the proclamation reaches them; and if the packet had not had a better passage than common, my orders would have found the Court sitting. I thought when I wrote you, some time since, that a proclamation would cause a great clamor, and therefore wished the Court might meet. There is less than I expected. As far as I can yet judge, the party seem to be rather

mortified and humbled by it than enraged. I am convinced that it is the right measure. I am waiting for orders, which are to follow. . . . 'Vindex' is undoubtedly from Adams. It appears not only by the style, but from his having discovered just the same sentiments in company immediately after the prorogation of the Court."*

In the piece referred to by the Lieutenant-Governor, the validity of the instruction from Hillsborough for the prorogation was denied, and the text of the argument was the passage in the charter giving to the Governor for the time being the power to adjourn, prorogue, or dissolve the Assembly.

"The power delegated by this clause to the Governor," continues Mr. Adams, "was undoubtedly intended in favor of the people. The necessity and importance of a Legislative in being, and of its having the opportunity of exerting itself upon all proper occasions, must be obvious to a man of common discernment. Its grand object is the redress of grievances, and for this purpose it is adjudged that parliaments ought to be held frequently. The people may be aggrieved for the want of having a good law made, as well as repealing a bad one; so they may be by the maleconduct of the Executive in its manner of administering justice wrongfully under color of law. In all these cases, and many others, the necessity of the frequent interposition of the Legislative evidently appears; and if either of them — much more if all of them — should at any time be justly complained of by the people, the adjourning, proroguing, or dissolving the Legislative at such a juncture must be the greatest of all grievances. There may be other reasons for the sitting of an American Assembly besides the correcting any disorders arising from among the people within its own jurisdiction. Some of the acts of the British Parliament are generally thought to be grievous in their operation and dangerous in their consequences to the liberties of the American subjects. An American Legislative, therefore, in which the whole body of the people is represented, ought certainly to have the opportunity of explaining and remonstrating their grievances to the British Parliament, and the full exercise of that invaluable and uncontrollable right of the subject to petition

* Hutchinson to Bernard, Jan. 10, 1770.

the King as often as they judge necessary, till they are removed. To postpone a meeting of this universal body of the people till it is too late to make such application must be a frustration of one grand design of its existence, and it naturally tends to other arbitrary exertions. I have often thought that, in former administrations, such delays to call the General Assembly were intended for the purpose above mentioned; and if others should have the same apprehension at present, I cannot help it, nor am I answerable for it. It may not be amiss, however, for every man to make it a subject of his contemplation. We all remember that, no longer ago than the last year, the extraordinary dissolution by Governor Bernard, in which he declared he was merely ministerial, produced another assembly, which, though legal in all its proceedings, awaked an attention in the very soul of the British Empire.*

With the close of the year the non-importation expired by limitation; and induced by the increased price of tea, some, who had reluctantly entered into the stipulation rather than face public resentment, now commenced to sell. Among these were Thomas and Elisha, the sons of the Lieutenant-Governor, who hastened with the new year to make secret sales, having broken open the warehouse of which they had given the town committee the key three months before. Hutchinson, whose besetting sin was covetousness, could not withstand the temptation offered by the enhanced prices; and his sons, who were his agents, probably renewed their business at his advice. They had solemnly agreed to make no more sales until a general importation should commence, which could only be when the obnoxious duties were entirely repealed. The example was particularly dangerous, considering the family position of the recusants; for, if they were allowed to make sales with impunity, their great profits would be a powerful stimulant to others in humble circumstances. Mr. Adams, as "Determinatus," attacked them and members of other Tory families for their breach of faith.

* "Vindex," in the Boston Gazette, Jan. 8, 1770.

“It is no wonder then,” he says, “that it was opposed with so much vehemence at first by the cabal, who knew full well that their places and their pensions and all the delectable profits which they expected to reap, and are now actually reaping at the expense of the people in the town and country, would entirely cease, if these acts, by means of which their places, pensions, and profits arise, should be repealed. When they could no longer, with any face, call it ‘*the last efforts of a dying faction*,’ (for the measure was so rational and pacific that it soon spread far and wide, and was cheerfully adopted by all the disinterested friends of the country throughout the continent,) they put on the appearance of the Sons of Liberty, and now their cry is, ‘Where is that liberty so much boasted of and contended for?’ We hear them very gravely asking, ‘Have we not a right to carry on *our own trade* and sell our own goods if we please? Who shall hinder us?’ This is now the language of those who had before seen the axe laid at the very root of all our rights with apparent complacency. And pray, gentlemen, have you not a right, if you please, to set fire to your own houses because they are *your own*, though in all probability it will destroy a whole neighborhood, perhaps a whole city? Where did you learn that in a state or society you had a right to do as you please, and that it was an infringement of that right to restrain you? This is a refinement which, I dare say, the true Sons of Liberty despise. Be pleased to be informed that you are bound to conduct yourselves as the society with which you are joined are pleased to have you conduct, or, if you please, you may leave it. It is true, the will and pleasure of the society is generally declared in its laws, but there may be exceptions, and the present case is without doubt one. Suppose there was no law of the society to restrain you from murdering your own father; what think you? if either of you should please to take it into your head to perpetrate such a villanous act, so abhorrent to the will of the society, would you not be restrained? And is the liberty of your country of less importance than the life of your father?

“But what is most astonishing is, that some two or three persons, of very little consequence in themselves, have dared openly to give out that they will vend the goods they have imported, though they have *solemnly pledged their faith* to the body of merchants that they should remain in store till a general importation should take place!

Where then is the honor, where is the shame, of these persons, who can look into the faces of those very men with whom they have contracted, and tell them, without blushing, that they are resolved to violate the contract! Is it avarice? Is it obstinacy, perverseness, pride, or from what *root of bitterness* does such an unaccountable defection from the laws of honor, honesty, and even humanity spring? Is it the authority of an *unnatural parent*, the advice of some false friend, or their own want of common understanding and the first principles of virtue, by which these unhappy young persons have been induced or left to resolve upon perpetrating that at the very thought of which they should have shuddered. By this resolution they have already disgraced themselves: if they have the hardiness to put the resolution into practice, who will ever hereafter confide in them? Can they promise themselves the regards of the respectable body of merchants whom they have affronted? Or can they even wish for the esteem of their country which they have basely deserted; or worse, which they have attempted to wound in the very heart? If they imagine they can still weary the patience of an injured country with impunity, if — I will not utter it, — would not the grateful remembrance of unmerited kindness and generosity, if there was the least spark of ingenuity left, have influenced to a far different resolution? If this agreement of the merchants is of that consequence to ALL AMERICA which our brethren in all the other governments, and in Great Britain itself, think it to be, — if the fate of *unborn millions* is suspended upon it, — verily it behooves not the merchants only, but every individual of every class, in city and country, to aid and support them, and peremptorily to insist upon its being strictly adhered to!"*

This and all other appeals had no effect upon men actuated by greed, and lost to any appreciation of the spirit which animated the more patriotic dealers. On the 16th, a meeting of merchants was called, who proceeded in a body to Hutchinson's residence in Garden Court, and demanded that the goods should be restored. The assemblage, which was swelled by accessions from the other inhabitants, gathered in front of the house. Hutchinson threw up the window, and

* "Determinatus," in the Boston Gazette, Jan. 8, 1770.

“warned them of their illegal, riotous proceedings, and required them to disperse.” — “We have come to treat with your sons,” was the reply, “who have violated their contract to which their honor was pledged.” Hutchinson responded that “a contract without a valuable consideration was not valid in law.” But, after all, he considered it best to comply; and on the following day he agreed with William Phillips, the moderator of the meeting, to deposit a sum of money in place of the tea that had been sold, and that the rest should be returned, to which the meeting assented. No sooner had this arrangement been perfected than his Honor repented of the concession, and was accused by his friends of cowardice. He never forgave himself for it, and laments it in his History, as “having been done without sufficiently considering the consequences.” He wrote apologetical letters to England, hoping “that a single error in judgment would not cancel more than thirty years’ laborious and disinterested services in support of government.” To Sir Francis Bernard, he says of the merchants’ meeting: —

“Justices of peace, selectmen, representatives, constables, and other officers, who ought to have discountenanced this meeting, made a part of it. Some of your friends and mine wish matters had gone to extremities, this being a good time as any to have called out the troops.”*

A Revolutionary anecdote illustrating Samuel Adams’s skill in dealing with mankind has been handed down as occurring either at the above-named meeting, or another shortly before it. The object was to bring all the dealers into the non-importation scheme; but a Scotchman, a large importer, refused to join the association. Though many were enraged at the persistency of the merchant, Mr. Adams, who was present, discouraged angry words, for the *suaviter in modo* was a prominent trait in his energetic character. The committee from the meeting, who had been directed to call on the stubborn Scotchman, and had been repelled by him,

* Hutchinson to Bernard, Jan. 21, 1770.

were deputed to visit the recusant again, but they returned with the same answer; when Mr. Adams arose and moved that the Assembly (of about two thousand persons) should resolve itself into a committee of the whole house, and wait upon Mr. Mac—— at the close of the meeting, to urge his compliance with the general wish; which being agreed to without a dissenting voice, they proceeded to transact the business before them. The sagacious patriot knew that the man in question had personal friends present, some of whom immediately slipped away to inform him that the *whole body* would shortly wait upon him. The result was as Mr. Adams had anticipated. In the midst of their deliberations on other subjects, in rushed Mr. Mac—— all in a foam, and, bowing to the chairman and to Mr. Adams, told them that he was ready and willing to put his name to the non-importation pledge. Another account says that he was hiding in an obscure position in the hall, when he heard his name called among the recusants, followed by the proposition to visit him *en masse*; upon which he sprang out of his retreat, rapidly repeating in a squeaking voice and with a Scotch accent, “Mr. Moderator, I agree! I agree!” This unexpected interruption in a foreign brogue, from a diminutive, grotesque figure, covered with a reddish smoke-dried wig, drew all eyes upon him; and his sudden conversion, and the manner in which it was obtained, brought forth thunders of applause. Mr. Adams pointed to a seat near him, with a polite, condescending bow of protection, and so quieted the alarm of the discreet Scotchman.*

The blood-thirsty suggestion in Hutchinson’s letter to Bernard was a true index to the disposition of the crown officers. Their object was to see employment given to the troops, whose inactivity was as humiliating to them as it was irritating to the soldiers. Hutchinson used every effort to suppress the meetings of the merchants, — to one of which

* Magoon’s *Orators of the Revolution*, pp. 107, 108; and another version as related by Mrs. Hannah Wells.

he sent a letter, requiring them in his Majesty's name to disperse. The refusal was in Hancock's handwriting, and he put the autograph carefully by, to be used against the writer when he should be tried for his treasonable practices. The spirits of the people suffered no depression from these attempts, but rather rose with the occasion. They must have foreseen that the frequent frays with the troops would lead at last to some tragedy; and though many despised the military power, knowing that in an extremity an overwhelming force could be obtained from the country to exterminate the invaders, yet the constant threat revealed the nearness of bloodshed. Conflicts, resulting in bruises and wounds on both sides, were taking place in New York, where the soldiers, after repeated repulses from the people, succeeded in cutting down the liberty pole. In every Colony a bold front was presented. Hutchinson thought that the commotion in Massachusetts, in 1740, (probably referring to the affair of the Land Bank, to which he had been a bitter opponent,) was a peccadillo compared to the combinations now afloat in so many Colonies.

"That," he said, "was thought to deserve an act of Parliament, and all who continued in it were subjected to the penalties of the Act of Premunire. These, therefore, which are absolutely incompatible with a state of government, can never be overlooked. Here they are declared to be legal. The town of Boston say so in their last meeting. At Virginia, Pennsylvania, and New York, the authorities sit still and rather approve of them."*

The news of the conflicts in New York encouraged the people of Boston, and the utmost vigilance was exercised to enforce the agreements against both the importation and consumption of tea. Spirited resolutions had already been adopted at a meeting of citizens in Faneuil Hall, "to totally abstain from the use of tea"; and now, in the month of February, the mistresses of four hundred and ten families formed

* Hutchinson to Bernard, October, 1769.

an association to drink no more tea until the Revenue Act was repealed. A few days later — on the 12th — a hundred and twenty young ladies followed the example of the matrons, subscribing to a league, and binding themselves by an agreement in which they say : —

“ We, the daughters of those patriots, who have, and do now appear for the public interest, and in that principally regard their posterity, — as such do with pleasure engage with them in denying ourselves the drinking of foreign tea, in hopes to frustrate a plan which tends to deprive a whole community of all that is valuable in life.”

This was no common deprivation ; for, in that day, more than at present, tea-drinking parties among the ladies were a source of peculiar social enjoyment. The importance attached by the government to that one article, as a test of the principle of taxation, indicates how extensive was the use of tea in the Colonies. From this time forth, until the close of the royal authority in Massachusetts, tea was regarded as the bane of popular liberty. Few families had the hardihood to make use of it, and a jealous watch was maintained to prevent its selling. The importers had no peace. People pointed them out as proscribed men, and boys hooted at them in the streets, while their customers were interrupted passing to and from their shops and houses.

The result was the shedding of the first blood in Boston. On the 22d of February, a party of boys set up a large wooden head and a board, on which were painted the figures of four of the importers, in front of the house of Theophilus Lillie, one of the violators of the agreement. A post was also planted, with a hand pointing towards his door. Richardson, a well-known informer, who lived near by, vainly endeavored to persuade a countryman and others to drive their carts against it. The by-standers, becoming incensed at these attempts, interfered ; and the informer retreated towards his own house, where some insulting language fol-

lowed on both sides. Some of the boys threw missiles at him, compelling him to shut himself in, upon which he opened a window, and fired with his gun upon the crowd, severely wounding a son of Captain John Gore and mortally wounding another boy, Christopher Snyder, about eleven years of age, who died on the following evening. "The boy that was killed," observes Hutchinson, in his History, "was the son of a poor German. A grand funeral was, however, judged very proper for him."* The man who could cringe to the powerful, and saw virtue only in wealth and station, evidently estimated the value of the life in proportion to the financial condition of the bereaved family. He had yet to learn the significance of the democratic philosophy, whose doctrines were revolutionizing a continent and brushing away the flimsy distinctions of birth and money. The funeral, which took place on the 26th, was attended by a great procession of young and old, marching in solemn order from Liberty-Tree to the Town-House, and thence to the burying-ground.†

It has been said in palliation of Richardson's crime, that he was grossly insulted by the populace, causing him to fire in a moment of rashness. An impartial view of the case admits of but one conclusion. Having gained his house he was not in danger, and the vindictive firing from a window, while it could not possibly intimidate the crowd, would rather exasperate them the more, and was as likely to kill the innocent as the guilty. Besides, by taking the law into his own hands, he volunteered a direct issue with the people; and that he went out of his way to encounter them, when justly excited by the illegal attempts against their rights, is shown by his interference with the only peaceable methods by which they could express their detestation of those who had violated the non-importation agreements. Immediately after the murder,

* Hutchinson's History, III. 269.

† Boston papers, during February, 1770. Drake's History of Boston, p. 776. Bancroft, VI. 333.

the house was broken open, and Richardson and one Wilmot, whom they found with a heavily loaded gun, were arrested and taken before a number of Justices at Faneuil Hall, where an examination took place in the presence of at least a thousand people, resulting in the committal of both to prison; and but for the interposition of some gentlemen of influence, the prisoners would have been torn to pieces on their way to the jail. In the trial, which took place in April following, Josiah Quincy and Blowers appeared for the defence, and Samuel Quincy and Robert Treat Paine of Taunton for the crown. Wilmot was acquitted, but Richardson was found guilty of murder. Hutchinson, who was Chief Justice, considering the case as one of justifiable homicide, refused to sign the warrant for his execution; and two years afterwards, on application to the King, he was pardoned. If Richardson was justifiable in his vengeful shooting into a crowd, it is difficult to see how the Americans throughout the continent were right in the vindication of their liberties. He had unnecessarily courted their resentment, and commenced the difficulty which ended in his murderous act. Death, however, would perhaps have been too severe a penalty under the circumstances; and the extreme verdict of murder gave the Executive no alternative between execution and pardon.

CHAPTER XV.

Justice of the American Cause. — Loyalty and Moderation of the Colonists. — The Issue forced upon them. — Remonstrances against the Presence of Troops in Boston. — Indications of an approaching Collision between them and the Citizens. — The Soldiers impatient for Blood. — Affrays at the Ropewalks. — The Soldiers are beaten and seek for Vengeance. — Bloodshed preconcerted among them. — Scenes on the Evening of the 5th of March. — Brutality of the Troops. — Gathering of the People. — The "Red Cloak and White Wig." — The Massacre in King Street.

WHOEVER will reflect upon the series of events occurring between the winter of 1768 and the spring of 1770 will find a loyal and sensitive people, proud of their British birth and freedom, and ever ready to support and defend their sovereign, wrought to indignation by a system of the grossest injustice and infringements on their chartered rights. Smarting under injurious misrepresentations made by the instruments of their oppression, they had seen their dutiful petitions spurned by those whose pride it should have been to protect them; and when a persistence in the acts of tyranny and the insulting conduct of the crown officers had led to a series of peaceful measures for redress, — measures which the Attorney and Solicitor General of England, after the severest scrutiny, had pronounced to be legal and containing no overt act of treason, — they had been accused of sedition; and an infamous act of Henry the Eighth was dug up from the oblivion of the past, to transport them to England to be tried for their lives, away from their friends and witnesses. A succession of fatal stabs had been dealt to the most precious privilege of British subjects. The great principle of the illegality of taxation without representation — the most estimable of all the British rights guaranteed by Magna Charta — had been struck down; and to crown all, an armed force,

that favorite weapon of tyrants, had been quartered upon the people to enforce their obedience to a system which the most illustrious statesmen of England had viewed with grief and horror, and had denounced as unjust with all the force of eloquence and reasoning. A more righteous cause never animated human breast than theirs. They demanded simply the privileges belonging to all other subjects of Great Britain, — privileges which no one pretended to deny to such as resided in England. It was little to ask, but it involved their liberties and those of their posterity forever. Those great intellects in the British Parliament, whose sagacious minds reached far into the future, saw and knew the justice of the demand; and the most magnificent bursts of Parliamentary eloquence which adorn the pages of English history are those arising from the generous advocacy of American rights.

We must thus look back from the point we have reached in order properly to estimate the position of the people of Boston at this juncture. They had right on their side, and their opposition was always carefully kept within the limits of the law. Not one act had been committed that could afford their enemies the slightest hold upon them. Read any account, and when sifted to the truth, it will appear that nothing was done hastily, nor was any measure accomplished which Britons should not have felt proud of, as evincing a spirit and loyalty combined honorable to their race. To have tamely submitted without remonstrance to the insane policy inaugurated by Grenville would have been to give the lie to their ancestry, and to put to shame the efforts of their great advocates in Parliament. Exasperated by the presence of the soldiers, whose bloodthirsty desires were well known, and sensible that all conciliatory means had been exhausted, the people of Boston cannot be blamed for viewing the troops as foreign enemies; and when we consider the aggravating events of the past two years, it is a matter of surprise that bloody meetings did not occur shortly after the arrival of the military.

Bruising affrays between the soldiers and the people had become common occurrences, and had stung the minds of both to a pitch where a fatal collision could not much longer be averted. Should it occur, upon whom should the blame be placed? Each party cordially hated the other. The presence of the soldiers caused the strife, and upon those who had sent for them should rest the responsibility. If, in the frequent fist and cudgel encounters in different parts of the town, that party who controlled the murderous weapons of death should slaughter the others, however much exasperated, what other word but "massacre" could suit the case? And this is especially so, if the most irrefragible evidence exists that the military had repeatedly expressed their savage wish for an opportunity to fire upon the people. The events which occurred early in March, 1770, have been recounted by more than one recent narrator as having been produced by the assaults of the people upon the soldiers, who fired in self-defence. The proofs to the contrary are voluminous. That the soldiers, disgusted with their long inaction, and maddened by their inability to interfere with the legal proceedings of the townspeople, were impatient to fire, there is abundant evidence. The letters of General Gage, reporting the language of Col. Dalrymple, those of Hutchinson, and many affidavits, show the anxiety of the soldiery to be let loose upon the citizens; and such desires were constantly sharpened by the results of their broils with the workingmen, who were always eager to test the assumed physical superiority of their antagonists, and were misled by imprudent and headstrong advisers, who knew how to inflame the passions of their hearers, and who considered that the cause would be assisted by precipitating a collision. For such men prudence is stupid inaction; and the far-seeing caution which waits calmly for events, the tameness of submission. Knowing the rancor existing between the people and the soldiers, the officers could have kept their men within the barracks at proper hours. The shedding of

blood might thus have been prevented, but a lack of care on both sides hastened the event. The first affair of any importance occurred on Friday, the second day of March. There now remained the Fourteenth and Twenty-ninth Regiments in the town, the latter of whom had been stationed near Gray's and Mr. Neill's ropewalks, where the workmen were generally high-spirited young men, and ready at all times for a brush. The proximity of the barracks to this place soon brought the hands and the troops into hostile positions. Two of the soldiers had previously encountered one of the ropewalk men near the foot of King Street, where he knocked them down for some insult. Several of the soldiers armed themselves with clubs and swords, and proceeded to Gray's ropewalk, vowing revenge. The result of their visit is given in the affidavits taken several days later to trace the origin of the massacre which soon after occurred.

(No. 5.)

"I, Nicholas Feriter, of lawful age, testify that on Friday, the 2d instant, about half after eleven o'clock, A. M., a soldier of the 29th Regiment came to Mr. John Gray's ropewalks, and, looking into one of the windows, said, "*By God, I'll have satisfaction!*" with many other oaths; at the last he said, he was not afraid of any one in the ropewalks. I stepped out of the window and speedily knocked up his heels. On falling, his coat flew open, and a naked sword appeared; which one John Wilson, following me out, took from him, and brought into the ropewalks. The soldier then went to Green's barrack, and in about twenty minutes returned with eight or nine more soldiers armed with clubs, and began, as I was told, with three or four men in Mr. Gray's warehouse, asking them why they had abused the soldier aforesaid? These men in the warehouse passed the word down the walk for the hands to come up, which they did, and soon beat them off. In a few minutes the soldiers appeared again at the same place, reinforced to the number of thirty or forty, armed with clubs and cutlasses, and headed by a tall negro drummer with a cutlass chained to his body, with which, at first rencounter, I received a cut on the head; but being immediately supported by

nine or ten more of the ropemakers, armed with their wouldring-sticks, we again beat them off. And further I say not."

(No. 6.)

"I, Jeffrey Richardson, of lawful age, testify and say that on Friday, the 2d instant, about eleven o'clock, A. M., eight or ten soldiers of the Twenty-ninth Regiment, armed with clubs, came to Mr. John Gray's ropewalks, and challenged all the ropemakers to come out and fight them. All the hands then present, to the number of thirteen or fourteen, turned out with their wouldring-sticks, and beat them off directly. They very speedily returned to the ropewalk, reinforced to the number of thirty or forty, and headed by a tall negro drummer, again challenged them out; which the same hands accepting, again beat them off with considerable bruises. And further I say not."

(No. 8.)

"I, John Hill, aged sixty-nine, testify that in the forenoon of Friday, the 2d of March current, I was at a house, the corner of a passage-way leading from Atkinson's Street to Mr. John Gray's ropewalks, near Green's Barracks, so called, when I saw eight or ten soldiers pass the window with clubs. I immediately got up and went to the door, and found them returning from the ropewalks to the barracks; whence they again very speedily reappeared, now increased to the number of thirty or forty, armed with clubs and other weapons. In this latter company was a tall negro drummer, to whom I called, 'You black rascal, what have you to do with white people's quarrels?' He answered, 'I suppose I may look on,' and went forward. I went out directly, and commanded the peace, telling them I was in commission. But they, not regarding me, knocked down a ropemaker in my presence; and two or three of them beating him with clubs, I endeavored to relieve him; but on approaching the fellows who were mauling him, one of them with a great club struck at me with such violence, that had I not happily avoided, it might have been fatal to me. The party last mentioned rushed in towards the ropewalks, and attacked the ropemakers nigh the tar-kettle, but were soon beat off, drove out of the passage-way by which they entered, and were followed by the ropemakers, whom I persuaded to go back, and they readily obeyed. And further I say not."¹

¹ Depositions in the Appendix of A Short Narrative of the Horrid Massacre in Boston, etc.

Mr. Gray, the proprietor, here interposed, and subsequently called on Colonel Dalrymple in relation to the affair. The commander admitted that Mr. Gray's account agreed with what he had heard from his own people, but that one of the hands in the ropewalk had been the aggressor by using some coarse language to a soldier. The offending journeyman, William Green, was thereupon discharged as an example to the rest.¹ The soldiers, however, considered that the honor of their regiment was tarnished, and they prepared for revenge on the following Monday, and made bludgeons for the contest. On Sunday evening some of them went about among their particular acquaintances, advising them not to be abroad on Monday night, as there was to be bloodshed. In most of these instances they gave the warning impressively, and repeated it a number of times, urging the listeners to remain within doors, and conveying the idea that some tragedy was in preparation. Threats were made that they "would wet their swords or bayonets in New England people's blood."² Mr. Adams, who was well qualified to know, was afterwards convinced, and so stated publicly, that a sanguinary scene had been preconcerted among the soldiers.³

There had been a fall of snow during Monday, the 5th, but as night approached the sky was clear, and the moon in its first quarter⁴ shed a white sheen upon the frosted streets and house-tops. Many people were abroad in clusters, as though expecting some event. As darkness came on, "parties of soldiers were driving about the streets,"⁵ an unusual thing at that hour; they should have been confined to their barracks. Some of them, as they hurried along, struck the inhabitants indiscriminately with their sheathed cutlasses and

¹ Affidavit of John Gray (No. 9).

² Affidavit of Daniel Calfe (No. 40).

³ Samuel Adams's writings as "Vindex," in the Boston Gazette, during the winter of 1771.

⁴ R. T. Paine at the trial of the soldiers.

⁵ Hutchinson's History, III. 271.

sticks, and seemed anxious to provoke an affray.¹ A number of them came out of Boylston's Alley into the street, rushing with uplifted weapons upon unoffending people; others hastened through King Street and Cornhill towards Murray's Barracks, with drawn swords and cutlasses, making at spectators at their doorways, shouting and ready for a conflict, abusing the citizens, and threatening their lives. Persons walking the streets were attacked, and affrays ensued.² The loud defiance and furious behavior of the soldiers, which was like that of madmen, caused some boys to ring the bell quickly at the head of King Street. The people thus alarmed, gathered with clubs and sticks, shouting, "Town-born, turn out!" Ensign Mall, at the gate of the barrack-yard, urged the soldiers forward. "Turn out," he cried, "I will stand by you; kill them; stick them; knock them down; run your bayonets through them!"³—"Damn your blood," said a soldier to a knot of citizens near the barrack-gate, "I will walk a lane through you all"; and kneeling on one knee, with his musket ready, he was only prevented from firing by a lieutenant, who interfered, and pushed him towards the barracks.⁴ "Where are the damned cowards? Where are your Liberty boys?" was the cry, as a gang of thirteen or fourteen soldiers appeared in King Street, near the watch-house.⁵ Another party of five passed on, cursing and shouting, "Where are they? cut them to pieces!"⁶

"The soldiers are in Cornhill and Dock Square, with their drawn cutlasses, cutting and slashing everybody in their way," said one in distress; "the inhabitants want help; pray, gentlemen, run!"⁷—"Do you intend to murder people?" asked a man from on board a vessel in the town

¹ Bancroft, VI. 337.

² Several affidavits in the Short Narrative.

³ James Kirkwood's affidavit (No 36).

⁴ Dr. Hiron's testimony at the trial.

⁵ William Le Baron's affidavit (No 26), and William Tyler (No. 24),

⁶ Nathaniel Thayer's affidavit (No. 28).

⁷ John Coburn's affidavit (No. 33).

dock. "Yes, by God, root and branch," replied a soldier, and followed up the threat with a blow from his club.¹ A barber's apprentice, from among the crowd of boys in King Street, observing Captain Goldfinch crossing, called out, "There goes a mean fellow, who has not paid my master for dressing his hair last night!"² Upon this, the sentry left his post at the custom-house, and followed the lad into the street, saying, "Show your face." "I am not ashamed to show my face to any man," he answered; when the soldier gave him a sweeping stroke on the head with his musket, making him reel, stagger, and cry.³

In Dock Square, "a tall gentleman in a large white wig and red cloak" appeared, and, standing in the midst of the people, spoke to them briefly, so that "they were whist for some time."⁴ It has never been ascertained who he was, nor did those who listened to his speech ever give any clew afterwards to its purport. The loyalists subsequently endeavored to show that his remarks and actions were of an incendiary character; and Judge Oliver in his charge to the jury, at the trial, made "the tall man with the red cloak and white wig" the special subject of his animadversion. If the people knew him, their secret died with them. The Tories generally believed it to have been Samuel Adams; and one of their writers, in a controversy with him during the trial, pointedly threatens to bring out facts to prove who the person was, if he desired it;⁵ which Mr. Adams, in his reply as "Vindex," invites him to do, because it had been injuriously asserted that, owing to the peculiarity of his dress, he must have been one "holding office in the town." The red cloak was frequently worn at this time by gentlemen of the Province; and Copley's painting of Adams, taken soon after this

¹ Samuel Atwood's affidavit (No. 35).

² Evidence in Preston's Trial.

³ Bartholomew Broaders's affidavit (No. 38).

⁴ Evidence at the trial, quoted by "Vindex," in the Boston Gazette, Dec. 24, 1770.

⁵ "Philanthrop," in the Evening Post, December, 1770.

time, represents him in red clothing; but Samuel Adams was not a tall man, but of about medium stature. Hancock and he were both then "in office," as members of the Legislature, and Hancock was the taller of the two. One of the lieutenants of the Fourteenth, in conversation with Joseph Allon, pointed to Molineux as the real author of the troubles, but gave no reason for the opinion. Mr. Adams says, in reply to a loyalist writer on the subject, "As it is not known what *the tall gentleman with the red cloak said to the people*, whether he gave them good or ill advice, or any advice at all, we may probably form some conjecture concerning it when his person is ascertained." The writer leaves no chance to fix the identity upon himself or others. Whoever he was, the influence of this mysterious personage was exerted to disperse the people and restore peace, and not to excite the populace as has been represented. None of the crown witnesses were able to give the slightest hint as to the tenor of his remarks, except that they were followed by a space of quiet. There is testimony to prove that a prominent citizen urged the officers to order their soldiers into the barracks, and upon their promise to do so, the same person advised the people to disperse, upon which the cry of "Home! home!" was raised; but others shouted, "Hurrah for the main guard! there is the nest!" and some started in that direction at the head of King Street.¹

A sentinel was stationed at the door of the custom-house, situated at what is now the corner of State and Exchange Streets. A party of mischievous boys gathered round, and pelted him with snowballs, and pushed each other towards him, fully believing that he would not dare to fire without the civil authority. Even while he loaded and primed his musket, and knocked the breech upon the stone steps to settle the charge, they shouted, "Fire, and be damned!" "The lobster dare not fire!" laughing, huzzaing, and piping the boatswain's whistle through their fingers. "If you

¹ Testimony of Dr. Hiron at the trial. Richard Palmes's affidavit (No. 53).

come near me," said he, "I will blow your brains out; stand off";¹ and he called for the main guard to turn out, while a servant ran to the guard-house near by, and said, "They are killing the sentinel, turn out the guard."

Preston, who was captain of the day, at once detached seven or eight men of the Twenty-ninth Regiment, headed by a corporal, and followed himself with a drawn sword. They went down upon the run, swinging their guns and rushing through the people with fixed bayonets, pushing to and fro, cursing and shouting, "Make way, damn you, make way." As the people stood aside to let them pass, Fosdick remained and faced them. "Damn you, stand out of the way," said the soldiers. "I will move for no man under heaven," was the sturdy response; "I have offended no one." And they passed by him, and, arriving at the sentry-box, formed in a semicircle around it.² As they hurried on, a gentleman who knew Preston said, "For God's sake, keep your men in order, and mind what you are about."³ The Captain, without replying, commanded his men to prime and load, and, afterwards going before them, put up their levelled pieces to an upright posture.⁴ Not more than two hundred persons were in the street as the soldiers charged by; and, at their appearance, this number had so far dispersed that not more than fifty or sixty remained in King Street, some standing on the door-sills of the opposite houses.

"I took Captain Preston by the coat," are the words of Henry Knox in his affidavit, "and told him for God's sake to take his men back again; for if they fired, his life must answer for the consequence. He replied he was sensible of it, or knew what he was about, or words to that purpose, and seemed in great haste and much agitated."⁵ Richard

¹ Affidavits of William Tant (No. 45), Thomas Cain (No. 46), Daniel Usher (No. 71), Joshua Simpson (No. 65).

² Nathaniel Fosdick's affidavit (No. 51).

³ William Wyat's affidavit (No. 54).

⁴ Peter Cunningham's affidavit (No. 47).

⁵ Affidavit of Henry Knox (No. 55).

Palmer, seeing the muskets breast high, with bayonets fixed, approached Preston, and asked him if they were loaded. His answer was that they were, with powder and ball. "I hope," continued Palmer, "you do not intend to fire on the inhabitants." "By no means," replied Preston.¹

After the arrival of the troops at the sentry-box, the people had remained quiet until they saw the loading of the muskets, when a number of them, mostly boys, gave three cheers, and calling the soldiers "cowardly rascals" for "bringing arms against naked men," passed along in front, some of them striking the muskets as they went by, and daring the soldiers as "bloody backs" and "lobster scoundrels" to fire. "Lay aside your guns, and we are ready for you; fire if you dare!" "You dare not fire!"² The boys laughed, shouted, whistled, and hurrahed, and a few snowballs were thrown at the soldiers. Among these were Montgomery and Kilroy, who had been of the party beaten by the ropewalk-hands on the previous Friday. A stick was thrown, striking the gun of the former, when the order to present was given, and Simpson, who knew what the next word was likely to be, stooped low to avoid the discharge. Then a voice, believed by some to be Preston's, though the fact was never proved, cried, "Fire!"³ and, stepping aside, Montgomery discharged his gun, and shot Attucks, a negro, who had until recently been a slave in an interior town, and was particularly noisy during the evening. The order to fire was repeated in a loud voice, "Damn your blood, fire! be the consequence what it will."⁴ A shot from Kilroy quickly succeeded, though Langford, the watchman, who looked him full in the face, besought him to hold. The soldier pointed his piece, and fired directly for the head of Samuel Gray, who was passing towards where Attucks had fallen; and Gray, after struggling, turned round upon his

¹ Richard Palmer's affidavit (No. 53).

² Preston's Case.

³ Josiah Simpson's affidavit No. (65).

⁴ William Wyat's affidavit (No. 54).

heel and fell dead.¹ The remainder of the squad fired in succession upon the people, — one aiming at a boy, who was running for safety.² In all, three persons were killed, and eight wounded; and of the eleven, but one had taken any part in the disturbance.

“I hear,” wrote the Lieutenant-Governor, “of but one of the dead or wounded who attacked or insulted the soldiers. The rest seem to be innocent passengers or spectators. It’s a great wonder many more were not killed.”³

The soldiers immediately reloaded their muskets, and now, infuriated with the sight of blood, were preparing to fire again, when checked by their commanding officer.⁴ The Twenty-ninth Regiment marched into King Street, and formed in three divisions, — the front one as for platoon firing.⁵ Soldiers of the Fourteenth at Green’s Barracks, on hearing the firing, gave three cheers, and ran with their muskets to King Street, some of them saying, “This is all that we want,”⁶ “This is our time.” “Dogs were never so greedy for their prey.”⁷ “I wish,” said the surgeon of the Fourteenth, “that, instead of five or six, they had killed five hundred.”⁸ “Damn you,” said one of the soldiers, “I would kill a thousand of them.” The snow lay nearly a foot deep,⁹ and was “crimson” with the blood of the slain. Several ran forward to the assistance of the wounded; and, as they stooped to remove them, the troops prepared to fire again, but were restrained.¹⁰

Instantly the alarm was sounded. The town drums beat,

¹ Charles Hobby (No. 44).

² Ebenezer Bridgman’s testimony at the trial.

³ Hutchinson to some person unknown, March, 1770.

⁴ Preston’s Case.

⁵ Richard Palmes (No. 53).

⁶ Affidavit of Mary Gardner (No. 86).

⁷ William Fallass (No. 85).

⁸ Ephraim Fenno (No. 91).

⁹ Dimond Morton (No. 62), and John Wilson (No. 66).

¹⁰ Affidavit of Samuel Condon (No. 48); Benjamin Burdick (No. 43); Thomas Cain (No. 46) Bancroft, VI. 340.

and the bells in the churches were rung. "The soldiers are rising! to arms! to arms!" was the cry. "Turn out with your guns," "Town-born, turn out!"—"Language," said Warren, two years later, as he described the scene, "is too feeble to paint the emotion of our souls when our streets were stained with the blood of our brethren,—when our ears were wounded with the groans of the dying, and our eyes were tormented with the sight of the mangled bodies of the dead. . . . Our hearts beat to arms; we snatched our weapons, almost resolved by one decisive stroke to avenge the deaths of our slaughtered brethren."¹

Upon the fearful clangor of bells and drums the population rushed forth, and the usual stillness of the night was converted into a tumultuous confusion as they pressed towards the scene of slaughter. Artisans from the ship-yards, shopmen, ropewalk-hands, gentlemen, sailors, men of all classes and avocations, goaded to madness, ran through the snow-clogged, frozen streets, ready for the conflict. But the character of Boston vindicated itself even in that awful hour. "Propitious Heaven," continues Warren, "forbade the bloody carnage." Patriots stood firm and self-possessed, and still turned for justice to the law before adopting sterner measures. The Lieutenant-Governor was called, and repairing to the Council Chamber, from the balcony he desired the surging throng to hear him speak. He requested them to disperse, promising to inquire into the affair in the morning; that "the law should take its course"; that he would "live and die by the law." He was requested to order the troops to their barracks. "It is not in my power," answered Hutchinson; "I have no command over the troops. It is with Colonel Dalrymple, and not with me." A gentleman asked him to look out of the window facing the main guard, to see the position of the soldiers, who were drawn up, apparently ready to fire again on the people. "After a

¹ Warren's Oration, delivered March 5th, 1772, to commemorate the bloody tragedy of the 5th of March, 1770.

good deal of persuasion," his Honor did so, and then desired Colonel Carr to send the troops to their barracks in the same order they were then in; and soon after, they shouldered arms, and were marched to the guard-room and barracks.¹ Pacified for the time by the confinement of the soldiers, and the assurances of Hutchinson that instant inquiries should be made by the county magistrate, the body of the people retired, leaving about a hundred to keep watch on the examination, which proceeded until three o'clock on the following morning. A warrant was issued for the arrest of Preston, and the soldiers concerned in the firing were committed to prison.²

¹ Richard Palmes's affidavit.

² Hutchinson's History, III. 273.

CHAPTER XVI.

The Town and County Authorities apply to Hutchinson for the Removal of the Troops. — They are unsuccessful. — Town Meeting at Faneuil Hall. — A Committee, headed by Adams, appear before Hutchinson and the Council, and renew the Demand. — Hutchinson desires to parley, and makes an Evasive Reply. — Adams reports to the People at the Old South, who intrust him with the Final Issue. — Memorable Scene in the Council Chamber. — Adams overawes the Governor, and the Troops are sent to the Castle. — “Sam Adams’s Regiments.” — Trial of the Soldiers. — Adams causes John Adams and Quincy to be retained as their Counsel, and Paine to conduct the Prosecution. — Controversy between “Vindex” and “Philanthrop.”

THE selectmen and the justices of the county waited upon Hutchinson early the next morning at the Council Chamber, where they assured him that nothing would satisfy them but positive orders that the troops should be removed from the town. Hutchinson repeated his words of the night before, that the power to remove the troops did not rest with him, but that he would send for Colonels Dalrymple and Carr, and advise with them in Council.* The people meantime had assembled at eleven o’clock at Faneuil Hall, and despatched a messenger to the Council Chamber, desiring the attendance of the selectmen, who were still awaiting an answer from the Lieutenant-Governor. On their arrival, the meeting was opened with prayer by the Rev. Dr. Cooper, who had been specially sent for, when Samuel Adams addressed the assembly with a nervous, impressive energy, peculiar to himself.† A committee of fifteen was appointed to inform his Honor, the Lieutenant-Governor, of the unanimous opinion of the meeting, that the inhabitants and soldiery could no longer dwell together in safety, and that blood and carnage could be prevented only by their instant

* Massachusetts Gazette, March 8, 1770.

† Sketch of Samuel Adams, by his grandson, S. A. Wells, in the *Biography of the Signers of the Declaration of Independence*. 1829.

removal.* Headed by Samuel Adams, the committee proceeded to the Council Chamber, and laid the demand before his Honor, to whose desire for a parley they replied briefly that the people not only of Boston, but of all the country round, were determined the troops should be removed. Hutchinson reminded them that an attack on the King's troops was treason, and involved a forfeiture of the lives and estates of all concerned. The committee, who had not come for words, merely reiterated their demand, and withdrew into another room, awaiting an answer.† Hutchinson, after some discussion with the Council and Dalrymple, replied that he regretted the "unhappy differences" which had arisen, but that as the commanding officers of the troops received their orders from the General at New York, it was not in his power to countermand those orders. The Twentieth Regiment, which had been particularly concerned in the late differences, Dalrymple had signified to him should be placed without delay in the Castle, until orders could be received from the General for both regiments. The commanding officer had also promised that the main guard should be removed, and the Fourteenth Regiment be placed under restraint.‡

At three o'clock the people convened to hear the report of the committee; but as Faneuil Hall would not contain the throng which had been pouring into town all day across the Neck, they adjourned to the Old South Meeting-house. An anxious multitude filled the street between the State House and the church. Then the committee, led by Samuel Adams, his head bared in reverence to the occasion, and his gray locks flowing in the wind, issued from the Council Chamber.§ "Make way for the committee," was the cry,

* Boston Town Records, March, 1770.

† Bancroft, VI. 342. Hutchinson, III. 274.

‡ Reply of the Lieutenant-Governor to the Committee (Boston Town Records, March 6, 1770).

§ Bancroft, VI. 343.

as the masses parted on either side to give them room. None but the committee knew the purport of the answer, and on that answer none doubted that the issue of peace or bloody strife was suspended. The public indignation was ready to burst forth in one wild tumult of revenge for long-suffered injuries,—a revenge which the soldiers and citizens alike knew was in the power of the populous and determined Province. On reaching the church, the committee were ushered into the presence of a densely-packed audience, filling the body of the edifice, and crowding into all the galleries; and to that eager assemblage Adams read the response of the Lieutenant-Governor, which had been delivered to him in writing. This he pronounced insufficient. A moment of silence ensued, and then the question was put by the chairman whether the answer was satisfactory, and a unanimous “No” was thundered forth from three thousand mouths, with an emphasis that must have made the rafters of “Dr. Sewall’s meeting-house” tremble with the pealing enunciation. One voice only responded “Ay!” and the circumstance was recorded by the town clerk, that there was “*one dissentient.*” * A new committee was immediately raised, of which Samuel Adams was the prolocutor, to make the final demand for the total evacuation of the town by the troops. The committee again repaired to the Council Chamber, where Hutchinson and the Council, the two Lieutenant-Colonels, and the commander of the “Rose” war-ship, then on the station, were assembled awaiting the result.

It was now late in the afternoon, and at that season darkness was at hand. The Council Chamber presented a memorable scene, such as that generation of Americans had never witnessed. “The great town of Boston,” as the capital of New England had been called by geographers, was then the centre of population and wealth in that part of the continent, and all the formality and majesty of govern-

* Boston Town Records, March 6, 1770.

ment was there exhibited. The full pageant of the royal authority, civic and military, was now displayed, rendered the more impressive by the declining light of a winter's day, dimly struggling through the ancient windows.

John Adams, who was not present at this interview, thus refers to the Council Chamber, as it suggested itself to him after forty-seven years had elapsed: —

“Now for the picture. The theatre and the scenery are the same with those at the discussion of the Writs of Assistance. The same glorious portraits of King Charles the Second, and King James the Second, to which might be added, and should be added, little miserable likenesses of Governor Winthrop, Governor Bradstreet, Governor Endicott, and Governor Belcher, hung up in obscure corners of the room. Lieutenant-Governor Hutchinson, Commander-in-Chief in the absence of the Governor, must be placed at the head of the Council-table. Lieutenant-Colonel Dalrymple, Commander-in-Chief of his Majesty's military forces, taking rank of all his Majesty's Councillors, must be seated by the side of the Lieutenant-Governor and Commander-in-Chief of the Province. Eight-and-twenty councillors must be painted, all seated at the Council-board. Let me see, — what costume? What was the fashion of that day in the month of March? Large white wigs, English scarlet-cloth coats, some of them with gold-laced hats; not on their heads indeed in so august a presence, but on the table before them or under the table beneath them. Before these illustrious personages appeared SAMUEL ADAMS, a member of the House of Representatives and their clerk, now at the head of the committee of the great assembly at the Old South Church.” *

Such is the grouping for a national painting, as suggested by the venerable ex-President in April, 1817.

Samuel Adams, as chairman of the committee, addressed himself to the Lieutenant-Governor in the name of the town, — his voice rising in clear and audible tones. John Adams says, “He represented the state of the town and the country, the dangerous, ruinous, and fatal effects of standing armies

* John Adams to William Tudor (Works, X. 249).

in populous cities in time of peace, and the determined resolution of the public that the regular troops, at all events, should be removed from the town." Gordon, describing the scene, says that Adams continued talking in such a resolute tone and with such strong implications as to communicate his own nervous trembling to Colonel Dalrymple.* "It is the unanimous opinion of the meeting," said Adams, "that the reply to the vote of the inhabitants in the morning is by no means satisfactory; nothing less will satisfy them than a total and immediate removal of the troops." Hutchinson had already intimated that one regiment, the Twenty-ninth, should be removed. He now replied, repeating his former statement: "The troops are not subject to my authority; I have no power to remove them." The mighty spirit of the Revolution then arose to the countenance of the "great incendiary." Drawing himself up to his full height, determination, as often in times of public exigency, flashing from his clear blue eye, he stretched forth his arm, "which slightly shook with the energy of his soul," and, gazing steadfastly upon the Lieutenant-Governor, replied: "If you have the power to remove *one* regiment, you have power to remove *both*. It is at your peril if you refuse. The meeting is composed of three thousand people. They are become impatient. A thousand men are already arrived from the neighborhood, and the whole country is in motion. Night is approaching. An immediate answer is expected. Both regiments or none!"† Hutchinson saw that a crisis had arrived which no subterfuge could evade. The issue was fairly presented, and a direct answer demanded. The irrelative Chief-Magistrate, surrounded by the insignia of power, was no match for the iron man of the people who confronted

* History, I. 328.

† Bancroft, VI. 344. Andrew Oliver's Deposition. Life of Elbridge Gerry, I. 360. Boston Patriot for July 26, 1826. Manuscript Sketch of Samuel Adams by his daughter, Mrs. Hannah Wells, 1804. Hutchinson to Bernard, March 18, 1770. Barry's History of Massachusetts, II. 417. John Adams to William Tudor and Jedediah Morse.

him. He quailed before the greatness, the majesty, of patriotism. Adams never despised him more than at that moment.

“You compare him,” said he, not long afterwards, to his friend James Warren, “to Julius Cæsar, that public executioner of his country’s rights. He has, it is true, Cæsar’s ambition and lust of power; but who ever yet suspected that he had Cæsar’s courage? Recollect the time when he was obliged to abandon the troops by which he had hoped to awe the people. It was then, if fancy deceived me not, I observed his knees to tremble. I thought I saw his face grow pale (and I enjoyed the sight) at the appearance of the determined citizens peremptorily demanding the redress of grievances.”*

The whole assemblage of royalty, in fact, stood abashed before the patriot. The Lieutenant-Governor now applied to his Council for advice. “They are not,” responded Tyler, “such a people as formerly pulled down your house, who conduct the present measures. No; they are people of the best characters among us, men of estates, men of religion. They have formed their plan for removing the troops out of town; and it is impossible they should remain in it. The people will come in from the neighboring towns; there will be ten thousand men to effect the removal of the troops, be the consequence what it may.”† Dalrymple, who stood near, repeated the assurance that it was “impossible to go any further lengths in this matter.” Gray and Irving, of the Council, recommended the removal; and the word was at last given.‡

The committee, having received the decision of the Lieutenant-Governor, returned to the meeting, bearing the promise of Colonel Dalrymple, “that he would begin the preparation in the morning, and that there should be no unnecessary delay until the whole of the two regiments were

* Samuel Adams to James Warren, March 25, 1771.

† Gordon’s History, I. 288, 289.

‡ Bancroft, VI. 345, 346.

removed to the Castle."* The report being read, "the inhabitants," so say the records, "could not but express the high satisfaction which it afforded them," — which, we may presume, means that they burst into a storm of joyous applause.

It was then resolved to establish a strong night-watch "for the protection of the town"; and the committee, who had just returned from the interview at the Council Chamber, having offered their services for that night, they were authorized to detail such of the people as they should think proper, and also to appoint the watches for the ensuing nights. Besides Adams, this committee consisted of John Hancock, William Molineux, William Phillips, Dr. Joseph Warren, Joshua Henshaw, and Samuel Pemberton. Having agreed upon a place of rendezvous, in case of any disturbance in the night, and taking some account of how the town's people were armed, the meeting adjourned.†

The effect of this victory of a plain democratic committee, asserting their rights before the representative of majesty, encouraged the spirit of freedom, by showing that determination and persistency of purpose could accomplish important results. That a repeated refusal to remove the troops would have produced bloodshed, and perhaps have hastened the separation from Great Britain, must be inferred from the spirit manifested by the populace. Warren, a few years later, asserted that "It was Royal George's livery alone that saved the soldiers from annihilation; and calm reason dictated a method of removing the troops more mild than an immediate recourse to the sword."

"I have the strongest reason to believe," he continues, "that I have mentioned the only circumstance which saved the troops from destruction. It was then, and now is, the opinion of those who were best acquainted with the state of affairs at that time, that, had thrice that number of troops belonging to any power at open war with us

* Boston Town Records.

† *Idem.*

been in this town in the same exposed condition, scarce a man would have lived to have seen the morning light.*

“If the troops had not been removed,” wrote Hutchinson soon after these events, “we should have been to this time in a perfect convulsion, unless they had been overpowered and destroyed.” † “A gentleman of the Council told me,” said a correspondent of Hutchinson’s, “that he had no doubt that ten thousand men would have marched from this Province (New Hampshire) to Boston, had there been occasion.” ‡ The account that Lord North received of the scene in the Council Room impressed him so, that he always afterwards referred to the troops then in Boston as “*Sam Adams’s Regiments.*”

The Governor’s apprehensions of violence were this time well founded. The language and bearing of Samuel Adams in the Council Chamber had penetrated deep into the mind of Hutchinson. “It was a strong expression,” he says, “of that determined spirit which animated all future measures.” That determined spirit, as manifested in Adams, meant American Independence, which had become a fixed idea in his mind, since the commencement of military rule. It was still his policy to express in all his writings a hope of conciliation, but final separation was now the moving spring of his actions, and he made advances towards that point with a resolute purpose and unalterable will, guarded always by the sagacity and caution which tempered every movement. The ball had been in motion since the summer of 1768. Every step taken from that time was so much space lessened between the idea and its accomplishment. His every act thenceforth, properly studied, reveals the all-absorbing purpose. Prudence, indeed, demanded a keen inspection of the approaches to the great goal, a thorough knowledge and schooling of the popular mind, patience to

* Warren’s Oration, March 5, 1772.

† Hutchinson to some person unknown, March, 1770.

‡ Nathaniel Rogers, in Portsmouth, to Hutchinson, March 12, 1770.

await the bringing up of less ardent temperaments, firmness to restrain the rash, fortitude to abide the issue, genius to invent and control great measures, which should gradually produce the coveted result. But through all he never doubted the ability of the country to conquer in the end. Repeatedly, between 1768 and 1775, he refers to the future in a manner showing that, should events precipitate the crisis, he considered the country able to meet it.

The week was occupied in the transportation of the troops and their equipages; and meantime, the town, not satisfied with their tardy action, appointed the former committee to inquire explicitly when the removal would be completely effected; to which Dalrymple replied, "That no man of the Twenty-ninth Regiment was now in town, and that between Thursday night and Friday morning not one of the Fourteenth, except himself, should remain."* The night-watch continued in organization, under the town's committee, until every soldier had left for Castle William. "The whole militia of the city," says John Adams, "was in requisition, and military watches and guards were everywhere placed. We were all upon a level; no man was exempted; our military officers were our superiors. I had the honor to be summoned in my turn, and attended at the State-House with my musket and bayonet, my broadsword and cartridge-box, under the command of the famous Paddock."†

Before the departure of the troops, the funeral of the slain took place; and as this was during the continuance of the public watch kept by the citizens, the latest sentiment of the soldiers was one of rage and humiliation. The assemblage was the largest that had ever been known. The bells of Boston and the neighboring towns were tolled, and many of the shops were shut. The four hearses, arriving from different localities, formed a junction in King Street, upon the spot where the tragedy occurred, whence the procession

* Boston Town Records, March 12, 1770.

† John Adams's Works, X. 251.

marched six deep through the main street to the middle burial-ground, where the bodies were deposited in one grave.*

Knowing that false accounts would reach England, the town appointed a committee, consisting of James Bowdoin, Joseph Warren, and Samuel Pemberton, to prepare a narrative of the Massacre, which was sent to the principal friends of America; while the committee who had appeared before Hutchinson in the Council Chamber addressed Thomas Pownall in London, through the pen of Mr. Adams, briefly detailing the circumstances of the affair, and desiring him to prevent any ill impressions upon the minds of the Ministry, until the full narrative could be forwarded by the next conveyance.† The affidavits accompanying the narrative were taken openly before two justices of the peace, and in the presence of men representing all parties. Colonel Dalrymple was duly notified to attend the captions, and no unbiassed person questioned the fairness of the proceeding. A number of *ex parte* affidavits, taken in secret and sent to England to give a different coloring to the circumstances, and a grossly false statement, called "The Case of Captain Thomas Preston," attempted to prejudice the government still further against the town; but the falsity of these representations were afterwards shown by Mr. Adams in his correspondence with Dr. Franklin, and even Preston himself admitted that his statement had been at different times altered after it left his hands.

The opposition to the soldiery had thus far been confined strictly to legal measures on the part of the town. Even the shedding of innocent blood had resulted in no retaliation, save the peremptory demand for the removal of the troops, which the royal authorities had not dared to refuse. But the town determined that the supremacy of the law should still further be maintained. It was resolved to bring the soldiers to trial; and, at the urgent solicitation of Samuel

* Boston newspapers, March 12 and 15, 1770.

† Narrative of the Boston Massacre, p. 7.

Adams and his associates, John Adams and Josiah Quincy consented to become the counsel for the prisoners.* The task, which was a severe ordeal for such men in such times, required great self-sacrifice and a degree of magnanimity on the part of these patriotic lawyers which cannot be appreciated at this distant day. The consent of Quincy was obtained "in Mr. Adams's house, where an interview was had for the purpose." Samuel Adams was particularly desirous that the town should be absolved from any charge of unfairness, and that every opportunity of defence should be furnished to the accused. In John Adams and Quincy he knew that the best legal ability would be theirs, and that whatever might be the event, the world should bear witness to the general desire for strict justice and the integrity of American juries, which had been questioned. That perfect impartiality might be maintained, he states that the town at its annual meeting, shortly after the Massacre, voted to restrain their committee from publishing the official narrative in Boston, lest it should unduly prejudice those who might become jurors on the trial, until the trial should be over,— a restraint which they continued at their meeting in May.† It was published, however, against the wishes of Mr. Adams, who desired that it should first see the light in England; and the Legislature made an appropriation to enable the town to charter a vessel for the express purpose of conveying it thither. In the absence of the King's attorney, it was necessary to obtain some eminent lawyer to conduct the

* Bancroft, VI. 350.

† Samuel Adams, as "Vindex," in the Boston Gazette, Dec. 31, 1770. Yet Hutchinson, in a letter probably to Bernard, accuses the town of "carrying on the prosecution of poor Preston and his soldiers with inimitable thirst for their blood"; and relates how Samuel Adams at the head of a committee, and followed by a vast concourse of people, appeared before the Judges of the Superior Court, and harangued them (the Judges) until they altered their determination of putting off the trial. The town was resolved that the trial should proceed in regular course; but that they thirsted after the blood of the prisoners is sufficiently disproved by the action above stated, as well as by the fact that the most eminent legal counsel was engaged for them.

prosecution, and through the instrumentality of Samuel Adams* the services of Robert Treat Paine were secured,—the exertions of Adams being directed to arraying on both sides the chief talent of the Province in a case involving the character of his native town. The trial, which he attended day by day, taking notes of all the proceedings, was held in October and November before the Superior Court, and resulted in the acquittal of Preston, who had every indulgence shown him by the citizens, and who probably did not order the troops to fire. The soldiers were ably defended by their two distinguished advocates. Six were brought in “not guilty”; and two, Montgomery and Kilroy, were found guilty of manslaughter; but praying the “benefit of clergy,” they were branded in the hand in open court, and discharged.

During the trial, for reasons already given, Mr. Adams refrained from writing upon the subject; but, immediately after, he commenced a series of reviews of the testimony, ably and clearly analyzing it, and drawing upon his own notes for facts. They extended through December, 1770, and January, 1771. Most of them are very lengthy, and some occupy nearly all the available space of the Boston Gazette. Using the signature of “Vindex,” † he shows the evident falsity of much of the testimony in favor of the soldiers, and the certain design on their part to bring the ill feeling between themselves and the people to a bloody issue at the first opportunity. A crown writer in the Evening Post, as “Philanthrop,” attempted to measure swords with

* Sketch of R. T. Paine in Biography of the Signers.

† That the facts in the case might become generally known among the friends of America in England, Mr. Adams enclosed these essays to his correspondents there,—to Stephen Sayre among others (see Adams to Sayre, Jan. 12, 1771). What Hutchinson thought of the writer is shown in his letter to Mr. Whately in London, Jan. 25, 1771. When the proofs were sent to Mr. Adams from the printers, the original generally accompanied them, which accounts for several of his “Vindex” manuscripts being found among the Adams papers.

him; but the contest, if such the unequal match could be called, was of short duration. In one of these articles, after critically reviewing the statements of certain witnesses, he turns to the reasoning of his antagonist in the loyalist paper, where the writer had published a lengthened argument in favor of the measures of government, warning his readers not to be duped "by an artful use of the words 'liberty' and 'slavery' in an application to their passions," and that the true patriot would be "very cautious of charging want of ability or integrity to those with whom any of the powers of government are entrusted." The idea of peaceful acquiescence in any arbitrary illegal act of government was abhorrent to the mind of Samuel Adams. True democratic feeling was a part of his very existence. Rulers, he held, are but the servants of the people, whose delegated power ought to be exercised only while it was not prostituted. Taking issue with "Philanthrop," who urged passive obedience, Mr. Adams says:—

"But the true patriot will constantly be jealous of those very men, knowing that power, especially in times of corruption, makes men wanton, that it intoxicates the mind; and unless those with whom it is entrusted are carefully watched,—such is the weakness or perverseness of human nature,—they will be apt to domineer over the people, instead of governing them according to the known laws of the state, to which alone they have submitted. If he finds, upon the best inquiry, the want of ability or integrity, that is, an ignorance of, or a disposition to depart from, the Constitution, which is the measure and rule of government and submission, he will point them out and loudly proclaim them. He will stir up the people incessantly to complain of such men, till they are either reformed or removed from the sacred trust, which it is dangerous for them any longer to hold. 'Philanthrop' may tell us of the hazard of 'disturbing and inflaming the minds of the multitude, whose passions know no bounds.' A traitor to the Constitution alone can dread this. The multitude I am speaking of is the body of the people—no contemptible multitude,—for whose sake government is instituted, or rather who have themselves erected it, solely for their own good,—

to whom even kings, and all in subordination to them, are, strictly speaking, servants and not masters.

“ ‘Philanthrop,’ I think, speaks somewhat unintelligibly when he tells us that the well-being and happiness of the whole depends upon subordination, — as if mankind submitted to government for the sake of being subordinate. In the state of nature there was subordination. The weaker was by force made to bow down to the more powerful. This is still the unhappy lot of a great part of the world under government. So among the brutal herd the strongest horns are the strongest laws. Mankind have entered into political societies rather for the sake of restoring equality, the want of which in the state of nature rendered existence uncomfortable and even dangerous. I am not of levelling principles; but I am apt to think that constitution of civil government which admits equality in the most extensive degree consistent with the true design of government is the best; and I am of this opinion, because I believe, with ‘Philanthrop’ and many others, that man is a social animal. Subordination is necessary to promote the purposes of government, the grand design of which is that men might enjoy a greater share of the blessings resulting from that social nature and those rational powers with which indulgent Heaven has endowed us than they could in a state of nature. But there is a degree of subordination which will be forever abhorrent to the generous mind, when it is extended to the very borders, if not within the bounds of slavery, — a subordination which is so far from conducing ‘to the welfare and happiness of the whole,’ that it necessarily involves the idea of that worst of all the evils of this life, a tyranny, — an abject servility, which instead of ‘being essential to our existence as a people,’ disgraces the human nature, and sinks it to that of the most despicable brute.” *

On the very day of the Massacre, the “American question” was brought up in Parliament for debate, when Lord North asked leave to bring a bill into the House of Commons, in conformity with the promise in Lord Hillsborough’s circular, repealing the duties upon glass, paper, and painters’ colors, but retaining the duty of three per cent upon

* “Vindex,” in the Boston Gazette, Jan. 21, 1771.

tea. The alarming state of trade and the decline of commerce was the subject of a petition from the mercantile classes, which difficulties were held to be based upon the obnoxious American duties. The Premier, while he deprecated the behavior of the Americans, expressed his determination "to compel observance of the laws and to vindicate the rights of Parliament." A splendid galaxy of talent argued in favor of America. Pownall supported the petition of the merchants and traders, but desired to have the article of tea included in the repeal of the enumerated articles; and was followed in the same strain by Conway, Barré, and Sir William Meredith. Besides these, Sir George Saville, "the spotless," Dowdeswell, Dunning, Trecothick, Bedford, and Beauchamp, all argued for the entire repeal of the duties; but though strongly opposed in both Houses, the bill was carried by large majorities, and on the 12th of April received the royal assent. Thus the original principle, from which had grown all the trouble between the two countries, was affirmed, and the barrier to reconciliation made higher and stronger.

CHAPTER XVII.

The Legislature meets at Harvard College. — Controversy with the Lieutenant-Governor. — Josiah Quincy. — His Character and Talents. — Drafts the General Instructions to the Boston Representatives. — Hancock pettishly determines to resign his Seat in the Assembly. — Adams dissuades him. — Exertions of Adams to bring forward promising Young Men in the Public Cause. — Quincy's Admiration and Respect for him. — Failure of the Non-importation Agreement. — Letter of Adams to Franklin on Colonial Affairs. — His Remarkable Reply to the Speech of Hutchinson, who writes to England accusing him of Treason. — Castle William taken from the Keeping of the Provincial Authorities. — Adams publicly denounces the Act.

THE Legislature of Massachusetts had now been suspended since July of the preceding year. The Lieutenant-Governor had received orders from the Ministry, leaving it discretionary with him whether to convene the Court at Boston or Cambridge; but he fixed upon the latter place, although he knew from experience that the leading members would be opposed to it, and a needless controversy ensue. They met on the 15th in the Chapel of the College, and thence repaired to the "Philosophy Room," where Hutchinson awaited them, and delivered his speech. With his usual duplicity, he stated that he had received such instructions, by the last two packets from England, as made it necessary to meet the Assembly at Cambridge. A committee, headed by the Speaker, but of which Samuel Adams was the ostensible chairman, immediately drew up a remonstrance against the injustice, inconvenience, and unconstitutionality of holding the Assembly in Harvard College. The Lieutenant-Governor, in reply, still pleaded instructions, and stood upon his reserved rights as Commander-in-Chief; whereupon the Council joined the House in its remonstrance. But, though the controversy lasted several days, it was to no purpose; and the Legislature continued to meet at Cambridge.

Hutchinson had thoughts of holding the session at Salem. "The further from Boston," said he, "the better."

"The House," he continued, "will be sour and troublesome enough; but all they can do will be a perfect trifle compared with the trouble the town of Boston gives me. . . . I would give up all if the town could be separated from the rest of the Province. I do not see how that can be done; but something may and must be done to humble the leaders of the people of the town, and so keep the inhabitants in order. I have tried the Council, and represented to the Judges the illegality of the town acts; but they say there is no possibility of helping it. The body of the people are all of a mind, and there is no stemming the torrent. It is the common language of Adams and the rest that they are not to be intimidated by acts of Parliament, for they will not be executed here; and should there be an act of Parliament to vacate the charter, as the lawyer told the Judge of the Superior Court, the people would not submit to it. I do not see what should prevent the new councillors from being as obnoxious as the Commissioners. We are most certainly every day confirming ourselves in our principles of independence; and ——— tells me he is fully convinced that nothing but sharp external force will bring Boston into a state of due subordination. . . . I am sure you will not suffer what I write to come back again, even by rumors."*

Most of the papers during this session were written by Samuel Adams. Fragments of some of them, evidently original drafts, are extant in his handwriting, and the style and language are unmistakably his. He was also the working member of nearly all the committees, though the name of Cushing (Speaker of the House) was usually placed first, as Bradford says, "was then the usage," making that officer the "nominal chairman." Adams was, as heretofore, the leader, and conducted the Legislature in the most important of its measures. He was seconded by Major Hawley and probably two or three others, whose names appear on committees,— among them, Leonard, Sheafe, and Bowers.

* To a friend in London, March, 1770.

The answer of the House to one of the messages of the Governor, relating to a trivial disturbance that had occurred at Gloucester, is conceived in tones unusually bold. It reviews the condition of the Province, inveighs against the grievance of a military force posted among the people, and refers pointedly to the singular neglect by the Lieutenant-Governor to allude to the late Massacre in his message at the opening of the session. Regarding public disturbances it continues:—

“It may justly be said of the people of this Province, that they seldom, if ever, have assembled in a tumultuous manner, unless they have been oppressed. It cannot be expected that a people accustomed to the freedom of the English Constitution will be patient while they are under the hand of tyranny and arbitrary power. They will discover their resentment in a manner which will naturally displease their oppressors; and in such a case, the severest laws and the most rigorous execution will be to little or no purpose. The most effectual method to restore tranquillity would be to remove their burdens, and to punish all those who have been the procurers of their oppression.”

After expressing the hope that the military would be removed from the Province, until which tyranny and confusion would prevail, the injustice of removing the Assembly — “driven from its ancient and legal seat” — to Cambridge is represented, and it concludes as follows:—

“These alarming considerations have awakened and fixed our attention; and your Honor cannot think we can very particularly attend to things of lesser moment within the jurisdiction of the executive courts, at a time when, in faithfulness to our constituents, our minds are necessarily employed in matters which concern the very being of the Constitution.”*

During a part of this session, Cushing was incapacitated by illness from filling his position, and Hancock was elected

* Journal of the House, April 23, 1770.

Speaker *pro tem.* Hutchinson rejected him, when Colonel Warren was chosen and accepted. About the same time the sum of ninety pounds was voted to Samuel Adams "for his services as Clerk of this House during the several sessions of the General Court during the current year." *

The House, in their remonstrance, having resolved that their determination to proceed to business was by no means to be considered thereafter as a renunciation of their claim to the legal right of sitting in General Assembly at the Court House in Boston, and the elections drawing near, Hutchinson dissolved the Assembly on the 26th of April. At the same time he observed that some parts of their remonstrance extended to the authority of the King and Parliament, and that he should lay it before his Majesty. "I shall do it," he adds, "without any comment; it needs none." †

But the House had no reason to doubt the justness of their proceedings; and Hutchinson, in convening them at Cambridge, had not only violated their charter rights, but had made the discretionary letter from the Ministry, the language of which he kept secret, an excuse for the gratification of his personal resentment. In that arbitrary and needless act he had willingly followed the advice of Bernard, who continued his interference in the affairs of the Province, his course in Massachusetts having been fully approved by the Royal Council. Hutchinson artfully pretended to be led by him, hoping thereby to reach the goal of his ambition,— the office of Governor.

"The Court," he wrote, "has been sitting at Cambridge ever since the 15th, refusing to do any business, and urges me to remove them to Boston, but I shall not do it. I hope no copy of my Lord Hillsborough's letter to me of the 9th of December will be suffered to be made public, nor of mine to his Lordship in answer; for I

* Journal, April 17-20, 1770.

† Message to the House, April 26, 1770. Hutchinson's History, III. 508.

have followed your advice, and they do not know that I had any sort of discretion left in the matter."*

On the 26th of April the news of the Boston Massacre arrived in England, and renewed efforts were made in the House of Commons in behalf of America. Even Grenville redeemed his former course by speaking against the action of soldiers in violation of the civil authority. The debate extended into May, when Burke and Wedderburne attacked the administration. But resolutions of censure were defeated by immense majorities, and the policy of the King and Lord North was sustained.

In Boston the annual May elections came round; and on the 8th, out of five hundred and thirteen votes polled for Representatives, Adams and Cushing had all but three, Hancock all but two, and Bowdoin, who was now for the first time a candidate for the House in place of Otis, lacked seventy-four.† The four members elect received on the 15th the town's instructions from the pen of Josiah Quincy, whose genius, young as he was, had already made a conspicuous figure. Warmly attached to the cause of America, and even now noted for oratorical and literary talents as well as legal attainments, there seemed scarcely any honorable position which he might not have filled, had he survived the Revolution. Like Joseph Warren, he was the ardent admirer of Samuel Adams, who affected of all things the companionship of brilliant young men, into whose keeping he knew the destinies of the country were eventually to fall. When any of them were going abroad, he often gave them letters of introduction to distinguished men with whom he was in correspondence, and Quincy thus gained the society of Dickinson and Read in Philadelphia a few years later. He sometimes revised the political writings of Quincy, whose

* Hutchinson to some person unknown, March 25, 1770, copied in the Boston Gazette for June 5, 1775, and in Almon's Remembrancer, for 1775, 2d ed., p. 181.

† Boston Town Records, May, 1770

manuscripts still bear the inscription, in the autograph of the author, directed to the printer, "Let Samuel Adams, Esq., correct the press," and he was ever ready with advice and encouragement to advance the worthy ambition of all, when directed in the path of their country's welfare. Those who shared his confidence knew how lightly he valued the breath of applause, and how willing he was to allow others to appear in his own measures and actions; looking himself only to the results, careless of any credit that might be due to the conception. Warren, Quincy, Hancock, Church, Gerry, and many others of their age, regarded him as their political father; but Warren claimed his closest friendship and confidence.

The instructions were the most spirited and eloquent that had yet been produced. Hutchinson says, they "not only afforded a strong presage of the measures of the House, but, in words more open and express than had ever before been ventured on, indicated to government in England the design of a general revolt, and excited, together with the message from the House of Representatives at the close of the last session, the first measures taken with an apparent design to guard against it.* In the legislative paper referred to, the House had presented a firm and determined, but dignified review of the public grievances, and had unsparingly exposed the artfulness of Hutchinson. Quincy's instructions reflected the impetuous ardor of the young patriot, who looked with impatience upon the wrongs of his country, and could ill brook the cautious delay which must precede success. He points out the "unwarranted and arbitrary exactions, . . . grievances, and discontents which, convulsing every part of the British Empire, forbode a day of trial in which, under God, nothing but stern virtue and inflexible fortitude can save us from miserable destruction. . . . The dreadful catastrophe threatens universal havoc, and presents an awful warning to hazard all, if peradventure we,

* Hutchinson's History, III. 290.

in these distant confines of the earth, may prevent being totally overwhelmed and buried under the ruins of our most established rights. For many years past we have with sorrow beheld the approaching conflict." The writer recommends resistance, "even unto the uttermost"; points out to the attention of the representatives the several public grievances; urges them to arouse a military spirit in the people, to cultivate a firm and lasting union with the other Colonies; and finally reminds them that "the further nations recede and give way to the gigantic strides of any powerful despot, the more rapidly will the fiend advance to spread wide desolation; and then, should no attempt be made to stay his ravaging progress, 'the dogs of war, let loose and hot for blood, rush on to waste and havoc.'"*

There is perhaps no trait in the character of Samuel Adams more pleasing than this thoughtful care for the advancement of others. By this is meant, not only the general desire for the happiness of his countrymen, by the establishment of their liberties, founded in courage and virtue, but a whole-souled interest in the personal success of those whose talents or virtues made them worthy of his sympathies. Towards young men, who manifested generosity of sentiment or natural qualities likely to make them useful in the cause if properly developed, his great heart warmed with a liberal and genuine affection. He lost no opportunity of bringing them out, and encouraging their love of country and readiness to sacrifice all to its salvation. He was himself a continual illustration of his own teachings, — regardless of wealth and personal honors, and setting an example of patriotism, Spartan in its character and ennobling to human nature. Among the laboring people he was ever a welcome guest. Utterly devoid of aristocratic tendencies, he could sympathize and associate with them, and always took the warmest interest in their social affairs. His thoughts were with and for "the people," that is, the middle

* Hutchinson's History, III. 508 - 515.

and lower classes. He personally instructed a poor boy who was apprenticed to him as a servant, and gave him a place in his own pew at church. In his writings relative to the Massacre, he shows himself to have been intimately acquainted with the circumstances of the bereaved families, who were all in the humblest walks of life. "The shipwrights and mechanics," says Eliot, whose personal knowledge of Samuel Adams extended through many years in Boston, "were his firm friends through all the scenes of the Revolution, believing that to him, more than to any other man, they owed their independence."* Not only do his contemporaries record his influence in shaping the course of prominent young men, but his letters are perpetual proofs of his genial interest in their welfare. Instances are too numerous for insertion here, even from among such fragments of his vast correspondence as have been collected. A few, however, will illustrate. One is to a young gentleman who had set out on his travels, and had enjoyed at home the friendship of Mr. Adams.

BOSTON, Nov. 28, 1770.

MY DEAR SIR, —

When you embarked for London I promised you I would write by the next ship. I did not write; but it was owing to incessant avocations at Cambridge, and not to an unmindfulness of my promise, or a want of attention to fulfil it. I hope you are safe arrived; you are then a sojourner in one of the most opulent and most luxurious cities in the world. Music is your dear delight; † there your taste will be improved. But I fear that discord will too often discompose you, and the rude clamors against your country will vex you. I rely upon it, that your own good sense will dictate to you that which will sufficiently vindicate your country against foul aspersion, whenever you may meet with it; and I cannot entertain the least doubt but you are possessed with all that patriotic zeal which will forever

* Eliot's N. E. Biographical Dictionary.

† It has been stated by some who knew Mr. Adams, that he was a great lover of music, for which he had a cultivated and correct taste. John Adams (Works, X. 251) refers to the "charming voice" of his kinsman.

warm the breast of an ingenuous young gentleman. Such a zeal, tempered with a manly prudence, will render you reputable in political circles of men of sense. I am sure you will never condescend to be a companion of fools. After telling you what I know will be agreeable to you, that your friends are all well, you must allow me to plead haste, and conclude at present with my best wishes for your prosperity.

Adieu,

MR. JOSIAH WILLIAMS.

SAM. ADAMS.

A special favorite with Mr. Adams was his nephew, Mr. Joseph Allen, who was a frequent visitor at his house, and used, in after years, to remember the unwearied industry of his uncle in maintaining a voluminous private correspondence throughout the country, and with the friends of America in England. Mr. Allen afterwards filled a number of public offices, was a clerk of the courts, a councillor, a member of Congress, and twice one of the Presidential Electors. Born in 1749, he was now just of age, and about entering into mercantile business in the town of Leicester, where he received the following letter:—

November 7, 1771.

DEAR KINSMAN,—

As you are just now setting out on the journey of life, give me leave to express to you my ardent wish that you may meet with all that prosperity which shall be consistent with your *real* happiness. I cannot but think you have a good prospect; yet your path will, in all probability, be uneven. Sometimes you must expect, like all other travellers, to meet with difficulties in the road. Let me therefore recommend to you the advice of one of the ancients, a man of sterling sense, though a heathen: "*Aequam memento rebus in arduis servare mentem.*" In the busy scenes of life you may now and then be disposed to drive on hard, and make rather too much haste to be rich. You will then be upon your guard against temptation, which, if yielded to, will poison the streams of all future comfort. You will then in a more particular manner impress upon your mind the advice of an inspired writer, to "maintain a conscience void of offence." I do not flatter you, when I say, you have hitherto

supported a good reputation. You will still preserve it unsullied, remembering that a good name is your life.

Adieu,

S. ADAMS.

A letter to John Hancock shows how delicately Adams was at times obliged to handle his capricious friend, whom he had himself first brought into public life, and whose petulance occasionally got the better of his natural generosity. A few days after the May election, Hancock, offended by some disparaging remark which had come to his ears, resolved to withdraw from the Boston delegation in the Assembly. The announcement caused Mr. Adams no little anxiety, for the retirement at this crisis of so popular and wealthy a member of the liberty party could not but injure the cause, and give room for exulting remarks from the enemies of the country. He therefore writes him:—

BOSTON, May 11, 1770.

DEAR SIR,—

Your resolution yesterday to resign your seat gave me great uneasiness. I could not think you had sufficient ground to deprive the town of one whom I have a right to say is a most valuable member, since you had within three of the unanimous suffrages of your fellow-citizens, and one of the negative votes was your own. You say you have been spoken ill of. What then? Can you think that while you are a good man, that *all* will speak well of you? If you knew the person who has defamed you, nothing is more likely than that you would justly value yourself upon *that* man's censure as being the highest applause. Those who were fond of continuing Mr. Otis in that seat were, I dare say to a man, among your warmest friends. Will you then add to their disappointment by a resignation, merely because one contemptible person, who perhaps was hired for the purpose, has *blessed* you with his reviling? Need I add more than to entreat it as a favor, that you would alter your design.

I am, with strict truth,

Your affectionate friend and brother,

SAM. ADAMS.

This note, to which were probably added verbal persuasions between that time and the meeting of the Legislature, had the desired result, and Hancock was sworn in with the Boston delegation. Had he withdrawn, while Otis, a wreck, was in the country, the moral effect would have been disheartening. His reputation would have been missed,—though not his pen; for Hancock, often as he appears on committees, seldom, if ever, contributed to the preparation of state papers. Otis, though Adams's tender solicitude for him never failed, could now only lend the weight of his name to measures for the public safety.

On the last Wednesday in May the General Court commenced its session at Cambridge, when Adams and Cushing were, as usual, unanimously elected Clerk and Speaker.* The controversy between the House and the Governor on the illegality of holding the General Court out of Boston was immediately recommenced; the House resolving that they proceeded to the election of councillors only from necessity, protesting against its being drawn into a precedent at any time thereafter, or considered as a voluntary receding from their constitutional claim. In their message to the Lieutenant-Governor they remonstrated "against holding the Assembly in any other place than the town-house in Boston." The contest was stoutly maintained, apparently exhausting the arguments on both sides; Hutchinson (whose zeal was excited by the notice that he was to receive the appointment of Governor), citing authorities, and bringing to bear his most potent reasoning to support his position, and the Assembly meeting him at every point, and sturdily refusing to proceed to business by a vote of ninety-six to six. During this session, Bowdoin having been elected to the Council, John Adams for the first time joined the Assembly, and was sworn in by Hancock and Samuel Adams.† The names of both "the Adamses" occur throughout the sessions of this year upon committees for pre-

* Journal of the House, May 30, 1770.

† June 6, 1770.

paring answers and remonstrances,—the policy being the same as in the former session. The Lieutenant-Governor despairing of effecting any change, prorogued the Court on the 25th of June.

Among Samuel Adams's papers are found detached portions of a letter in his handwriting to Benjamin Franklin, prepared for a committee, of which he was one, appointed by the town to disabuse the minds of influential persons in England of the false statements sent on by the crown officers as to the Massacre and subsequent events. It is dated in Boston on the 13th of July, and Franklin is urged to exert himself and obtain a suspension of public opinion, until the town could have an opportunity of knowing what was alleged against it and of answering for itself. It protested against the determination of Parliament to admit garbled extracts from such letters as were received from America by the administration and to conceal the names of the writers.

“How deplorable, then,” said Mr. Adams, “must be our condition, if ample credit is to be given to their testimony against us by the government at home, and if the names of our accusers are to be kept a profound secret, and the world is to see only such parts or parcels of their representations as persons who perhaps may be interested in their favor shall think proper to hold up. Such conduct, if allowed, seems to put it in the power of a few designing men to deceive a nation to its ruin. The measures which have been taken in consequence of intelligence managed with such secrecy have already, to a very great degree, lessened that mutual confidence which had ever subsisted between the mother country and the Colonies, and must, in the natural course of things, totally alienate their affections towards each other, and consequently weaken, and in the end destroy, the power of the empire. It is in this extended view of things that our minds are affected. It is from these apprehensions that we earnestly wish that all communications between the two countries of a public nature may be unveiled before the public, with the names of the persons who are concerned therein. Then, and not till then, will American affairs be under the

direction of honest men, who are never ashamed or afraid of the light.

“If this writer of those letters shall appear to be innocent, no harm can possibly arise from such a measure; if otherwise, it may be the means of explaining the true cause of the national and Colonial malady, and of affording an easy remedy; and therefore the measure may be justified and applauded by all the world.”

Mr. Adams then takes up the Case of Captain Preston, which had appeared in the London papers, and, he asserts, is replete with falsehood, and could never be “supported by the testimony of any man of tolerable reputation.” This part of the letter, which is very elaborate, goes over the ground covered by “Vindex” in his articles in the Boston Gazette, during the past winter, in one of which Mr. Adams stated that it had been asserted in the London newspapers that the people of Boston had “seized upon Captain Preston, and hung him like Porteus upon a sign-post.”

A more reasonable proposal than that of the town, to have the representations of the loyalists made public, that they might know by whom and of what they were accused, could not be imagined. Its justice was unquestionable; yet the letters were jealously kept secret, and the action of the government was based upon their statements.

The Legislature met again at the Chapel of Harvard College on the 25th of July, when the Lieutenant-Governor, who had summoned them to the Council-Chamber up stairs, read a carefully prepared address, reviewing the whole controversy relative to convening the Court out of Boston. Flattering himself that they would no longer insist upon the illegality of his action, he threatened a further prorogation, should they persist in their refusal to proceed with the business of the session.* This, however, the House had made their first duty on assembling. The next day, he wrote to Lord Hillsborough: —

* Bradford's State Papers, p. 237.

“I met the Assembly yesterday at Cambridge. I shall enclose the speech I made then. If they will not go to business, I must prorogue them further, and give myself no further concern about them. Their constituents are the only sufferers; and when they feel their sufferings to a little degree beyond what they do at present, I think they will, in many towns, express their dissatisfaction at the behavior of their representatives. In the mean time I shall treat them with moderation and firmness. I am very sure if the members of Boston were out of the House, I should have a majority in favor of government.”

On receiving the Lieutenant-Governor's message, the House appointed a committee to reply, and merely met and adjourned each day, until the 30th, when the answer was reported. It was written by Samuel Adams, as is sufficiently indicated by the style, which no one acquainted with his writings could mistake; moreover, his original rough draft is still preserved. Hutchinson, who was aware of the fact, wrote to England, denouncing him as the author, and describing the “treatise,” a name he afterwards applied to it, as “seditious,” “criminal,” “daring,” and “hinting at a revolt.” It was indeed a bold, nervous composition, worthy of the mind that conceived it. One of the characteristics of Samuel Adams's writings, and the most interesting one after their unadorned simplicity, is their logical strength, and the acuteness which saw at once the weak side of an argument, went directly to the point, and exposed all fallacies with clearness and force. No sophistry or art could confuse him or lead him astray. He looked intuitively into the designs of his adversaries, and laid them open with unsparing hand. Having reiterated their former resolution not to proceed to business while the Court was held “out of the town of Boston,” the House continue:—

“After the most attentive and repeated examination of your speech, we find nothing to induce us to alter our opinion, and very little that is new and material in the controversy. But as we per-

ceive it is published, it may possibly be read by some who have never seen the reasons of the House; and as there are specious things contained in it which may have a tendency to make an unhappy impression on some minds, we have thought proper to make a few observations upon it.

“You are pleased to say, ‘you meet us at Cambridge, because you have no reason to think there has been any alterations in his Majesty’s pleasure, which you doubt not was determined by wise motives, and with a gracious purpose to promote the good of the Province.’ We presume not to call in question the wisdom of our Sovereign, or the rectitude of his intentions: but there have been times when a corrupt and profligate administration have ventured upon such measures as have had a direct tendency to ruin the interest of the people, as well as that of their royal master.

“The House have great reason to doubt whether it is, or ever was, his Majesty’s pleasure that your Honor should meet the Assembly at Cambridge, or that he has ever taken the matter under his royal consideration; because the common and the best evidence in such cases is not communicated to us.

“It is needless for us to add anything to what has been heretofore said upon the illegality of holding the Court anywhere except in the town of Boston. For, admitting the power to be in the Governor to hold the Court in any other place when the public good *requires* it, yet it by no means follows that he has a right to call it in any other place when it is to the manifest injury and detriment of the public.

“The opinion of the Attorney and Solicitor General has very little weight with this House in any case, any further than the reasons which they expressly give are convincing. This Province has suffered so much by unjust, groundless, and illegal opinions of those officers of the crown, that our veneration or reverence for their opinions is much abated. We utterly deny that the Attorney and Solicitor-General have any authority or jurisdiction over us, any right to decide questions in controversy between the several branches of the Legislature here. Nor do we concede, that even his Majesty in Council has any constitutional authority to decide such questions, or any other controversy whatever, that arises in this Province, excepting only such matters as are reserved in the charter. It seems

a great absurdity, that when a dispute arises between the Governor and the House, the Governor should appeal to his Majesty in Council to decide it. Would it not be as reasonable for the House to appeal to the body of their constituents to decide it? Whenever a dispute has arisen within the realm between the Crown and the two Houses of Parliament, or either of them, was it ever imagined that the King in his Privy Council had authority to decide it? However, there is a test, a standard common to all,—we mean, the public good. But your Honor must be very sensible that the illegality of holding the Court in any other place, beside the town of Boston, is far from being the only dispute between your Honor and this House. We contend that the people and their representatives have a right to withstand the abusive exercise of a legal and constitutional prerogative of the Crown. We beg leave to recite to your Honor, what the great Mr. Locke has advanced in his Treatise of Civil Government upon the like prerogative of the Crown. ‘The old question,’ says he, ‘will be asked in this matter of prerogative, “who shall be judge when this power is made a right use of?”’ And he answers: ‘Between an executive power in being with such a prerogative and a legislative that depends upon his will for their convening, there can be no judge upon earth, as there can be none between the legislative and the people, should either the executive or legislative, when they have got the power in their hands, design or go about to enslave or destroy them. The people have no other remedy in this, as in all other cases where they have no judge on earth, but to appeal to Heaven. For the rulers, in such attempts, exercising a power the people never put into their hands (who can never be supposed to consent that anybody should rule over them for their harm), do that which they have not a right to do. And when the body of the people or any single man is deprived of their right, or under the exercise of a power without right, and have no appeal on earth, then they have a liberty to appeal to Heaven whenever they judge the cause of sufficient moment. And, therefore, though the people cannot be judge, so as to have, by the constitution of that society, any superior power to determine and give effective sentence in the case; yet they have, by a law antecedent and paramount to all positive laws of men, reserved that ultimate determination to themselves which belongs to all mankind, where there lies

no appeal on earth, viz. : 'to judge whether they have just cause to make their appeal to Heaven.' We would, however, by no means, be understood to suggest, that this people have occasion at present to proceed to such extremity.

“The House are still ready to answer for all the ill consequences which can be justly attributed to them ; nor are they sensible of any danger from exerting the power which the charter has given them, of doing their part of the business in their own time. That the Province has enemies, who are continually defaming it and their charter, is certain ; that there are persons who are endeavoring to intimidate the Province from asserting and vindicating their just rights and liberties, by insinuations of danger to the Constitution, is also indisputable. But no instance happened, even in the execrable reign of the worst of the Stuart race, of a forfeiture of a charter, because any one branch of a legislative, or even because the whole government under that charter, refused to do business at a particular time under grievous circumstances of ignominy, disgrace, and insult ; and when their charter had explicitly given to that government the sole power of judging of the proper season and occasion of doing business. We are obliged, at this time, to struggle with all the powers with which the Constitution has furnished us, in defence of our rights, to prevent the most valuable of our liberties from being wrested from us by the subtle machinations and daring encroachments of wicked ministers. We have seen of late innumerable encroachments on our charter : Courts of Admiralty extended from the high seas, where by the compact in the charter they are confined, to numberless important causes upon land ; multitudes of civil officers, the appointment of all which is by charter confined to the Governor and Council, sent here from abroad by the Ministry ; a revenue not granted by us, but torn from us ; armies stationed here without our consent ; and the streets of our metropolis *crimsoned* with the blood of our fellow-subjects. These and other grievances and cruelties, too many to be here enumerated, and too melancholy to be much longer borne by this injured people, we have seen brought upon us by the devices of ministers of state. We have seen and heard, of late, instructions to governors which threaten to destroy all the remaining privileges of our charter. In June,

1768, the House by an instruction were ordered to rescind an excellent resolution of a former House on pain of dissolution: they refused to comply with so impudent a mandate, and were dissolved: and the Governor, though repeatedly requested, and although the exigencies of the Province demanded a General Assembly, refused to call a new one until the following May. In the last year, the General Court was forced to give way to regular troops, illegally quartered in the town of Boston, in consequence of instructions to crown officers, and whose main guard was most daringly and insultingly placed at the door of the State-House; and afterwards they were constrained to hold their session at Cambridge. The present year the Assembly is summoned to meet, and is still continued there in a kind of duress, without any reason that can be given, any motive whatever that is not as great an insult to them and breach of their privilege as any of the foregoing. Are these things consistent with the freedom of the House? or could the General Court's tamely submitting to such usage be thought to promote his Majesty's service? Should these struggles of the House prove unfortunate and ineffectual, this Province will submit, with pious resignation, to the will of Providence; but it will be a kind of suicide, of which we have the utmost horror, thus to be made the instruments of our own servitude."*

Hutchinson replied, taking up the positions of the House one by one, and commenting particularly on their having called the instructions an "*impudent mandate*." "It may not," he says, "be presumed you would have done this, had you known it to be an order from his Majesty. I wish however that you had spared this coarse and indecent epithet. . . . The freedom you have used with the characters of the Attorneys and Solicitors General will, I fear, likewise bring dishonor upon you." He argued with ability and at great length upon his favorite subject of holding the Court away from Boston; and seeing the impossibility of effecting any practical result, he again prorogued the Assembly to the 5th of September.† He congratulated himself, how-

* Journal of the House, July 31, 1770. Hutchinson's History, III. 525. Bradford's State Papers, p. 240.

† Hutchinson, III. 534. Bradford, p. 249. Journal of the House, Aug. 3.

ever, upon having in some measure weakened the opposition, and hoped for still greater advances. To a friend in London he wrote the next day :—

“The House having persisted in their refusal to do business, I have prorogued them to a further time, having gained over, in this short session, enough of the Council to prevent Bowdoin from obtaining a vote for an address which he had prepared conformable to the sentiments of the faction of the House; and I hope to keep a party there strong enough to defeat his future attempts. Neither Worthington, Murray, Ruggles, nor any member capable of opposing Adams, &c., came to the session. Many, if not a majority of the members, wish to go to business, but are afraid. I will have a full House another session, and have yet encouragement that I shall carry the point then, notwithstanding the unanimity now.

“I did not design to enter into any argument with them, but I found it necessary to undeceive the people, and, since my speech, I perceive a great alteration among them, and it will certainly have a good effect. The answer, drawn by Adams, breathes the seditious spirit which has appeared in Edes and Gills’s paper. The rudeness to the King, to the House of Commons, to the Ministers of State, the declarations of independence, the menaces of an appeal to Heaven, and the people’s no longer bearing with their injuries without seeking redress, — plainly hinting a downright revolt, — are so criminal and at the same time so daring, that some notice will be taken of it, if the nation is to be aroused by anything.”*

And two days later: “Worthington, Ruggles, Murray, nor any other persons not afraid of Adams and the Bostoners, would attend. If I could persuade a few to exert themselves, the point would be carried in the House another session.” † It was true that the attendance, at least at the commencement of the past session, had been limited. At first only about forty members were present, as shown by the records. The frequent adjournments interfered with the pursuits of those from distant parts of the Province, and,

* Hutchinson to Bernard, August 3, 1770.

† Hutchinson to Bernard, August 5, 1770.

since the prorogation at the close of June, a full House could not be expected, especially at a season when time was precious in the farming districts.

“The impudent mandate,” as the House called the instruction to rescind the Circular Letter of 1768, it now appeared by Hutchinson’s late reply to the message of the House came from the King himself, as did “every order from the Secretary of State.” Mr. Adams took the ground that instructions even from secretaries of state, if illegal and subversive of charter rights, were open to comment.

“It may have been,” he says, “too much the practice of late for some plantation governors like VERRES, either ancient or modern, to oppress and plague the people they were bound to protect, and, perhaps, in obedience to ‘orders that have come from secretaries of state.’ These orders truly were to be treated with as profound veneration, without the least inquiry into their nature and tendency, as ever a poor deluded Catholic revered the decree of Holy Father at Rome. While such a disposition prevailed, O how orderly were the people! how submissive to government! But when once a statute or the Constitution was pleaded, which it was as dangerous for the people to look into as it would be for an Italian, after the example of the noble Bereans, to search the Scriptures, the Secretary of State was to be informed that the people were become rebellious; as they said of St. Paul for preaching doctrines opposite to the humor of the Jewish masters, that he ‘turned the world upside down.’ The whole ministerial cabal was summoned, opinions were called for and taken, and, however ludicrous, to say the best of them, those opinions were, if the people did not swallow them down as law and reason, they were told that the freedom they used with the characters of great men, forsooth, ‘would bring dishonor upon them’; and standing armies were sent to convince them of the reasonableness of these opinions! *

During the summer, the non-importation agreements had been observed with less stringency than before. Throughout the continent, with the exception of New York, as the agita-

* “A Chatterer,” in the Boston Gazette, Aug. 20, 1770.

tion of that particular topic ceased or had temporarily given place to more exciting events, the importations had been to some extent renewed; and even in New England, where, perhaps, a more rigid observance was looked for than elsewhere, they had amounted to nearly half as much as usual.* The hardships of a union which was not universally kept finally had its effect in New York, where the agreement was broken, though not without a close contest among the merchants; and in July large orders went to England for all kinds of merchandise, excepting the article of tea, upon which the duty was still maintained. Abhorrence at this conduct was at first manifested in America; but in England, where the Ministry, and especially Lord North, had expected such a result, the joy was unbounded. The merchants considered it as the renewal of commercial intercourse and perhaps the first step towards a permanent reconciliation.

The apparent change in public opinion, at least among the merchants in Boston, was watched with exultation by the loyalists, who regarded it as the earnest of still further successes. The defection, in different parts of the country, on the non-importation scheme, was supposed to have been caused by emissaries of the Ministry, and for a while the plan succeeded but too well. But even while the action of the New York merchants was producing a commotion throughout the continent, an order had arrived in Boston marking the beginning of martial law in Massachusetts, and the commencement of the system of measures which showed that the Ministry were now convinced that the Colonists were aiming at independence, and would not be satisfied with the mere abstract rights for which they had been contending. That this supposition on the part of government was ill founded was as true as that Hutchinson and the crown officers had been unwearied in their efforts to poison the minds of men in England against the Americans. With the exception of Samuel Adams, who, from the arrival of

* Bancroft, VI. 365, 366.

the troops in the fall of 1768, had made American Independence the one aim of his life, none of the leaders nor the people themselves were prepared for or desired a separation from the mother country.* But the idea had been fast gaining ground in England, and decisive measures were now to be used.

An order had been adopted by the King in Council, in July, which made Boston Harbor "the rendezvous of all ships stationed in North America," while the fortress was to be garrisoned by regular troops, and put into a respectable state of defence.† The Lieutenant-Governor now received instructions from General Gage to deliver Castle William to Colonel Dalrymple, — a manifest violation of the charter of the Province, which expressly provided that the Castle and forts should be in command of the Governor; and moreover the Castle had been built, repaired, and garrisoned solely at the expense of the Province. So unparalleled was the usurpation, that when the order arrived, Hutchinson, with all his supple servility to arbitrary mandates, hesitated as to his course in the matter.‡ The transfer however was made. The particulars of this affair cannot be more plainly narrated than was done in the letter of Hutchinson himself, written a few days after the Castle had been surrendered.

"The King's order for the withdrawal of the garrison from the Castle came to hand by express Saturday, the 8th, towards evening. I kept the express that night in my house at Milton, and sent a servant to the Castle for Dalrymple to come to me early the next morning. We then settled this point, — that nothing should be done which could infer my giving up the right which the Governor has by commission and charter, to the ordering in general all forts within the Province; and I was to write what was necessary to the General upon this subject. We then agreed to meet early the next morning at the Secretary's house in Boston. I there gave him an order to Phillips to take off the sentries in the pay of the Prov-

* Bancroft, VI. 192.

† Bancroft, VI. 369.

‡ Hutchinson to General Gage, Sept. 9, 1770.

ince, and to admit such of the regulars as Colonel Dalrymple should direct.

“As soon as Dalrymple had left the town I went to Council, and having cleared the chamber of the clerks, &c., I enjoined the members secrecy upon their oaths, until they should be dismissed or I should discharge them. I then directed the order of his Majesty in Council to be read to them, and read myself that part of my Lord Hillsborough’s letter which required me immediately to put that part of the order which concerned me in execution. I told them I did not need their advice, whether to obey the King’s order or not, but I thought so much respect was due to them as to let them know it before it was made public; as it soon must be by the execution of it. They were all struck when they heard the order. Pitts said, perhaps it was executed already. I made no reply. It was not suggested that I could refuse obedience, but I was asked whether, by charter, the command of the Castle was not with me. I told them I should give up no right which they had by charter. The Governor was to commit the custody and government of forts to such persons as to himself should seem meet. It now seemed meet to me to commit the Castle to Colonel Dalrymple, to be garrisoned by the regulars. What induced me to this, I was not liable to be questioned or called to account for. There was then considerable debate about the arms, ammunition, &c., which some thought ought to be removed. Of this, I told them, I was the sole judge. Whenever they were wanted for his Majesty’s service, I should employ them. After about two hours, about one o’clock, I released them from their obligation to secrecy, and dismissed them, and my carriage being at the door, I went immediately to the Neck, where I had ordered my barge to be ready.

“As soon as I came to the Castle, I went into Phillips’s room, who could not have been more affected under sentence of death, and the whole garrison was in tears. I sent for the keys; and Colonel Dalrymple coming up to the state-room, attended by his officers, I delivered them to him, and committed to him the custody and government of the Castle, by virtue of the power and authority given me by his Majesty’s commission to govern the Province according to charter, and in obedience to his Majesty’s command signified to me, &c.

“I went in the evening to Milton, where I spent the next day,

being Tuesday; but on Wednesday morning I had repeated messages to acquaint me with the rage many people were in. That Adams, in particular, was inflaming the minds of the people, declaring that I had broken the charter by giving up the Castle; and it was reported that I had been waylaid, and was missed on my return from the Castle, and many other threatening speeches were brought to me; and in the afternoon my brother vehemently pressed my going to the Castle and sending my children to town; and the Secretary and Treasurer, who were with him, though not alike apprehensive of danger, thought it best. I had before recovered my papers, and in the evening I took boat at Dorchester, two or three miles from my house, and went to the Castle; and you will believe I could not help thinking of you and my passage to the same place five years before. I went the next day to town upon some ordinary business of Council, and returned in the evening to the Castle, assigning this reason, that it was necessary to have a full inventory of the stores, ammunition, arms, &c., and tarried until Saturday, receiving intelligence from time to time of the state of the town.

“There happened during this time to be a very grand meeting of merchants and tradesmen upon the subject of importation, when Adams made an attempt to inflame them, declaring I had given up the Castle and would give up the charter; but some of the merchants declared that was not the business of the meeting, and repeatedly stopped him from going on. This, my friends thought, was a sort of trial of the strength of the faction, and that this incendiary would not be able to accomplish his purpose.”*

This letter is an interesting narrative of the Lieutenant-Governor's own part in the transaction, and in that respect bears truth on its face; but it displays the nervous cowardice of the man who was continually agitated with the fear of personal harm, when nothing was further from the intentions of the people. Their forbearance had been signally demonstrated after the recent Massacre, when law asserted its supremacy over an exasperated populace.

Another trait in the letter is the ill-concealed desire of self-laudation in the writer, whose anxiety to shine as a reso-

* Hutchinson to Bernard, Sept. 15, 1770.

lute and determined officer is apparent. He knew that Bernard showed his letters to Lord Hillsborough, who in turn submitted them to the inspection of the King. His darling ambition was to receive his commission as Governor of the Province, and his letters were all adroitly tinged with the coloring which he conceived suited to that end. The harangues by Samuel Adams were founded in justice; and whether the reports of his inflaming the minds of the people were true or not, it was time that the public should be awake to this fatal stab at their liberties. The seizure of the Castle was the first step in the system of armed coercion. Samuel Adams saw in it another approach towards the goal for which his soul longed; for, to his imagination, the dawning tints of American Independence were already discernible in the political horizon.

During the excitement produced by this act, the Legislature met at Cambridge, to which place it had been adjourned for September. A committee, with Mr. Adams among the number, immediately waited upon the Lieutenant-Governor, and desired him to move the General Court to Boston. A day of solemn fasting, prayer, and humiliation was appointed and observed, and thence, until the close of October, the House and Council were engaged with Hutchinson in lengthy discussions on the late surrender of the Castle to the royal troops. On the 13th, the House, in a message, desired the Lieutenant-Governor to inform them whether he still held command of Castle William. Hutchinson answered, that in withdrawing a garrison which had been paid by the Province, and substituting one paid by the King, in pursuance of instructions from him, no part of the charter rights of the Province had been given up. The House replied in the language of their committee, of which Samuel Adams was chairman:—

“This answer appears to the House to be somewhat equivocal. For your Honor may possibly differ with the House in your construction of the clause in the charter which we have recited. By

this clause, the Governor of the Province is undoubtedly vested with the command of that fortress. Your Honor may have been instructed to transfer that command to his Majesty's chief military officer in America or any other person. If that be the case, the power which is vested in you by the charter is superseded by instructions. A doubt in the House, respecting a matter of so very interesting a nature to the Province, is the occasion of this repeated message to your Honor, to request that you would, in an explicit manner, assure us whether you still hold the command of his Majesty's Castle William."*

To this the Lieutenant-Governor again returned an equivocal answer, in much the same dictatorial and cavalier terms he had used to the Council in breaking the news of his instructions. The House seeing that every legal effort to inquire into their rights was to be hopelessly repulsed, ceased to press the subject; but the Council made one more effort to obtain an authentic copy of Hillsborough's letter concerning the Province, or Council, in order to "vindicate their character, and to prevent any infringement on the charter rights of the Province." The Governor replied that he was "strictly forbidden to give a copy of said letter, report, or order, or even to mention them, by speech or message, to either House." The Council then prepared a long and able report respecting the misrepresentations concerning the Board made to the Ministry; and by vote this was forwarded to Mr. Bollan, their agent in London, together with a full statement of the seizure of the Castle and other infringements on the public liberties.

Finding that nothing was to be gained by the ordinary methods of legislative inquiry of the Lieutenant-Governor as to the principles involved in the change at the Castle, Mr. Adams resorted to the press, and discussed the subject in a series of articles. One of these, after referring to a previous essay on the same topic, continues:—

"In imitation of some of my brethren, I solemnly warned my

* Journal of the House, Oct. 23, 1770.

readers, by way of application, of the danger of certain instructions, or, as they were termed, 'ministerial mandates,' we had about that time been told of, which appeared to me to be equal to that of revenue acts or standing armies to enforce them. I little thought that these instructions or mandates, call them what you will, would, in their effects, have made so rapid a progress in so short a time, as I find they have, since the present administration began. For I perceive that our House of Representatives have plainly told the Lieutenant-Governor that 'merely in obedience to instructions, he has made an absolute surrender of Castle William to his Majesty's forces, with a most express resignation of his power of garrisoning the same to Lieutenant-Colonel Dalrymple.' And, to prove it, they recite his Honor's orders, under his own hand, to Captain Phillips to deliver that fort into the hands of the commanding officer of his Majesty's regular forces, then upon the island, to be garrisoned by such detachment as he should order! To this, indeed, his Honor says, 'there is nothing in the orders I gave to Captain Phillips which does not perfectly consist with my retaining the command of the Castle, and my right to exchange the present garrison for the former, or any other, as I shall think proper.' But I must confess, it is mysterious to me how his Honor can retain the right to dismiss Colonel Dalrymple and his detachment when he pleases, or exchange the present garrison for any other, as he shall think proper, after having delivered the fort, without any reservation, into the hands of Colonel Dalrymple, in consequence of express orders from another, to be garrisoned by such detachment as he shall order. I am not so certain that his Honor, who pays a sacred regard to instructions, will easily be persuaded to exchange the present garrison for the former or any other, however necessary such exchange may be, without first having leave from the Right Honorable the Earl of Hillsborough, as full and express as the orders he received from his Lordship to place the present garrison there. Others may reconcile an absolute delegation of power, without any reserve, by the express orders of a superior, with a right retained in the person who is thus ordered to delegate, to exercise the same power when he pleases. I have not that intuitive knowledge which some men are said to be blessed with, and, therefore, it will not be thought strange if I do not see clearly through this mystery in politics. The House further observe that, 'as his Honor has heretofore repeatedly de-

clared that he has no authority over the King's troops in the Province, it was absurd to suppose he could have command of a fort thus unreservedly surrendered to, and in full possession of, such troops,' which appears to be a just conclusion. For can any one believe that Colonel Dalrymple will hold himself obliged to march the King's troops under his command out of that fort, in obedience to the orders of one who has no authority over them?

"Think not, Messrs. Printers, that I am now finding fault; for if his Honor has, 'in this instance, divested himself of a power of governing which is vested in him by the charter for the safety of the Province,' as wiser heads than mine have determined, who will dare to find fault? It was done by virtue of instructions, and we are told that instructions from a minister of state come *mediately* from the K——; and his Honor knows that instructions, whatever 'coarse epithet' may have been bestowed upon them, are 'founded in very wise reasons,' and ought not to be treated with contempt. Holt, Somers, and others, who near eighty years ago laid their heads together to form our charter, were certainly wise and great men; and King William, who gave it, was as certainly a wise and good king. But does not the wisdom of my Lord of H——h far exceed theirs? Pray, does not every measure which he has advised fully evince this, to the conviction of all but a few factious fellows here and there? The friends of government are willing to submit what judgment they have to such profound wisdom; and what if our old fashion charter should be pared down by instructions, and a power or two of the G——r, vested in him for the safety of the people, should even be annihilated by them, we are only to believe there are very wise reasons for it, and we shall find that all is for the best."

Mr. Adams then speaks of the depositions taken of persons who were present at the surrender of the Castle, and discusses, at some length, the right of the Lieutenant-Governor to deliver the fort in obedience to instructions violating the charter.

"I may venture to say," he continues, "there has not been an instance of this kind since the date of our charter, and in the opinion of judicious and unprejudiced persons, it is a matter of very great moment. Our enemies may now have the pleasure of seeing

the principal fort and key of the Province in the hands of persons who have not the least dependence upon it; the capital environed with ships of war; the General Assembly removed from its ancient seat into the country; and the College, which has been liberally supported by the people for the education of our youth, has been made a seat of government, under a pretence, as it is said, of a prerogative in the Crown to take up any public buildings, — all by virtue of instructions, which we are implicitly to believe are founded in wise reasons; while the people throughout the Province, whether they are sensible of it or not, are every day contributing to a revenue raised by the act of a Legislature in which they are not, and cannot be, represented, and against their most earnest petitions and warmest remonstrances! Surely these are not the blessings of adm——n, for which we are this week to return to Almighty God our unfeigned thanks.*

* "A Chatterer," in the Boston Gazette, Dec. 3, 1770. The last sentence refers to a public fast or thanksgiving which had been proclaimed.

CHAPTER XVIII.

Correspondence with Arthur Lee. — Franklin and Lee. — The Non-importation Agreements broken. — Decline in the Opposition to the Measures of Parliament. — Death of Deberdt. — Franklin elected Agent. — Adams drafts a Letter of Instructions from the Assembly to Dr. Franklin, and proposes Inter-colonial Committees of Correspondence. — Correspondence with Stephen Sayre, Dr. Lucas, and John Wilkes. — Massachusetts becomes quiet. — Hutchinson receives his Commission as Governor. — Meeting of the Legislature and renewed Controversies. — Adams effects a Change in Political Language to undermine the Idea of Parliamentary Supremacy. — The Governor's Salary to be made independent of the Legislature, and payable by the Crown. — The House desire Information, and are preemptorily prorogued.

It was in this year that Arthur Lee began to correspond with Mr. Adams. He was a young lawyer, who, leaving his native Virginia at an early age, had been educated at the University of Edinburgh. In 1766, locating himself at London, he commenced the study of the law in the Temple. He became the intimate friend of Sir William Jones; and as much by his character, talents, and literary acquirements, as by his connection with the distinguished family whose name he bore, gained a wide influence in England and America in the cause of freedom. Mr. Adams, always desirous of keeping in communication with gentlemen abroad whose sympathies were with the Americans, applied to Mr. Lee through a mutual friend, — Mr. Stephen Sayre, — and his suggestion was immediately accepted. The correspondence was continued through the Revolution; and how faithfully it was maintained is shown by their printed letters. Valuable information and hints passed between them on all important public matters for a period of thirteen years.*

The death of Dennys Deberdt, who had long and ably served the Assembly as their agent, brought on the election

* See the correspondence from 1771 to 1783, in R. H. Lee's *Life of Arthur Lee*.

of a successor; and the question coming up on October 23d, Mr. Adams and about one third of the House* voted for Arthur Lee; but Benjamin Franklin, then in London, received the majority of suffrages, and became thenceforth the advocate of Massachusetts in England, where he was already acting for other Provinces. Arthur Lee was appointed his substitute in case of his death or absence. Franklin was ardently desirous of a reconciliation.† Regarding the idea of a revolt and civil war with reluctance, his enlarged views and boundless benevolence turned away from the thought of a dismemberment of the nation. It is probable that the choice of Dr. Franklin did not entirely satisfy Mr. Adams. If he had ever known Franklin personally, it was many years before, when the present issues had not arisen. He was not prepared to admit that even Franklin's sincerity of purpose and wisdom were the only requisites to face the determined oppressors of his country, and he may have thought that the official positions of father and son, — the one being Deputy-Postmaster of America, and the other the royal Governor of New Jersey, — together with Franklin's constant desire to restore harmony, might incline him to concede too much to the demands of government. Arthur Lee soon began to entertain suspicions of Franklin, and communicated his reasons to Samuel Adams during the next year,‡ and, however ill-founded these opinions afterwards proved to be, they probably added to such doubts as might have arisen in the mind of Mr. Adams, whose anxiety in the cause made him at times over-cautious in whom to confide. But he soon became a warm admirer of Franklin, and a perfect understanding existed between them thereafter. Their mutual friend, Samuel Cooper, writing to Franklin on this subject, says: —

* Samuel Adams to S. Sayre, Nov. 16, 1770. Cushing appears to have favored the choice of Sayre. See his letter to Sayre, Nov. 6, 1770.

† Compare Grahame's History, II. 426, 461, 462, and Franklin's Works, edited by Sparks, I. 378-390; V. 1-82.

‡ Arthur Lee to Samuel Adams, June 10, 1771.

“I have the pleasure to find that a confidence in your abilities and principles is far from being diminished in our House of Commons, and to assure you that one of the members for this town, Mr. Samuel Adams, a correspondent of Dr. Lee’s, who had the chief hand in a letter from the House to you, which I perceive by your reply gave you uneasiness, has lately expressed the warmest esteem for you as an important and thorough friend to the rights of America. This gentleman I regard for his uncommon zeal and activity in support of these rights; but I have repeatedly found occasion, in a friendly manner, to blame his excessive jealousy in a cause peculiarly dear to him; which has sometimes led him to treat not in the kindest manner some of its faithful advocates, and particularly Governor Pownall.”*

Not only in private conversation, but in the press, Mr. Adams afterwards paid deserved tribute to the “penetrating genius” and “extended views” of Franklin.† Through the Revolution they worked and corresponded together, and early in the present century there remained some of Franklin’s letters to Samuel Adams, which have been carelessly destroyed or lost with other valuable papers.

The disaffection throughout the continent in regard to the non-importation agreement was an increasing source of pleasure to the loyalists in Boston, and of equal mortification to the stanch friends of liberty. During the summer, soon after the first symptoms of breaking the compact appeared, there had been a meeting of merchants in Boston, at which it was voted to tear the yielding letter of the New York merchants in pieces and throw it to the winds. But, as the year wore away, the observance of the agreement, even in

* Cooper to Franklin, Nov. 10, 1770 (Franklin’s Works, VIII. 99). This allusion to Pownall may refer to a town meeting held in July of this year, and mentioned by Hutchinson in a letter to Commodore Hood, July 11, 1770. He says: “At a meeting yesterday the spirit rose very high. Independence was a word much used. They expressed also resentment against Pownall for advising them to avoid severity in their pursuit against Preston.”

† Samuel Adams, in the Boston Gazette for Sept. 20, 1773; and Bancroft VI. 469.

Massachusetts, fell rapidly away, until it seems to have been generally disregarded.* Hutchinson had predicted this, and wrote as early as July : —

“ If Philadelphia should follow the example of New York, I think Boston will hold out no longer. If it should not, I doubt whether there is firmness enough in the merchants to oppose the populace. The tea will be supplied. There will not be a pound less imported, but it will come from Holland instead of England.” †

And a month later, he wrote : —

“ The distresses of the town of Boston have not yet opened its eyes. They do not consider that it is only a few of the merchants in England who are losers by their non-importation, and that the tradesmen and manufacturers do not feel it. The infamous Molineux and Young, with Cooper, Adams, and two or three more, still influence the mob, who threaten all who import ; but it seems impossible that it should hold out much longer. Many, who at first were zealous among the merchants against importing, are now as zealous for it.” ‡

In a few months the Lieutenant-Governor's surmise was verified. Samuel Adams did not flag in his exertions to stem the tide, but they were to no purpose. In November, he wrote to a correspondent in Charleston, South Carolina, in reply to a letter on public affairs : —

“ The non-importation agreement, since the defection of New York, is entirely at an end. From the beginning I have been apprehensive that it would fall short of our wishes. It was continued much beyond my expectation. There are here, and I suppose everywhere, men interested enough to render such a plan abortive. Through the influence of the Commissioners and Tories here, Boston has been made to appear in an odious light, but I would not have you to believe it to be the true light. The merchants, in general,

* Andrew Eliot to Thomas Hollis, Jan. 26, 1770 (Massachusetts Historical Society's Collections, 4th Series, IV. 457).

† Hutchinson to Lord Hillsborough, July 26, 1770.

‡ Hutchinson to Bernard, Aug. 28, 1770.

have punctually abode by their agreement, to their very great private loss. Some few have found means to play a dishonorable game without detection, though the utmost pains have been taken. The body of the people remained firm until the merchants receded. I am very sorry the agreement was ever entered into, as it has turned out unfortunate. Let us then even forget that there has been such a futile combination, and awaken our attention to our first grand object. Let the Colonies still convince their implacable enemies that they are united in constitutional principles, and are resolved they will not be slaves; that their dependence is not upon merchants, or any particular class of men, nor is their *dernier resort* a resolution *barely* to withhold commerce with the nation that would subject them to despotic power." *

Though many desponded at this crisis, Mr. Adams was only nerved to still greater efforts, and the moment his exertions had brought about another opportunity, he was prepared to revive the scheme, which he ultimately did with perfect success. "I knew," said Andrew Eliot, "our merchants, &c., could not hold out much longer, and therefore thought it best when the Parliament repealed all the duties, except that on tea, to put on a show of good humor, and to import everything but that article. This would have saved appearances, whereas now I fear we shall be thought entirely vanquished." † But this was not the policy of Samuel Adams and his inflexible friends, who saw clearly the danger of receding in the least from the original principle. An acknowledgment of the right to tax *one* article was virtually acknowledging the right to tax all, and would ignobly have terminated the contest upon which the liberties of a continent were staked.

The Legislature continued sitting through October and November. The Province was gradually growing more quiet, and a less determined spirit was manifested than had been shown in the previous session. The temporary calm

* Samuel Adams to Peter Timothy, Nov. 21, 1770.

† Andrew Eliot to Thomas Hollis, Jan. 26, 1771.

which was settling over political affairs boded no good to the public liberties. The project of producing divisions, by arraying the Colonies against each other, was already started by the Ministry.*

“It is the Machiavelian doctrine,” said Mr. Adams, as he penetrated their arts, “*divide et impera*, divide and rule. But the people of this Province and of this continent are too wise, and they are lately become too experienced to be caught in such a snare. While their common rights are invaded, they will consider themselves as embarked in the same bottom; and that *union* which they have hitherto maintained against all the efforts of their more powerful common enemies will still cement” them.†

But not only this danger of division threatened the cause. The breach of the non-importation scheme pointed to still greater concessions. “New York,” Eliot wrote, “throws the blame on us, and accuses this town of treachery. The zeal of the populace, by which they had been restrained a great while, gradually abated. There are many of them uneasy, and grumble, but all is quiet. There is no disposition to mobs, none are tarred or feathered! the Commissioners are not molested, Vindex writes, Philantro [*sic*] is about to write. The Colonies are divided and jealous of each other.” ‡—“I hope,” wrote Hutchinson, “for more ease, at least for a season, and that some intemperate spirits who have been the cause of this Colony’s making so conspicuous a figure, and taking so great a share in the disorders of America, are losing their influence, but I may be mistaken.” § The removal of the troops from the town had “smoothed the way for conciliation,” || and the quiet which

* Barry’s History of Massachusetts, II. 435.

† “Vindex,” in the Boston Gazette for Dec. 31, 1770. The “Machiavelian doctrine” alluded to seems to have made an impression on Hutchinson. See his History, III. 331, *note*.

‡ Andrew Eliot to Thomas Hollis, Jan. 26, 1771.

§ Hutchinson to Bernard, October, 1770.

|| Bancroft, VI. 350.

reigned in the Province might have promoted such measures; but the Ministry still looked towards setting the Colonies against each other, and the tax upon tea still remained.

In the House, too, the tone was by no means so high as heretofore. In the June session, when the question of proceeding to business, while convened at Cambridge, had come up, ninety-six out of one hundred and two members had voted against proceeding. Now, when only eighty-eight members could be gathered, owing to the frequent prorogations, they were more equally divided. At the opening of the session, it was resolved that the House proceed to public business *from absolute necessity only*; and Samuel Adams drew up a protest against the "constraint the General Assembly was held under to proceed to business out of the Town-House in Boston." In the records kept by Samuel Adams himself, it appears that, "previous to this determination which involved in it the grand question whether to continue the stand they had made or not, it was moved and ordered that the matter be decided by yeas and nays; and the members being accordingly called upon *seriatim* to give their voices, it was carried by fifty-nine to twenty-nine."* This indicates a discussion on this all-important subject; and that the debate was more than usually exciting may be inferred from the decided style of the notice. The vote shows that the old unanimity did not exist, and that the House was getting weary of the dispute which was led by Mr. Adams. This immovable determination on the one side, and a desire to have done with the dispute and yield the point to the Lieutenant-Governor on the other, continued into the next year, and produced unhappy dissensions in the patriot party,—the stern and stanch Whigs siding with Adams, who eventually carried his point. Samuel Adams during the session was chairman of the important committee "to consider the state of the Province," of which, as we have seen, he had been the leading member for several

* Boston Gazette for Oct. 15, 1770.

years. His name also appears on numerous other committees in connection with those of John Adams, James Warren, Hawley, Pickering, Hancock, Leonard, Heath, and others, whom Hutchinson mentions as particularly active on the popular side.* One of the subjects of controversy between the House and the Governor was the use of the words "in General Court assembled," which the House declared to be necessary to render effectual the acts passed by that body. His Honor took exceptions, and the principal reply of the House, which was written by John Adams, who was chairman of the committee, conclusively establishes the legality and necessity of the words.

Soon after the appointment of Dr. Franklin, a long and comprehensive letter of instructions was prepared by Mr. Adams, and accepted by the House, defining their views of the condition of public affairs. His original draft, from which the following extracts are taken,† is dated Nov. 6, but probably the material had been previously arranged. Extending over many pages of manuscript, it embodies all the grievances complained of in previous papers, for the redress of which they require Franklin's utmost attention and application. The subjects, treated at great length and in detail, include the quartering of troops on the people in a time of profound peace, and the establishment of an uncontrolled military tyranny; the policy of arbitrary instructions, violating the charter of the Province; the removal of the Legislature from Boston; the secrecy preserved in relation to the intended measures of government, as ordered by the Ministry, thus preventing the Province from knowing who were their accusers or what was alleged against them; the sending to England of false relations of speeches and proceedings of the Assembly under the Province seal; the secret examination of witnesses against the people; and the

* Hutchinson's History, III. 338.

† The letter was published, with slight variations, in the Boston Gazette, July 22, 1771. See Bancroft, VI. 375.

total rescinding of some of the most essential clauses of the charter, which "must soon tear up the very foundation of civil government."

The enormous extension of the jurisdiction of the Court of Admiralty is also considered, whereby "the most unreasonable and unjust distinction is made between the subjects in Britain and America, as though it was designed to exclude us from the least share in that clause of Magna Charta which has for centuries been the noblest bulwark of English liberties, and which cannot be too often repeated, 'No freeman shall be taken, or imprisoned, or deprived of his freehold, or liberties, or free customs, or be outlawed, or exiled, or any otherwise destroyed, nor will we pass upon him, nor condemn him, but by the judgment of his peers or the law of the land.'"

The threatened bestowal by the King of large salaries upon the Attorney-General, Judges, and Governor of the Province, and the consequent dependence for their support upon the Ministry instead of upon the people, is regarded as a grievance still more aggravated and insupportable. The letter asserts that making those officers independent of the Province for their support would introduce an arbitrary administration into the Province and even into the courts of law, and explains how "the Assembly is in all reason sufficiently dependent already upon the Crown," to prove which the course of provincial law-making is fully set forth.

"Surely," continues the letter, "the Parliament cannot even wish for greater checks, both upon the legislative and executive of a Colony, unless we are to be considered as bastards and not sons. A step further will reduce us to an absolute subjection. If Administration is resolved to continue such measures of severity, the Colonies will in time consider the mother state as utterly regardless of their welfare. Repeated acts of unkindness on one side may, by degrees, abate the warmth of affection on the other; and a total alienation may succeed to that happy union, harmony, and confidence which had before always subsisted and we sincerely wish

may always subsist. If Great Britain, instead of treating us as their fellow-subjects, shall aim at making us their vassals and slaves, the consequences will be that, although our merchants have receded from their non-importation agreement, yet the body of the people will vigorously endeavor to become independent of the mother country for their supplies, and, sooner than she may be aware of it, may manufacture for themselves. The Colonies, like healthy young sons, may have hitherto been cheerfully building up the parent state; and how far Great Britain will be affected, if they should be rendered even barely useless to her, is an object which we conceive is at this very juncture worth the attention of a British Parliament.

“Your own acquaintance with this Province, and your well-known warm attachment to it, will lead you to exert all your powers in its defence; and as the Council have made choice of Mr. Bollan for their agent, you will no doubt confer with him, and concert such measures as will promote our common interest. Your abilities we greatly confide in; but if you shall think it for the advantage of the Province to consult with and employ counsel learned in the law, the importance of your agency will be a motive sufficient for us to acquiesce in such expense, on that account, as your own judgment shall dictate to you to be necessary.”

Franklin continued to serve until the commencement of the coercive measures which led to actual hostilities between the two countries, lending his great abilities to the attainment of conciliation while a hope of such a result could be entertained, and suffering with equanimity the assaults of falsehood and ribaldry.* Hutchinson afterwards sent the letter, as published in the Boston Gazette, to Pownall, naming Samuel Adams as the author, and denouncing him as the “all in all,”—the great incendiary leader of Boston.†

The next step after the election of an agent was the appointment of a committee of correspondence to communicate with him and with the Speakers of the several Assemblies.‡

* Bancroft, VI. 490–499.

† Hutchinson to Pownall, late in July or early in August, 1771.

‡ Journal of the House, Nov. 7, 1770.

From the very first this plan of joint action on the part of the Colonies had been a favorite idea with Mr. Adams. In 1764, he had advised a united application for the redress of grievances, and his Circular Letter in 1768 was a repetition of the same idea. Bradford, the historian, the contemporary of Adams, says: "Mr. Adams procured a vote that the Speaker should correspond with agents in England on the subject of parliamentary claims to legislate for the Colonies; and also with the Legislative Assemblies of the other Colonies."* He says this was in 1768; but he evidently refers to the committee now under consideration, as no such corresponding body was appointed earlier. The conclusion that Adams originated this committee is favored by the fact that his draft of the letter of instructions to the agent was prepared before the following motion creating that committee was made in the House:—

"Upon motion, *ordered*, that Mr. Speaker, Mr. Hancock, Mr. Hall, Mr. Samuel Adams, and Mr. John Adams be a committee of correspondence to communicate such intelligence as may be necessary to the agent and others in Great Britain, and also to the Speakers of the several Assemblies through the continent, or to such committee of correspondence as they have or may appoint. Said committee from time to time to report the whole of their correspondence to the House of Representatives, and to confer with such committee as the Honorable Board have appointed to correspond with their agent, as far as they shall judge it necessary.†

The only other letter sent to Franklin during the year was written on the 17th of December, and was acknowledged by him in February, 1771.‡ Even if the plan of communicating with the other Assemblies was consummated, none of the letters have been preserved. It is probable, however,

* Alden Bradford's Biographical Notices of Distinguished Men in New England, p. 22.

† Journal of the House, Nov. 7, 1770. Barry's Massachusetts, II. 435. John Adams's Works, II. 235.

‡ Franklin's Works, edited by Sparks, VII. 501.

that, by the advice of some, who remembered the resentment occasioned by the Circular Letter of 1768, this part of the duty was not discharged. But if an official communication was thus prevented, Mr. Adams certainly endeavored to supply the omission by his own private correspondence with prominent politicians in the sister Colonies and in England, especially since the non-importation agreements were failing in nearly every part of the country.* Throughout 1771, the popular cause was sustained with less energy than at any time before, and government had sanguine hopes of a speedy pacification of America. Hutchinson, commenting upon the tendencies of this committee, says: —

“Thus the Governor was wholly excluded from the share which, by the Constitution, was assigned him in all acts of government. Both Council and House of Representatives, by committees, kept an authority in being, when, by prorogation and perhaps dissolution, their own powers were at an end. Nothing could be more unconstitutional and unwarrantable. It was not in the power of the Lieutenant-Governor to prevent such votes of Council or House. They passed suddenly, without previous notice of the intention. Government in England might well be alarmed. The Governor was instructed not to consent to any votes for paying such agents for their services, and when their appointments were offered to be registered at the public offices they were refused. They appeared, notwithstanding, as agents, were heard and attended to on many occasions.” †

This was the first committee of correspondence appointed in America, and set the example for that extraordinary system, which was eventually to organize the continent for resistance, and after the Revolution was imitated in England for the redress of grievances.‡

* New York alone until now had been perfectly true to its engagement. Bancroft, VI. 365.

† Hutchinson's History, III. 318. For Samuel Adams's proceedings, in relation to a special agency for a limited term, proposed by the Governor, see Hutchinson to Lord Dartmouth, October, 1773, Chap. XXVII. *post*.

‡ Francis Dana to Elbridge Gerry, Paris, Feb. 26, 1780. John to Samuel

“Our House of Representatives,” wrote Mr. Adams to a friend in South Carolina, “have appointed a committee to correspond with our friends in the other Colonies, and *American manufactures* should be the constant theme.”*

Shortly before the adjournment, the House made one more effort, through a committee of which Samuel Adams was chairman, to draw the Lieutenant-Governor forth from his determined silence on the surrender of the Castle; but his Honor gave them no satisfactory reply, and the subject was not renewed. Almost the last act of the session was to address the Lieutenant-Governor, through a committee of which Samuel Adams was chairman, desiring his Honor to place the militia on a better footing, to fill the vacancies in the several regiments, and revive military discipline.† A bill to that effect was objected to by Hutchinson, and the Legislature was then adjourned to the next spring.

Mr. Adams’s means of obtaining information were not limited to America, as may be seen by the following extract from a letter received by him, about this time, from the honest-hearted and patriotic London banker, Stephen Sayre, afterwards elected Sheriff of London by the supporters of the Bill of Rights.‡

“My worthy friend, Mr. Richard Cary, advises me that he has reason to believe that you would not be displeased with such intelligence as I might sometimes give you relative to public affairs, and confirms me in my former opinion, that you highly deserve the confidence of every friend to liberty. I have already done myself the honor of addressing you as the Father of America; and if you wish to know the most secret transactions of your enemies here, I shall

Adams, Paris, Feb. 23, 1780. Sparks’s Diplomatic Correspondence, III. 383. J. T. Austin’s Life of Gerry, I. 299, 300.

* Samuel Adams to Peter Timothy, Nov. 21, 1770.

† The original draft of this and the preceding paper are preserved in the hand-writing of Samuel Adams. Bradford’s State Papers, pp. 287–289.

‡ Arthur Lee to Samuel Adams, June 23, 1773. For facts relative to Mr. Sayre, who was a native of Virginia, see W. B. Reed’s Biography of Joseph Reed, I. 27; John Adams’s Works, II. 325.

be proud of the opportunity to inform you in every particular as soon as matters transpire. I shall never deceive you in matters of fact, or hint suspicions without the best foundation.”*

To this Mr. Adams replied : —

“The people here are indeed greatly tenacious of their rights, and I hope in God they will ever firmly maintain them. Every attempt to enforce the plan of despotism will certainly irritate them. While they have a sense of freedom, they will oppose the efforts of tyranny ; and although the mother country may at present boast of their superiority over them, she may perhaps find the want of that superiority when, by repeated provocations, she shall have totally lost their affections. All good men surely wish for a candid harmony between the two countries. Great Britain can lose nothing which she ought to retain by restoring the Americans to their former state, and they, I am satisfied, will no further contend. While the struggle continues, manufactures will still increase in America, in spite of all efforts to prevent it ; and how far Great Britain will be injured by it ought certainly to be considered on your side of the Atlantic.”

To the same person, a week later, he says of Hutchinson : —

“*Aut Cæsar, aut nullus*, is inscribed on the heads of some men who have neither Cæsar’s learning nor courage. Cæsar three times refused the crown ; his heart and his tongue evidently gave each other the lie. *Our* modern great man would fain have it thought that he has refused a government which his soul is every day panting after, and without the possession of which his ambition and lust of power will perpetually torment him. It has been his principle from a boy, that mankind are to be governed by the discerning few, and it has been ever since his ambition to be the hero of the few.

“It is the business of America to take care of herself ; her situation, as you justly observe, depends upon her own virtue. Arts and manufactures, aided by commerce, have raised Great Britain to its present pitch of grandeur. America will avail herself of imitating her. We have already seen her happy, *and, as we have a prospect of war*, I hope I may safely tell you that our young men begin to be ambitious of making themselves perfect masters of the art *mili-*

* Stephen Sayre to Samuel Adams, Sept. 18, 1770.

tary. Amidst the innumerable evils which we complain of from the bad policy of your Ministry, this is the happy effect of Britain's transplanting arms into America."*

Into whatever insignificance John Wilkes might have sunk, had he not been buoyed above obscurity by persecution, he was at this time the embodiment of constitutional liberty in England. Disfranchised without color of law, burdened with fines, and outlawed, he yet held in his keeping the principles of representative government. He had at the close of 1770 so far triumphed as to be elected an alderman, and the sturdy Londoners considered him as their political champion, and by their support expressed an honest abhorrence of titled tyranny. In America, the name of Wilkes, surrounded by the halo of patriotism, was the favorite toast. The enthusiasm felt for him, if less excited than in England, was equally deep seated. He was shortly to become Lord Mayor of London, and was now the most conspicuous person in the kingdom; and viewing his position from this stand-point, he was truly a representative man. A people, seeing their dearest privileges trampled under foot, had rallied to the support of their liberties struck down in him. The following letter from Samuel Adams expresses the sympathy felt in America for the principles supported in the person of Wilkes.

SIR,—

BOSTON, Dec. 27, 1770.

Having been repeatedly solicited by my friend, Mr. W. P., I embrace this opportunity of making my particular compliments to you in a letter which he will deliver. My own inclination has coincided with his request; for I should pride myself much in a correspondence with a gentleman of whom I have long entertained so great an opinion. No character appears with a stronger lustre in my mind, than that of a man who nobly perseveres in the cause of public liberty and virtue through the rage of persecution. Of this you have had a large portion, but I dare say you are made

* To Stephen Sayre, Nov. 16 and 23, 1770.

better by it; at least, I will venture to say that the sharpest persecution for the sake of one's country can never prove a real injury to an honest man.

In this little part of the world, late happy in its obscurity, the elysium to which patriots were formerly wont to make their peaceful retreat, even here the stern tyrant has of late lifted up his iron rod, and he makes his incessant claim as *lord of our soil*. But I have a firm persuasion in my mind, that in every struggle this country will approve herself as glorious in defending and maintaining her freedom as she has heretofore been happy in enjoying it.

Were I a native and an inhabitant of Britain, and capable of affording the least advice, it would be to confirm the Colonists in the fullest exercise of their rights, and even to explore for them every possible avenue of trade which should not interfere with her own manufactures. From the Colonies, when she is worn with age, she is to expect renewed strength. But the field I am now entering is too large for the present. May Heaven forbid that it should yet be truly said of Great Britain, *Quem Deus vult perdere, &c.*!

I am, with strict truth, sir,

Your most humble servant,

SAMUEL ADAMS.

To JOHN WILKES, Esq.

No reply to this letter has ever been found, and it is likely that none was written. Though Wilkes pretended to the deepest admiration of the Americans, — “the courage and noble spirit of our American brethren,” to use his own words, — he cared nothing for their interests; and, it would appear from Stephens's Life of Horne Tooke, actually hated and despised them.*

There seemed to be now “a pause in politics,” † and the Province remained in the same unusual state of quietude when the new year opened. The non-importation agreements, as we have seen, were at an end, though an almost universal desire to encourage home industry, in accordance with a resolution passed by the last Assembly, prevailed

* See Grahame's History, II. 439.

† Samuel Cooper to Dr. Franklin, Jan. 1, 1771.

among the towns. Meetings of the wives and daughters of the yeomanry, where a generous rivalry was manifested to excel in spinning skeins of yarn, were common; while for the forbidden tea was substituted an herb of home growth, which came into general use.* Preston's trial was over; and Mr. Adams, as "Vindex," nearly alone occupied the field of the Boston Gazette, in a long-continued controversy with Sewall, as "Philanthrop," in the loyalist paper. Hutchinson attributed the quiet to the late changing of the garrison at Castle William, which had evidently, he said, produced a great effect upon the people.† To a friend in England he wrote:—

"You wish to hear how our affairs stand from time to time. We have not been so quiet these five years. Our incendiaries of the lower order have quite disappeared. A Doctor Young, whose name has often appeared in the newspapers, has taken passage for North Carolina. He may have a chance among the 'Regulators' there. I hope many of the most flaming zealots who have been at the head of affairs see their mistake. They say that this change will divert Parliament from showing resentment for past offences. I tell them that it may cause a more moderate chastisement, but that it is impossible they should wholly escape."

And a few days later, he says:—

"The people about the country have certainly altered their conduct, and in this town, if it were not for two or three Adamses, we should do well enough. I don't know how to account for the obstinacy of one [John Adams], who seemed to me, when he began life, to promise well. The other [Samuel Adams] never appeared different from what he does at present, and, I fear, never will. The name of 'Vindex,' which he has assumed, is characteristic; but, as it is the custom now for people to give their children two or three names, I could wish he would add 'Malignus' and 'Invidus,' to make his names a little more significative." ‡

* Boston newspapers. Barry's Massachusetts, II. 436.

† Hutchinson to a person unknown.

‡ Hutchinson to Thomas Whately, Jan. 25, 1771.

Hutchinson, who had been anxiously vibrating between hope and fear, now received his commission as Governor of the Province, and his brother-in-law, Andrew Oliver, who had been Stamp Distributor in 1765, and was forced by the populace to resign, succeeded to the Lieutenancy.* The appointments, as might have been expected, gave great offence; yet, considering the zeal in a bad cause which Hutchinson had displayed, the Ministry could scarcely have chosen another man, or one more fitted to consummate their apparent desire to exasperate the people. Hutchinson, who had reached the goal of his ambition, the highest office he could attain in America, was delighted beyond measure with his honors; and very soon the Episcopal clergy of Boston, who were all loyalists, waited upon him with congratulatory addresses.† Those of some Congregational ministers were of an opposite tenor, the writers probably feeling that if the occasion demanded any notice at their hands it was to show that they and their churches disapproved of the appointment.‡ Hutchinson, having written to the Earl of Dunmore in acknowledgment of the receipt of his Majesty's commission appointing him "Captain General and Governor-in-chief of this his Majesty's Province," turned to the duties of his high office, and looked forward to a brilliant and successful administration. He wrote to General Gage in New York, informing him of his appointment, and desiring to cultivate correspondence and harmony. The rumor, which afterwards proved to be well-founded, that the Governor was to receive his support directly from the Crown, had for some time been in circulation. The charter, wisely guarding the liberties of the little democratic communities, provided that the Governor should rely for his salary exclusively upon the free grants of the Assembly; and the dangerous precedent had been already pointed out to Franklin, in the letter

* The commissions are published in the Boston papers for March 14, 1771.

† Boston Gazette, March 18, 1771.

‡ Hutchinson's History, III. 834.

of the House, as one of the grievances to be brought before the Ministry. Just as the packet was sailing for England, Mr. Adams enclosed in another letter a few hasty lines to Stephen Sayre on the subject.

BOSTON, Jan. 12, 1771.

SIR, —

I wrote you per Captain Hall, who sailed about ten days ago, and then enclosed some papers, published in the Boston Gazette, upon the subject of the late trial of the soldiers. I now send you duplicates, together with others on the same subject since published. I perceive that Mr. Hutchinson is appointed Governor here, and it is said he is to have an independent salary! Is not this perfect despotism? What can the people of Britain mean by suffering their great men to enslave their fellow-subjects? Can they think that the plan is confined to America? They will surely find themselves mistaken.

I am, in haste, sir, your assured friend,

SAM. ADAMS.

STEPHEN SAYRE, Esq.

On the 5th of March, the first anniversary of the Boston Massacre was celebrated in a manner calculated to impress the people with the events of that memorable occasion. The bells were tolled at noon and evening; and, after dark, figures to represent the slain were exhibited from a window in the north part of the town.* During the day, the younger Lovell, Usher of the Grammar-School, delivered an oration at the Old South Church. Mr. Adams was this year on the town's committee to arrange for future celebrations. His exertions on a larger scale did not prevent him from serving with Hancock and others of the leading patriots as Selectman, School Examiner, Fire Warden, and in other similar offices. †

About this time the town received a letter from the celebrated Irish patriot, Dr. Lucas of Dublin, in answer to one sent him by the committee appointed in the previous year

* Boston Gazette, March 11, 1771. Hutchinson, III. 335.

† Boston Town Records for 1771; and Boston Gazette, March 25, 1771.

to transmit the account of the Massacre to Europe. It was read in the town meeting on the 18th of March; and though no copy of it can be found, its tenor may be gathered from the short sketch in the Gazette.

“The Doctor sympathizes with his American fellow-sufferers, and enumerates so many and audacious instances of military barbarity, insolence, and unbounded licentiousness as demonstrates that law is indeed the will of the Ministry for that kingdom. He laments the ignorant difference in religion, and consequent want of unanimity in the people, which renders them an easy prey to any kind of forces that would enslave them; professes a high esteem for America, and still hopes the unanimous efforts of her wise and virtuous children will have much effect towards a general restoration of constitutional liberty.”*

Dr. Lucas seems greatly to have resembled Samuel Adams in certain traits of character and in the circumstances of his life. He was known as an effective political writer, conducting the Freeman's Journal in Dublin, to which Yelverton, Flood, Grattan, and other distinguished men were contributors. From his first entrance into the political arena, no promises nor offers could seduce him from the cause of the people, which he maintained with inflexible energy until his death. He was a man of remarkable powers and ceaseless activity, taking the lead in watching and defending the civil liberties of the nation. In October, 1761, while in the Irish Parliament, he was one of a committee which brought in a bill to limit the duration of Parliament,—a favorite and constitutional measure which he had recommended. The Parliament of Ireland, unlike that of Great Britain, continued in existence until dissolved by the death of the monarch. It was the desire of Lucas to imitate the English Septennial Bill, but at first the effort failed, much to the regret of the people, who were earnest for its success. In 1767, however, an octennial bill was passed.† During the session of 1771,

* Boston Gazette, March 25, 1771.

† Plowden's Ireland, London, 1809, 8^o, II. 144, 155.

Dr. Lucas died; and, in consideration of his distinguished patriotism, the University of Dublin, at the request of the Corporation, provided an apartment and commons in the College for the gratuitous education of his son. That he was known and appreciated in Boston may be inferred from the letter sent him after the Massacre, and by the appellation of "the famous Dr. Lucas" in the Gazette. The town appointed a committee to reply to his letter; which explains the following draft by Samuel Adams, found among his papers:—

SIR, —

BOSTON, 1771.

Your letter of the 1st of September has been laid before the town of Boston at their annual meeting, and attended to with great satisfaction; and we are appointed a committee to return you a respectful answer. Accordingly, we take this opportunity, in behalf of the town, to acknowledge the kind sentiments your letter expresses towards us, and to entreat you to employ your abilities for our advantage whenever a favorable opportunity may present. We are very sensible that you have an arduous task in resisting the torrent of oppression and arbitrary power in Ireland, a kingdom where the brutal power of standing armies and the more fatal influence of pensions and places has left, it is to be feared, hardly anything more than the name of a free constitution. We wish you strength and fortitude to persevere in patriotic exertions. Your labor will meet with its immediate and instant reward, in the most peaceful and happy reflections of your own mind, amidst the greatest discouragements; and be assured that the man who nobly vindicates the rights of his country and mankind shall stand foremost in the list of fame.

We are, &c.,

TO DR. LUCAS, Dublin.

Early in April the General Court met at Cambridge, when Governor Hutchinson officially informed the House of his appointment, and intimated his desire "to join cheerfully at all times with the other branches of the Legislature in such measures as may tend completely to restore and constantly

to maintain that state of order and tranquillity upon which the prosperity of the Province so much depends." The House, however, had in mind a subject which was deemed of more importance than the exchange of hollow felicitations. They sent to his Excellency a verbal message on the first day of the session, requesting him to remove the General Court to its ancient and usual seat, the Town-House in Boston, and in a few days the message was repeated. The Governor refused in a brief reply, stating that one of the obstructions to the desired removal was the denial by the House of the right reserved by the Crown to convene the Court in such place as was thought proper. "If every other impediment," he continues, "was out of the way, whilst you continue to urge that, by law, the Court must be held in Boston, I may not ask his Majesty's leave to carry you there. I should give up to the House of Representatives a right which would have remained in the Crown, if no notice had been taken of it in the charter."*

Samuel Adams was chairman of the committee appointed to reply; and two drafts, differing but slightly, are extant in his handwriting. The answer, which was to both speeches, was not reported until nearly three weeks had elapsed. What debates occurred in the interval, or what opposition was shown to the adoption of the report, or by whom, can never be known, though the proceedings of the summer session throw an inferential light on the subject. In his opening speech, the Governor had alluded to the late aggression to which Spain had been prompted, in conformity with her treaty with France, to commence hostilities against England,—the very danger Samuel Adams had foreseen more than a year before. In the midst of peace, a Spanish force from Buenos Ayres had violently dispossessed the English of their settlement at Port Egremont in the Falkland Islands. A war seemed probable, and the Earl of Hillsborough had written to Hutchinson that, in such case, a plan

* Journal of the House, April 5, 1771.

of augmentation of his Majesty's forces in America had been determined upon; and the Governor thereupon issued his proclamation to that effect. But, as he had hinted in his speech, that it was probable satisfaction might have been made, the House quietly informed him that the plan of augmentation had been receded from, which rendered any further consideration of the subject on their part unnecessary. It is certain that any effort to raise troops in Massachusetts to fight the battles of Britain would now have been futile. Nor would the House have voted for any increase of the royal forces in the Province, especially after the contemptuous silence Hutchinson had preserved during the last session on their application for a reorganization of the militia. The spirit which, thirteen years before, had planted the British flag in triumph on the ramparts of Louisburg, had conquered Canada, and added lustre to the national arms, was fast fading before the mercenary, thankless policy of the government. This threatened quarrel with Spain, though followed by an equivocal apology from the aggressors, averting hostilities, should have warned British politicians of the dangers which menaced their commerce, and the possible calamities which might result from a continued exasperation of three millions of loyal and faithful subjects.* But a stubborn determination to crush out all opposition, to see "America prostrate at their feet," blinded the government to all other considerations. Their pride, aroused by opposition, would not permit them to abandon the headstrong assertion of an erroneous principle to which King and Ministry were alike committed. Meanwhile the statesmen of rival powers looked on with amazement and secret pleasure.

"We owe our gratitude," continues the answer to the Governor, "to his Majesty for his repeated assurances expressed to your Excellency by the Secretary of State, that the security of his dominions

* Compare Samuel Adams to Deberdt, Nov. 6, 1769, *ante*, p. 289.

in America will be a principal object of his most gracious care and attention. This Province has frequently in times past expended much blood and treasure for the enlargement as well as support of those dominions. And when our natural and constitutional rights and liberties, without which no blessing can be secured to us, shall be fully restored and established upon a firm foundation, as we shall then have the same reasons and motives therefor as heretofore, we shall not fail to continue those exertions with the utmost cheerfulness and to the extent of our ability.

“As your Excellency has no particular interior business of the Province to lay before us, it would have given us no uneasiness if an end had been put to the present Assembly, rather than to have been called to this place; and we are unwilling to admit the belief that when the season for calling a new Assembly, agreeable to the charter, shall arrive, your Excellency will continue an indignity and a grievance so flagrant, and so repeatedly remonstrated by both Houses, as the deforcement of the General Assembly of its ancient and rightful seat.”

The answer then glances at the Governor's announcement of his appointment, and reminding him of his birth and education in the Province, where his fellow-subjects had for many years bestowed upon him the highest honors in their gift, represents that as a motive for him to employ his powers for his Majesty's real service and the best interests of the people.

“The duties of the governor and the governed are reciprocal; and by our happy Constitution their dependence is mutual. Nothing can more effectually produce and establish that order and tranquillity in the Province so often disturbed under the late unfortunate administration, nothing will tend more to conciliate the affections of this people, and insure to your Excellency those aids which you will constantly stand in need of from their representatives, than, as a wise and faithful administrator, ‘to make use of the public power with a view only to the public welfare.’ And while your Excellency shall religiously regard the Constitution of this Province; while you shall maintain its fundamental laws, so necessary to secure the public tranquillity, — you may be assured that his Majesty's faithful

Commons of this Province will never be wanting in their utmost exertions to support you in all such measures as shall be calculated for the public good and to render your administration prosperous and happy.*

The Governor soon after manifested his disapproval of the words, "his Majesty's Commons," by which he supposed they must intend the House of Representatives.† In his History he twice refers to this change in the style of the House, which accorded with the language of the newspapers, and was intended, as he correctly surmised, to give more importance to that branch as a supreme, independent legislative power. "Mr. Adams's attention to the cause in which he was engaged," says Hutchinson, "would not suffer him to neglect even small circumstances which could be made subservient to it. From this attention, in four or five years, a great change had been made in the language of the General Assembly."‡ The Governor then enumerates some of the instances where Adams had used the knife freely on such of the forms of expression previously used in legislative documents as appeared to sanction the assumption of authority by Parliament in matters purely relating to the internal affairs of the Province. These verbal changes, emanating from the shrewd political manager, are apparent in most of the state papers from 1767 to the close of the royal government in the Province.

But a more important and alarming topic than any that had yet appeared now presented itself. Mr. Adams had already received information, by private letters from England, of the intended payment of the Governor's salary by the Crown, instead of by the free grants of the people. The letter to Franklin, in the previous year, had touched upon this subject; and among the earliest business of this session

* Original drafts by Samuel Adams. Bradford's State Papers, p. 296. Journal of the House, April 24, 1771.

† Bradford's State Papers, p. 299. Hutchinson, III. 337.

‡ Hutchinson, III. 413.

was the passage of the bills granting the usual sums for the Governor's salary and to carry on the public affairs. When three weeks had passed, upon inquiry of the Secretary of the Province, it did not appear that the Governor had approved of the bills; and as a similar one had been neglected during the previous session, the House, in a message written by Samuel Adams, desired an explanation, being apprehensive, they stated, that the Governor was acting under some restraint, and that provision had been made for his official salary independent of the Assembly.* Hutchinson gave an evasive reply, saying that he should assent to or reject the bills, as it should appear to him his duty required, and thereupon prorogued the Assembly.†

* Bradford's State Papers, p. 298. Autograph drafts by Samuel Adams.

† Bradford's State Papers, p. 299.

CHAPTER XIX.

The Spirit of Opposition subsides. — Counsels of the Moderate Party. — John Adams retires from the Cause. — Otis is jealous of Samuel Adams, and retards Public Measures. — Adams stands alone. — He is opposed by Hancock and Otis, who for a while carry the House. — Painful Position of Adams. — His Brotherly Care for Otis. — Exultation of the Loyalists. — He turns to the Press to stem the Tide. — He prepares a Protest against holding the Session at Cambridge, and at last secures its Passage in the House. — Hancock and his Party for a while silenced. — Adams drafts a Letter of Instructions from the House to Dr. Franklin. — The Governor denounces Adams as the Director and Principal Incendiary.

THERE was an interval of about a fortnight between the prorogation and the May elections for the Legislature. The political heats had subsided, and public affairs were discussed with unusual moderation. Hutchinson, a close observer of every event, says that he had all the respect he could desire shown him personally, as well as in his public character, "from the most valuable part of the town."* "Perhaps," said Andrew Eliot, "it might be as well not to dispute in such strong terms the *legal right* of Parliament. This is a point that cannot easily be settled, and had therefore best be touched very gently. It cannot be supposed that the Parliament will give up their right of taxation in express terms; it will be prudence for them never again to exercise it. If the Colonies dispute their right of legislation, which hath always been submitted to, particularly with respect to the regulation of trade, it may raise a new ferment, and may create suspicions that nothing will satisfy but absolute independence. At present, things are very quiet."† These were not the counsels that led to American Independence; but they were entertained by men equally sincere and patriotic

* Hutchinson to Col. Williams, April 5, 1771.

† Andrew Eliot to Thomas Hollis, April 25, 1771.

with Mr. Eliot. James Otis, now a ruin of his former greatness, had a temporary return of reason, and his townsmen readily reinstated him in the political field, where he had once been the leading spirit, but could now only retard and distract the public interests.* John Adams, after a few months' service in the Legislature, had retired from public life, ceasing even to write in the cause, and evidently disgusted with the apparent subsidence of patriotic spirit.† Indignant at the insults to which he had exposed himself in an unsuccessful attempt to secure the election of Samuel Adams as Register of Deeds, he now returned to Braintree, and devoted himself to the practice of his profession. In his Diary, he says : —

“I have acted my sentiments with the utmost frankness at the hazard of all, and the certain loss of ten times more than it is in the power of the people to give me, for the sake of the people ; and now I reap nothing but insult, ridicule, and contempt for it, even from many of the people themselves.

“However, I have not hitherto regarded consequences to myself. I have very cheerfully sacrificed my interest and my health and ease and pleasure, in the service of the people. I have stood by their friends longer than they would stand by them. I have stood by the people much longer than they would stand by themselves. But I have learned wisdom by experience. I shall certainly become more retired and cautious ; I shall certainly mind my own farm and my own office.” ‡

Standing alone, Samuel Adams now prepared, with all the powers of his resolute soul, to revive the spirit of opposition, and sustain it in the approaching session. At the annual election on the 7th of May, he had been chosen a member of the Legislature with Hancock, Cushing, and Otis. There would be every difficulty to encounter. The Governor and his friends, seeking to destroy the influence of Adams in the Assembly, witnessed with eager pleasure the

* Bancroft, VI. 403.

† John Adams's Works, II. 257, 282.

‡ *Ibid*, II. 259, 260.

brightening prospects of loyalty, and were sagacious enough to improve an occasion more opportune than any which had presented itself since the commencement of the revenue troubles. The event proved how well founded were their expectations; but their advantage was not to be of long duration, though the patriot cause was indeed for a time divided against itself. Otis, who was guarded with brotherly care by Samuel Adams, was so irritable and weak as to harbor jealousy of the great influence of his friend, and did not hesitate to place obstacles in the way of success, thereby encouraging a concession to the demands of government.* Cushing lacked the necessary qualifications for an important emergency, and could never aspire to leadership. Hawley, between the sessions, lived far in the interior of the State, but even his presence afforded generally only sound advice on questions of law. Able, sincere, and of spotless character, he was nevertheless unfitted to guide, and his excitable nature wavered between vehemence and despondency.† Hancock, never an adviser or writer, brought to the House, as it proved, qualities calculated rather to impede than advance the principles upon which the public liberties had been built. At this time, Mr. Adams, to influence the inland counties, where the election seemed to be doubtful, wrote a series of articles in the public press, commencing a week prior to the contest and extending to the last week in May. Aware of the efforts of Hutchinson and his satellites to subvert the elections and place their own agents in the Assembly, and of the Governor's plausible professions,‡ he warns his readers against the danger, and points out the inevitable results. On the general condition of public affairs, he says:—

* Hutchinson, III. 339. Bancroft, VI. 403. Barry, II. 438. On Mr. Adams's "constant guardianship of James Otis," see an article in the Boston Patriot, July 26, and in the Independent Chronicle, July 29, 1826, written by one who had been a friend and contemporary of Samuel Adams.

† Bancroft, VI. 118. The name of Hawley does not appear during this session upon any important committee, if he was a member of the House.

‡ Bancroft, VI. 402. Compare John Adams's Diary (Works, II. 284).

“The troops of the King of Great Britain which occupy Castle William may be viewed in the same light, and are as dangerous to our constitutional freedom, as so many Swiss, French, Spanish, or Russians; because they are not raised, paid, and regulated by our Representatives. And our King has no more right to send those troops into that Castle than he has to send them into Hanover or Portugal, without a previous contract for the purpose. I fear that some of you, known and respected friends to liberty, may be a little surprised at the second assertion. The treatment we have lately received has not yet quite destroyed the affection for Great Britain, and the confidence in her justice, which have permitted certain things to become habitual in this Province, though incompatible with the rights of it. That affection and that confidence is your *only* ground of surprise; you cannot furnish any other.

“I know also that some among us who are to be pitied, and others who are to be despised, will fret and rave. Ignorance in the first, and rapacity in the last, will furnish fuel for anger. This placed, pensioned, or expecting tribe may tell us that the new block-houses upon the western part of Castle Island are built out of *love* to the Province, especially to the towns of Boston and Dorchester; though if the French king's troops had erected them by his order, it would be readily allowed to proceed from a spirit of *jealousy* or *insult*. I cannot make such distinctions. I thank God that I feel so much true loyalty that I can be grieved at the jealousy, and so much true freedom that I can feel resentment at the insult, of this plan of fortification.

“Few words are necessary now to express my idea of our proper condition. We are either a State, as entirely independent of Great Britain as any other on earth which makes use of her protection, or we are her *free* Colonies. In both these cases her conduct towards us should be identically the same.

“I have said we live under a government of three branches, Wisdom, Goodness, and Power to execute *their* resolutions. A man of truly inflexible integrity, Governor Phips, — Heaven bless his departed spirit, — was of that opinion. 'T is true he is now sneered at by shallow-pated sycophancy; but his opinion is not less founded upon the solid rational principles of the British and *similar* American Constitution, for the sneers of such. Behold, my dear countrymen, the mystery of government! It was instituted for the happiness of

the people. The two representative bodies of Wisdom and Goodness shall point out that happiness. The I, the one individual of Power, shall frustrate *their* unanimous decisions. Whence does this arise? Either from an abominable vain conceit in this individual that he is possessed of superior wisdom and goodness to these two united bodies, or from the influence of *private* instructions, received by the way of the Thames, the Seine, or Tiber, from Westminster, Paris, or Rome, — 'tis of no importance which, — or from some other motive equally injurious in its consequences." *

The second of this series of articles (that of May 6), which contained a warning against the machinations of the Governor and his friends, Hutchinson sent to Bernard. "Our sons of sedition," he writes, "are afraid of a change of members in many towns, and make a strong effort in the newspapers to prevent it. In this week's paper you see the black art of Adams." †

On the 29th of May the General Assembly met at Cambridge, when Adams was, as usual, elected Clerk. He was now unaided by a single member of the Boston delegation on the floor of the House. Loyalty prevailed, and the decided patriots were in a minority. ‡ The tone of the Assembly was instantly made manifest. Before proceeding upon the next business in order, a remonstrance on the subject of the removal of the General Assembly back to its original seat was agreed upon. This had now been persisted in for three years, — the House having proceeded to business each year under protest. At the session of November, 1770, it will be remembered, the vote on this question was not so unanimous as before. § This year, the loyal sentiment had so far increased, that the House, in April, had been almost equally divided between the friends of government and the opposition. || But at the present session there was a balance

* "An Elector in 1771," in the Boston Gazette, May 20, 1771.

† Hutchinson to Bernard, May 10, 1771.

‡ Bancroft, VI. 405.

§ See *ante*, p. 369.

|| John Adams's Diary (Works, II. 263).

in favor of timidity, artifice, and trimming. The principle involved in the dispute with Hutchinson on the removal of the Assembly was of the first importance. It included the acknowledgment or denial of the mischievous right claimed by the Crown of infringing on a clause in the charter of the Province specifying where the General Court should hold its sessions. To yield that was to give up all that had been asserted against the violations of the charter. For to concede any part was to concede the whole. It was from this point of view that the stubborn struggle in the House, on the removal, assumed such importance, and that it was regarded as of paramount interest in asserting the royal prerogative, is evident from the undeviating determination of the Governor to keep them at Cambridge until the point of right was yielded. He was now sanguine that the members would hold out no longer. The test was made at once. After the remonstrance had been agreed upon, the House proceeded to the election of Councillors before presenting it. Otis, who had been awaiting his opportunity, now moved to strike out that clause in the remonstrance which might be construed into a denial of the right of removing the Assembly. The motion, despite the exertions of Adams and the few who still clung to the old principles, was carried; and the Governor, delighted with this favorable indication, which made the removal only an "inconvenience," sent back a gentle answer, assuring them of his efforts to set aside all obstacles to their removal back to Boston, but that he must have his Majesty's leave.* We can imagine the chagrin of Samuel Adams at these proceedings. All that he had been contending for since the spring of 1770, when the Court had been removed, was renounced after a brief battle, and the arbitrary right in government to break the charter at pleasure admitted. Willing to put the test more directly, in hopes of bringing round a sufficient number for a majority, as he had done in 1768, at the time of the vote against the adop-

* Bradford's State Papers, p. 301. Hutchinson, III. 339.

tion of the Circular Letter, he offered a resolution to do no business except in the town of Boston, at the same time speaking against the Governor. John Adams, in his Diary, thus refers to the scene which ensued : —

“ John Chandler, Esq., of Petersham, came into P.’s in the evening from Boston yesterday, and gave me an account of Mr. Otis’s conversion to Toryism. Adams was going on in the old road, and Otis started up, and said they had gone far enough in that way ; the Governor had an undoubted right to carry the Court where he pleased, and moved for a committee to represent the inconveniences of sitting there, and for an address to the Governor. He was a good man ; the ministers said so ; the justices said so ; and it must be so ; and moved to go on with business ; and the House voted everything he moved for. Boston people say he is distracted,” &c. *

Hutchinson, alluding to this, writes : —

“ Mr. Samuel Adams moved the House to come into a resolve to do no business except in the town of Boston, and expressed an opinion of the Governor not very favorable. Mr. Otis opposed the motion, and expressed a very favorable opinion of the Governor, and his belief of the same opinion in the people, and added that he was clear in opinion that the Governor had good right to carry the Assembly to Housatonic, if he thought fit ; and many other members declaring they had been of that mind the last year, the motion did not obtain. This afforded hope of conciliation in this particular point, but subsequent proceedings in the session destroyed it. Mr. Otis, in his calm moments, had always disavowed any design of a general revolt or of attaining to a state of independency. He was also evidently dissatisfied with the great influence which Mr. Adams had obtained ; and there was a prospect of his being serviceable in preventing the opposition from going to that extreme which some of them then most evidently intended ; but the unhappy state of his mind soon rendered him of no importance.” †

Again, in a letter to one in England, a few days after, he says : —

* John Adams’s Works, II. 266.

† Hutchinson’s History, III. 339.

“Otis, in a speech the first day after his election, gave his opinion to the House, that we had a very good Governor, and that he was sure the people in all parts of the Province thought so. He condemned the proceedings of the House the last year, and acknowledged the right of the Governor to carry them to Housatonic, in the western extreme of the Province; was sensible that it would be inconvenient, and that he would not do it, and hoped he would carry them back to Boston. This gave a shock to the party, and the House voted to go on with their business as usual, without a division or opposition.”*

“The House of Representatives having in the most explicit manner acknowledged my right to convene the Court where I think proper, they have strengthened government, and given me more weight in the Province than they had intended. The people, being made sensible that I claimed no more than the just prerogatives in this instance, think more favorably of me and of the principles I avow in other points in difference. The return of the Court to Boston, in consequence of this concession, will give me further weight, and, it may be, enable me to obtain other points equally reasonable for them to concede.” †

Thus the Governor admitted the importance of the concession, by stating his intention of removing the Court to Boston in consequence, and he considered it the introduction to further advantages. But, besides the opposition of James Otis and of that considerable body of the House who had needed only this dangerous example to give utterance to opinions which many had secretly entertained since the commencement of the removal dispute, Adams had now also to encounter the enmity of John Hancock, who, about this time, began to oppose his measures for the public safety. This was a matter of much more importance than the action of Otis, whose course, much as it assisted temporarily to encourage the government party, could scarcely be considered that of a responsible agent. But Hancock, owing to his wealth and great influence in Boston, was powerful for

* Hutchinson to a person unknown, June 5, 1771.

† Hutchinson to Bernard, June 5, 1771.

good or evil. Among all those whom Samuel Adams had enlisted in the patriot service, none had been attended by him with such assiduity as Hancock, whose vanity and petulance often made it necessary to humor his caprices, while a natural generosity counterbalanced, among those who knew him best, his frequent vacillations. At a later period, he could make profuse sacrifices of wealth for his country, and was most liberal in his expenses for public purposes. He was fond of dress and personal display, scattered largesses with open hand, was quickly offended among his friends, implacable to his enemies, and intensely fond of popular applause. Such a character might easily become an idol with the people, and, backed by a large fortune, reach the pinnacle of his aspirations;* but whoever should attempt to guide him in the existing crisis must be possessed of rare powers of persuasion and forbearance. The immediate cause of the present variance is not traceable to any particular circumstance, but it undoubtedly grew out of the discussion on the removal in the former session, and probably commenced to display itself about the same time with the unhappy conduct of Otis. Later in the year, Hancock's resentment was excited against Otis, on some personal ground, when he pursued him with more rigor than to Adams seemed warrantable, though in a conversation on that subject, wherein Adams expressed his sympathy for the condition of Otis, and defended his private character, he did not express the least unfriendliness towards Hancock.† As late as the 5th of April, 1771, Hutchinson, writing to a friend in England, mentioned Hancock as one of those of any consideration who still held out against him. Between that and the 5th of June, the removal excitement occurred

* Compare Mrs. Mercy Warren's History of the American Revolution, I. 212. The authoress wrote from a personal acquaintance with John Hancock.

† There is among the Adams papers a curious memorandum of a conversation between Harrison Gray, Jr., Samuel Adams, and Mr. John Cotton, on the subject of Otis's habits and conduct, and Hancock's recent treatment of him. It is dated Dec. 8, 1771.

in the House, and on the last-mentioned date, Hutchinson again writing in relation to his having rejected Hancock a few days before, when chosen by the Legislature as a Councillor, says : —

“I can mention to you what will appear improper in a public letter. I was much pressed by many persons well affected in general to consent to the election of Mr. Hancock, his connections being large, which are strongly prejudiced against me for the frequent refusals to accept of him in office. They assured me he wished to be separated from Mr. Adams, another Representative of the town, an incendiary equal to any at present in London, and, if I would admit him to the Council, they had no doubt there could be an end to the influence he has by means of his property in the town of Boston. As there had been no advances on his part, I could not think it proper for me to follow their advice. I have now reason to think that, before another election, he will alter his conduct so far as to justify my acceptance of him, which certainly will take off that sourness of temper from many people which his negatives occasion ; and unless you think it a step not advisable, I believe I shall accept of him. Having from year to year the general votes both of Council and House, the constant refusal is more disagreeable to the people.” *

From this it is evident that the gentlemen who applied to the Governor to urge his acceptance of Hancock as Councillor must have had this interview before the Legislature met, which was on the 29th of May. It was therefore before that time that the coldness between the two Representatives commenced, as the dislike expressed by Hancock of the policy of his colleague is mentioned as already existing at that time. Hutchinson states that “Hancock expressed his dissatisfaction with the party and with their extending their designs further than appeared to him warrantable.” †. It would seem that the plan proposed in the letter, from which an extract is given above, was tried, and

* Hutchinson to a person unknown, June 5, 1771.

† Hutchinson's History, III. 346.

that an interview for that purpose occurred between the Governor and Hancock. To quote Hutchinson again : —

“The Governor very willingly signified to him, that the repeated denials of consent to his election into public offices had not proceeded from any degree of ill will towards him, or from any exception to his general character, but altogether from the part which he had taken in opposition to that authority which the Governor, from his office and fidelity to the trust reposed in him by the King, was bound to support; and that, upon a change of sentiments in Mr. Hancock, everything past would be entirely forgotten, and it would be a pleasure to the Governor to consent to his election to the Council, where he could more easily take such share in the public affairs as he thought fit, than he could do in the House, business in the latter requiring a more close and constant attention. This he declared to be neither his object nor inclination; but he intended to quit all active concern in public affairs, and to attend to his private business, which, by means of his attention to the public, had been too much neglected. The disunion, however, which lasted several months, checked the progress of measures in opposition to government.” *

Thus deserted at a crisis of peculiar difficulty, and left almost alone to sustain the question of an inviolate charter, Samuel Adams was for a while unable to stem the tide; but he bided his time. He had seen the non-importation scheme come to nought among the merchants, yet he never despaired, and found in difficulties only incentives for increased efforts. He was one of the committee to bear to the Governor the unworthy report, wounding the cause in the house of its friends, and destroying in an hour what it had taken years to construct.† But he gathered his resources, and falling back upon his own powers, stood ready to improve the first opportunity to retrieve the action of the House. He saw the fatal spirit of concession which was

* Hutchinson's History, III. 346, 347.

† Journal of the House, May 29, 1771.

establishing the Governor's influence over the members,* and while with undaunted resolution he sought for the means of checking the contagion, his peculiarly sensitive mind was keenly alive to his own position and the ill-concealed joy of the Loyalists and wavering members of his own party. Men in the Province who brought to mind the greatness of his character and services looked on with surprise, and even some known to be favorable to government pointed to the scenes in the Assembly, and observed his fortitude. John Adams, who had bid "farewell to politics," † was away in York, busily attending to his profession.

"Sparhawk," he writes, after a conversation, a few weeks later, with the grandson of Sir William Pepperell, "mentioned the intrepidity of Samuel Adams, a man, he says, of great sensibility, of tender nerves, and harassed, dependent, in their power. Yet he had borne up against all; it must have penetrated him very deeply," &c. ‡

The Governor improved the occasion with his writers in the Massachusetts Gazette and Evening Post, to cast abroad among the people the idea that there was now general satisfaction with the policy of government, that the faction was at an end, and that the people were "returning to their right senses." His Excellency, who well understood the power of the press, kept a corps of writers whose effusions displayed a plausibility worthy a better cause. It was important to counteract their effect, and Adams now entered the field as "Candidus," and, in a series of essays, endeavored to show that the spirit of liberty had not subsided into an ignoble contentment. In one of these, he replies to Draper's, or the court, Gazette: —

"'Benevolus,' in Mr. Draper's Gazette, seems to have no doubts in his mind but that 'a general air of satisfaction, arising from the

* John Adams's Works, II. 278. See also Samuel Adams as "Candidus," in the Boston Gazette, Oct. 14, 1771. Chap. XX. *post*.

† John Adams's Works, II. 227.

‡ John Adams's Works, II. 285.

accounts given in the last Monday's papers of the present state of our public affairs, will show itself universally through the Province.' I have no inclination to disturb the sweet repose of this placid gentleman; but I must confess I see no cause for such a general air of satisfaction from those accounts, and I will venture to add that there is no appearance of it in this town. Does 'Benevolus' think it is possible for the good people of this Province to be satisfied, when they are told by the Governor, as appears by the last Monday's papers, that he is restrained from holding the Court in its ancient, usual, and most convenient place, without his Majesty's express leave? Does not the charter say that the Governor shall have the power of acting in this matter 'as he shall judge necessary'? Is it not of great importance to the welfare of the Province that the Governor should be vested with such a power, and that he should exercise it without restraint? While he is, or thinks himself, fettered by an absolute instruction to hold the Assembly out of the town of Boston, to the inconvenience of the members and the injury of the people, as the present House of Representatives express it, can he be said to have the free exercise of all the powers vested in him by the charter, which is our social compact? Will it yield such a general satisfaction to the people as 'Benevolus' expects, to see their Governor thus embarrassed in his administration, and to hear him expressly declaring that he must ask leave and be determined by the judgment of another in a matter in which it is his indispensable duty to act with freedom and by the determination of his own judgment? Is not this power devolved upon him by the Constitution of the Province for the good of the people? Is it not a beneficiary grant, and therefore a right of the people? And if instructions may control him in the exercise of one charter right, may they not control in the exercise of any or every one? And yet 'Benevolus' would fain have it thought that there is a general satisfaction in the town of Boston arising from this account, and doubts not but it will run through the Province.

“Surely 'Benevolus' must either be totally inadvertent to the accounts of the state of our public affairs as given to us in the last Monday's papers, or he must have altogether confided in the accounts of a confused writer in the Evening Post, who, in the old style of the hackneyed writers in Bernard's administration, tells us

that faction is now at an end, and, with an awkward air of gravity, insinuates that the people, after having nobly struggled for their freedom, are, under the benign influence of the present administration, 'returning to their right senses.' A firm and manly opposition to the attempts that have been made and are still making to enslave and ruin this continent has always been branded by writers of this stamp by the name of a faction. Governor Bernard used to tell his Lordship that it was an 'expiring faction'; with as little reason it is now said to have given up the ghost. Gladly would some, even of the clergy, persuade this people to be at ease, and for the sake of peace under the administration of 'a son of the Province,' to acquiesce in unconstitutional revenue acts, arbitrary ministerial mandates, and absolute, despotic, independent governors, &c., &c. But the time is not yet come; and I am satisfied that, notwithstanding the address of a few who took the opportunity to carry it through, while only the small number of twenty-four were present, there is in that venerable order a great majority who will not go up to the house of Rimmon or bow the knee to Baal."*

Adams was on the committee appointed by the House to answer the Governor's speech at the opening of the summer session. The report was submitted on the 14th of June. Besides taking up the subjects mentioned in the address, it refers to the Provincial militia, a bill for the better regulation of which had been rejected by his Excellency in November of the previous year. The House insisted that the subject required serious attention, and pointed to the desire of the people to excel in the military art, and their readiness to appear upon musters; and they promised themselves that the military sentiment of the country would again be as conspicuous as it was in the days of their forefathers, and thereby promote his Majesty's real service and the safety of the Province. This desire to cultivate a military spirit had often occupied the attention of Adams, as shown by the address of the House a year before on this subject, written by him, and also by his letters about this time. He attached

* "Candidus," in the Boston Gazette for June 10, 1771.

all due importance to it, and personally encouraged it among young men.

The Governor had been sanguine that the conduct of Otis would result favorably to his plans for obtaining from the House a final concession of the point in dispute; "but subsequent proceedings in the session," he says, "destroyed this hope." * These "subsequent proceedings" occurred in about three weeks after the scene in the Legislature. It was now found that a counter-influence had become strong enough to secure the appointment of a committee to prepare a protest, in which the House resumed its old ground against holding the session at Cambridge. The hand of Samuel Adams, who was the author of the protest, † is manifest in this, though, to secure its success, his own name appears last on the committee, being preceded by those of Otis, Denny, and Hancock, the first and last of whom, since the late proceedings, could have taken no part in the measure. The protest, which is for the most part in the language already quoted from "Candidus," ‡ points out the danger of superseding the charter by arbitrary instructions, which reduced the Governor to a mere machine, and of depriving the Assembly, not only of every charter right, but of all freedom. It then, in the most explicit manner, speaks out "against all such doctrines, principles, and practices as tend to establish either ministerial or even royal instructions as laws within the Province." It was ordered to be entered on the journal as against "an intolerable grievance which ought speedily to be redressed." Its style is shown by a few of the opening paragraphs.

"History furnishes us with an instance of an act of Parliament passed, giving the force of laws to the King's proclamations; but this, being directly subversive of the Constitution, was soon repealed. Yet, since that period, an act has been labored for to give the force of law to the King's instructions to the Governors of the Colonies.

* Hutchinson's History, III. 339.

† See Bancroft, VI. 403.

‡ See pp. 400 - 402.

And, though it was not effected, some Governors have appeared to consider such instructions as laws, not only to themselves, but to the people: whereas nothing can be more clear than that neither proclamation nor instruction ought to have any such force, either in regard to the Governor or the subject here.

“And although it may be within the prerogative of the Crown, in case of plain necessity, to summon a Parliament to some other place than Westminster; and so of a Governor of this Province, in like cases of plain necessity, to convoke a General Assembly to some other place than Boston, its accustomed ancient place, and where alone provision is made for it, — yet, if a British King should call a Parliament, and keep it seven years in Cornwall, however his Ministry, as usual, might shift for themselves, their master and his affairs would be irretrievably embarrassed and ruined; and a Governor of this Province, who, in order to harass the General Assembly into unconstitutional and unconscionable measures, should convene and hold them in the county of Berkshire or Lincoln, would render himself and his administration justly ridiculous and odious.

“There is nothing more plainly to be distinguished than power, right, and prerogative. It is the King’s prerogative to pardon all crimes from trespass to high treason; but if the King should pardon *all* criminals, there would be an end of his government. The Commons have the sole right to give and grant, or refuse to grant, taxes; but if they should refuse to give *anything*, there would be also an end of government. Should a King call a Parliament but once in seven years, and, on its meeting, instantly dissolve it, and so repeatedly, a few such repetitions would ruin him, and be deemed a total dissolution of the social compact. Should a Governor of this Province annually convene a General Assembly, and before or immediately after the election of Councillors dissolve such Assembly, as the conduct would be similar, the inferences and consequences must also be alike. For such exercise of the prerogative could not be deemed mistakes, but must be construed as voluntary and corrupt abuses of the prerogative, and a total perversion of the powers of which it consists.”*

The fact that the Governor’s salary was to be paid thence-

* Journal of the House, June 19, 1771. Bradford’s State Papers, p. 302. Hutchinson, III. 540.

forth by the Crown, independent of the free grants of the people, had become publicly known, and was particularly dwelt upon in the protest. The Governor, who felt it necessary "to make some answer to so strange an instrument," states that the "protest was strongly opposed in the House, and after it was carried some of the principal members despaired of success in opposing any other measure, and remained silent the rest of the session. It was considered by government in England as a greater insult than had been offered at any time, and this remark was made, that 'the same men who denied the right of the King to instruct his Governor would soon deny the right of appointing him.'"* Instances are not wanting throughout the life of Samuel Adams, where his powers of persuasion, which were very great, had the effect of changing an opposition into a decided adoption of his own views. The protest was printed in the Boston press, and, with the newspaper containing it, Hutchinson sent word to Lord Hillsborough explaining that, in consequence, he had not adjourned the Court to Boston as he had intended.† So important indeed did he consider it, as indicating a reaction from the late gratifying tone of the House, that he made it the subject of a special message at the close of the session, combating its doctrines as calculated to "retard that quiet and contentment which, he doubted not, the gentlemen of the House in general who voted for it wished to see fully restored."‡

The adoption of the protest, hotly contested as it was, offered encouragement for still further advances, and it was now the turn of the government party to look with apprehension to the result. The opposition to the measures of Samuel Adams and his friends was completely silenced, nor were Hancock and his party able again to distract the harmony of the House, until, with a sufficiency of newly elected

* Hutchinson's History, III. 343, 344.

† Hutchinson to Lord Hillsborough, June 22, 1771.

‡ Bradford's State Papers, p. 212.

members, at the opening of the April session in the following year, the attempt was renewed, aided by a secret understanding with Hutchinson. These well-laid plans, however, were unsuccessful, though by great activity, as will presently appear, they were nearly accomplished. How interesting must have been the exertion of those influences by the controlling mind which had wrought such a change; — but it was a maxim with Adams never to remain inactive, if more was to be achieved.

Accordingly, on the 27th of June, we find the resolution creating a committee of correspondence to communicate with the “agent and others in England, the Speakers of the several Assemblies throughout the continent,” which had passed in November, 1770,* again introduced and carried, and the Speaker, Adams, Otis, Hancock, and Heath, appointed members.† The exact words of Adams’s previous resolution were readopted. A letter from Franklin, acknowledging that of the House, written in the previous year, had been received a fortnight before, and Adams was one of the committee to reply. ‡ The pen was again placed in his hand, and on the 29th his draft of a letter of instructions to the agent was accepted. § Acknowledging the receipt of Franklin’s letter of February 5, the importance of which claimed the fixed attention of the House, the letter (now copied from the original rough draft) continues: —

“ We cannot think the doctrine of the right of Parliament to tax us is given up, while an act remains in force for that purpose, and is daily put in execution; and the longer it remains, the more danger there is of the people’s becoming so accustomed to arbitrary and unconstitutional taxes as to pay them without discontent; and then, as you justly observe, no minister will ever think of taking them off, but will rather be encouraged to add others. If ever the Provincial Assemblies should be voluntarily silent, on the Parliament taking upon themselves a power thus to violate our constitutional

* See, *ante*, p. 373.

† Journal of the House, June 27, 1771.

‡ Journal, June 29, 1771.

§ Bancroft, VI. 406.

and charter rights, it might hereafter be considered as an approbation of it, or at least a tacit consent that such power should be exercised at any future time. It is therefore our duty to declare our rights, and our determined resolution at all times to maintain them. The time we know will come when they must be acknowledged and secured to us and our posterity.

“ We sincerely feel the effects, not of a revenue raised, but a tribute exacted without our free consent or control; pensioners and placemen are daily multiplying, and a fleet and standing armies are posted in North America for no other apparent or real purpose than to protect the exactors and collectors of the tribute for which they are maintained, and many of them in pomp and pride to triumph over and insult an injured people, and suppress, if possible, even their murmurs. And there is reason to expect that the continued increase of their numbers will lead to a proportionable increase of tribute to support them. What will be the consequence? Either, on the one hand, an abject slavery in the people, which is ever to be deprecated, or a determined resolution openly to assert and maintain their rights, liberties, and privileges. The effect of such a resolution may for some time be retarded by flattering hopes and prospects; and while it is the duty of all persons of influence here to inculcate the sentiments of moderation, it will be, in our opinion, equally the wisdom of the British administration to consider the danger of forcing a free people by oppressive measures into a state of desperation.

“ We have reason to believe that the American Colonies, however they may have disagreed among themselves in one mode of opposition to the arbitrary measures, are still united in the main principles of constitutional and natural liberty; and they will not give up one single point in controversy of any consequence, though they may take no violent measures to obtain them. The taxing their property without their consent, and thus appropriating it to the purposes of their slavery and destruction, is justly considered as contrary to, and subversive of, their original social compact, and their intention in uniting under it. They cannot therefore readily think themselves obliged to renounce those forms of government to which alone, for the advantages implied or resulting, they were willing to submit. We are sensible, as you observe, that the design of our enemies in England, as well as of those who reside here, is to

render us odious as well as contemptible, and to prevent all concern for us in the friends of liberty in England, and perhaps to detach our sister Colonies from us, and prevent their aid and influence in our behalf, when the subject of oppressing us further and depriving us of our rights by various violent measures should be carried into execution. In this, however, we flatter ourselves they have failed. But should all the other Colonies become weary of their liberties, after the example of the Hebrews, this Province will never submit to the authority of an absolute government."

The letter then passes to the consideration of the intention to render the Governor and other royal officers dependent only on the Crown for support, of which Mr. Adams had been privately informed nearly a year before, and to which Franklin had lately called the attention of the House.

"The charter of this Province," says the letter in reply, "recognizes the natural right of all men to dispose of their own property; and the Governor here, like all other governors, kings, and potentates, is to be supported by the free grants of the representatives of the people. Every one sees the necessity of this, to preserve the balance of power and the freedom of any state. A power without a check is subversive of all freedom. If, therefore, the Governor, who is appointed by the Crown, shall be totally independent of the free grants of the people for his support, where is the check upon his power? He becomes absolute, and may act as he pleases. He may make use of his power, not for the good of those who are under it, but for his own private, separate advantage, or any other purpose to which he may be inclined or instructed by him upon whom alone he depends. Such an independency threatens the very being of a free Constitution, and if it takes effect will produce and firmly establish a tyranny upon its ruin.

"Let us then consider the power the Governor already has, and his Majesty's negative on all our acts, and judge whether the purposes of tyranny will not be amply answered! Can it be expected that any law will pass here but such as will promote the favorite design? And the laws already made, as they will be executed by officers altogether dependent on the Crown, will undoubtedly be perverted to the worst of purposes. The Governor of the Province

and the principal fortress in it are probably already thus supported. These are the first fruits of the system ; if the rest should follow, it would be only in a greater degree a violation of our essential, natural rights. To what purpose, then, will it be to preserve the old forms without the substance ? In such a state, and with such prospects, can Britain expect anything but a gloomy discontent in the Colonists ? Let our fellow-subjects, then, recollect what would have been their fate long ago, if their ancestors had submitted to the unreasonable and uncharitable usurpations, exactions, and impositions of the See of Rome, in the reign of Harry the Eighth. And here it may be asked, what would have been *our* fate, if *our* ancestors had submitted to the unreasonable and uncharitable usurpations, exactions, and impositions of the British Parliament in the reign of William the Third ? What we are, and what we should have been, furnish reflections for a volume. Soon would they have sunk into a state of abject slavery to that haughty power which exalteth itself above all that is called GOD : but they had the true spirit of liberty, and by exerting it they saved themselves and their posterity.

“ It is, therefore, with entire approbation that we observe your purpose freely to declare our rights, and to remonstrate against the least infringement of them. The capital complaint of all North America hath been, is now, and will be, until relieved, a subjugation to as arbitrary a tribute as ever the Romans laid upon the Jews or their other colonies. The repealing these duties in part is not considered by this House as a renunciation of this measure. It has rather the appearance of a design to soothe us into security in the midst of danger ; any species of tribute unrepealed will stand as a precedent to be made use of hereafter, as circumstances and opportunity may admit. If the Colonists acquiesce in a single instance, it will in effect be yielding up the whole matter in controversy. We therefore desire that it may be universally understood, that although the tribute is paid, it is not paid freely ; it is exacted and torn from us against our will ; we bear the insult and the injury for the present, grievous as it is, with great impatience, hoping that the wisdom and prudence of the nation will at length dictate measures consistent with natural justice and equity. For what shall happen in future, *we* are not answerable. Your observation was just, that it was certainly as bad policy, where they

attempted to heal our differences by repealing part of the duties only, as it is bad surgery to have splinters in a wound which must prevent its healing or in time occasion it to open afresh."

The Governor had already refused his consent to a bill, granting a salary to Franklin as agent of the Assembly, — a course which he persisted in to the last. This subject is treated in the letter, which holds that, if whatever was to be transacted between the Assemblies of the Colonies and the government was to be done by agents appointed by and under the direction of the three branches, it would be utterly impracticable for an Assembly ever to lay their grievances before their sovereign.

Other letters were written to Franklin during the year, but this alone has come to light. A month afterwards it was published by Mr. Adams in the *Boston Gazette*,* as was also that of November, 1770. Hutchinson sent the papers to England, with a letter to Pownall.

"I enclose to you," he says, "Sir Francis Bernard's newspapers, that you may see and communicate information when it may be proper. Such a correspondence between the House and their agent will keep us in a perpetual flame. The heads of the people are not without apprehension that printing their letters to their agent, which refer to his letters to them, may be of prejudice to him; but they are forced to take every measure to keep up the spirit of opposition here. The House never ordered these letters to be published, but the Clerk [Samuel Adams] who drew the letters, and who draws most of the seditious papers in the newspapers, inserted these among the rest. I doubt whether there is a greater incendiary in the King's dominions, or a man of greater malignity of heart, or who less scruples any measures ever so criminal to accomplish his purposes; and I think I do him no injustice, when I suppose he wishes the destruction of every friend to government in America. This is the man who is of the committee, and the *instar omnium* with which the agent [Dr. Franklin] corresponds, and from which he takes his directions in the recess of the Court. The doctrine advanced in these letters, of independence upon Parliament, and even

* See the *Boston Gazette* for July 22 and July 29, 1771.

upon the King, to whom they deny the right of supporting or even instructing his Governor, must rouse the people of England, and they will sooner or later express their indignation." *

Such is the character of Samuel Adams, as given by his enemy, who found him the great obstacle in the path of tyranny, — "the all in all" of the Massachusetts Assembly. As an offset to this perversion of his views and measures, let us turn to the record of another contemporary writer, the sister of James Otis, Mrs. Mercy Warren, who knew and appreciated his greatness, and whose husband, James Warren of Plymouth, was one of Adams's staunchest friends and co-workers.

"Early nurtured in the principles of civil and religious liberty, he possessed a quick understanding, a cool head, stern manners, a smooth address, and a Roman-like firmness, united with that sagacity and penetration that would have made a figure in a conclave. He was at the same time liberal in opinion, and uniformly devout; social with men of all denominations; grave in deportment; placid, yet severe; sober and indefatigable; calm in seasons of difficulty; tranquil and unruffled in the vortex of political altercation; too firm to be intimidated, too haughty for condescension, his mind was replete with resources that dissipated fear, and extricated in the greatest emergencies. Thus qualified, he stood forth early, and continued firm through the great struggle, and may justly claim a large share of honor due to that spirit of energy which opposed the measures of administration, and produced the Independence of America. Through a long life he exhibited, on all occasions, an example of patriotism, religion, and virtue, honorary to the human character." †

* Hutchinson to Pownall, July, 1771. Bancroft, VI. 375, 406. Dr. Cooper to Franklin, Nov. 10, 1770 (Franklin's Works, VIII. 98 - 100).

† Mrs. Mercy Warren's History, I. 211, 212.

CHAPTER XX.

Hutchinson announces Arbitrary Instructions received from the King.— Adams replies for the Assembly.— The Court adjourned.— Arthur Lee unjustly suspects Franklin.— He afterwards frankly owns his Error.— Arrival of the Fleet.— Adams counsels Union of the Colonies, and an Assemblage of Deputies.— His Political Essays denying the Supreme Authority of Parliament.

BUT two weeks had elapsed after the adoption of Samuel Adams's protest, when a new phase in the governmental system was brought to light, showing that the doctrine of the protest, drawing the line between the just uses of a prerogative and its abuse, had need to be insisted upon. Hutchinson informed the Assembly on the 4th of July, that, in obedience to his Majesty's instructions, he could not hereafter give his consent to the annual bills levying a tax upon the incomes of crown officers in the Province. The tax was trifling, and amounted to but a small sum in the aggregate, but the Governor, in defiance of law and ancient usage, negatived the bill. This was but one of the many forms in which the studied art of British politicians had determined to secure a compliance with the right of Parliament to raise a revenue in America. Mr. Adams, for a committee, of which James Otis was nominally the chairman, responded on the following day.*

"The reason you are pleased to assign for withholding your assent to the tax bill is surprising and alarming. We know of no Commissioners of his Majesty's Customs nor of any revenue his Majesty has a right to establish in North America; we know and feel a tribute levied and extorted from those who, if they have property, have a right to the absolute disposal of it.

* Bancroft, VI. 404. Journal of the House, July 5, 1771. Bradford's State Papers, p. 307.

“By the royal charter it is expressly granted that the General Assembly shall have full power and authority to impose and levy proportionable and reasonable assessments, rates, and taxes upon the estates and persons of all and every the proprietors and inhabitants of this Province. Hence it plainly appears that the power of raising and levying taxes is vested in the General Assembly; and that power which has the sole right of raising and levying taxes has an uncontrollable right to order and direct in what way and manner, and upon whom, such taxes shall be raised and levied. Therefore for your Excellency to withhold your assent to this bill, merely by force of instruction, is effectually vacating the charter, and giving instructions the force of laws within this Province. And we are constrained to say, that your Excellency's present determination is to be governed by them, though this should be the consequence. We must further observe, that such a doctrine, if established, would render the representatives of a free people mere machines; and they would be reduced to this fatal alternative, either to have no taxes levied and raised at all, or to have them raised and levied in such way and manner and upon those only whom his Majesty pleases.

“As to the operation of law, mentioned in your Excellency's message, the law of this Province, at least in this respect, has rightly operated as it ever ought to. And we know no reason nor any semblance of reason why the Commissioners, their superior or subordinate officers, who are equally protected with the other inhabitants, should be exempted from paying their full proportion of taxes for the support of government within this Province.”

The session was then brought to a close with a message to the two Houses, from the Governor, already referred to, taking ground against the protest of the Assembly. The Court was adjourned to September 14, to meet at Cambridge; but further prorogations followed, and no meeting took place until the spring of the next year.

Mr. Adams immediately turned to the press, resolved that the aim of government to conceal the insidious steps of tyranny with an appearance of public satisfaction should not succeed. Particularly he endeavored to preserve a union of sentiment among the Colonies, without which the efforts

of Massachusetts would prove futile.* He continued his correspondence with Arthur Lee in London, whose last letter, dated in March, he had lately received. After alluding to the recent political disturbances in London, and the liberation from imprisonment of the Lord Mayor, he continues:—

“Mr. Hume, if I mistake not, somewhere says, that if James the Second had had the benefit of the riot act and such a standing army as has been granted since his time, it would have been impracticable for the nation to have wrought its own delivery and establish the constitution of '88. If the people have put it in the power of a wicked and corrupt Ministry to make themselves absolute lords and tyrants over them, by means of a standing army, we may at present pity them under the misfortune; but future historians will record the story with astonishment and indignation, and posterity, who will share in the fatal effects of their folly and treachery, will accuse them. Has there not, for a long time past, been reason to apprehend the designs of a restless faction to oppress the nation; and, the more easily to effect their purposes, to render the King's government obnoxious, and, if possible, put an end to a family which has heretofore supported the rights of the nation, its happiness, and grandeur?”

“In this Colony we are every day experiencing the miserable effects of arbitrary power. The people are paying the unrighteous tribute (I wish I could say they were groaning under it, for that would seem as if they felt they are submitting to it), in hopes that the nation will at length revert to justice. But before that time comes, it is to be feared they will be so accustomed to bondage as to forget they were ever free.” †

Nearly at the same time Adams received a letter from Lee, informing him of the intention of Hillsborough, as advised by Bernard, to change the mode of electing the Council, but the Port Egremont difficulties with Spain had temporarily delayed it.

“I am the more suspicious,” said Mr. Lee, “that the measure is

* Bancroft VI. 407. Barry's Massachusetts, II. 443.

† Adams to Lee, July 31, 1771 (R. H. Lee's Life of Arthur Lee, II. 174, 175).

suspended only, that I find Lord Hillsborough takes great pains to persuade and, to assure your countrymen that, as long as they continue quiet, nothing will be done to their prejudice. As treachery and imposition is his forte, there is most danger when his professions are warmest. Besides, as he certainly intended mischief, he is more strongly induced to exercise those arts, in order to quiet the alarm which such an intention going forth would necessarily produce. He possesses, too, a perverse spirit, that thinks he is doing nothing if he is not doing mischief. You may conceive, sir, whether such a temper, perpetually acted upon by the implacable hatred of Bernard, is likely to abandon a favorite system of tyranny and revenge without any apparent reason. I am therefore of opinion that the fire still subsists, though covered with deceitful ashes; and such, I can assure you, are the sentiments of the best friend you have here, Col. Barré.*

It was in this letter that Mr. Lee expressed those suspicions of Dr. Franklin's course as agent to which allusion has already been made. In his zeal, he mistook the objects and policy of Franklin, and construed his efforts towards re-establishing a friendly feeling between the mother country and the Colonies into "temporizing in American affairs," and he believed him to be either the instrument or the dupe of Hillsborough's treachery. "I feel it not a little disagreeable," he continues, "to speak my sentiments of Dr. Franklin, as your generous confidence has placed me in the light of a rival to him. But I am so far from being influenced by selfish motives, that, were the service of the Colony ten times greater, I would perform it for nothing, rather than you and America, at a time like this, should be betrayed by a man who it is hardly in the nature of things to suppose can be faithful to his trust." † But afterwards, as Lee became more familiar with Franklin, he honestly changed his opinion, and during Weddeburne's attack upon the agent before the Privy Council, Lee assisted with his eloquence in reply. "Dr. Franklin," he says, "bore it all with a firm-

* Lee to Adams, June 10, 1771 (*Life of Lee*, I. 215-219).

† *Ibid.*

ness and equanimity which conscious integrity can alone inspire." And as the Ministry deprived Franklin of his office as Postmaster of America, Lee adds: "The same cause which renders him odious to them must endear him to you."*

During the month of August the patriots had reason to see that the policy of coercion, though in abeyance for a while, had not been abandoned. On the 12th they beheld a fleet of twelve war vessels, carrying two hundred and sixty-two guns, anchor in the harbor. This was in pursuance of the order making Boston the rendezvous of the North American fleet; and although the threatened trouble with Spain was alleged as a reason for this extraordinary armament, it was evident that an intimidation of the people was intended. The danger was every day drawing nearer, and as the relentless policy discovered itself, Samuel Adams became more explicit, and sounded the alarm to his countrymen. Reviewing the principles which had actuated the British American Provinces, since the time of the Stamp Act, in successful struggles against slavery, "which," says the writer, "will undoubtedly be recorded by future historians to their immortal honor," he warns them against the fatal delusion that the lurking poison was eradicated, while any article remained under the ban of taxation.

"It is by no means sufficient to console us, that the duty is reduced to the single article of tea, which, by the way, is not a fact; but if it should be admitted, it is because the Parliament for the present are pleased to demand no more of us. Should we acquiesce in their taking three pence only because they please, we at least tacitly consent that they should have the sovereign control of our purses, and when they please they will claim an equal right, and perhaps plead a precedent for it, to take a shilling or a pound. At present we have the remedy in our own hands. We can easily avoid paying the tribute by abstaining from the use of those articles by which it is extorted from us." †

* Lee to Adams, Feb. 8, 1774 (Life of Lee, I. 240).

† "Candidus," in the Boston Gazette, Sept. 9, 1771.

This advice he carried into practice in his own household. Tea was interdicted almost from the first hint that the administration would persist in taxing that one article. Nor did he stop here. He showed a marked preference for all things of special American manufacture. He neither wore English cloth himself, nor permitted any article of English industry to be used in his family if it could possibly be avoided. "It behooves every American," he used to say, "to encourage home manufactures, that our oppressors may *feel through their pockets* the effects of their blind folly." It became at length the custom among the ladies of Boston to make up spinning parties at their houses on alternate nights; and at these reunions there was an entire abstinence from tea, while, as the work went on, the discussion of the all-engrossing topics of the day was varied with singing and playing on the spinnet, which then held the place of the piano-forte.

Again, upon the infringements of the charter of Massachusetts by the Ministry, in arbitrarily dissolving and controlling the Assembly:—

"The charter may be taken away in parts, as well as in the whole; and it seems by some later ministerial mandates and measures as if there was a design to deprive us of our charter rights by degrees. An attempt upon the whole, by one stroke, would perhaps be thought too bold an undertaking. His Lordship could not indeed have chosen a more effectual step to deprive us of the whole benefit of a free constitution, than by attempting to control the debates and determinations of the House of Representatives, which ought forever to be free, and suspending the legislative power of the Province for their refusing to obey any mandate, especially when it was not only contrary to their judgments and consciences, but, as it appeared to them, absurd. It is a pitiful constitution indeed, which, so far from being fixed and permanent as it should be, sacred and unalterable in the hands of those where the community has placed it, depends entirely upon the breath of a minister or of

* "Candidus," in the Boston Gazette, Sept. 16, 1771.

any man. But it is to be feared from this, as well as other more recent instances, that there is a design to raze the foundations of the Constitutions of these Colonies, and place them upon this precarious and sandy foundation.*

Arthur Lee had hinted to him in one of his letters the possibility of an impeachment of the Ministry at some future time, to which Mr. Adams replies:—

“I was pleased with the petition and remonstrance of the city of London. But are not the Ministry lost to all sensibility? Do they not, like the Egyptian tyrant, harden their hearts against the just complaints of the people? May God grant the nation that prudence, strength, and fortitude by which they may be animated to maintain their own liberties at all events! By your last letter you resolve wisely, ‘if ever the spirit of impeaching should rise in Britain.’ But how is it possible such a spirit should rise? In all former struggles the House of Commons has naturally taken sides with the people against oppressing ministers and favorites. Whether this is the case at present or not, is no secret to the world. We have indeed heard little of the business of impeaching since the Revolution; its corrupt ministerial influence has been gradually and too insensibly increasing since that era, and is now become so powerful as to render it impracticable to have one capital object of the people’s just vengeance impeached.

“If it should ever become a practicable thing to impeach a corrupt administration, I hope that minister who advised to the introduction of an arbitrary government into America will not be overlooked. Such a victim, I imagine, will make a figure equal to Lord Strafford in the reign of Charles, or many others in future times.” †

The arrival of the fleet convinced Mr. Adams that the time for remonstrances and patriotic appeals to the people was past, and he revolved within him a project for definite action. A year passed before it was brought to maturity,

* “Candidus,” in the Boston Gazette, Sept. 23, 1771.

† Adams to Lee, Sept. 27, 1771.

but then it kindled a flame which was never subdued until American liberty was acknowledged. The Society of the Bill of Rights in England was in active existence for the support of principles as dear to that part of the Kingdom as were those maintained by their brethren in America.

“The grievances of Britain,” he wrote to Arthur Lee, “as well as ours, as you observe, spring from the same root of bitterness, and are of the same pernicious growth. The union of Britain and America is therefore by all means to be cultivated. If in every Colony societies should be formed out of the most respectable inhabitants, similar to that of the Bill of Rights, who should once in the year meet by their deputies, and correspond with such a society in London, would it not effectually promote such a union? And if it was conducted with a proper spirit, would it not afford sufficient reason for the enemies of our *common* liberty, however exalted, to tremble? This is a sudden thought, and drops undigested from my pen. It would be an arduous task for any man to undertake to awaken a sufficient number in the Colonies to so grand an undertaking. Nothing however is to be despaired of.”*

“The body of the people are uneasy at the large strides that are made and making towards an absolute tyranny. Many are alarmed, but are of different sentiments with regard to the next step to be taken. Some, indeed, think that every step has already been taken *but one*. The *ultima ratio* would require prudence, unanimity, fortitude. The conspirators against our liberties are employing all their influence to divide the people; partly by intimidating them, for which purpose there is a fleet with an admiral lying within gunshot of the town, and the capital fort within three miles of it is garrisoned by the King’s troops; and partly by arts and intrigue, flattering those who are pleased with flattery, forming connections with them, introducing levity, luxury, and indolence, and assuring them that if they are quiet the Ministry will alter their measures. This is the general appearance of things here, while the people are anxiously waiting for some happy event from your side the water. For my own part, I confess, I have no great expectation from thence. I have long been of opinion that America herself, under God, must finally work out her own salvation.”†

* Adams to Lee, Sept. 27, 1771.

† Adams to Lee, Oct. 31, 1771.

His political writings at this time were very numerous, and embraced all the subjects in controversy. In private letters abroad, and among the other Colonies, and in the press, he continually rang the alarm-bell, and combated "the disposition in all the Colonies to let the controversy with the Kingdom subside,"* of which Hutchinson was writing home with great satisfaction. To give more than occasional extracts would be inconsistent with the character of these volumes. One letter of considerable length thus concludes:—

"We are told that the justices of the Superior Court are also to receive fixed salaries out of this American revenue! Is it possible to form an idea of slavery more complete, more miserable, more disgraceful, than that of a people where justice is administered, government exercised, and a standing army maintained at the expense of the people, and yet without the least dependence upon them? If we can find no relief from this infamous situation,— I repeat it, if we can find no relief from this infamous situation,— let the Ministry, who have stripped us of our property and liberty, deprive us of our understanding too, that, unconscious of what we have been or are, and ungoaded by tormenting reflections, we may tamely bow down our necks with all the stupid serenity of servitude to any drudgery which our lords and masters may please to command. I appeal to the common sense of mankind to what a state of infamy and misery must a people be reduced to have a Governor by the sole appointment of the Crown, under the absolute control of a weak and arbitrary minister, to whose dictates he is to yield unlimited obedience or forfeit his political existence, while he is to be supported at the expense of the people by virtue of an authority claimed by strangers to oblige them to contribute for him such an annual stipend, however unbounded, as the Crown shall be advised to order? If this is not a state of despotism, what is? Could such a Governor, by all the arts of persuasion, prevail upon a people to be quiet and contented under such a mode of government, his noble patron might spare himself the trouble of getting their charter vacated by a formal decision of Parliament or in the tedious process of law. Whenever

* Hutchinson to Pownall, Oct. 14, 1771.

the relentless enemies of America shall have completed their system, which they are still, though more silently, pursuing by subtle arts, deep dissimulation, and manners calculated to deceive, our condition will then be more humiliating and miserable, and perhaps more *inextricable too*, than that of the people of England in the infamous reigns of the Stuarts, which blacken the pages of history.*

Another of these essays, the original draft of which, in the handwriting of Mr. Adams, has been preserved, † was sent by the Governor to the Earl of Hillsborough, whom he always supplied with files of the newspapers, and he adds as a postscript to his letter, “‘Candidus,’ in the late papers, is Adams the Representative.” ‡ The paper was adapted, if anything would, to dispel the “quiet” upon which Hutchinson was felicitating himself, and may here be given entire as a specimen of the series of “Candidus,” extending through the files of the Gazette from the summer of 1771 to the close of the following year. Adams at times changed the signature, but generally adhered to the one now used for several years. These essays are varied to suit the circumstances of the moment, sometimes being devoted to close and argumentative reasoning upon the powers of Parliament, and exhibiting an acquaintance with the opinions of lawyers and writers on government, who are extensively quoted; and at others rising into fervid appeals to the sensibility and patriotism of his countrymen, arousing them to the fact that the policy of their tyrants was in reality more alarming when covert and insidious than when open and overbearing.

* “Candidus,” in the Boston Gazette, Oct. 7, 1771.

† The better to insure secrecy as to authorship, and prevent his handwriting from getting by any accident into the possession of his enemies, Mr. Adams sometimes took the precaution of having the original drafts of his compositions returned to his study from the printing office. They still bear the marks of handling by the printer, and the interlineations and erasures by their author.

‡ Hutchinson to Hillsborough, Oct. 15, 1771.

“ ‘Ambition saw that stooping Rome could bear
A master, nor had virtue to be free.’

“I believe that no people ever yet groaned under the heavy yoke of slavery but when they deserved it. This may be called a severe censure upon by far the greatest part of the nations in the world who are involved in the miseries of servitude. But however they may be thought by some to deserve commiseration, the censure is just. Zuinglius, one of the first reformers, in his friendly admonition to the republic of the Switzers, discourses much of his countrymen’s throwing off the yoke. He says that they who lie under oppression deserve what they suffer and a great deal more, and he bids them perish with their oppressors. The truth is, all might be free, if they valued freedom and defended it as they ought. Is it possible that millions could be enslaved by a few, which is a notorious fact, if all possessed the independent spirit of Brutus, who, to his immortal honor, expelled the proud tyrant of Rome and his ‘royal and rebellious race’? If, therefore, a people will not be free, if they have not virtue enough to maintain their liberty against a presumptuous invader, they deserve no pity, and are to be treated with contempt and ignominy. Had not Cæsar seen that Rome was ready to stoop he would not have dared to make himself the master of that once brave people. He was, indeed, as a great writer observes, a smooth and subtle tyrant, who led them gently into slavery; ‘and on his brow o’er daring vice, deluding virtue smiled.’ By pretending to be the people’s greatest friend, he gained the ascendancy over them; by beguiling arts, hypocrisy, and flattery, which are often more fatal than the sword, he obtained that supreme power which his ambitious soul had long thirsted for. The people were finally prevailed upon to consent to their own ruin. By the force of persuasion, or rather by cajoling arts and tricks, always made use of by men who have ambitious views, they enacted their *Lex Regia*, whereby *quod placuit principi legis habuit vigorem*, that is, the will and pleasure of the prince had the force of law. His minions had taken infinite pains to paint to their imaginations the godlike virtues of Cæsar. They first persuaded them to believe that he was a deity, and then to sacrifice to him those rights and liberties which their ancestors had so long maintained with unexampled bravery and with blood and treasure. By this act they fixed a precedent fatal to all posterity. The Roman people afterwards, influenced no doubt by this

pernicious example, renewed it to his successors, not at the end of every ten years, but for life. They transferred all their right and power to Charles the Great. *In eum transtulit omne suum jus et potestatem.* Thus they voluntarily and ignominiously surrendered their own liberty, and exchanged a free constitution for a tyranny.

“It is not my design to form a comparison between the state of this country now and that of the Roman Empire in those dregs of time, or between the disposition of Cæsar and that of ——. The comparison, I confess, would not, in all its parts, hold good. The tyrant of Rome, to do him justice, had learning, courage, and great abilities. It behooves us, however, to awake, and advert to the danger we are in. The tragedy of American freedom, it is to be feared, is nearly completed. A tyranny seems to be at the very door. It is to little purpose, then, to go about coolly to rehearse the gradual steps that have been taken, the means that have been used, and the instruments employed to encompass the ruin of the public liberty. We know them and we detest them. But what will this avail, if we have not courage and resolution to prevent the completion of their system?

“Our enemies would fain have us lie down on the bed of sloth and security, and persuade ourselves that there is no danger. They are daily administering the opiate with multiplied arts and delusions, and I am sorry to observe that the gilded pill is so alluring to some who call themselves the friends of liberty. But is there no danger when the very foundations of our civil Constitution tremble? When an attempt was first made to disturb the corner-stone of the fabric, we were universally and justly alarmed. And can we be cool spectators when we see it already removed from its place? With what resentment and indignation did we first receive the intelligence of a design to make us tributary, not to natural enemies, but infinitely more humiliating, to fellow-subjects! And yet, with unparalleled insolence, we are told to be quiet when we see that very money which is torn from us by lawless force made use of still further to oppose us, to feed and pamper a set of infamous wretches who swarm like the locusts of Egypt, and some of them expect to revel in wealth and riot on the spoils of our country. Is it a time for us to sleep when our free government is essentially changed, and a new one is forming upon a quite different system? A government without the least dependence on the people, — a government

under the absolute control of a minister of state, upon whose sovereign dictates is to depend not only the time when, and the place where, the Legislative Assembly shall sit, but whether it shall sit at all; and if it is allowed to meet, it shall be liable immediately to be thrown out of existence, if in any one point it fails in obedience to his arbitrary mandates.

“Have we not already seen specimens of what we are to expect under such a government, in the instructions which Mr. Hutchinson has received, and which he has publicly avowed and declared he is bound to obey? By one he is to refuse his assent to a tax bill unless the Commissioners of the Customs and other favorites are exempted; and if these may be freed from taxes by the order of a minister, may not all his tools and drudges, or any others who are subservient to his designs, expect the same indulgence? By another, he is forbid to pass a grant of the Assembly to any agent but one to whose election he has given his consent; which is, in effect, to put it out of our power to take the necessary and legal steps for the redress of those grievances which we suffer by the arts and machinations of ministers and their minions here. What difference is there between the present state of this Province, which in course will be the deplorable state of America, and that of Rome under the law before mentioned? The difference is only this, that they gave their formal consent to the change, which we have not yet done. But let us be upon our guard against even a negative submission, for, agreeable to the sentiments of a celebrated writer, who thoroughly understood his subject, if we are voluntarily silent as the conspirators would have us to be, it will be considered as an approbation of the change. ‘By the fundamental laws of England the two Houses of Parliament, in concert with the King, exercise the legislative power; but if the two Houses should be so infatuated as to resolve to suppress their powers, and invest the King with the full and absolute government, certainly the nation would not suffer it!’ And if a minister shall usurp the supreme and absolute government of America, and set up his instructions as laws in the Colonies, and their governors shall be so weak or so wicked as, for the sake of keeping their places, to be made the instruments in putting them in execution, who will presume to say that the people have not a right, or that it is not their indispensable duty to God and their country, by all rational means in their power, to resist them!

“Be firm, my friends, nor let unmanly sloth
 Twine round your hearts indissoluble chains ;
 Ne'er yet by *force* was *freedom* overcome,
 Unless corruption first dejects the pride
 And guardian vigor of the free born soul ;
 All crude attempts of violence are vain.

Determined hold

YOUR INDEPENDENCE ; for, that once destroyed,
 Unfounded freedom is a morning dream.'

“The liberties of our country, the freedom of our civil Constitution are worth defending at all hazards ; and it is our duty to defend them against all attacks. We have received them as a fair inheritance from our worthy ancestors. They purchased them for us with toil, and danger, and expense of treasure and blood, and transmitted them to us with care and diligence. It will bring an everlasting mark of infamy on the present generation, enlightened as it is, if we should suffer them to be wrested from us by violence without a struggle, or be cheated out of them by the artifices of false and designing men. Of the latter, we are in most danger at present. Let us therefore be aware of it. Let us contemplate our forefathers and posterity, and resolve to maintain the rights bequeathed to us from the former for the sake of the latter. Instead of sitting down satisfied with the efforts we have already made, which is the wish of our enemies, the necessity of the times more than ever calls for our utmost circumspection, deliberation, fortitude, and perseverance. Let us remember that ‘if we suffer tamely a lawless attack upon our liberty, we encourage it, and involve others in our doom !’ It is a very serious consideration, which should deeply impress our minds, *that millions yet unborn may be the miserable sharers in the event !*

“CANDIDUS.”*

The extent of the parliamentary power over the Colonies was a subject which had not yet been discussed in the public press. The proper consideration of it required an extensive reading of writers on government, which few in the Colony possessed, and the Governor had carefully avoided introducing the question into any of his messages, probably fearing that any assertions of his would be considered as calling for

* Boston Gazette, Oct. 14, 1771.

a reply on the part of the House, and that this response would adduce all possible proofs against the assumed supremacy. Most of the writers on the side of liberty had confined their remarks to denunciations of the measures of the government and appeals to the patriotic sentiments of their countrymen. Mr. Adams, as we have seen, had for a long time explicitly denied the right of the Ministry or Parliament to impose taxes upon the Colonists or to assume control of their Legislature; but the complete denial of their authority had never been made. He had been an earnest reader of all the works that could be obtained to throw light on the subject, for the purpose of fortifying his positions whenever it might be necessary to consider it in the House. He had been, in fact, seeking for an opportunity to raise this question in the Legislature, but he warily avoided precipitancy, and bided his time. In 1765, under the excitement of the Stamp Act, the Legislature, by the pen of Samuel Adams, had asserted that there were limits to parliamentary authority and denied the necessity of submission to an act as a preliminary to its repeal.* The opportunity to raise this momentous question in the House did not offer until January, 1773, when he conducted the memorable and decisive controversy with the Governor on that subject, which was thenceforth never revived by the servants of the Crown. But preparatory to that contest, which his penetration discerned to be at no great distance, he opened the discussion in an essay, of which the autograph manuscript is yet entire, published in the Boston Gazette. It embodied the main points of the subsequent controversy, and was followed by other articles of the same tenor in the following year. It is evident that, from the fall of 1771, he was desirous of having the discussion of parliamentary authority begun, as an ac-

* As early as 1758, Mr. Adams had denied the right of Parliament to interfere in the internal affairs of the Colony, and upon that had based his opposition to the seizure of his father's estate. The germ of the idea was exhibited in his college thesis in 1743.

companying measure with the Committee of Correspondence, with which he determined to arouse anew the spirit of the Province. Hutchinson, who instantly saw the danger, already anticipated and predicted the impending contest, but it was not until Mr. Adams in the "Rights of the Colonists," in November, 1772, had even more plainly denied the authority of the Parliament of Great Britain to make and establish laws for the Province,* that the Governor deemed it advisable to open the controversy. Now, however, he hastened to send this alarming essay to England, as an indication of what was to be expected. He says to Richard Jackson, to whom the Gazette was enclosed:—

"You may depend upon it, that the leaders of the people are in earnest, and flatter themselves they shall maintain their ground and make further advances until they have rejected every act of Parliament which controls the Colonies. The paper which I enclose to you speaks their real sentiments, and is the language of the Chief Incendiary of the House. If they meet with nothing to deter them, it is not improbable that the next session may obtain a vote for a message or declaration in the very terms of the exceptionable declaration in the paper." †

The first of these essays was based upon Hutchinson's History of Massachusetts, whose positions Mr. Adams attacks, supporting his assertions with quotations from the great authors on government, whose works were in his library.

"The writer of the History of Massachusetts Bay tells us that 'our ancestors apprehended the acts of trade to be an invasion of the rights, liberties, and properties of the subjects of his Majesty in the Colony, they not being represented in Parliament; and, according to the usual sayings of the learned in the law, the laws of England were bounded within the four seas, and did not reach America. However, they made provision by an Act of the Colony, that they,

* See the Governor's Speech to the House of Representatives, Jan. 6, 1773 (Bradford's State Papers, p. 336).

† Hutchinson to Jackson, October, 1771.

i. e. the acts of trade, should be strictly attended from time to time.' The passing of this law of the Colony, and thus making it an act of their own Legislature, he says, 'plainly shows the wrong sense they had of the relation they stood in to England.' And he further adds, that 'though their posterity have as high notions of English liberties as they had, yet they are sensible that they are Colonists, and therefore subject to the control of the parent state.' As I am not disposed to yield an implicit assent to any authority whatever, I should have been glad if this historian, since he thought proper to pronounce upon so important a matter, had shown us what was the political relation our ancestors stood in to England, and how far, if at all, their posterity are subject to the control of the parent state. If he had vouchsafed to have done this when he published his History, he would have rendered the greatest service both to Great Britain and America, and eased the minds of multitudes who have been unsatisfied on points of such interesting importance.

"Mr. Locke, in his treatise on government, discovers the weakness of this position, that every man is born a subject to his prince, and therefore is under the perpetual tie of subjection and allegiance; and he shows that express consent alone makes any one a member of any commonwealth. He holds that submission to the laws of any country, and living quietly and enjoying privileges and protection under them, does not make a man a member of that society or a perpetual subject of that commonwealth, any more than it would make a man subject to another in whose family he found it convenient to abide for some time, though, while he continued under it, he were obliged to comply with the laws, and submit to the government he found there. Every man was born naturally free; nothing can make a man a subject of any commonwealth but his actually entering into it by positive engagement and express promise and compact.

"If the sentiments of this great man are well grounded, our historian, before he asserted so peremptorily that the ancestors of this country, as colonists, were subject to the control of the parent state, should have first made it appear that by positive engagement, or express promise or compact, they had thus bound themselves.

"'Every man being born free,' says another distinguished writer, 'the son of a citizen, arrived at the years of discretion, may examine

whether it be convenient for him to join in the society for which he was destined by birth. If he finds that it will be no advantage for him to remain in it, he is at liberty to leave it, preserving, as much as his new engagements will allow him, the love and gratitude he owes it.* He further says, 'there are cases in which a citizen has an absolute right to renounce his country and abandon it forever,' which is widely different from the sentiment of the historian, that 'allegiance is not local, but perpetual and unalienable.' And among other cases in which a citizen has this absolute right, he mentions that when the sovereign or the greater part of the nation will permit the exercise of only one religion in the state, which was the case when our ancestors forsook their native country. They were denied the rights of conscience. They left it, however, with the consent of the nation; it is allowed by this historian that they departed the kingdom with the leave of their prince. They removed at their own expense, and not the nation's, to a country claimed and possessed by independent princes, whose right to the lordship and dominion thereof has been acknowledged by English kings; and they fairly purchased the lands of the rightful owners, and settled them at their own and not the nation's expense. It is incumbent, then, upon this historian to show by what rule of equity or right, unless they expressly consented to it, they became subject to the control of the parent state. The obligation they had been under to submit to the government of the nation, by virtue of their enjoyment of lands which were under its jurisdiction, according to Mr. Locke, began and ended with the enjoyment. *That* was but tacit consent to the government; and when by donation, sale, or otherwise, they quitted the possession of those lands, they were at liberty, unless it can be made to appear they were otherwise bound by positive engagement or express contract, to incorporate into any other commonwealth, or begin a new one *in vacuis locis*, in any part of the world they could find free and unpossessed. They entered into a compact, it is true, with the King of England, and, upon certain conditions, became his voluntary subjects, not his slaves. But did they enter into any express promise to be subject to the control of the parent state? What is there to show that they were any way bound to obey the acts of the British Parliament but those very acts themselves? Is there anything but the mere *ipse dixit* of an histo-

* Mr. Vattel, Law of Nature and Nations.

rian who, for aught any one can tell, designed to make a sacrifice to the ruling powers of Great Britain, to show that the parent state might exercise the least control over them as colonists, any more than the English Parliament could exercise control over the dominions which the kings formerly held in France, or than it can now over the inhabitants of the moon, if there be any?

“By the charter of this Province the legislative power is in the Governor, who is appointed by the King, the Council, and House of Representatives. The legislative of any commonwealth must be the supreme power. But if any edict or instruction of anybody else, in what form soever conceived, or by what power soever backed, can have the force and obligation of a law in the Province, which has not its sanction from that legislative, it cannot be the supreme power. Its laws, however salutary, are liable at any time to be abrogated at the pleasure of a superior power. Nobody can have a power to make laws over a free people but by their own consent, and by authority received from them. It follows, then, either that the people of this Province have consented and given authority to the parent state to make laws over them or that she has no such authority. No one, I believe, will pretend that the parent state receives any authority from the people of this Province to make laws for them, or that they have ever consented she should. If the people of this Province are a part of the body politic of Great Britain, they have, as such, a right to be consulted in the making of all acts of the British Parliament, of what nature soever. If they are a separate body politic, and are free, they have a right equal to that of the people of Great Britain to make laws for themselves, and are no more than they subject to the control of any Legislature but their own. ‘The lawful power of making laws to command whole politic societies of men belongs so properly unto the same entire societies, that for any prince or potentate of what kind soever upon earth to exercise the same of himself, and not by express commission immediately and personally received from God, or else from authority derived at the first from their consent upon whose persons they impose laws, is no better than mere tyranny. Laws, therefore, they are not, which public approbation hath not made so.’* This was the reason given by our ancestors why they should not be bound by the acts of Parliament, because, not being

* Hooker's *Eccl. Pol.*

represented in Parliament, the public approbation of the Province had not made them laws. And this is the reason why their posterity do not hold themselves rightly obliged to submit to the revenue acts now in being, because they never consented to them. The former, under their circumstances, thought it prudent to adopt the acts of trade by passing a law of their own, and thus formally consenting that they should be observed. But the latter, I presume, will never think it expedient to copy after their example. The historian tells his reader that 'They' (the people of this Province) 'humbly hope for all that tenderness and indulgence from a British Parliament which the Roman Senate, while Rome remained free, showed to Roman colonies.' Why the conduct of Rome towards her colonies should be recommended as an example to our parent state, rather than that of Greece, is difficult to conjecture, unless it was because, as has been observed, the latter was more generous and a better mother to her colonies than the former. Be that as it may, the Colonists have a right to expect from the parent state all possible tenderness, not only as they sprang from her, and are subjects of the same King, but as they have greatly contributed to her wealth and grandeur. And we are willing to render to her respect and certain expressions of honor and reverence, as the Grecian colonies did to the city from whence they derived their origin, as Grotius says, *so long as the colonies were well treated*. By our compact with our King, wherein is contained the rule of his government and the measure of our submission, we have all the liberties and immunities of Englishmen to all intents, purposes, and constructions whatever; and no King of Great Britain, were he inclined, could have a right, either with or without his Parliament, to deprive us of those liberties. They are originally from God and nature, recognized in the charter, and entailed to us and our posterity. It is our duty, therefore, to contend for them whenever attempts are made to violate them.

"He also says, 'that the people of Ireland were under the same mistake' with our ancestors; that is, in thinking themselves exempt from the control of English acts of Parliament. But nothing drops from his pen to show that this was a mistake, excepting that 'particular persons in Ireland did penance for advancing and adhering to those principles.' The same mighty force of reasoning is used to prove that this Colony was mistaken, viz.: 'They suffered the loss

of the charter.' Such arguments may serve to evince the power of the parent state, but neither its wisdom nor justice appears from them. The sense of the nation, however, was very different after the Revolution. The House of Commons voted the judgment against the charter a grievance; and a bill was brought in, and passed that House, for restoring the charters, among which that of this Province was expressly mentioned; notwithstanding the *mistake* above mentioned was one great article of charge against it. But the Parliament was prorogued sooner than was expected, by reason of the King's going to Ireland.

"Our historian tells his readers, by way of consolation, that 'it may serve as some excuse for our ancestors, that they were not alone in their mistaken apprehensions of the nature of their subjection'; and he appears to be mighty glad that 'so sensible a gentleman as Mr. Molineux, the friend of Mr. Locke, engaged in the cause.' But we want no excuse for any *supposed* mistakes of our ancestors. Let us first see it proved that they were mistakes. Till then, we must hold ourselves obliged to them for sentiments transmitted to us so worthy of their character and so important to our security. And we shall esteem the arguments of so sensible, and it might justly be added so learned a gentleman as Mr. Molineux, especially as they had the approbation of his friend Mr. Locke, to be valid, while we see nothing to oppose them but the unsupported opinion of Mr. Hutchinson.

"VALERIUS POPPICOLA."*

As was the custom, Hutchinson, in November, issued his annual proclamation for a day of thanksgiving, and the clergy of the Province were directed to read from the pulpit, as a cause for gratitude, "that civil and religious liberty were continued." The artful attempt, however, was as transparent as the assertion was false and hypocritical; and its failure is thus alluded to by Mr. Adams in a letter to Arthur Lee:—

"This, I imagine, was contrived to try the feelings of the people; and if the Governor could dupe the clergy, as he had the Council, and they the people, so that the proclamation should be read as

* Boston Gazette, Oct. 28, 1771.

usual in our churches, he would have nothing to do but acquaint Lord Hillsborough that the people in general acquiesced in the measures of government since they had appeared to admit with—— himself, that notwithstanding the faction and turbulence of a party, their liberties were continued and their trade enlarged. I am at a loss to say, whether this measure is more insolent to the people or affrontive to the majesty of Heaven, neither of whom, however, a modern politician regards, if at all, so much as the smiles of his noble patron. But the people saw through it in general, and openly declared that they would not hear the proclamation read; the consequence of which was, that it was read in only two of all the churches in this town, consisting of twelve, besides three Episcopal churches; there, indeed, it has not been customary ever to read them. Of those two clergymen who read it, one of them being a stranger in the Province, and having been settled but about six weeks, performed a servile task about a week before the usual time, when the people were not aware of it. They were, however, much disgusted at it. The other is a known flatterer of the Governor, and is the very person who formed the fulsome address of which I wrote you some time ago. He was deserted by a great number of his auditory in the midst of his reading.” *

The subject of this proclamation, by which the people were to have been tricked into an acknowledgment of the government system, was extensively commented upon by Mr. Adams in the press, where he denounced the measure and exposed its pernicious tendencies.

“However mysterious,” he says, “fawning priests and flatterers may affect to think it, kings and governors may be guilty of treason and rebellion, and they have in general, in all ages and countries, been more guilty of it than their subjects. Nay, what has been commonly called rebellion in the people has often been nothing else but a manly and glorious struggle in opposition to the lawless power of rebellious kings and princes, who, being elevated above the rest of mankind, and paid by them only to be their protectors, have been taught by enthusiasts to believe they were authorized by God to enslave and butcher them. It is not uncommon for men, by their

* Adams to Lee, Nov. 13, 1771.

own inattention and folly, to suffer those things which an all-gracious Providence designed for their good to become the greatest evils. If we look into the present state of the world, I believe this will hold good with regard to civil government in general; and the history of past ages will inform us, that even those civil institutions which have been best calculated for the safety and happiness of the people have sooner or later degenerated into settled tyranny, which can no more be called civil government, and is, in fact, upon some accounts, a state much more to be deprecated than anarchy itself. It may be said of each that it is a state of war; and it is beyond measure astonishing that free people can see the miseries of such a state approaching to them with large and hasty strides, and suffer themselves to be deluded by the artful insinuations of a man in power and his indefatigable sycophants into a full persuasion that their liberties are in no danger. May we not be allowed to adopt the language of Scripture, and apply it upon so important a consideration that, seeing, men will see and not perceive, and hearing, they will hear and not understand!"

He then cites the biblical instance of Jeroboam, the son of Nebat, whose treason in making his people sin against the Supreme Being he compares to the late occurrences in the Province, and warns the people against the insidious proclamation by which the pulpit was to have been made a covert means of strengthening the power of the royal Governor.

"Even in these enlightened times," he continues, "the people in some parts of the world are so bewitched by the enchantments of priestcraft and kingcraft as to believe that, though they sin against their own consciences in compliance with the instruction of the one or in obedience to the command of the other, they shall never suffer, but shall be rewarded in the world to come for being so implicitly subject to the higher powers; and the experience of the world tells us that there are, and always have been, various ways of rewarding them for it in this world. On the contrary, if they hesitate to declare a blind belief in the most palpable absurdities in government and religion, they are sure to fall into the immediate hands of spiritual inquisitors, to be whipped and tortured into an acknowledgment of the error or threatened with the further pains of eternal damnation, if they persist in their contumacy.

“Thanks be to God, there is not yet so formidable a junction of the secular and ecclesiastical powers in this country, and there is reason to hope there are but few of the clergy who would desire it. Yet such is the deplorable condition we are in, and so notorious is it to all, that should any man, be he who he may, tell me that our civil liberties were continued, or that our religious principles were not in danger, I should detest him, if in his senses, as a perfidious man. And if any clergyman should, in compliance with the humors or designs of a man in power, echo such a false declaration in the church of God, he would, in my opinion, do well seriously to consider whether an excessive complaisance may not have betrayed him into the sin of Ananias and Sapphira, in lying against the Holy Ghost! This is a most weighty consideration, but the times require plain dealing. We hope and believe, nay we know, that there are more than seven thousand who will never bow the knee to Baal, or servilely submit to tyranny, temporal or spiritual. But are we not fallen into an age when some, even of the clergy, think it no shame to flatter the idol, and thereby lay the people as in the days of Jeroboam, the son of Nebat, under a temptation to commit great wickedness and sin against God? Let us beware of the power of flattery. If the people are tainted with this folly, they will never have virtue enough to demand a restoration of their liberties in the very face of a tyrant, if the necessity of the times should call for so noble an exertion. And how soon there may be such necessity, God only knows. May he grant them fortitude, as well as sound prudence, in the day of trial! He who can flatter a despot, or be flattered by him, without feeling the remonstrances of his own mind against it, may be remarkable for the guise and appearance of sanctity; but he has very little, if any, true religion. If he habitually allows himself in it, without any remorse, he is a hardened, impenitent sinner against God and his country. Whatever his profession may be, he is not fit to be trusted, and, when once discovered, he will never be trusted by any but fools and children. To compliment a great man, to the injury of truth and liberty, may be, in the opinion of a very degenerate age, the part of a polite and well-bred gentleman. Wise men, however, will denominate him a traitor or a fool.”*

Through November, December, and January, Mr. Adams

* “Candidus,” in the Boston Gazette, Nov. 11, 1771.

wrote incessantly as "Candidus," arguing with the crown advocates, and attacking them at every point. These hirelings, who received their cue from the Governor, availed themselves of the long season of quiet to disseminate their principles wherever the papers in government interest could reach.

CHAPTER XXI.

Hancock still opposes the Measures of Adams. — Political Divisions among the Patriots. — The King desires to separate Hancock from the Popular Party. — Adams alone continues his "Virulence." — His Celebrity as a Political Writer. — Testimony of John Adams, Bernard, Sullivan, and Hutchinson. — The Patriot Party lessens in Numbers and Influence. — Hancock leaves the Patriot Club, and seeks New Associates. — John Adams avoids Politics and Town Meetings. — Adams and Joseph Warren stand together. — Warren pronounces the Annual Oration.

THE enmity of John Hancock to Samuel Adams, which originated during or shortly before the last session, still continued. Eliot, a contemporary, and personally acquainted with them, was thoroughly versed in public affairs, and as one of the founders of the Massachusetts Historical Society was interested in everything relating to the events of the Revolution. Speaking of this disagreement, he states that the friends who remained with and supported Mr. Adams were the "sternest republicans, and those, perhaps, who first dared to view our independence as near." * Of this, however, there can be no doubt; not only does it appear from Hutchinson's letters already quoted, but the writings of Adams all through this period, though for the good of the cause they make no allusion to persons, disclose the condition of the Province and the subsidence of the spirit of opposition since the last Legislature, and the division in the party. So far, in fact, had affairs gone, that influential men in England, who were informed by the Loyalists in Boston of the affair, looked forward with confidence to bringing Hancock over to their side; but the friends of liberty never allowed the quarrel to proceed to that length. We have already seen, in the Governor's own account, that he ap-

* Eliot's N. E. Biographical Dictionary, p. 10.

proached Hancock with such views ; but whether during the last session, when the latter had become dissatisfied with the policy of Adams, or later in the year, is not stated. In one of his letters, as early as October, he says : —

“The letter by the August packet did not come to hand until last evening. I value your correspondence so much that I will not omit the first opportunity of acknowledging the receipt of your letters, as one means of making them more frequent. Your opinion and mine agree exactly upon the rules by which I am to govern myself as to the place of meeting the Assembly. I shall know how their extravagant behavior, at the close of the last session, was resented in England, before I shall meet them again at any place.* Your intimation that —— measure would be approved by the highest authority, I take very kind, and shall remember that it is in confidence. To answer the purpose proposed, I must have from home some assurance of breaking his connections, before I can give my consent to his election. He is quiet at present, and so are most of the party. All of them, except Adams, abate of their virulence. Adams is the writer in the incendiary newspaper, and, I have no doubt, wishes to see the continent strike off their dependence upon Great Britain, and would push the Colonies into a rebellion to-morrow, if it was in his power.” †

How exultingly he regarded the flattering condition of the Province appears by the following extract from another letter, written shortly afterwards. For a few months, before and after this time, the cause of American liberty had but slight encouragement. The truth is, that at this period of depression Samuel Adams was the Atlas of freedom in Massachusetts. Singly he met the champions of tyranny ; and while others held back and counted the cost, this intrepid patriot pressed onward and never wearied in the great battle.

“At present,” says Hutchinson, in the letter above referred to,

* Referring to Mr. Adams’s protest of June 19 of this year. See, *ante*, pp. 403, 404.

† Hutchinson to Pownall, Oct. 17, 1771.

“Hancock and Adams are at great variance. Some of my friends blow the coals, and I hope to see a good effect. They follow the opposition in England in everything they are able to do. I compare this to the quarrel between Oliver and Wilkes. Otis was carried off to-day in a post-chaise, bound hand and foot. He has been as good as his word,—set the Province in a flame, and perished in the attempt. I have taken much pains to procure writers to answer the pieces in the newspapers which do so much mischief among the people, and have two or three engaged with Draper, besides a new press, and a young printer who says he will not be frightened, and I hope for some good effect.”*

Certainly the zeal of the Governor could not be questioned. No man could exceed him in his constant watchfulness, his exertions to affect the public mind, his crafty correspondence with the powers in England, or in the use of all means, however minute in detail, to serve the ends of government. The short extract from his letter to Bernard just given is a complete index to his mind. As he increased his efforts, he was met at every point by Adams, who was determined to keep alive the spirit of freedom, until the times were ripe for maturing his “great invention,” the plans for which he was already arranging in his mind. One of the tribe of “ministerial writers,” whom Hutchinson had thus “taken pains to procure,” signed himself “Chronus”; and to him, the ablest among the number, Mr. Adams gave his special attention as most worthy his pen. From his controversy with “Chronus” a few selections only can be given.

“No methods,” he says, “are yet left untried by the writers on the side of the Ministry to persuade this people that the best way to get rid of our grievances is to submit to them. This was the artifice of Governor Bernard, and it is urged, with as much zeal as ever, under the administration of Governor Hutchinson. They would fain have us endure the loss of as many of our rights and liberties as an abandoned Ministry shall see fit to wrest from us, without the least murmur. But when they find that they cannot silence

* Hutchinson to Bernard, Dec. 3, 1771.

our complaints and soothe us into security, they then tell us that 'much may be done for the public interest by way of humble and dutiful representation, pointing out the hardship of certain measures.' This is the language of 'Chronus' in the last Massachusetts Gazette. But have we not already humbly petitioned the King for the redress of our grievances and the restoration of our liberties? Have not the House of Representatives done it in the most dutiful terms imaginable? Was it not many months before that petition was suffered to reach the royal hand? And after it was laid before his Majesty, was he not advised by his Ministers to measures still more grievous and severe? Have any lenient measures been the consequence of our humble representations of 'the hardship of certain measures,' which were set forth by the House of Assembly in the most decent and respectful letters to persons of high rank in the administration of government at home? Did not the deputies of most of the towns and districts in this Province meet in convention in the year 1768, when Bernard had, in a very extraordinary manner, dissolved the General Assembly? Did they not, I say, in the most humble terms petition the Throne for the redress of the intolerable grievances we then labored under? Has not the town of Boston most submissively represented the 'hardship of certain measures' to their most gracious sovereign, and petitioned for right and relief? Was not petitioning and humbly supplicating the method constantly proposed by those very persons whom 'Chronus,' after the manner of his brethren, styles 'pretended patriots,' and constantly adopted, till it was apparent that our petitions and representations were treated with neglect and contempt? — till we found that even our petitioning was looked upon as factious, and the effects of it were the heaping of grievance upon grievance? Have not the people of this Province, after all their humble supplications, been falsely charged with being 'in a state of disobedience to all law and government'? And, in consequence of petitioning, has not the capital been filled with soldiers to quiet their murmurs with the bayonet, and to murder, assassinate, and plunder with impunity? Have we not borne for these seven years past such indignity as no free people ever suffered before, and with no other tokens of resentment on our part than pointing out our hardships, and appealing to the common sense of mankind, after we had in vain petitioned our most gracious sovereign? And now we are even insulted by those who have

brought on us all these difficulties, for uttering our just complaints in a public newspaper! Pointing out the hardships of our sufferings, and calling upon the impartial world to judge between us and our oppressors, and protesting before God and man against innovations big with ruin to the public liberty, is called by this writer 'a stubborn opposition to public authority,' and 'a high-hand opposition and repugnancy to government!'

"For God's sake, what are we to expect from petitioning? Have we any prospect in the way of humble and dutiful representation? Let us advert to the nation of which this writer says we are a part. Are not they suffering the same grievances under the same administration? Have not they repeatedly petitioned and remonstrated to the Throne, and 'pointed out the hardships of certain measures' to the King himself? And has not his Majesty been advised by his ministers to treat them as imaginary grievances only? And yet, after all, against repeated facts and common experience to the contrary, we are told that 'much might be done for the public interest by way of humble and dutiful representation.' If there were even now any hopes that the King would hear us while his present counsellors are near him, I should be, by all means, for petitioning again; but every man of common observation will judge for himself of the prospect."*

Samuel Adams stood at the head of the political essayists of New England as regards clearness and force of reasoning, vigor of style, and entire devotion to the public liberties. Long before the Revolution he had taken a resolute position against the first signs of encroachment on the Colonial rights by the British government, at a time when the teachings of the press, confined to small communities, were regarded as oracular. As the century advanced, and the Revolution drew near, he was quick to seize upon that powerful engine for shaping public opinion; and when the intention of enforcing the acts of Parliament by military power became apparent, and he determined to labor for absolute independence, he saw that the press would be of the greatest service in imperceptibly educating the people to the familiar contempla-

* "Candidus," in the Boston Gazette, Dec. 2, 1771.

tion of such an event. The fifth and sixth volumes of Bancroft's History form a monument to the extraordinary skill, industry, and ability of Adams as a public writer. Years before the Stamp Act, the historian says he was "famed as a political writer, employing wit and sarcasm as well as energy of language and earnestness," and "no one had equal influence over the popular mind."* With how much address he pursued his "black art," as Hutchinson termed it in his letters to the Ministry, the occasional extracts given in the present work will exhibit. The Governor, in his secret correspondence, was continually forwarding to the administration evidence against the "Chief Incendiary," whose "art and skill, by exercising his talents in the newspapers," gave his Excellency so much concern. "Adams," said he, "draws most of the seditious papers in the newspapers." Speaking of a recent state document he says: "The answer, drawn by Adams, breathes the seditious spirit which has appeared in Edes and Gill's paper," the Boston Gazette.† It has not yet been satisfactorily ascertained who were "the two or three writers" the Governor had hired to answer these essays, as stated in his letter of December 3, already quoted. The names assumed by some of the principal antagonists of Adams, were "Benevolus," "Probus," "Philanthrop," and "Chronus," all of whom were vigorous and ingenious reasoners. "Philanthrop" was the Attorney-General of Massachusetts, Jonathan Sewall,‡ a

* Bancroft, V. 196; VI. 430.

† See Hutchinson's letters to Hillsborough, Dartmouth, etc.

‡ There is satisfactory evidence of this. John Adams says in his Diary (Works, II. 251), "You will see a 'Philanthrop,' for propagating as many lies and slanders against his country as ever fell from the pen of a sycophant, rewarded with the places of Solicitor-General, Attorney-General, Advocate-General, and Judge of Admiralty, with six thousands a year." Andrew Eliot, in a letter to Thomas Hollis (Jan. 26, 1771), alludes to "Philanthrop" as a writer for government; and Hollis, who had good means of information, mentions in a note to this letter that the supposed writer was Jonathan Sewall. Writing to John Adams from Boston (July 21, 1786), Samuel Adams says: "Jonathan Philanthrop, whom you well knew, with many others, took

man of great legal attainments, and one of the best controversialists in the Province. Writhing under the plain logic and outspoken truths boldly proclaimed in the Gazette, Hutchinson recorded that at the commencement of the Revolution Adams had been "for near twenty years a writer against government in the public newspapers, at first but an indifferent one; long practice caused him to arrive at great perfection, and to acquire a talent of artfully and fallaciously insinuating into the minds of his readers a prejudice against the character of all whom he attacked, beyond any other man I ever knew." * Hutchinson's predecessor liked him no better. "Bernard," said one who knew them both, "used to damn that Adams. Every dip of his pen stung like a horned snake." † Adams sinned in dissecting and laying bare to the world the designs of Parliament, and in mercilessly exposing the practices of the Loyalists from Hutchinson down to the Commissioners of the Customs. Nothing escaped his penetration, and the Tories hated him for that reason above all other men. "None of these government men," says Sabine, "were so effective as popular writers as Samuel Adams, and his single pen was probably a match for them all." This was after an examination of the papers of the refugee families in Nova Scotia, where yet remains much valuable material for historical purposes. Governor Bernard, in 1769, sent a series of Evening Posts to the Earl of Hillsborough ‡ "for the sake," he writes, "of

a very active part, and they were very successful in promoting the designs of the British government before the war." This association of the names leaves no doubt that Samuel Adams knew that Sewall and "Philanthrop" were one. John Adams always supposed that Sewall was his antagonist as "Massachusettsensis" in 1775; and by the above quotation it would appear that his kinsman was of the same opinion. It is now known that Judge Leonard was the writer.

* Hutchinson's History, III. 295.

† John Adams's Works, II. 425. These contemporary authorities thus establish Samuel Adams as a writer on popular liberties as early as 1744-45, during the reign of George the Second.

‡ Bernard to Hillsborough, Feb. 25, 1769.

a periodical paper published in it, and continued. It was first published at New York, where it is continued. It has been also, I understand, regularly sent to London, and published there. It is composed by Adams and his assistants."

"His pen," says James Sullivan, who was for many years familiar with the writings of Samuel Adams, "was no less powerful than his tongue. A mind well stocked with the sentiments of a Locke, a Sydney, and other great men who had contended against monarchical and ecclesiastical tyranny, with an education which had given it the entire possession of all the principal systems and abuses of the ancient Grecian and Roman republics, as well as of the despotisms of the world, was capable of carrying conviction to the hearts of all who had not been bribed against their own freedom, or who had not suffered themselves to be betrayed by the allurements of avarice and ambition, or by the impression of fear. . . . His exertions all tended to a separation. By his speeches and Gazette productions a large majority was produced and maintained in Massachusetts in opposition to the claims of the Ministry."

John Adams was always vividly impressed with the extraordinary effect of the literary productions of his kinsman, which he remembered for their power in producing and sustaining the Revolution. Whenever he had occasion in after years to refer to Samuel Adams, these voluminous but then generally forgotten writings seem to have come up in his recollection as inseparably associated with the man. "Without the character of Samuel Adams," he says, "the true history of the American Revolution can never be written. For fifty years his pen, his tongue, his activity, were constantly exerted for his country without fee or reward. During that time he was almost an incessant writer. But where are his writings? Who can collect them?*" and if collected,

* The letters of the royal Governors to the Ministry, and the statements of informers, together with what has been found of his original drafts of political essays, have afforded a clew to the recovery of a portion of his works. The bulk, as John Adams truly said, can never be recognized. How many signatures he adopted during the long period between the commencement of the revenue system and the Declaration of Independence, it is impossible to say.

who will ever read them?" Referring to Samuel Adams's Boston instructions of 1764, he says: "Those instructions are a sample of the simplicity, purity, and harmony of style which distinguished all the productions of Mr. Adams's pen." And again: "A collection of his writings would be as curious as voluminous. It would throw light upon American history for fifty years. In it would be found specimens of a nervous simplicity of reasoning and eloquence that have never been rivalled in America."* And in a letter to Samuel Adams, written in Paris, in 1783: "I want to come home for many reasons, one of which lies with very great

Twenty-five have been collected, of his use of which there is absolute proof. Others, appended to articles plainly in his style, are rejected for want of positive evidence of his authorship. Some of his essays over one signature extend, in consecutive series, through several years, — the argument being maintained right and left with his various Loyalist assailants, — while, with different names, he kept up contests simultaneously with others of the crown writers on distinct subjects. All this time his pen was employed on the state papers of the Legislature and other public bodies, and in his extensive correspondence with patriots in the other Colonies and with gentlemen in England. His writings over the following signatures have been collected: —

Determinatus,	Vindex,
Principiis Obsta,	A Chatterer,
T. Z.,	An Elector in 1771,
A Layman,	An American,
A. B.,	A.,
Cedant Arma Togæ,	Valerius Poplicola,
E. A.,	A Son of Liberty,
A Bostonian,	Shippen,
A Tory,	Z.,
Populus,	Observation,
An Impartialist,	Sincerus,
Alfred,	A Religious Politician.
Candidus,	

Extracts from most of these series appear in this work. Many are of great length. If published entire, together with the arguments of his antagonists, they would present a formidable array of controversial papers, embracing all the issues between Great Britain and the Colonies, and showing the gradual progress of events which culminated in American Independence.

* John Adams's Works, I. 673, 674.

weight upon my mind ; it is to persuade you to make a collection of your writings, in which I think the new world deeply interested and the old one too." As early as 1765, in his Diary, he describes Otis, Cushing, and Adams at the Club, where his kinsman had introduced him, and records that Adams had "the most correct, genteel, and artful pen" of all the distinguished characters in that body ; and, in 1774, he again points out Adams as "the most elegant writer" of any who had figured in his time. There are other instances where he refers to the literary celebrity of Samuel Adams, evidently reflecting the general opinion of all parties prior to and during the Revolution. In fact, though Otis, Thacher, and Mayhew, at the time of the Stamp Act, and Joseph Warren, John Adams, Quincy, Cooper, Young, Chauncy, and others, at a subsequent period, all wrote against the British government, we need go no further than to these unqualified and concurrent assertions of John Adams and Hutchinson in estimating Samuel Adams as the one particular essayist who excelled them all, not only as the earliest, but as the most powerful and voluminous writer on American politics.

But, though the productions of Adams in defence of Colonial rights had long been known, his Revolutionary essays proper commenced in the winter of 1768, a year before the first of the celebrated "Junius" letters appeared in London. "Junius" wrote for three years, terminating his famous onslaughts upon the Ministry in January, 1772. During the whole of that period Adams was bending to his task in New England, scattering abroad the seeds of democracy to achieve far different results. To some extent there is found in the two writers the same clearness, precision, force of style, and impressiveness of manner ; but while the object of "Junius" was not so much to conduct a train of logical argument as to inflame the passions by vigorous attacks, couched in nervous and felicitous language, the essays of Adams are remarkable for their uncontrovertible reasoning. His de-

ductions were never assailed with success, and those who encountered him always retired discomfited. His strength was not in imagery and word-painting, but rather in his vigorous grasp of thought and subtle analysis, and his direct manner of cutting into the heart of subjects. Despite the armor of pretended contempt with which the Loyalists at times shielded themselves, he generally probed to the quick, and stung the more keenly from the very absence of ornament. A severe simplicity of language, which disdained the studied contrivances of speech, left nothing to be inferred and compelled a reply. The patriotic writings of Dickinson, in Pennsylvania, were no less potent to indoctrinate the people with the spirit of liberty; and Samuel Adams, his most ardent admirer, repeatedly acknowledged the effect of the Farmer's Letters. Dickinson wrote to preserve harmony with the mother country, as well as to assert the natural rights of Americans. Adams aimed to create the sentiment of patriotism, which he foresaw would be wanted ere long in the violent disruption of the Colonies from Great Britain. Admirable judgment as well as skill is evinced in these essays. The same wise caution which pervaded all political proceedings under his direction is apparent in his writings, so that the most critical examination finds no instance of unguarded zeal or rashness, which might give the Loyalists an advantage in their controversies with him. His maxim was, "Keep your enemy in the wrong."

Continuing his argument with "Chronus," Mr. Adams seems to have occupied the columns of the Gazette almost exclusively. From these copious writings it is impossible to insert more than occasional extracts, nor can space be allotted to the equally lengthy arguments of his opponents. Some of his essays, however, cannot be dissected without destroying the context, and from among these a few of the shorter ones, with the advice of a distinguished scholar, are given entire, even at the risk of filling the pages with quotations to the sacrifice of narrative. The following was

written almost in mid-winter, when the political aspect was as gloomy as the bleak New England landscape at that season; when public spirit seemed to have succumbed to the unremitting exertions of the Governor and his employees to conceal the policy of government under a deceitful guise of gentleness; while a large fleet was wintering in the harbor, and every precaution had been taken to intimidate the people by an exhibition of power. It was several months before the meeting of the Legislature. The Governor carried everything he pleased in his *Divan*, but his proclamation had exposed him. "Should he once," said Mr. Adams, "lose the reputation which his friends have with the utmost industry been building up for him among the clergy for these thirty years past, as a *consummate saint*, he must fall like Samson when his locks were shorn."* The Commissioners of the Customs, who now more than ever had a wide influence in the affairs of government, held their consultations at "Butcher's Hall," as their head-quarters in State Street were called, and had come to the conclusion, with all the insolence of supreme rulers, that the House of Representatives "should rescind" its famous protest of the June session, in which Mr. Adams had, for the while, rudely destroyed the fond hopes of the Loyalists. Outside of Boston an appearance of contentment met the wishes of the Governor, and he still transmitted to England pleasing accounts. If ever the pen of the patriot was needed it was now, and no man more clearly than Samuel Adams saw through the fatal veil of fancied security.

* Samuel Adams to Arthur Lee, Nov. 13, 1771. The arrogant and domineering spirit displayed by the British Ministry, as well as by their agents in Massachusetts, in an assumed absolutism over the Provincial authorities is pointedly alluded to in a letter written Jan. 14, 1772. "Is it not," he says, "a strange mode of expression, of late years made use of, that *Administration intends* that this law shall be enacted or that repealed? It is language adapted to the infamy of the present times by a nation which boasts of the freedom and independency of her Parliaments. I believe almost any of the American Assemblies would highly resent such an imperious tone."

“ ‘ Whene’er from putrid courts foul vapors rose,
 With vigorous wholesome gales
 The winds of opposition fiercely blew,
 Which purged and cleared the agitated state.’ ”

“ If the liberties of America are ever completely ruined, of which, in my opinion, there is now the utmost danger, it will in all probability be the consequence of a mistaken notion of prudence which leads men to acquiesce in measures of the most destructive tendency for the sake of present ease. When designs are formed to raze the very foundation of a free government, those few who are to erect their grandeur and fortunes upon the general ruin will employ every art to soothe the devoted people into a state of indolence, inattention, and security, which is forever the forerunner of slavery. They are alarmed at nothing so much as attempts to awaken the people to jealousy and watchfulness; and it has been an old game, played over and over again, to hold up the men who would rouse their fellow-citizens and countrymen to a sense of their real danger, and spirit them to the most zealous activity in the use of all proper means for the preservation of the public liberty, as ‘pretended patriots,’ ‘intemperate politicians,’ ‘rash hot-headed men,’ ‘incendiaries,’ ‘wretched desperadoes,’ who, as was once said of the best of men, would turn the world upside down, or have done it already. But he must have a small share of fortitude indeed, who is put out of countenance by hard speeches without sense and meaning, or affrighted from the path of duty by the rude language of Billingsgate. For my own part, I smile contemptuously at such unmanly efforts. I would be glad to hear the reasoning of ‘Chronus’ if he has a capacity for it; but I disregard his railing, as I would the barking of a ‘cur dog.’ ”

“The dispassionate and rational Pennsylvania Farmer* has told us that a perpetual jealousy respecting liberty is absolutely requisite in all free states. The unhappy experience of the world has frequently manifested the truth of his observation. For want of this jealousy the liberties of Spain were destroyed by what is called a vote of credit; that is, a confidence placed in the King to raise money upon extraordinary emergencies in the intervals of Parliament. France afterwards fell into the same snare; and England itself was in great danger of it in the reign of Charles the Second,

* John Dickinson, author of the Farmer’s Letters.

when a bill was brought into the House of Commons to enable the King to raise what money he pleased upon *extraordinary* occasions, as the Dutch war was pretended to be: and the scheme would doubtless have succeeded to the ruin of the national liberty, had it not been for the watchfulness of the 'intemperate patriots,' and 'wrong-headed politicians,' even of that day.

"How much better is the state of the American Colonies soon likely to be than that of France and Spain; or than Britain would have been in, if the bill before mentioned had passed into an act? Does it make any real difference whether one man has the sovereign disposal of the people's purses or five hundred? Is it not as certain that the British Parliament have assumed to themselves the power of raising what money they please in the Colonies upon all occasions, as it is that the Kings of France and Spain exercise the same power over their subjects upon emergencies? Those Kings, by the way, being the sole judges when emergencies happen, they generally create them as often as they want money. And what security have the Colonies that the British Parliament will not do the same? It is dangerous to be silent, as the ministerial writers would have us to be, while such a claim is held up; but much more to submit to it. Your very silence, my countrymen, may be construed a submission, and those who would persuade you to be quiet intend to give it that turn. Will it be likely, then, that your enemies who have exerted every nerve to establish a revenue raised by virtue of a supposed inherent right in the British Parliament, without your consent, will recede from the favorite plan when they imagine it to be completed by your submission? Or, if they should repeal the obnoxious act upon the terms of your submitting to the right, is it not to be apprehended that your own submission will be brought forth as a precedent in a future time, when your watchful adversary shall have succeeded and laid the most of you fast asleep in the bed of security and insensibility. Believe me, should the British Parliament, which claims a right to tax you at discretion, ever be guided by a wicked and corrupt administration, — and how near they are approaching to it, I will leave you to judge, — you will then find one revenue act succeeding another, till the fatal influence shall extend to your own Parliaments. Bribes and pensions will be as frequent here as they are in the unhappy kingdom of Ireland, and you and your posterity will be made, by means of your own money, as

subservient to the will of a British Ministry or an obsequious governor as the vassals of France are to that of their Grand Monarch. What will prevent this misery and infamy but your being finally obliged to have recourse to the *ultima ratio*? But is it probable that you will ever make any manly efforts to recover your liberty after you have been inured without any remorse to contemplate yourselves as slaves? 'Custom,' says the Farmer, 'gradually reconciles us to objects even of dread and detestation. It reigns in nothing more arbitrarily than in public affairs. When an act injurious to freedom has once been done, and the people bear it, the repetition of it is more likely to meet with submission. For as the mischief of the one was found to be tolerable, they will hope that the second will prove so too; and they will not regard the infamy of the last, because they are stained with that of the first.'

"The beloved patriot further observes, in mixed governments the very texture of their constitution demands a 'perpetual jealousy. For the cautions with which power is distributed among the several orders imply that each has that share which is proper for the general welfare, and, therefore, that any further imposition must be pernicious.' The government of this Province, like that of Great Britain, of which it is said to be an epitome, is a mixed government. Its Constitution is delicately framed; and, I believe, all must acknowledge that the power vested in the Crown is full as great as is consistent with the general welfare. The King, by the charter, has the nomination and appointment of the Governor; but no mention being therein made of his right to take the payment of his Governor upon himself, it is fairly concluded that the people have reserved that right to themselves, and the Governor must stipulate with them for his support. That this was the sense of the contracting parties appears from practice contemporary with the date of the charter itself, which is the best exposition of it, and the same practice has been continued uninterruptedly to the present time. But the King now orders his support out of the American revenue. 'Chronus' himself acknowledges that he is thereby 'rendered more independent of the people.' Consequently, the balance of power, if it was before even, is by this means disadjusted. Here, then, is another great occasion of jealousy in the people. No reasonable man will deny that an undue proportion of power added to the monarchical part of the Constitution, is as dangerous as the same undue pro-

portion would be, if added to the democratical. Should the people refuse to allow the Governor the due exercise of the powers that are vested in him by the charter, I dare say they would soon be told, and very justly, of 'the mischief that would be the consequence of it.' And is there not the same reason why the people may, and ought to, speak freely and loudly of the mischief which would be the consequence of his being rendered more independent of them, or which is in reality the same thing, his becoming possessed of more power than the charter vests him with? For the annihilating a constitutional check in the people, which is necessary to prevent the Governor's exercise of exorbitant power, is in effect to enable him to exercise that exorbitant power, when he pleases, without control. A Governor, legally appointed, may usurp powers which do not belong to him, and it is ten to one but he will if the people are not jealous and vigilant. Charles the First was legally appointed King; the doctrines advanced by the clergy in his father's infamous reign led them both to believe that they were the Lord's anointed, and were not accountable for their conduct to the people. It is strange that Kings seated on the English throne should imbibe such opinions; but it is possible they were totally unacquainted with the history of their English predecessors. Charles, by hearkening to the counsel of his evil ministers, which coincided with the principles of his education and his natural temper, and confiding in his corrupt judges, became an usurper of powers which he had no right to; and, exercising those powers, he became a tyrant; but the end proved fatal to him, and afforded a solemn lesson for all succeeding usurpers and tyrants. His subjects, who made him King, called him to account, dismissed, and punished him in a most exemplary manner! Charles was obstinate in his temper, and thought of nothing so little as concessions of any kind. If he had been well advised he would have renounced his usurped powers. Every wise governor will relinquish a power which is not clearly constitutional, however inconsiderable those about him may persuade him to think it; especially if the people regard it as a part of a system of oppression and an evidence of tyrannical designs. And the more tenacious he is of it, the stronger is the reason why 'the spirit of apprehension' should be kept up among them in its utmost vigilance.

"CANDIDUS."*

* Boston Gazette, Dec. 9, 1771.

Another essay, in which Mr. Adams denied the right of Parliament to legislate for the Colonies, was published in January, 1772.

“I have observed,” he says, “from Baron Montesquieu, that the British Constitution has liberty for its direct object; and that the Constitution of this Province, according to Mr. Hutchinson, is an epitome of the British Constitution; that the right of representation in the body that legislates is essential to the British Constitution, without which there cannot be liberty; and ‘Chronus’ himself acknowledges that the Americans are ‘incapable of exercising this right.’ Let him now draw what conclusion he pleases. All I insist upon is, that the conclusion cannot be just, that the Parliament’s laying duties upon trade, *with the express purpose of raising a revenue*, is not repugnant to, or subversive of, our Constitution. This doctrine, though long exploded by the best writers on both sides of the Atlantic, he now urges; and he is reduced to this necessity, in order to justify or give coloring to his frequent bold assertions, that ‘no one has attempted even to infringe our liberties,’ and to his ungenerous reflections upon those who declare themselves of a different mind, as ‘pretended patriots,’ ‘over zealous,’ ‘intemperate politicians,’ ‘men of no property,’ who ‘expect to find their account’ in perpetually keeping up the ball of contention. But after all that ‘Chronus’ and his associates have said, or can say, the people of America have just ‘grounds still to complain’ that their rights are violated. There seems to be a system of ‘tyranny and oppression’ already begun. It is therefore the duty of every honest man to alarm his fellow-citizens and countrymen, and awaken in them the utmost vigilance and circumspection. Jealousy, especially at such a time, is a political virtue: nay, I will say it is a moral virtue; for we are under all obligations to do what in us lies to save our country. ‘*Tyrants* alone,’ says the great Vattel, ‘will treat as seditious those brave and resolute citizens who exhort the people to preserve themselves from oppression, in vindication of their rights and privileges.’ ‘A good prince,’ says he, ‘will commend such virtuous patriots,’ and will ‘mistrust the selfish suggestions of a minister who represents to him as rebels all those citizens who do not hold out their hands to chains, who refuse tamely to suffer the strokes of arbitrary power.’

“I cannot help observing how artfully ‘Chronus’ expresses his position, that the Parliament’s laying duties upon trade, with the express purpose of raising a revenue, is not repugnant to our Constitution. It has not been made a question, that I know of, whether the Parliament hath a right to make laws for the regulation of the trade of the Colonies. Power she undoubtedly has to enforce her acts of trade. And the strongest maritime power, *ceteris paribus*, will always make the most advantageous treaties, and give laws of trade to other nations, for whom there can be no pretence to the right of legislation. The matter, however, should be considered equitably, if it should ever be considered at all. If the trade of the Colonies is protected by the British navy, there may possibly be from thence inferred a just right in the Parliament of Great Britain to restrain them from carrying on their trade to the injury of the trade of Great Britain. But, this being granted, it is very different from the right to make laws, in all cases whatever, binding upon the Colonies, and especially for laying duties upon trade for *the express purpose of raising a revenue*. In the one case, it may be the wisdom of the Colonies, under present circumstances, to acquiesce in reasonable restrictions, rather than lose their whole trade by means of the depredations of a foreign power. In the other, it is a duty they owe to themselves and their posterity by *no means to acquiesce*; because it involves them in a state of perfect slavery. I say perfect slavery, for, as political liberty in its perfection consists in the people’s consenting, by themselves or their representatives, to all laws which they are bound to obey, so perfect political slavery consists in their being bound to obey any laws for taxing them to which they cannot consent. If a people can be deprived of their property by another person or nation, it is evident that such a people cannot be free. Whether it be by a nation or a monarch is not material: the masters indeed are different, but the government is equally despotic; and though the despotism may be mild, from principles of policy, it is not the less a despotism.

“‘Chronus’ talks of Magna Charta as though it were of no greater consequence than an act of Parliament for the establishment of a corporation of button-makers. Whatever low ideas he may entertain of that great charter, and such ideas he must entertain of it to support the cause he hath espoused, it is affirmed by Lord Coke to be declaratory of the principal grounds of the funda-

mental laws and liberties of England. 'It is called *Charta Libertatum Regni*, the Charter of the Liberties of the Kingdom, upon great reason,' says that sage of the law, 'because, *liberos facit*, it makes and preserves the people free.' Those, therefore, who would make the people slaves would fain have them look upon this charter in a light of indifference which so often affirms *sua jura, suas libertates*, their own rights, their own liberties. But if it be declaratory of the principal grounds of the fundamental laws and liberties of England, it cannot be altered in any of its essential parts without altering the Constitution. Whatever 'Chronus' may have adopted from Mr. Hume, Vattel tells us plainly and without hesitation that 'the supreme legislative cannot change the constitution'; that 'their authority does not extend so far'; and that 'they ought to consider the fundamental laws as sacred, if the nation has not in very express terms given them power to change them.' And he gives a reason for it solid and weighty; for, says he, the constitution of the state ought to be *fixed*. Mr. Hume, as quoted by 'Chronus,' says the only rule of government is the established practice of the age upon maxims 'universally assented to. If, then, any deviation is made from the maxims upon which the established practice of the age is founded, it must be by universal assent. 'The fundamental laws,' says Vattel, 'are excepted from their (legislators') commission'; 'nothing leads us to think that the nation was willing to submit the *constitution itself* to their pleasure.' 'They derive their authority from the constitution; how then can they change it without destroying the foundation of their own authority!' If, then, according to Lord Coke, Magna Charta is declaratory of the principal grounds of the fundamental laws and liberties of the people, and Vattel is right in his opinion that the supreme legislative cannot change the constitution, I think it follows, whether Lord Coke has expressly asserted it or not, that an act of Parliament made against Magna Charta, in violation of its essential parts, is void. 'By the fundamental laws of England,' says Vattel, 'the two Houses of Parliament, in concert with the King, exercise the legislative power; but if the two Houses should resolve to suppress themselves and to invest the King with the full and absolute government, certainly the nation would not suffer it,' although it was done by a solemn act of Parliament. But such doctrine is directly the reverse of that which 'Chronus' holds; which amounts to this, that if the two Houses should give up to the King

any the most essential rights of the people declared in Magna Charta, the nation has not a power either *de jure* or *de facto* to prevent it.*

In a previous paper he had discussed the same subject, and opposed "Chronus," who had supported the legality of the revenue acts on the ground that laws for the regulation of trade should necessarily extend in a commercial nation like Great Britain to all parts of the King's dominions, to prevent one part of the national body from injuring another. These and other plausible arguments were liable to mislead the unwary, and, in his reply, Mr. Adams said: —

"Whatever laws are made in any society tending to render property insecure must be subversive of the end for which men prefer society to the state of nature, and, consequently, must be subversive of society itself. But the Parliament, in which the Colonies have no voice, taking as much of their money as it pleases, and appropriating it to such purposes as it pleases, even against their consent, and, as they think, repugnant to their safety, renders all their property precarious, and therefore it is subversive of the end for which men enter into society and repugnant to every free constitution. Mr. Hooker, in his ecclesiastical polity, as quoted by Mr. Locke, affirms that '*laws they are not, which the public approbation hath not made so.*' This seems to be the language of nature and common sense; for if the public are bound to yield obedience to laws to which they cannot give their approbation, they are slaves to those who make such laws and enforce them. But the acts of Parliament imposing duties, with the express purpose of raising a revenue in the Colonies, have received every mark of the public disapprobation in every Colony, and yet they are enforced in all, and in some with the utmost rigor.

"The British Constitution, having liberty for its object, is so framed as that every man who is to be bound by any law about to be made may be present by his representative in Parliament, who may employ the whole force of his objections against it, if he cannot approve of it. If, after fair debate, it is approved of by the majority of the whole representative body of the nation, the minority, by a

* "Candidus," in the Boston Gazette, Jan. 27, 1772.

rule essential in society, and without which it could not subsist, is bound to submit to it. But the Colonies had no voice in Parliament when the revenue acts were made; nay, though they had no representatives there, their petitions were rejected, because they were against duties to be laid on; and they have been called factious for the objections they made, not only against their being taxed without their consent, which was a sufficient objection, but against the appropriation of the money, when raised, to purposes which, as the Farmer has made to appear, will supersede that authority in our respective Assemblies which is most essential to liberty. *Representation and legislation, as well as taxation, are inseparable*, according to the spirit of our Constitution, and of all others that are free. Human foresight is incapable of providing against every accident. A small part of the nation may be 'at sea,' as 'Chronus' tells us, 'when writs are issued out for the election of members of Parliament'; and to admit that they, after their return, 'should be exempt from any acts of Parliament, the members of which were chosen in their absence,' would be attended with greater evil to the community, the safety and welfare of which is the end of all legislation, than the misfortune of their voluntary absence, if it should prove one, could be to them. I say, if it should prove a misfortune to them, for those acts being made by the consent of Representatives chosen by all the rest of the nation, it is presumed they are calculated for the good of the whole, of which they as a part must necessarily partake. But the supposed case of these persons is far different from that of the Colonists, who are, not by a voluntary choice of their own, but through necessity, not by mere accident, but by means of the local distance of their constant residence, excluded from being present by representation in the British Legislature. 'Chronus' allows that by means of this distance 'they are become incapable of exercising their original right of choosing representatives for the British Parliament.' If so, they cannot, without a subversion of the end of the British Constitution, be bound to obedience against their own consent to such laws as are there made, especially such laws as tend to render precarious their property, the security of which is the end of men's entering into any society. If they are thus bound, they are slaves and not free men. But slavery must certainly be 'repugnant to the Constitution,' which has liberty for its direct object.

“If the supreme Legislative of Great Britain cannot, consistently with the British Constitution or the essential liberty of the Colonies, make laws binding upon them, — and ‘Chronus,’ for aught I can see, has not attempted to make it rationally appear that it can, — it is dangerous for the Colonies to admit any of its laws. For however upright some may think the present Parliament to be in intention, they may ruin us through mistake, arising from an incurable ignorance of our circumstances; and though ‘Chronus,’ may be so singular as to judge the present revenue acts of Parliament binding upon the Colonies to be salutary, the time may perhaps come when even he may be convinced that future ones may be oppressive and tyrannical, not only in their execution, but in the very intention of those that may make them.” *

The winter passed away with little of interest, save an occasional correspondence between a few of the patriots of several Colonies, in which the subject of union was considered. But little ardor was shown, however, in any direction. Hutchinson thus alludes to the condition of affairs: —

“The faction seems to be breaking. The Dr. Church who wrote the Times is now a writer on the side of government. Hancock has not been with their Club for two months past, and seems to have a new set of acquaintance. By means of Folger there have been some overtures. I remember what passed between him and you, and therefore shall act with greater caution. His coming over will be a great loss to them, as they support themselves with his money. Otis, the son, is still confined, but is said to be as rational as he used to be. The father is infirm, and it is doubtful whether he will recover. Several others are sinking in character with their own party, and the party itself is evidently much weakened.” †

There was truly reason for depression, but some stout hearts still beat high with hope, and saw the dawn of better days from the surrounding gloom. During the long and stormy season the people pondered over the state of the country, and discussed public questions in the seclusion of

* “Candidus,” in the Boston Gazette, Jan. 20, 1772.

† Hutchinson to Bernard, Jan. 29, 1772.

the inland towns. News from England came rarely, and political commotion had ceased.

“Except in this town,” wrote Hutchinson, “there is now a general appearance of contentment throughout the Province, and even the persons who have made the most disturbance have become of less importance. A gentleman who had assisted them much by his money and by the reputation which his fortune gives him among the people seems weary of them, and, I have reason to think, is determined to leave them. The plain, dispassionate pieces in our newspapers which are now published with freedom and dispersed through the Province have done great service.”*

In Boston, however, the second anniversary of the Massacre was not allowed to pass without the usual demonstration which had been decided upon soon after that event. In April of the previous year, Samuel Adams had been appointed by the town one of a committee to select a proper person to deliver an oration in March following.† Hutchinson says John Adams was applied to, but declined,‡ for reasons which, towards the close of 1772, he fully expressed in his Diary, on refusing a second time, when requested by Pemberton and Samuel Adams.§ He still devoted himself to his profession, and avoided “politics, political clubs, town meetings, General Court, &c., &c.”|| Just before the time of the oration, the committee reported at town meeting that they had met together several times on this subject, and had at last unanimously made choice of Dr. Warren.¶

Joseph Warren was now but thirty years of age, but his reputation was already established as a writer and speaker. His oration showed the nature of the connection between Great Britain and the Colonies, in a constitutional argument of the highest ability. It was listened to by a “vast concourse,” who were held spell-bound by the purity and elo-

* Hutchinson to Lord Hillsborough, Jan. 31, 1772.

† Town Records for April, 1771.

‡ Hutchinson's History, III. 348.

§ John Adams's Diary (Works, II. 307, 308).

|| *Ibid.*, II. 302.

¶ Town Records for March, 1772.

quence of his language and the noble and ingenuous bearing of the gifted speaker ; and we can imagine the pride and satisfaction of Adams, as he gazed into the face of his young friend, and saw in him the type of that nobility of nature which he so loved to depict, as destined to accomplish the liberties of his country. Bancroft alludes to the close friendship between Samuel Adams and Joseph Warren : "The first," he says, "now recognized as a 'masterly statesman,' and the ablest political writer in New England ; the second, a rare combination of gentleness with daring courage, of respect for law with the all-controlling love of liberty. The two men never failed each other : the one growing old, the other in youthful manhood ; thinking one set of thoughts ; having one heart for their country ; joining in one career of public policy and action ; differing only in this, that while Warren still clung to the hope of conciliation, Adams ardently desired as well as clearly foresaw the conflict for independence."* On the afternoon of the same day Samuel Adams was appointed one of a committee to return the thanks of the town to Warren, and to select an orator for the ensuing year.†

* Bancroft, VI. 430.

† Town Records for March, 1772.

CHAPTER XXII.

Contrast between English and Colonial Society in the Last Century.— Contemptuous Opinions regarding the Americans.— Profligacy and Corruption in George the Third's Reign.— Democratic Simplicity of the New England Character.— Adams labors to sustain Public Morality.— Meeting of the Legislature.— Adams carries the House against Hancock and his Party.— James Bowdoin Leader in the Council.— Good Understanding with Adams.— Reports in England of Hancock's Desertion of the Popular Cause.— Hancock and Cushing call upon the Governor.— He warns them against Adams.— Combined Attempt to defeat Adams at the Annual Election.— His Magnanimity.— His Letter to Arthur Lee in Vindication of Hancock.— Alarm of the Patriot Party.— Reconciliation between Adams and Hancock.— The Paintings of these Two Characters by Copley.— Return of the Assembly to Boston.— American Affairs in England.— Resignation of Hillsborough, and Appointment of Dartmouth.

COULD the British Ministry in their misapprehension of American principles and objects have looked into the Old South or Faneuil Hall during the orderly and decorous town meetings of the Bostonians, and noted the grave earnestness depicted upon all countenances, and the total absence of anything like the fierce London riots and the abandoned habits of English society of that day, the contrast must have deeply impressed them with the fact that they were dealing with a people of sturdy virtue and unchangeable love of liberty, and not with "the drunken ragamuffins of a vociferous mob."* But, until the last, the most erroneous ideas existed of the New England character. The ignorance of the English people concerning their American fellow-subjects, during the whole of the last century and the early part of the present, was profound. It was commonly supposed that the Americans were nearly all Indians and negroes; and even many, whose position gave them a somewhat more correct estimate of those whom they sought to subdue, regarded

* Lord North in the House of Commons, January, 1770.

the Colonists as in some way an inferior class not entitled to the usual British privileges. Mr. Adams often alluded to this English opinion, that his countrymen were "tawny savages";* and Otis, in 1765, adverts to the flippant use of the phrase "*our American Colonies*," and replies, "Whose Colonies can the creatures mean?" For a century and a half a people had been growing up across the ocean, almost unknown and uncared for, causing no expense to the parent country for their government, and supposed to be important only as consumers of British manufactures. They had conquered the wilderness, added lustre to the British arms, and given power and dignity to the King's name in the New World; but they were still considered rather as vassals or a lower caste of human beings than as fellow-subjects. Under oppression they had suffered long and patiently, still reluctant to sever the bonds of affection, speaking of England as "home," and believing that government would not drive them to desperation. And now the horrors of war were to be forced upon them for refusing to surrender their most precious liberties.

The contrast in the character of English and Colonial society at this epoch is too remarkable not to challenge attention. In New England, the fountain of civil freedom in America, the strict religious sentiments of the early settlers prevailed. Corruption in public life, until the time of the revenue acts and the crown commissioners, was rare, if there were any instances. The elective franchise existed among the "freeholders" with spotless purity, and perfect freedom of debate and a free press supported the public liberties. The marriage vow was held sacred. A cordial but dignified manner characterized the social intercourse of the wealthy and better educated, to which some of the fashions, but few of the extravagances, of the English style imparted a certain courteous

* See the letter of the House to the agent Deberdt, Jan. 13, 1768, in which Mr. Adams alludes to the contemptuous tone of the British people and press towards the Americans. See also Chap. XXXIV., and Curwen's Journal, Dec. 18, 1776.

formality of address. Some maintained no little state in their residences. Social meetings were common, and the topics of the day were discussed at them with freedom; while at the reunions of the mothers and daughters innocent pleasures were mingled with industrial pursuits, which eventually assumed a patriotic character for the fostering of home manufactures. Several of the most opulent citizens lived with elegance and profusion. John Hancock stood prominent among these, and in the splendor of his equipage, and the costliness of his dwelling and furniture, set the example of fashion to those of his condition in life; — and yet the most boundless wealth could not secure a tithe of the luxuries now within the reach of the humblest citizen.

People of a lower class earned a hard living by constant industry. Labor was honorable, and secured position and respectability. A competence and the comforts of a home were the aim of nearly every young man. Conveniences which to-day, from their cheapness and general use are scarcely thought of, except when a momentary deprivation brings a realization of their value, had not then entered into the wildest imagination. The people inherited hardihood and virtue from their forefathers, had few sources of public amusement, and were taught, not only by precept, but by their circumstances of life and honest struggles for a livelihood, in the face of a niggardly soil, a short season, and a treacherous climate, to shun unmanly pleasures and extravagances.

But, in England, during the reign of George the Third, society among both sexes had reached the extreme of profligacy, corruption, and immorality. The severe virtues of the New England creed and practice, if known, would have been ridiculed in polite society, where all sacred things were habitually treated with disrespect. The rotten borough system, by which seats in Parliament were openly bought and sold, was but a small portion of the universal depravity. The Twelfth Parliament, which closed in 1768, “had never

been rivalled for its bold profligacy." It was the most "shameless in its corruption" of any that had ever been known. "It was corrupt, and knew itself to be corrupt, and made a jest of its corruption." Nor was this changed when the New House succeeded. "Corruption lost nothing of its effrontery"; ten and even a hundred thousand pounds were paid for boroughs;* and the purchasers were the legislators whose measures stripped England of her great inheritance,—America. In this reign, too, the streets of London were infested with bold thieves, who did not scruple to stop carriages in the public thoroughfares. Franklin bears witness to the mobs and riots at this time. Clergymen, by their loose morals, cast discredit upon the Church, and it was fashionable to scoff at religion. The greatest statesmen were notorious for their excesses. The beaux were perfumed and painted like women, took a woman's time over the toilette, wore silks, brocades, and lace embroidery, and, even to cross the street, were carried in chairs. Gaming was the reigning vice, in which all classes engaged: whole fortunes were lost and won at a sitting, and ladies compromised themselves at the card-table. Some of the chief places of resort where fashionable ladies and gentlemen assembled, such as Ranelagh, Vauxhall, Mrs. Cornely's, and the Pantheon, were sinks of indescribable infamy; and Mr. Massey, in his History of this period, declares that, from the accession of the House of Hanover to the end at least of the first ten years of the reign of George the Third, the depravity of English manners was not excelled in the decline of the Roman Empire or the decay of the old French monarchy.†

It was to guard their own remote land from the like vices, that the Boston press constantly enjoined upon the people frugality, moderation, and temperance. Samuel Adams, above all others, interwove these counsels into his writings, and never ceased to warn his countrymen, "in their little

* Compare Bancroft, VI. 137, 147.

† See Massey's History of the Reign of George III.

corner of the world," against the introduction of English luxuries and effeminacy. Devoid of bigotry or intolerance in any form, he could promote innocent pleasures, but sternly warred against the demoralizing influence of their foreign invaders, which he held up as embodied in "standing armies and ships of war, episcopates, and their numerous ecclesiastical retinue, pensioners, placemen, and other jobbers for an abandoned and shameless Ministry, hirelings, pimps, parasites, panders, prostitutes, and whores."* He held that the "religion and public liberty of a people are intimately connected," and he warned his readers of the apparent plan to poison their morals, as a preliminary to the destruction of their liberties.† "Remember, my countrymen," said he, "it will be better to have your liberties wrested from you *by force*, than to have it said that you implicitly surrendered them."

After nine months had passed since the session of the last year, the Legislature was called together on the 8th of April, at Cambridge. Cushing being sick and absent, John Hancock was chosen Speaker, and accepted by the Governor; for, though both Bernard and Hutchinson had repeatedly rejected him as a councillor, it was deemed the better policy, for reasons already given, to approve of the selection. The plans of Hancock and his friends were immediately disclosed. When a sufficient number to make a quorum had appeared, Hancock had moved that a message be sent to the Governor to desire that, "in consideration of the inconveniences of their sitting at Cambridge," the Assembly should be removed to Boston.‡ "This," says Hutchinson, "was all the Governor desired. He was willing to consider it as giving up the other point of right."§ The party who, in the pre-

* "Candidus," in the Boston Gazette, Oct. 7, 1771. On the political corruption of England, see also a quotation from Samuel Adams, as "A Religious Politician," in Chap. XXXIX.

† "Valerius Poplicola," in the Boston Gazette, Oct. 5, 1772.

‡ Journal of the House, April 8, 1775.

§ Hutchinson's History, III. 348.

vious year, under the leadership of Hancock, had nearly brought about a humiliating compliance, were evidently now determined to pursue the same object. The journals show that this motion was made *before*, and not *after*, his election as Speaker, thus indicating a preconcerted arrangement. A retreat from the vital position which, for three years, had been zealously and religiously adhered to by the Legislature, save during the temporary disaffection in the previous spring under the leadership of Otis and Hancock, would have led to further concessions to the artful persuasiveness of Hutchinson, and must have seriously endangered the cause. Fortunately, however, Adams was prepared for the emergency. After a close though brief contest, he succeeded in defeating the motion, but "by three or four voices only,"* as Hutchinson immediately after wrote to England, so equally divided were the members. In the Council, to carry out the arrangements, the same motion was made, but was killed by Bowdoin, "the principal supporter of the opposition to government" in that body. Bowdoin, through the whole of this discussion, maintained his characteristic inflexibility of temper, and was true as steel to American principles. He was leader in the Council, where he composed most of the state papers, which were generally in consonance with those of the House. A few years before, Andrew Eliot wrote of the Council: "The papers they have lately composed are said to be written by Mr. Bowdoin, a gentleman of learning, integrity, and fortune. At present the Board is under his influence. I wish they may never be under a worse direction."† Between Bowdoin and Samuel Adams a perfect understanding existed, so that the plans of opposition of the two bodies were usually in harmony. Bowdoin was of French Huguenot descent, inherited a large fortune for those days, and was widely respected for his scientific attainments, especially in mathematics and astronomy. His state

* Hutchinson to —, April, 1772.

† Andrew Eliot to Thomas Hollis, Jan. 29, 1769.

papers were sound, statesmanlike documents, though less decided in character than those of Adams and Hawley in the House. Hutchinson, who always truckled to wealth, was remarkably civil to Bowdoin, and for some time indulged hopes of bringing him over by flattery, but at length abandoned the design. He now wrote to a friend in England:—

“Of the two men you mentioned, one on the Common and the other near it, I have found the first pliable, and have made great use of him, and expect to make more. The other is envious, and with dark secret plottings endeavors to distress government; and although I am upon terms of civility with him, yet, when the faction in the House have any point to carry, they are sure of his support in Council, and he is as obstinate as a mule. I do not find the advice that his son-in-law is like to be provided for in England has any effect upon him. If I see any chance for bringing him over, and making him a friend to government, I will try it. In the mean time I will bear with his opposition, as I have done for several years past.” *

In a message during the session, the Governor had informed the members that, if mere convenience had been urged in previous sessions, he might have returned them to Boston, but that he should not be at liberty to do so while they persisted in the denial of the prerogative of the Crown to convene them wherever it was deemed proper. Samuel Adams replied to the speech:—

“We have maturely considered this point; and are still firmly in opinion that such instruction is repugnant to the royal charter, wherein the Governor is vested with the full power of adjourning, proroguing, and dissolving the General Assembly, as he shall judge necessary. Nothing in the charter appears to us to afford the least grounds to conclude that a right is reserved to his Majesty of controlling the Governor in thus exercising this full power. Nor, indeed, does it seem reasonable that there should; for it being impossible that any one, at the distance of three thousand miles, should be able to foresee the most convenient time or place of holding the

* Hutchinson to James Gambier, May 7, 1772.

Assembly, it is necessary that such discretionary power should be lodged with the Governor, who is, by charter, constantly to reside within the Province.

“ We are still earnestly desirous of the removal of this Assembly to the Court-House in Boston ; and we are sorry that your Excellency’s determination thereon depends upon our disavowing these principles ; because we cannot do it consistently with the duty we owe our constituents. We are constrained to be explicit at this time ; for, if we should be silent after your Excellency has recommended it to us, as a necessary preliminary, to desist from saying anything upon this head, while we request your Excellency for a removal of the Assembly for reasons of convenience only, it might be construed as tacitly conceding to a doctrine injurious to the Constitution, and in effect as rescinding our own record, of which we still deliberately approve.”*

The journals record that the answer was “ unanimously accepted,” and Adams was on the committee to present it to his Excellency. For the rest of the session apparently little of importance was done. The sum of ninety pounds was “ allowed and granted to Mr. Samuel Adams for his services as Clerk of the House, during the several sessions of the General Assembly during the current year.” On the 20th of April it appears that “ Mr. Adams was absent through indisposition of body, and Mr Pickering was desired to officiate in his place ” ; and that the illness was protracted is shown by the order passed on the last day of the session, “ that there be allowed four pounds to Mr. John Pickering, Jr., for his services during Mr. Adams’s absence,” and the record that he was sworn in as Clerk. It is a curious and significant fact that the journals contain no public document or state paper of any kind during this time.

The Governor replied to the answer (now copied from Mr. Adams’s autograph) in a labored address, supporting the exercise of the prerogative, and the right and necessity of royal instructions to guide the Executive in all matters. “ I have

* Bradford’s State Papers, p. 315.

never heard," he says, "that the King's authority to give such instructions was ever called in question until within these two years. Instructions from the Crown had been in fact part of your Constitution for fourscore years together." And pronouncing the whole argument of the House a fallacy, he dissolved them with a bit of flattery as to their good disposition.* The annual elections were at hand, and he hoped to find the New Assembly in May equally well disposed. Feeling quite complacent over his speech, he wrote to a friend in England immediately after the close of the session : —

"I think we have so divided the faction that it must be something very unfortunate which can unite them again. I should be ashamed of laboring a point so self-evident, as I have done in my speech at the close of the Assembly, if there had not been a necessity of removing the prejudices which are upon the minds of the body of the people from the plausible messages of the House and of the Council also in former sessions. I am told that it has had its effect upon the members also, and that Mr. Hancock, upon hearing it, declared the controversy to be over. The distemper of the late times has brought not only into the House, but the Council, the lower order of the people, from whom nothing liberal can be expected." †

The enmity of Hancock, and his opposition to the policy and measures of Adams, had now lasted an entire year, during which the two men had held no intercourse, and though, for obvious reasons, their names appeared on the same legislative and town committees, they could not have acted together. Adams was not for a moment deterred from his purpose; on the contrary, he devoted himself to it all the more, apprehending greater danger to the common liberties. The press still teemed with his essays, and he continued his correspondence with gentlemen in England and the other Colonies. The public saw this disagreement with alarm, many fearing the division would prove disas-

* Bradford's State Papers, pp. 316-320.

† Hutchinson to a person unknown, April 28, 1772.

trous. Intelligence of Hancock's supposed desertion reached England, probably by the letters of Loyalists who wrote less guardedly than Hutchinson appears to have done. Arthur Lee, in the following winter, addressing Mr. Adams from London, says, "Mr. Wilkes tells me he has information of Mr. Hancock's having deserted the cause, but I hope he is misinformed." * The difference had then been arranged by the mutual friends of the parties, and Adams vindicated Hancock from the charge; for, as it proved, all the influence of Hutchinson and his agents had, in the end, been ineffectual to bring him over.

"Mr. Wilkes," replied Adams, "was certainly misinformed when he was told that Mr. H. had deserted the cause of liberty. Great pains had been taken to have it thought to be so, and, by a scurvy trick of lying, the adversaries effected a coolness between that gentleman and some others who were zealous in that cause; but it was of short continuance, for their falsehood was soon detected. Lord Hillsborough, as I suppose, was soon informed of the imaginary conquest, for I have it upon such grounds as I rely upon, that he wrote to the Governor that he had it in command from the *highest authority* to enjoin him to promote Mr. H. upon every occasion. Accordingly, though he had before been frowned upon, and often negatived both by Bernard and Hutchinson, the latter, who can smile sweetly, even upon the man he hates, when he is instructed or it is his duty to do so, fawned and flattered one of the *heads of the faction*, and at length approved of him when he was again chosen by an unanimous vote a councillor the last May. To palliate this inconsistent conduct, it was previously given out that Mr. H. had deserted the faction, and become, as they term each other, a friend to government. But he had spirit enough to refuse a seat at the Board, and continue a member of the House, where he has, in every instance, joined with the friends of the Constitution in opposition to the measures of a corrupt administration; and, in particular, no one has discoursed with more firmness against the independency of the Governor and the judges than he." †

* Arthur Lee to Samuel Adams, Jan. 25, 1773.

† Adams to Lee, April 12, 1773. Compare what is said in relation to

The magnanimity of Adams's character is delineated in every line of this extract. Much as he had suffered, the grandeur of the issue made him forget the past; and generously ignoring himself, as usual, he placed others in sight, careless of his own deserts, so that any nearer approach was made to the great goal. But the reconciliation had not taken place in May of the present year; and as the spring elections approached, the Loyalists, deceived by the apparent aspect of affairs, determined, if possible, to defeat the election of Samuel Adams to the Legislature by making a combined effort against him among themselves, aided by such of his own party as could be worked upon. Could he be left out, not only would the Assembly be deprived of his services, but the moral effect of such a triumph would be generally felt. Both parties used their best efforts. The day before the election, there appears in the journal of the "North End Caucus Club" this record:—

"*Voted*, That this body will use their influence that Thomas Cushing, Samuel Adams, John Hancock, and William Phillips be Representatives for the year ensuing." "*Voted*, That Gibbons Sharp, Nathaniel Barber, &c., be a committee to distribute votes for these gentlemen."

Among the members of this club appear the names of Samuel Adams, Paul Revere, John Ballard, John Adams, Dr. Warren, J. Greenleaf, Samuel White, and others of political influence in the town. Their action was well timed in the instance of Adams, against whom the most industrious exertions were made. The election was on the 6th, and the votes of the seven hundred freeholders were more divided than had ever been known. Cushing had six hundred and ninety-nine; Hancock, six hundred and ninety; Phillips, six hundred and eighty-eight; and Adams, five hundred and five;

Hillsborough's letter, with Hutchinson's letter to Pownall, dated Oct. 17, 1771, (*ante*, p. 438), in which these words are repeated, and indicating that Samuel Adams had secret sources of information in Boston. He was in error only in the name of the writer.

and yet Adams had more than twice and a half as many votes as his opponent.* The very attempt, however, to deprive the public of their Tribune endeared Adams all the more to his fellow-townsmen.† The Assembly was to meet again, under the charter, on the 27th of May, and everybody knew that the inevitable question of the removal to Boston from Cambridge would be the first business; and that it was prepared for is indicated by the following letter from Hutchinson to Governor Pownall in London:—

“Before the Court met, the Speaker and Mr. Hancock came to me to inquire upon what terms I would consent to their returning to Boston. I let them know, that if there was anything in their address or message which tended to a denial of the King’s authority to give instructions to the Governor, I would not consent to it. The frivolous objections which a former House had made, (that the Governor had a right to move the Court only in case of necessity, because Boston was the best place, and all power was vested in the Governor for the public good and the like,) if, to save appearances, they would insist upon inserting them, I could pass them by as not worth regarding. They encouraged me they would comply with my proposal if Mr. Adams did not prevent it, — against whose art and insidiousness I cautioned them.” ‡

The House organized by electing, as usual, Samuel Adams Clerk, and Thomas Cushing Speaker. The attendance was small, for, at this season of the year, time was especially valuable among the farmers of the interior, and twenty-three towns were fined for neglecting to send Representatives to the Assembly. In truth, less interest was manifested in public affairs at this moment than had ever before been known, and it seemed that the “quiet” and “content-

* Boston Town Records for May, 1772. Bancroft, VI. 416.

† Hutchinson (III. 356) says, “Although this attempt showed a strong party was still left which disapproved the measures of opposition, it proved a disservice to government. It caused an alarm and a more vigorous exertion; and no endeavors were spared to heal all breaches in the opposition, and to guard against a renewal of them.”

‡ Hutchinson to Pownall, June 15, 1772.

ment" which Hutchinson and his satellites were constantly writing and talking about really prevailed.

All the efforts of Hancock and his adherents, during the last two sessions, had proved ineffectual to drive the House permanently from its firm denial of the Governor's right to remove them at pleasure from one part of the Province to another, on the plea of instructions from the Crown. Under the leadership of Adams the great principle of perfect freedom from royal or ministerial dictation had been preserved, though only by the most unremitting efforts. When the Assembly came together again, it was evident that the attempt to make them approve of an address which should yield the point to the Governor would be hopeless. The "art and insidiousness" of Adams, against which Hutchinson had been so careful to caution Hancock and Cushing, was too much for even their combined exertions. The vital importance of the issue had become apparent, and contention on that subject was at an end. The mutual friends of Adams and Hancock at last brought about a reconciliation, and there were no further combinations, either on the part of the royalists to divide the party, or on that of Hancock and his late supporters to oppose the policy of Samuel Adams. The Governor, in pursuance of the plan already revealed in his correspondence, presently approved of Hancock among those who were elected to the Council, but he must have been equally chagrined and surprised at receiving a direct refusal from the object of his designs to accept of the honor. It appears, in the journals, that Mr. Hancock assigned his reasons at the time for refusing, but they are not recorded. That Samuel Adams and his friends influenced him to this course is beyond question. The next day Hutchinson wrote to Bernard on the election in the House for the Board. He says: —

"We have just finished our election. I believe I told you that Brattle, Gray, and Hall are firm friends to government. Adams pushed at no others, and yet failed in all of them. There was only

one vacancy, except what was made by the two negatived, and that was caused by Henshaw's resignation. That they filled with Phillips of Andover, who is better than one half the old ones, though but indifferent. The two who had been negatived were re-elected. I had settled it some months ago to accept Hancock, and I have seen the good effects of it; not that I can depend upon his being for any time of the same mind, but it breaks the connection, and they are all jealous of him, and in the greater part of their measures he forsakes them. The other, Bowers, the Lieutenant-Governor urged me to accept, but he is so ordinary a man that I could not bring myself to it. Phelps of Boston, and Adams the lawyer, came near to a choice. They would most certainly have kept Bowers company. One that I have accepted for two or three years past I wished to be rid of; but I would have had him in the House, and I don't know which would be the worst.* It has been suspected here that he is the author of some of the most virulent pieces in the Spy. He certainly prevented the Council from committing the printer when they were generally disposed to do it. I much doubt whether the late favors shown to one of his family in England will have any good effect upon him.† You can't conceive how Molineux and Adams, Cooper, and the rest of that clan, triumphed when the news came of that appointment, and how dejected the friends of government were in general. I tell them there must be good reasons for it, which they are not acquainted with. But this is a digression."‡

This subject his Excellency pursued in a subsequent let-

* James Bowdoin.

† The Governor here refers to Mr. John Temple, who married the only daughter of Bowdoin. He afterwards became Sir John Temple, having succeeded to a baronetcy in England. On his return to America, during the war, he was coldly received by some of his old acquaintances who found reasons to doubt his allegiance to the patriot cause, despite the valuable service he had rendered by exposing Hutchinson's treacherous correspondence. The subject was taken up by the State government, and was contested both in the Legislature and by writers in the press with much bitterness. Mr. Adams, being at that time in Congress, received letters from Professor John Winthrop and Bowdoin dated November 7th and 9th, 1778, bespeaking his influence in favor of Temple. Adams seems to have retained his confidence in Temple through the whole of the controversy concerning him. The subject is fully considered in Amory's Life of James Sullivan, I. 134-138.

‡ Hutchinson to Bernard, May 29, 1772.

ter to Secretary Pownall, describing the election of the Council. He says :—

“ You see I accepted Hancock, who has for many months gone as far with the party as has been necessary to prevent a total breach, and no farther, and his refusal to accept the place was not from any resentment for former negatives, but from an apprehension that he would show to the people that he had not been seeking after it. The measure will have good consequences, and end in wholly detaching him from them, or lessening his importance, if he should put himself into their hands again.” *

Hutchinson, however, had over-estimated his influence upon Hancock, who now threw himself without reserve into the contest, cheerfully devoting his great wealth to the cause, and uniting, as far as can be known, in favor of the measures of Samuel Adams. His opposition, which had originated in a petulant spirit, mingled perhaps with wounded vanity, succumbed to the dictates of a generous nature, whose impulses were apparent in many acts during his future career. The Governor, who was remarkable for his subtlety and persuasive arts, might flatter him to a certain point, but he failed at the last hour, and his confident prediction, based upon what he had observed of Hancock's weaknesses, was never realized.

Soon after this reconciliation Hancock engaged the distinguished John Singleton Copley to paint two full-length pictures, one of himself and the other of Adams, for his own drawing-rooms. The artist completed his task, and the paintings hung in Hancock's house for near fifty years, when they were placed in Faneuil Hall, where they remain the property of the city. Copley was a great admirer of Samuel Adams, and undertook *con amore* the task of transferring his features to canvas. He sympathized with the people during the earlier part of the struggle ; and his genius being universally acknowledged, he has left in Massachusetts many admi-

* Hutchinson to Pownall, June 15, 1772.

rable works of art. He testified against the soldiers at the town meeting the day after the Massacre; and, before the destruction of the tea, he endeavored, but without success, to bring about some arrangement between the people and his father-in-law, Mr. Clarke, one of the East India Company's agents. Subsequently, he was one of those who obsequiously addressed Hutchinson, and, leaving his native land for England before the breaking out of hostilities, he became eminent in his profession. He was the father of Lord Lyndhurst, late Lord Chancellor of England.

The painting of Adams has been called Copley's masterpiece.* The patriot is represented in the celebrated scene with Lieutenant-Governor Hutchinson, at the meeting of the Council and the officers of the British army and navy, the day after the Boston Massacre. The artist was not unmindful of surrounding effects. The background is dark and shadowy, revealing only the outline of two columns, dimly seen by the faint light of a winter's evening, struggling into the curtained apartment. The figure, which is of life size, is near a table, on which are law books and the Colonial charter partly unrolled. Adams, clad in his usual plain costume of dark red, stands erect in an attitude of commanding dignity. His left arm is outstretched, and the rigid forefinger points down upon the charter, formidable with its great seal and engrossed lettering, while the other hand holds the written message from the exasperated thousands now awaiting his return with the issue of peace or carnage. The iron will of the man is revealed in the appearance of the document, doubling up within his tightened grasp, the effort bringing out every muscle of the sinewy, finely-formed hand. Courage, determination, and an indescribable majesty are stamped upon the face. The lips, clean cut, and slightly compressed with the momentous nature of the occasion; the gray hair thrown back from the temples in flowing locks; the forehead massive and white;

* See the frontispiece of this volume.

the deep blue eye fixed with resolute intentness upon the royal Governor, — present a type of intellectual manhood, corroborating all accounts, written and verbal, of the personal appearance of Samuel Adams.

In conformity with the usual custom on the assembling of the Legislature, the election of councillors was immediately followed by a message from the Governor to the House, recommending the consideration of public affairs. He had nothing, he said, to lay before them of special command from his Majesty, and as most of the members were well acquainted with the usual business, he would not point it out to them. The House instantly replied by the hand of Samuel Adams, emphatically insisting upon their rights in the matter of removing the Court to Boston, and flatly refusing to proceed to the consideration of public business while they were continued in any other place than the Town House in Boston. The Governor at first declined as of old, but the determination of the House triumphed in the end. Seeing that under their present influence there was no likelihood that the affairs of the Province would ever be taken up, Hutchinson consulted with the Council, who favored the removal, and the Assembly was finally adjourned to Boston. Thus ended this memorable issue between a citizen Assembly and the representative of royalty, — an issue which, perhaps, as much as any other one pre-Revolutionary event, indicates the rigid character of the New England patriots. The struggle, which was eagerly watched on both sides of the Atlantic, was a question of right, and as such had a powerful effect upon public opinion, though, in history, it has not received the attention due to its importance. During four years it had been maintained and guided by Samuel Adams, who, with his friends, found opponents, not only in the Loyalists, but in the antagonism of some of the leading spirits of the Province. That of Otis was but temporary, and did not materially retard the cause. Hancock's influence was more potent, and even

Cushing, if we may judge from the private letters of Hutchinson, was with Hancock at least for a time. But Adams, by his inflexible will, had at last driven the Governor from his arbitrary position, which had been arrogantly assumed and malignantly persisted in without a shadow of justice, and in direct violation of the charter. The Assembly immediately resumed its proper place in the State-House. Hutchinson says, in his private account of the fencing which preceded the return to Boston:—

“I prepared my speech so as to avoid obliging them, being a new House, to take notice of anything which had passed in former Assemblies. The Council proposed to the House a committee of both Houses to prepare a joint address, which, not being agreed to, they prepared separate addresses as decent as I could expect, and for form's sake only I took into consideration their request. The answer of the House was drawn by Mr. Adams in a coarse, illiberal style, which I should not much regard, knowing it came from him. I suspected he had a reserve, and, after I had complied with the request, would take the first occasion to observe that the House had declared that when I first removed the Court, which I did by the King's order, I was under no necessity of doing it. My zeal to maintain the authority of the King's instructions led me, by a message, to desire an explanation. This was improved by the faction to raise the resentment of the whole House as suspecting them of duplicity, and calculated to bring them to an explicit submission to a point which I had only required a former House to desist from disputing, and they, with a general voice, declared their expression to be sufficiently plain, and would give no other answer to my inquiries. This led me to give the reason of my question, and to declare that whilst the King's authority to instruct the Governor was disputed, I did not intend to remove the Court. This was on the 3d of June. I soon discovered that the members universally declared that, whatever the person who drew the message held in his thoughts, they had nothing more in theirs than that they could not see any necessity of my convening them at this time at Cambridge.”*

* Hutchinson to Secretary Pownall, June 15, 1772.

The House, however, it seems, did just as "the person who drew the message" planned for them; and in his History the Governor shifts the responsibility of the removal upon the Council, who upon their oaths favored the measure.

For more than a year it had been suspected that the Ministry intended to make an alteration in the usual provision for the Governor's salary. From time immemorial it had been given by free grants of the Assembly, as directed in the royal charter. In 1770, Samuel Adams and Arthur Lee had corresponded on the dependence of any crown officers on the Ministry instead of on the people; and in November of that year Adams, in his letter of instructions to Franklin from the House, was most explicit in his opposition to such an unparalleled scheme of usurpation.* In the spring session of 1771, Mr. Adams, as chairman of a committee appointed for that purpose, had endeavored to obtain from the Governor his reasons for refusing his assent to the bills granting him thirteen hundred pounds for his salary; but his Excellency then briefly replied that he should assent to or reject the bills as it should appear to him his duty required.† The time had now arrived for a direct issue on this important point. On application to the Secretary, it was found that the Governor had withheld his signature to the bill, and a message was addressed to him, shortly after the return of the Assembly to Boston, desiring to know whether provision had been made for his support as Governor of the Province in any unusual manner.‡ The Governor replied, repeating his assertion of the previous year, that his Majesty was enabled by an Act of Parliament to support the civil government in the Colonies as he should judge necessary, and now avowing directly that his support in future was to proceed from the King, he declined to accept any salary from the funds of the Province.

* See, *ante*, p. 371.

† Bradford's State Papers, p. 298.

‡ Journal of the House, June 6, 1772. Bradford's State Papers, p. 324.

One of the first acts of the House, in the present session, had been the appointing of a committee to consider this subject, and now, on the reply of the Governor, plainly announcing the intention of the Crown, in conjunction with the authority of Parliament, to violate the charter, the committee, with Joseph Hawley as its chairman, reported a series of resolutions embracing the entire subject. After a clear and direct statement of the case, in a preamble disclosing all the danger of the innovation, the report declares that the Assembly is the constitutional judge of the adequate support of the Governor; that by a provision otherwise than by their acts and grants, an important trust is wrested out of their hands. The fourth resolution solemnly holds up the inference, that under the working of these acts there would be an end to the rightful dependence of the Province upon England. It reads:—

“*Resolved*, That the Governor’s having and receiving his support independent of the grants and acts of the General Assembly is a dangerous innovation, which renders him a Governor not dependent on the people as the charter has prescribed, and consequently, not in that respect such a Governor as the people consented to at the granting thereof. It destroys that mutual check and dependence which each branch of the Legislative ought to have upon the others and the balance of power which is essential to all free governments. And this House do most solemnly protest, that the innovation is an important change in the Constitution, and exposes the Province to a despotic administration of government.”*

These resolutions, which were reported on the 3d of July, were allowed to lie on the table for revision, and during this time, the Governor, alarmed at the rumors concerning them, desired to know their purport. The House on the same day reconsidered them, and made certain amendments, the nature of which is not known; but Hutchinson states that the report “met with great opposition from near a third part of the members, in several questions upon the most ma-

* Bradford’s State Papers, p. 325.

terial parts of it; but it having been resolved to print the names of the voters on each side, it was finally carried by 85 against 19.* Several of the Loyalist members, despairing of success after this, left the House and went home. Hutchinson says, "This report was supposed to be drawn by Mr. Hawley, one of the committee." It would seem that Mr. Adams must also have been engaged upon it, and was instrumental in securing its passage. This is indicated by a letter to his friend, Warren of Plymouth, just after the prorogation of the Assembly, in which he says: —

"Since your departure I have been, as I expected, plagued almost to death with the dubitations of Whigs and the advantage the Tories constantly make of them. The resolves have finally passed, and even as they now appear, I believe they chagrin him whom they call Governor." †

Before replying in full to the resolves, which seem to have created a profound sensation among both parties, the Governor called the attention of the House to the ruinous condition of the Province-House, its outhouses and appendages, and desiring them to repair it for his city residence. ‡ The Province-House had long been the gubernatorial mansion. It was a spacious brick building of three stories, with rich exterior ornaments. One of these decorations was the King's arms, finely executed and gilded. The house was surmounted by a cupola, and a handsome flight of stone steps led up to the principal entrance. All the elegance and formality of the olden time was observed there in the ample reception-rooms, especially on great occasions. Most of the governors resided in the summer at their country-seats in some neighboring town. Bernard had thus passed much of his time in Roxbury, and Hutchinson in Milton. It had been customary for his Majesty's Council to meet, by invitation of the Governor, at the Province-House on the accession of

* Hutchinson's History, III. 358.

† Samuel Adams to James Warren, July 16, 1772.

‡ Bradford's State Papers, p. 330.

a new sovereign to the British throne, or upon the King's birthday, or the like occasions, and drink loyal toasts; but the practice had by this time gone into disuse. The Assembly replied to Hutchinson's application, by the hand of Samuel Adams, that they were not unapprized of the condition of the Province-House, but that "the building was procured for the residence of a Governor whose whole support was to be provided for by the grants and acts of the General Assembly, according to the tenor of the charter," and not for a Governor "for whose support adequate provision should be made in another way," and, upon that consideration, they could not think it their duty to order the repairs. They assured him that they were far from intending any personal disrespect, and that, should the time come when he should think himself at liberty to accept his whole support from the Province, he would find them ready to provide a house "not barely tenable, but elegant." This put an end to the subject of the Province-House, and nothing exists to show whether his Excellency continued to reside there or carried out his implied threat of removing to Milton, where he would have been difficult of access.*

On the 14th, Hutchinson replied to the resolve of the House, ably supporting the right of the Crown to make such grants as it deemed proper for the support of its Governor, and quoting precedents in other parts of the kingdom. He accused the committee of having confounded the sense and meaning of the words "check" and "dependence," by which, he said, a plausible appearance had been given to their argument. "This is an artifice," he adds, "which has often been made use of by writers in newspapers, with design to give false notions of government and to stir up discontent and disorder; but I am far from attributing any such design to the members of the House of Representatives in general." He then prorogued the Assembly to meet on the last day of

* Bradford's State Papers, p. 331. The extracts above are copied from the original draft in the autograph of Samuel Adams.

September at the Town-House in Boston. The parting fling was undoubtedly intended for Samuel Adams, whom his Excellency had already denounced as "the writer in the incendiary newspaper." So Mr. Adams himself thought, for two days afterwards he wrote to a friend: —

"The Governor at the close [of the session] sent down a message in the Bernardian tone, which I intend to look over. To speak the truth plainly, when the Secretary read it, I thought it a very indecent thing, in which there appeared a studied affront to the House, and it seemed to me that I myself had a particular share of it."*

The measure which had long been threatening, and which the House had protested against in their late resolutions, was now about to be consummated. On the 7th of August Lord Hillsborough, who was on the eve of retiring from his position as Secretary for the Colonies, made it known to the Lords of Trade that the King, with the "entire concurrence of Lord North, had made provision for the support of his law servants in the Province of Massachusetts Bay." A week later, the Secretary resigned, was created an Earl, and was succeeded by Lord Dartmouth, a man of acknowledged amiability and purity of character, professedly friendly to the Colonies, but resolved upon carrying out the general policy of his predecessor. Arthur Lee considered him "an insignificant character, with the affectation of piety and good intentions towards the public."† Adams said of him: —

"The character of Lord Dartmouth, in point of moral virtue, has been unexceptionable in America, for aught I have heard. I wish it could be ascertained of all his Majesty's ministers and servants that they deserved such a character. It is the opinion I have of them that makes me tremble for his Lordship, lest in the circle he should make shipwreck of his virtue. . . . Our conspirators were alarmed at his appointment, and I believe are determined if they can, to impose upon his credulity, if he has any such weakness about him."‡

* Samuel Adams to James Warren, July 16, 1772.

† Arthur Lee to Samuel Adams, Jan. 25, 1773.

‡ Samuel Adams to Arthur Lee, Nov. 3, 1772.

Mr. Adams, for a year or two, was accustomed to write and speak of this nobleman as "the good Lord Dartmouth," but, as the great drama of oppression was hurried to a close, he could not regard anything English with complacency. In the letter just quoted he wrote to Lee : —

"In your last, you expressed your hopes of the removal of Hillsborough. I could not join with you; for if I am to have a master, let me have a severe one, that I may constantly have the mortifying sense of it. I shall then be constantly disposed to take the first fair opportunity of ridding myself of his tyranny. There is danger of the people being flattered with such partial relief as Lord Dartmouth may be able (if disposed) to obtain for them, and building upon vain hopes till their chains are riveted."

CHAPTER XXIII.

Salaries of the Governor and the Judges made independent of the People. — Adams arouses the Province against the New System. — He endeavors to obtain a General League of the Massachusetts Towns. — The Measure discouraged by Cushing, Hancock, and Others. — Adams prevails, and a preliminary Town Meeting is summoned. — The Governor refuses to assemble the General Court. — The Subject considered at the Town Meeting. — Adams proposes COMMITTEES OF CORRESPONDENCE. — Organization of the Boston Committee. — Working Members not easily obtained. — Errors corrected as to the Originator of the "Great Invention." — Adams drafts and reports the "Rights of the Colonists."

THE dependence of the judges of the Superior Court upon the Crown for their support was now certainly known. In the month of September, news arrived in Boston that grants had been made by the King, and warrants ordered on the Commissioners of the Customs for payment. Thus, by the same system, an unconstitutional tax was wrung from the people, and then the funds were applied to the emolument of a Governor forced upon them by a process directly at variance with the stipulations of their charter, and of pensioned judges holding their places under the Executive. Nothing that had yet been done was considered so direct and dangerous a blow at the popular rights.

"The news," said Mr. Adams, when some months afterwards he reviewed these events, "was like thunder in the ears of all but a detestable and detested few. Even those who had been inclined to think favorably of the Governor and the judges were alarmed at it; and, indeed, what honest and sensible man or woman could contemplate it without horror. We all began to shudder at the prospect of the same tragical scenes being enacted in this country which are recorded in the English history, as having been acted when their judges were the mere creatures, dependents, and tools of the Crown. Such an indignation was discovered and expressed by almost every one at so daring an insult upon a free people, that it was difficult to

keep our resentment within its proper bounds. Many were ready to call for immediate vengeance, perhaps with more zeal than discretion. How soon human prudence and fortitude, directed by the wise and righteous Governor of the world may point out the time and the means of successfully revenging the public wrongs of America, I leave to those who have been the contrivers and abettors of these destructive measures seriously to consider. I hope, and believe, that I live in a country the people of which are too intelligent and too brave to submit to tyrants."*

Before the arrival of this intelligence, and when only rumors of the intended measure had reached America, Samuel Adams, after enumerating the public grievances, said: —

"I think the alteration of our free and mutually dependent Constitution into a dependent ministerial despotism a grievance so great, so ignominious, and intolerable, that, in case I did not hope things would in some measure regain their ancient situation without more bloodshed and murder than has been already committed, I could freely wish, at the risk of my all, to have a fair chance of offering to the *manes* of my slaughtered countrymen a libation of the blood of the ruthless traitors who conspired their destruction."†

The provision for the law servants of the Crown created the opportunity, and he perceived that the time he had patiently awaited was now at hand, to give an impulse to the cause of independence which should never cease to act. For more than a year he had been revolving this subject in his mind, and had endeavored to prepare the public for its introduction.

"Is it not enough," he cried, "to have a Governor an avowed advocate for ministerial measures, and a most assiduous instrument in carrying them on, modelled, shaped, controlled, and directed, totally independent of the people over whom he is commissioned to govern, and yet absolutely dependent upon the Crown, pensioned by

* "Candidus," in the Boston Gazette, April 12, 1773.

† "Vindex," in the Boston Gazette, April 20, 1772.

those on whom his existence depends, and paid out of a revenue established by those who have no authority to establish it, and extorted from the people in a manner most odious, insulting, and oppressive. Is not this indignity enough to be felt by those who have any feeling? Are we still threatened with more? Is life, property, and everything dear and sacred to be now submitted to the decisions of pensioned judges, holding their places during the pleasure of *such* a Governor, and a Council perhaps overawed? To what a state of infamy, wretchedness, and misery shall we be reduced, if our judges shall be prevailed upon to be thus degraded to hirelings, and the body of the people shall suffer their free Constitution to be overturned and ruined. Merciful God! inspire thy people with wisdom and fortitude, and direct them to gracious ends. In this extreme distress, when the plan of slavery seems nearly completed, O save our country from impending ruin. Let not the iron hand of tyranny ravish our laws and seize the badge of freedom, nor avowed corruption and the murderous rage of lawless power be ever seen on the sacred seat of justice.

“Is it not high time for the people of this country explicitly to declare whether they will be freemen or slaves? It is an important question, which ought to be decided. It concerns us more than anything in this life. The salvation of our souls is interested in the event; for wherever tyranny is established, immorality of every kind comes in like a torrent. It is the interest of tyrants to reduce the people to ignorance and vice, for they cannot live in any country where virtue and knowledge prevail. The religion and public liberty of the people are intimately connected: their interests are interwoven; they cannot subsist separately, and, therefore, they rise and fall together. For this reason, it is always observable that those who are combined to destroy the people’s liberties practise every art to poison their morals. How greatly then does it concern us, at all events, to put a stop to the progress of tyranny. It has advanced already by far too many strides. We are this moment upon a precipice. The next step may be fatal to us. Let us, then, act like wise men, calmly look around us, and consider what is best to be done. Let us converse together upon this most interesting subject, and open our minds freely to each other. Let it be the topic of conversation in every social club. Let every town assemble. Let associ-

ations and combinations be everywhere set up to consult and recover our just rights.

‘The country claims our active aid.
That let us roam; and where we find a spark
Of public virtue, blow it into flame.’” *

In conformity with the suggestions thus made public, Adams addressed himself to the accomplishment of his design of setting up “combinations and associations.” The fire of liberty might be kindled in numberless hearts, but without an organized system by which a concert of action could be produced among the many their struggles would prove ineffectual against the concentrated efforts of the government. The idea of the Committee of Correspondence, which has been justly considered as “including the whole Revolution,” had more than a year before dawned upon his mind as “a grand undertaking.” “The fire within him burned,” but he had bided his time. That time had now come with the news of the independence of the judges. “The Grand Incendiary of the Province,” wrote Hutchinson, “stirred up the inhabitants of Boston to call a town meeting to consider of a rumor that the King had allowed salaries to the judges of the Superior Court.” † This “stirring up of the people,” however, was not the easy movement that posterity might imagine. The truth is, Samuel Adams was alone in this measure, and found the greatest difficulty in its accomplishment. Besides having to counteract the influence of the Tories, who seemed to have penetrated his designs, and were aiming to frustrate them, he was obliged to exert all his powers of persuasion to instil his ideas into his colleagues of the Boston delegation. Of the industrious efforts of the Tories to prevent the meeting, we have Samuel Adams’s own account; but he wisely remained silent as to the opposition of the doubting and irresolute friends of liberty.

* “Valerius Poplicola,” in the Boston Gazette, Oct. 5, 1772.

† Hutchinson to Gage, March 7, 1773.

Cushing, Hancock, and Phillips were each dissatisfied with the measure, and the first, the Speaker of the House, advised against it. There is the most trustworthy contemporary evidence of these facts. Samuel Cooper, the friend and correspondent of Dr. Franklin, writing to the latter, not long after these events, says : —

“ Soon after the appointment for the superior justices was known the town of Boston had a meeting. Their Committee drew up a state of the public grievances, which was accompanied with a letter to every town in the Province, desiring their brethren to express their own sense of these important matters. Though this measure was opposed by a number of the most respectable friends to liberty in the town, among whom were three out of four of the Representatives of Boston, from an apprehension that many towns, for various reasons, might not choose to adopt it, and, in that case, the attempt might greatly prejudice the interest it was designed to promote ; and though the Governor and his friends in every place did not fail to avail themselves of this and every other circumstance to frustrate it, yet it had an effect through the whole Province beyond the most sanguine expectations of its friends.” *

This statement is from one of the most zealous friends of liberty and accomplished ministers of the time. Dr. Cooper was intimate with all the political movements. No man who was not an active participant in the drudgery and detail of politics could be better informed. His account, too, is quite in accordance with a letter written by Hutchinson about the same time. The Governor says : —

“ The Speaker [Cushing] was with me this morning, and let me know he had a letter from Dr. Franklin, and that, from conversation with Lord Dartmouth, he thought he might encourage him to hope that consideration would be had for the several matters represented as grievances, and that, as far as should be judged proper, they would be redressed, but that it was a work of time, and, in the mean time, he advised them to be quiet. I asked whether the proceed-

* Samuel Cooper to Dr. Franklin, March 15, 1773, in Sparks's Franklin, VIII. 36, 37.

ings of the town of Boston and so many other towns, and the countenance shown them by the House, could be thought consistent with this advice. He answered that he opposed the town meeting of Boston as not advisable, and, besides, he had no great expectation at that time of such an encouragement. He professes a willingness to submit to all the regulations they were under before the Stamp Act, but he is not the person of the greatest influence with the party.*

As Speaker of the House the name of Cushing was oftener before the British public than that of more influential men among the patriots; and it was his prominent position, as the presiding officer of that body, which led Dr. Johnson, when writing of Colonial affairs, to assert that one of the objects of the Revolution was to place a diadem on the head of Cushing! This, however, was of a piece with the prevailing errors in England as to the political condition of America. The collected letters of Cushing evince none of the controlling force of character and tenacity of purpose found in those of Samuel Adams. For a number of years before the departure of Hutchinson, he prudently kept on social terms with the Governor, holding private interviews for the purpose of eliciting information serviceable to the cause. Though his letters to correspondents in England breathe the purest patriotism, he is solicitous to have the authorship concealed, rather than incur "the resentment of some people which he would choose to avoid." He was not, and from his nature and temperament could not be, a leader of the people; he was in doubt as to the wisdom of most of the great, decisive measures of the Massachusetts committees, and, as late as in January, 1776, wavered and sided with the proprietary interests at Philadelphia against the bolder members who rallied around Samuel Adams in the movement towards independence.†

In order to call a legal town meeting, a petition to the selectmen from a certain number of freeholders was neces-

* Hutchinson to Pownall, April 19, 1773. Compare also Bancroft, VI. 426.

† See Bancroft, VIII. 242, 243.

sary. Hancock was a selectman, and, with three or four others, he rejected the prayer of the petition, disapproving of what seemed to him precipitate measures.* Had the efforts of the "incendiary" ceased here, the committees might never have been organized, but it was a principle with Adams to redouble his exertions when encountering reverses. He again went among the people, and other petitions were set on foot. Adams, in his own account of the affair, says that "three petitions were presented to the selectmen, signed by one hundred and ninety-eight respectable freeholders and inhabitants." These set forth their apprehensions that the establishment of judges, independent of the General Assembly, "would give a finishing stroke to the system of tyranny already begun, and complete the ruin of the liberties of the people." † The last petition was signed by one hundred and six inhabitants. ‡

Cushing, in the mean time, still held back. "America," said he, "may assert her rights by resolves, but, before enforcing them, she must wait to grow more powerful." "We are at a crisis," was the reply; "this is the moment to decide whether our posterity shall inherit liberty or slavery." § Finally, when the selectmen could no longer demur, and when more than three weeks had passed since the first effort, they summoned a town meeting at Faneuil Hall for Wednesday, the 28th of October. The press, at the same time, warned the people that they must "strike a home blow, or sit down under the yoke of tyranny," and held up the alternative of an immediate restoration of their liberties, or the formation of "an independent commonwealth after the example of the Dutch Provinces." ||

* Hutchinson, III. 361. Bancroft, VI. 426.

† Compare Samuel Adams's report to the town, published in the Boston Gazette, March 29, 1773, and sent out in form of circulars by the Committee of Correspondence.

‡ Boston Gazette, Oct. 26, 1772. Bancroft, VI. 426.

§ Bancroft, VI. 426.

|| "An American," in the Boston Gazette, Nov. 2, 1772. The author is unknown.

The day before the meeting, Mr. Adams received a letter from Elbridge Gerry of Marblehead, with whom he had lately become personally acquainted. Adams, now designated by the biographer of Gerry as "the controlling genius of the storm," soon came to know and recognize the decided principles and natural abilities of his friend, who was then twenty-eight years of age, and had made his first appearance in public life as a Representative of his native town in the session of the present year. Their mutual respect and intimacy never ceased.

"I observe," said Gerry, alluding to the salaries of the judges, "you have taken up the matter in Boston, and we should be glad to second you, but for some difficulties which we want your opinion upon. It is uncertain with us, whether the salaries are confirmed, whether they have been accepted, or if accepted, whether the judges, knowing how disagreeable it will prove to the people, will not revoke their design. When these matters are determined, we can proceed with propriety, and, should the salaries be received (which D. V.), I hope we shall not leave the subject until the grievance is redressed; and I think I am warranted to say, for this town, you will ever find it ready in attention with interest or life." *

Adams replied on the same day, advising his correspondent that positive information of the independency of the judges had been received by Hutchinson from Bernard, and that the town was to meet on the following day.

"I will write you," he continues, "on Thursday, and let you know the event. Our enemies would intimidate us by saying our brethren in the other towns are indifferent about this matter, for which reason I am particularly glad to receive your letter at this time. Roxbury, I am told, is thoroughly awake. I wish we could arouse the continent." †

His wife's younger brother — Andrew Elton Wells — had lately removed from Cambridge, his birthplace, to Burke County in Georgia, where he had settled and married.

* Austin's Life of Gerry, I. 9.

† Adams to Gerry, Oct. 27, 1772 (*Ibid.*).

“Your last letter,” says Mr. Adams to him, “mentioned the sudden dissolution of your General Assembly, which, I perceive, afterwards took place. It appears still to be the determination of the Ministry to enslave the Colonies, and the Governors are to be the instruments. It therefore behooves every Colony to be vigilant, and agreeably to the advice of the Pennsylvania Farmer, each should support the others. This Province seems devoted to ministerial vengeance. We have been long struggling against the encroachments of tyranny, which now threaten its completion by the independency of the Governor and the judges of the Superior Court. If the tribute, which is by act of Parliament extorted from the Americans, is appropriated for making the executive power totally independent of the people for their support, which is absolutely dependent upon the Crown for its being as well as subsistence, there will be an end to freedom. In such courts, and under such an administration, you will easily conceive what constructions of law and what decisions the people are to expect. I send you two or three of our late papers. There may be some speculations upon the subject in them which you may think proper to get republished in your papers.”*

On the day appointed the meeting was held, John Hancock acting as Moderator. After mature deliberation and debate, extending far into the afternoon, Samuel Adams, Joseph Warren, and Benjamin Church were named a committee to address the Governor, requesting information of the truth of the report, that “stipends had been affixed by order of the Crown to the judges of the Superior Court of Judicature of the Province.” The Governor replied that it was by no means proper for him to lay before any town his correspondence as Governor of the Province, or to inform them of what advices he had received relative to public affairs. With this answer the meeting adjourned to Friday, the 30th,† and Adams, in the interval, fanned the flame in every direction.

“In the mean time,” said he to Gerry, “I wish your town would

* Adams to Andrew Elton Wells, Oct. 21, 1772.

† Boston Town Records for October, 1772.

think it proper to have a meeting, which may be most seasonable at this time. For, as the Superior Court is to be held at Salem next week, you will have an opportunity of making a decent application to them, and inquiring of the certainty of the report and other matters mentioned in your letter to me; which inquiry will be more naturally made to them, in case the Governor should decline answering the message of this town, or do it, if I may be allowed the expression, equivocally. This country must shake off their intolerable burdens at all events. Every day strengthens our oppressors and weakens us. If each town would declare its sense of these matters, I am persuaded our enemies would not have it in their power to divide us, in which they have all along shown their dexterity.”*

Thus he endeavored to inspire all around him with his own unflinching determination. Working zealously and wisely, day and night, by letters and by conversation, he lost sight of no possible advantage that could be gained, and resolutely, but with serene and cheerful aspect, conducted the public measures. When the town met on the 30th, Adams was chairman of a committee to request the Governor to suffer the General Assembly to meet on the day to which it stood prorogued, December 2; and, at the same time, the meeting expressed its horror of the approaching judicial establishment, which was declared contrary, not only to the plain and obvious sense of the charter of the Province, but also to some of the fundamental principles of common law, to the benefit of which all the British subjects, wherever dispersed, were indubitably entitled.† The request for a session of the Legislature was in pursuance of a plan laid down by Adams in a letter to Gerry of the previous Tuesday. The town adjourned to meet again on Monday to hear the Governor's answer to their petition. Very little enthusiasm had thus far been shown in the movement. After all the efforts of Adams, he had not been able to obtain the names of more than a quarter of the freeholders on the petitions for the

* Samuel Adams to Elbridge Gerry, Oct. 29, 1772.

† Boston Town Records.

original meeting, and the last, or new one, was signed by but one in seven, the number being one hundred and six out of six hundred and ninety-nine who had voted at the last May elections. Writing to Arthur Lee the next day after the final meeting, Mr. Adams sends him the newspapers, and thus accounts for the apparent want of interest among the people : —

“ At the first meeting on the Wednesday, and at the last adjournment on the Monday following, there was a respectable appearance of the inhabitants, though not so full as has sometimes been on occasions of much less importance, owing partly to its being the season of the year when the town is filled with our country folks, and every one is laying in provision for the approach of a long winter ; partly to the industry of the enemies to prevent a full meeting, which they had before discovered, — to prevent any meeting at all (for they dread nothing more) ; and partly from the opinion of some, that there was no method left to be taken but *the last*, which is also the opinion of many in the country.” *

The meeting on Monday, the 2d of November, was at Faneuil Hall, and occupied nearly the entire day, — the inhabitants passing out and in during the proceedings. “ A very respectable number ” was present throughout, and an increasing interest was shown. † In the forenoon, Hutchinson’s answer to the petition for a session of the Legislature was received. It briefly stated that the charter reserved to the Governor the full power from time to time to adjourn, prorogue, or dissolve the Assembly. In the exercise of that power, both as to time and place, he had always been governed by a regard to his Majesty’s service and the interests of the Province. A compliance with the petition, he said, would be to yield to them the exercise of that part of the prerogative. There would be danger of encouraging the inhabitants of other towns in the Province to similar

* Samuel Adams to Arthur Lee, Nov. 3, 1772.

† Compare Samuel Adams as “ Candidus,” in the Boston Gazette, Dec. 14, 1772.

procedures, which the law had not made the business of a town meeting. This reply was read several times, and voted "not satisfactory." Its principles must have been received with mingled alarm and indignation, for they aimed a death blow at the immemorable right of the New England towns to discuss public affairs, upon which discussions depended the efficiency of their free elective representation.

"I was aware," said Mr. Adams, in a letter soon after, "that his [the Governor's] answers would be in the same high tone in which we find them expressed; yet our requests have been so reasonable, that, in refusing to comply with them, he must have put himself *in the wrong* in the opinion of every honest and sensible man; the consequence of which will be that such measures as the people may determine upon to save themselves, if rational and manly, will be the more reconcilable even to cautious minds, and thus we may expect that unanimity which we wish for."*

The meeting now numbering about three hundred, it was unanimously resolved as the opinion of the inhabitants, that "they have ever had, and ought to have, a right to petition the King or his representative for a redress of such grievances as they feel, or for preventing of such as they have reason to apprehend, and to communicate their sentiments to other towns."

It was now that Adams stood up and made his celebrated motion, which breathed life into the American Revolution, stamped with vitality all its subsequent measures, and arranged under the rules of perfect order and system what had, until then, been a series of inharmonious, desultory efforts, without concentration or method. The record says:—

"It was then moved by Mr. Samuel Adams, that a committee of correspondence be appointed, to consist of twenty-one persons, to state the rights of the Colonists and of this Province in particular, as men and Christians and as subjects; and to communicate and publish the same to the several towns and to the world as the sense

* To Elbridge Gerry, Nov. 5, 1772.

of this town, with the infringements and violations thereof that have been, or from time to time may be, made."*

It would seem, by the fragment of an account by a Loyalist writer, that the resolves were not adopted until night. He speaks of the vote, for sending the letter of correspondence, as having been passed about ten o'clock in the evening, and although the article in which this statement appeared contained erroneous assertions as to the number of persons present at the time, and was in that respect publicly contradicted by the selectmen, the fact of the night session is not denied. They also refer to the very respectable number who attended "through the day" and to the "three hundred or more," who were present when the vote was taken, evidently at a late hour. That some debate succeeded Mr. Adams's motion is shown in this same statement of the selectmen, who speak of its having been "twice read and amended."† It was carried at last by an almost unanimous vote. The system, however, was not launched upon its course without difficulty. Those who had questioned the wisdom of the scheme at first now failed to perceive its practicability or importance, and when the committee came to be appointed, it was found difficult to obtain members. Cushing, Hancock, and Phillips, three of the four Boston Representatives, pleaded private business and refused to serve; and Scollay and Austin, two of the selectmen, declined for a similar reason.‡ The whole twenty-one, however, were raised; and James Otis, who had lately returned from Nantasket, whither he had been carried, was named chairman, as a tribute to his former services.

Hutchinson described the Committee as in part composed of "deacons," "atheists," and "black-hearted fellows, whom one would not choose to meet in the dark."§ "You may judge of this Committee," said he, "by their chairman, who

* Boston Town Records for November, 1772.

† Statement by the Selectmen, in the Boston Gazette, Dec. 7, 1772.

‡ Bancroft, VI. 429-430.

§ Hutchinson to Pownall, Nov. 13, 1772.

is but just now discharged from his guardian, and is still once in a few days as mad as ever, — the effect of strong drink.”* It has been said of Hutchinson, that “he was considerate towards the orphan and the widow, and he heard private suits with unblemished integrity.” However much the praise may have been deserved, the unmasking of his true disposition, as betrayed in his private correspondence, reveals a malignity of heart and a cowardly desire to stab his enemies in the dark, which renders his character odious. The Committee was composed, for the most part, of plain democratic citizens, in moderate circumstances of life, and actuated beyond question by the loftiest patriotism. Their labors were to be arduous, without remuneration, and with no hope of reward beyond a sense of duty performed, and an approving conscience. But his Excellency could see no merit, except in an abject submission to a tyranny, which he, above all others, ought to have discountenanced, as a native of the Province, and one who had received innumerable marks of favor from his fellow-citizens.

The Committee held their first meeting at the Representatives Chamber on the 3d of November, and organized by electing William Cooper as their clerk, who was ordered to be present at all their meetings and to keep a fair record of their proceedings.† How faithfully the service was rendered, is shown by the journals. They are entire and in perfect order, having passed into the family of Samuel Adams at the commencement of the war, and remained there for more than sixty years. The Loyalists had good reason to watch the growth of this novel power with deep misgivings of its effects. The comprehensiveness of the system, and the perfect harmony of its working, was soon apparent. Springing from the people, it was a compact little legislature of itself, entirely distinct from any other power, and its influence reached every part of the Province. The first act, after organizing, was to pass a vote: —

* Hutchinson to Bernard, Nov. 10, 1772.

† Journal of the Committee.

“That every member be desired to declare to the chairman that he holds himself bound in honor not to divulge or make known any part of the conversation of this Committee at their meetings to any person whatsoever, excepting what the Committee shall judge proper to lay before the town, or to make known in their capacity of a committee.” *

Mr. Adams’s motion, creating the Committee, had specified three distinct duties to be performed, — to draw up a statement of the rights of the Colonists as men, as Christians, and as subjects; a declaration of the infringement and violation of those rights; and a letter to be sent to the several towns in the Province and to the world as the sense of the town. The drafting of the first was assigned to Samuel Adams, the second to Joseph Warren, and the last to Benjamin Church. In the mean time, while these papers were preparing, Adams wrote to other towns, urging their leading men to aid in forming the Confederation.

“Our timid sort of people,” said he to Elbridge Gerry, “are disconcerted when they are positively told that the sentiments of the country are different from those of the city. Therefore a free communication with each town will serve to ascertain this matter; and when once it appears beyond contradiction that we are united in sentiments, there will be a confidence in each other, and a plan of opposition will be easily formed and executed with spirit. . . . I earnestly wish that the inhabitants of Marblehead and other towns would severally meet, and if they see cause, among other measures, second this town, and appoint a committee to be ready to communicate with ours. This would at once discover a union of sentiments thus far, and have its influence on other towns.” †

Gerry replied, with the assurance that the steps taken by the metropolis would succeed; but, said he, “should they fail, the merit of those worthies who oppose the strides of tyranny will not be diminished; neither would their being overpowered by numbers alter the heroism of their conduct.”

* Journal of the Committee.

† Samuel Adams to Elbridge Gerry, Nov. 5, 1772.

Adams again wrote, informing Gerry of the progress of the flame in Roxbury, Cambridge, and Plymouth.

"May God grant," he said, "that the love of liberty, and a zeal to support it, may enkindle in every town. If our enemies should see the flame bursting in different parts of the country, and distant from each other, it might discourage their attempts to damp and quench it. I am well assured they are alarmed at the measure now taking, being greatly apprehensive of the same consequences from it which our good friend at Plymouth hopes and expects. This should animate us in carrying it into execution. I beg you would exert your utmost influence in your neighboring towns and elsewhere."*

The good friend at Plymouth was James Warren, who had written to Samuel Adams that he believed there would be no difficulty in getting a meeting there, and seconding Boston. Adams replied to Warren that the time for "complaining" had passed, and that it was "more than time to be rid of both tyrants and tyranny."

When the reports of the several committees were prepared, they were presented on the 20th of November to a town meeting at Faneuil Hall by James Otis, who now, as chairman, made his final appearance in public, — the wreck of one of the most brilliant men of genius that America has produced, but yet sustained by the care and sympathy of some friends and the tender reverence of the people, whose cause he had ever ardently and sincerely supported.

"Samuel Adams," says Hutchinson, writing to a friend, "had prepared a long report, but he let Otis appear in it"; and again, in another letter: "the Grand Incendiary of the Province prepared a long report for a committee appointed by the town, in which, after many principles inferring independence were laid down, many resolves followed, all of them tending to sedition and mutiny, and some of them expressly denying Parliamentary authority."

The report created a powerful sensation, both in America and in England, where it was for some time attributed to

* Samuel Adams to Elbridge Gerry, Nov. 14, 1772.

Franklin, by whom it was republished. It is divided into the three subjects specified in the original motion. The first, in three subdivisions, considering the rights of the Colonists as men, as Christians, and as subjects, was from the pen of Samuel Adams; his original draft, together with the preparatory rough notes or headings, being in perfect preservation. It is important, not only as a platform upon which were afterwards built many of the celebrated state papers of the Revolution, but as the first fruits of the Committee of Correspondence.*

* The error of John Adams, when, fifty years afterwards, he attributed this pamphlet to James Otis, gave rise to some interesting letters from both Jefferson and Adams a few years before their death. John Adams, while questioning the credit due to Jefferson, as the author of the Declaration of Independence, had called that document a "recapitulation" of the Declaration of Rights by the Congress of 1774; and, again, writing to Mr. Pickering, he says: "As you justly observe, there is not an idea in it [the Declaration of Independence] but what had been hackneyed in Congress two years before. The substance of it is contained in the Declaration of Rights, and the Violations of those Rights in the journals of Congress in 1774. Indeed, the essence of it is contained in a pamphlet voted and printed by the town of Boston before the first Congress met, composed by James Otis, as I suppose, in one of his lucid intervals, and pruned and polished by Samuel Adams." John Adams's Works, II. 514.

The fact that Otis was allowed to present the report as his final public act may have given John Adams this impression; for, at this time (1772), he himself took no part in public affairs, but devoted his time to professional pursuits. Otis, however, had nothing to do with preparing the paper, and, to the grief of his friends and his country, had long been incapable of any public service. Jefferson, adopting the "supposition" of John Adams as to the authorship of the "Rights of the Colonists," wrote to Mr. Madison a year later, that the "Otis pamphlet he never saw," and upon this his biographer, continuing the subject in defence of Jefferson's originality, refers repeatedly to the pamphlet in question as the production of Otis. (Randall's Jefferson, I. 189.) There certainly is a similarity between the "Rights of the Colonists" in 1772, and the "Declaration of Rights" in 1774, and between them both and the Declaration of Independence; but as all are founded on the time-honored principles of Locke, Hooker, Sydney, and Harrington, some of whom are duly quoted by Samuel Adams in his treatise, the disputes as to the originality are needless.

But John Adams's memory failed him in relation to the Declaration of Rights made by the first Congress, as well as in attributing the pamphlet now under consideration to James Otis. He implies that there were two Declara-

NATURAL RIGHTS OF THE COLONISTS AS MEN.

Among the natural rights of the Colonists are these: *First*, a right to life; *Secondly*, to liberty; *Thirdly*, to property; together with the right to support and defend them in the best manner they can. These are evident branches of, rather than deductions from, the duty of self-preservation, commonly called the first law of nature.

All men have a right to remain in a state of nature as long as they please; and in case of intolerable oppression, civil or religious, to leave the society they belong to, and enter into another.

When men enter into society, it is by voluntary consent; and they have a right to demand and insist upon the performance of such conditions and previous limitations as form an equitable *original compact*.

Every natural right not expressly given up, or, from the nature of a social compact, necessarily ceded, remains.

All positive and civil laws should conform, as far as possible, to the law of natural reason and equity.

As neither reason requires nor religion permits the contrary, every man living in or out of a state of civil society has a right peaceably and quietly to worship God according to the dictates of his conscience.

“Just and true liberty, equal and impartial liberty,” in matters spiritual and temporal, is a thing that all men are clearly entitled to by the eternal and immutable laws of God and nature, as well as by the law of nations and all well-grounded municipal laws, which must have their foundation in the former.

In regard to religion, mutual toleration in the different professions thereof is what all good and candid minds in all ages have ever

tions, the one of Rights, and the other of Violations, which is manifestly incorrect. It would seem, too, that any attempt to lessen the credit of Jefferson, by showing that the essence of the Declaration of Independence was contained in Samuel Adams's pamphlet of 1772 and the Declaration of Rights in 1774, must reflect upon whoever claims the authorship of the latter (since the sentiments are identical), unless it be conceded that Samuel Adams, as is more than probable, was largely engaged in composing the Declaration of Rights, and introduced into that paper the same principles he had advanced in 1772.

practised and, both by præcept and example, inculcated on mankind. And it is now generally agreed among Christians that this spirit of toleration, in the fullest extent consistent with the being of civil society, is the chief characteristical mark of the true Church.* In-
somuch that Mr. Locke has asserted and proved, beyond the possibility of contradiction on any solid ground, that such toleration ought to be extended to all whose doctrines are not subversive of society. The only sects which he thinks ought to be, and which by all wise laws are excluded from such toleration, are those who teach doctrines subversive of the civil government under which they live. The Roman Catholics or Papists are excluded by reason of such doctrines as these, that princes excommunicated may be deposed; and those that they call heretics may be destroyed without mercy; besides their recognizing the Pope in so absolute a manner, in subversion of government, by introducing, as far as possible into the states under whose protection they enjoy life, liberty, and property, that solecism in politics *imperium in imperio*,† leading directly to the worst anarchy and confusion, civil discord, war, and bloodshed.

The natural liberty of man, by entering into society, is abridged or restrained, so far only as is necessary for the great end of society, the best good of the whole.

In the state of nature every man is, under God, judge and sole judge of his own rights and of the injuries done him. By entering into society he agrees to an arbiter or indifferent judge between him and his neighbors; but he no more renounces his original right than by taking a cause out of the ordinary course of law, and leaving the decision to referees or indifferent arbitrators. In the last case, he must pay the referees for time and trouble. He should also be willing to pay his just quota for the support of government, the law, and the constitution; the end of which is to furnish indifferent and impartial judges in all cases that may happen, whether civil, ecclesiastical, marine, or military.

The *natural* liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but only to have the law of nature for his rule.‡

In the state of nature men may, as the patriarchs did, employ

* See Locke's Letters on Toleration.

‡ Locke on Government.

† A government within a government.

hired servants for the defence of their lives, liberties, and property ; and they should pay them reasonable wages. Government was instituted for the purposes of common defence, and those who hold the reins of government have an equitable, natural right to an honorable support from the same principle that "the laborer is worthy of his hire." But then the same community which they serve ought to be the assessors of their pay. Governors have no right to seek and take what they please ; by this, instead of being content with the station assigned them, that of honorable servants of the society, they would soon become absolute masters, despots, and tyrants. Hence, as a private man has a right to say what wages he will give in his private affairs, so has a community to determine what *they* will give and grant of their substance for the administration of public affairs. And, in both cases, more are ready to offer their service at the proposed and stipulated price than are able and willing to perform their duty.

In short, it is the greatest absurdity to suppose it in the power of one, or any number of men, at the entering into society, to renounce their essential natural rights, or the means of preserving those rights ; when the grand end of civil government, from the very nature of its institution, is for the support, protection, and defence of those very rights ; the principal of which, as is before observed, are Life, Liberty, and Property. If men, through fear, fraud, or mistake, should in terms renounce or give up any essential natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being the gift of God Almighty, it is not in the power of man to alienate this gift and voluntarily become a slave.

II.

THE RIGHTS OF THE COLONISTS AS CHRISTIANS.

These may be best understood by reading and carefully studying the institutes of the great Law Giver and Head of the Christian Church, which are to be found clearly written and promulgated in the New Testament.

By the act of the British Parliament, commonly called the

Toleration Act, every subject in England, except Papists, &c., was restored to, and re-established in, his natural right to worship God according to the dictates of his own conscience. And, by the charter of this Province, it is granted, ordained, and established (that is, declared as an original right) that there shall be liberty of conscience allowed in the worship of God to all Christians, except Papists, inhabiting, or which shall inhabit or be resident within, such Province or Territory.* Magna Charta itself is in substance but a constrained declaration or proclamation and promulgation in the name of King, Lords, and Commons, of the sense the latter had of their original, inherent, indefeasible natural rights,† as also those of free citizens equally perdurable with the other. That great author, that great jurist, and even that court writer, Mr. Justice Blackstone, holds that this recognition was justly obtained of King John, sword in hand. And peradventure it must be one day, sword in hand, again rescued and preserved from total destruction and oblivion.

III.

THE RIGHTS OF THE COLONISTS AS SUBJECTS.

A commonwealth or state is a body politic, or civil society of men, united together to promote their mutual safety and prosperity by means of their union.‡

The absolute rights of Englishmen and all freemen, in or out of civil society, are principally personal security, personal liberty, and private property.

All persons born in the British American Colonies are, by the laws of God and nature and by the common law of England, exclusive of all charters from the Crown, well entitled, and by acts of the British Parliament are declared to be entitled to all the natural, essential, inherent, and inseparable rights, liberties, and privileges of subjects born in Great Britain or within the realm. Among

* See 1 Wm. and Mary, St. 2, c. 18, and Massachusetts Charter.

† Lord Coke's Inst. Blackstone's Commentaries, VI. p. 122. The Bill of Rights and the Act of Settlement.

‡ See Locke and Vattel.

those rights are the following, which no man, or body of men, consistently with their own rights as men and citizens, or members of society, can for themselves give up or take away from others.

First, "The first fundamental, positive law of all commonwealths or states is the establishing the legislative power. As the first fundamental *natural* law, also, which is to govern even the legislative power itself, is the preservation of the society."*

Secondly, The Legislative has no right to absolute, arbitrary power over the lives and fortunes of the people; nor can mortals assume a prerogative not only too high for men, but for angels, and therefore reserved for the exercise of the Deity alone.

"The Legislative cannot justly assume to itself a power to rule by extempore arbitrary decrees; but it is bound to see that justice is dispensed, and that the rights of the subjects be decided by promulgated, standing, and known laws, and authorized *independent judges*"; that is, independent, as far as possible, of Prince and people. "There should be one rule of justice for rich and poor, for the favorite at court, and the countryman at the plough." †

Thirdly, The supreme power cannot justly take from any man any part of his property, without his consent in person or by his representative.

These are some of the first principles of natural law and justice, and the great barriers of all free states and of the British Constitution in particular. It is utterly irreconcilable to these principles and to many other fundamental maxims of the common law, common sense, and reason, that a British House of Commons should have a right at pleasure to give and grant the property of the Colonists. (That the Colonists are well entitled to all the essential rights, liberties, and privileges of men and freemen born in Britain is manifest not only from the Colony charters in general, but acts of the British Parliament.) The statute of the 13th of Geo. 2, c. 7, naturalizes even foreigners after seven years' residence. The words of the Massachusetts charter are these: "And further, our will and pleasure is, and we do hereby for us, our heirs, and successors, grant, establish, and ordain, that all and every of the subjects of us, our heirs, and successors, which shall go to, and inhabit within our said Province or Territory, and every of their children,

* Locke on Government. *Salus populi suprema lex esto.*

† Locke.

which shall happen to be born there or on the seas in going thither or returning from thence, shall have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of us, our heirs, and successors, to all intents, constructions, and purposes whatsoever, as if they and every one of them were born within this our realm of England."

Now what liberty can there be where property is taken away without consent? Can it be said with any color of truth and justice, that this continent of three thousand miles in length, and of a breadth as yet unexplored, in which, however, it is supposed there are five millions of people, has the least voice, vote, or influence in the British Parliament? Have they all together any more weight or power to return a single member to that House of Commons who have not inadvertently, but deliberately, assumed a power to dispose of their lives,* liberties, and properties, than to choose an Emperor of China? Had the Colonists a right to return members to the British Parliament, it would only be hurtful; as, from their local situation and circumstances, it is impossible they should ever be truly and properly represented there. The inhabitants of this country, in all probability, in a few years, will be more numerous than those of Great Britain and Ireland together; yet it is absurdly expected by the promoters of the present measures that these, with their posterity to all generations, should be easy, while their property shall be disposed of by a House of Commons at three thousand miles' distance from them, and who cannot be supposed to have the least care or concern for their real interest; who have not only no natural care for their interest, but must be *in effect* bribed against it, as every burden they lay on the Colonists is so much saved or gained to themselves. Hitherto, many of the Colonists have been free from quit rents; but if the breath of a British House of Commons can originate an act for taking away all our money, our lands will go next, or be subject to rack rents from haughty and relentless landlords, who will ride at ease, while we are trodden in the dirt. The Colonists have been branded with the odious names of traitors and rebels only for complaining of their grievances. How long such treatment will or ought to be borne, is submitted.

Here is embodied the whole philosophy of human rights,

* See the acts of the last session relating to the King's dock-yards.

condensed from the doctrines of all time, and applied to the immediate circumstances of America. Upon this paper was based all that was written or spoken on human liberty in the Congress which declared independence; and the immortal instrument itself is, in many features, but a repetition of the principles here enunciated, and of Joseph Warren's list of grievances, which followed the Rights of the Colonists in the report. If we look back to the first efforts of Samuel Adams, when, as a young essayist in the obscure little weekly paper of his native town, twenty-five years before, he boldly advocated the liberties of the people against oppressive rulers, we shall find that his ideas on these subjects were as firmly fixed as now, when he gave them not to a circle of provincial readers alone, but to the world. The sentiments are the same, and the man who adopted them must have been by nature an assertor of popular rights. There can be no better proof of the admirable consistency of his character than a patient examination of his works throughout his long life. At the age of fifty he found no reason to retract a word, or retrace a step; and the principles with which he had commenced life accompanied him to the close. When another century had dawned upon him, and he was fast sinking into the grave, his sincere admirer, Thomas Jefferson, then just elected President of the United States, wrote to his "ever respected and venerable friend": "Your principles have been tested in the crucible of time, and have come out pure. You have proved that it was monarchy, and not merely British monarchy, you opposed. A government by representatives, elected by the people at short periods, was our object, and our maxim at that day was, 'Where annual election ends, tyranny begins.'"* Jefferson's remarks were applicable, not only to the period of the Revolution, but to the whole lifetime of Samuel Adams. The spirit which, in his boyhood, dictated the college thesis advocating the lawfulness of resistance to tyranny was the same that spoke in the

* Thomas Jefferson to Samuel Adams, Feb. 26, 1801.

Independent Advertiser five years later for the right of remonstrating public grievances and against the exercise of lawless power. Its justice and consistency was shown when, at the dawn of the Revolution, the patriot claimed British privileges as the birthright of his countrymen, and called on the Representatives to maintain and assert them; and when, in the Massachusetts resolves, he fully rehearsed those rights, and struck out the pathway for future measures. Now, in 1772, the same great principles are adhered to. He had brought them triumphantly forward, keeping public attention ever fixed upon them, till they were not only adopted by a town, but established as the guide of a people in its march to freedom.*

* An error first published by Gordon, and repeated from that source by Marshall and subsequent authors, was for many years persisted in by writers on the American Revolution, that James Warren of Plymouth was the originator of the Committee of Correspondence; and the honor of the invention has, without proof, been accorded to others. Not only has the fact descended in family story, from his own mouth, that Samuel Adams originated this measure, but there is abundant contemporary testimony to support it. Hutchinson, as already quoted, repeatedly asserts it in his private letters, and the writings of Adams himself indicate it. Addressing Bernard on the progress of the Committees of Correspondence, Hutchinson says:—

“The papers enclosed will show you what we are about. Adams brought about eighty towns to declare against the authority of Parliament”; and in a private letter to Lord Dartmouth, denouncing Samuel Adams as the leader and manager in Massachusetts, “But his chief dependence is upon a Boston town meeting, where he originates his measures, which are followed by the rest of the towns, and, of course, are adopted or justified by the Assembly.”

Gordon, though generally trustworthy, never had the fullest confidence of Adams and his friends, and he was much in the dark as to the Committee, its origin and proceedings. Warren cheerfully seconded Adams in the consummation of the scheme after it was matured, but he was not its inventor, and, like others, at first doubted its success. When John Adams was Minister to England in February, 1780, the plan of committees of correspondence was being generally adopted in England and Ireland for the redress of grievances. Remembering with whom these committees had originated in Boston, he writes from Paris to Samuel Adams, then a member of the Congress in Philadelphia:—

“You will see by the public papers that your committee of correspondence is making greater progress in the world and doing greater things in the polit-

The list of "infringements and violations of rights" by Warren, divided into twelve articles, treats in detail of the usurpation of powers of legislation; taxation without the consent of the people; the appointment of new officers unknown to the charter; the introduction of fleets and armies to support these unconstitutional officers; the annual appropriation by the King of fifteen hundred pounds from the American revenue to support the Governor and other crown officers independently of the people; the instructions sent to the Governor, threatening an entire destruction of public liberties; the restrictions upon the Legislature; the negativ- ing of councillors; the surrendering of the Castle; the extending of the power of the Courts of Vice-Admiralty; the

ical world than the electrical rod ever did in the physical; England and Ireland have adopted it, but, mean plagiarists as they are, they do not acknowledge who was the inventor of it."

There is no mistaking this. It is positive and to the point, and evidently refers to a perfectly well-known fact. Undoubtedly, too, Francis Dana, himself a personal witness of these events, and, in 1780, a member of the American legation at Paris, had been conversing with John Adams on this very subject; for, three days after the date of the letter from which the above extract is taken, Dana also wrote to Elbridge Gerry at Philadelphia:—

"You perceive that I allude to their county meetings, their petitions, but above all to their *committees of correspondence* (of which you may read much in the papers of this month). These last were engines which operated with more energy and constancy than any others which were put in motion in the commencement of our opposition. They may be called the corner-stone of our Revolution or new empire. Little, I believe, did our friend, the first mover and inventor of them, expect to see this masterly stroke of policy so soon adopted by the people of England to effect the redress of their own grievances. What will be the issue of the present apparently serious opposition, a little time will show: but, from the characters who take the lead in it, I conjecture the great body of the people will be made instrumental only of driving out the present administration, and will be but little the better for a change. They want the sage counsel of our said friend in conducting the affairs of their committees of correspondence to the proper point."

Writing to Samuel Adams in 1790, John Adams, looking back to the effect of these events, says:—

"Your Boston town meetings and our Harvard College have set the universe in motion."

There is the clearest evidence that Samuel Adams was the originator of the

deprivation of the right of trial by peers of the vicinage; the restrictions upon manufactures and native productions; the establishment of an American Episcopate; and the alteration of the bounds of Colonies by decisions before the King and Council.

The "letter of correspondence to the towns," by Benjamin Church, takes a brief and comprehensive view of the state of public affairs in a strain of the happiest eloquence, blended with a dignity worthy the occasion. The tenor of the "rights" and grievances is briefly recapitulated, enclosed with the letter to the selectmen, and a free communication of the sentiments of each town is earnestly solicited. The fullest belief is expressed that the wisdom of the people would not "suffer them to doze, or sit supinely indifferent

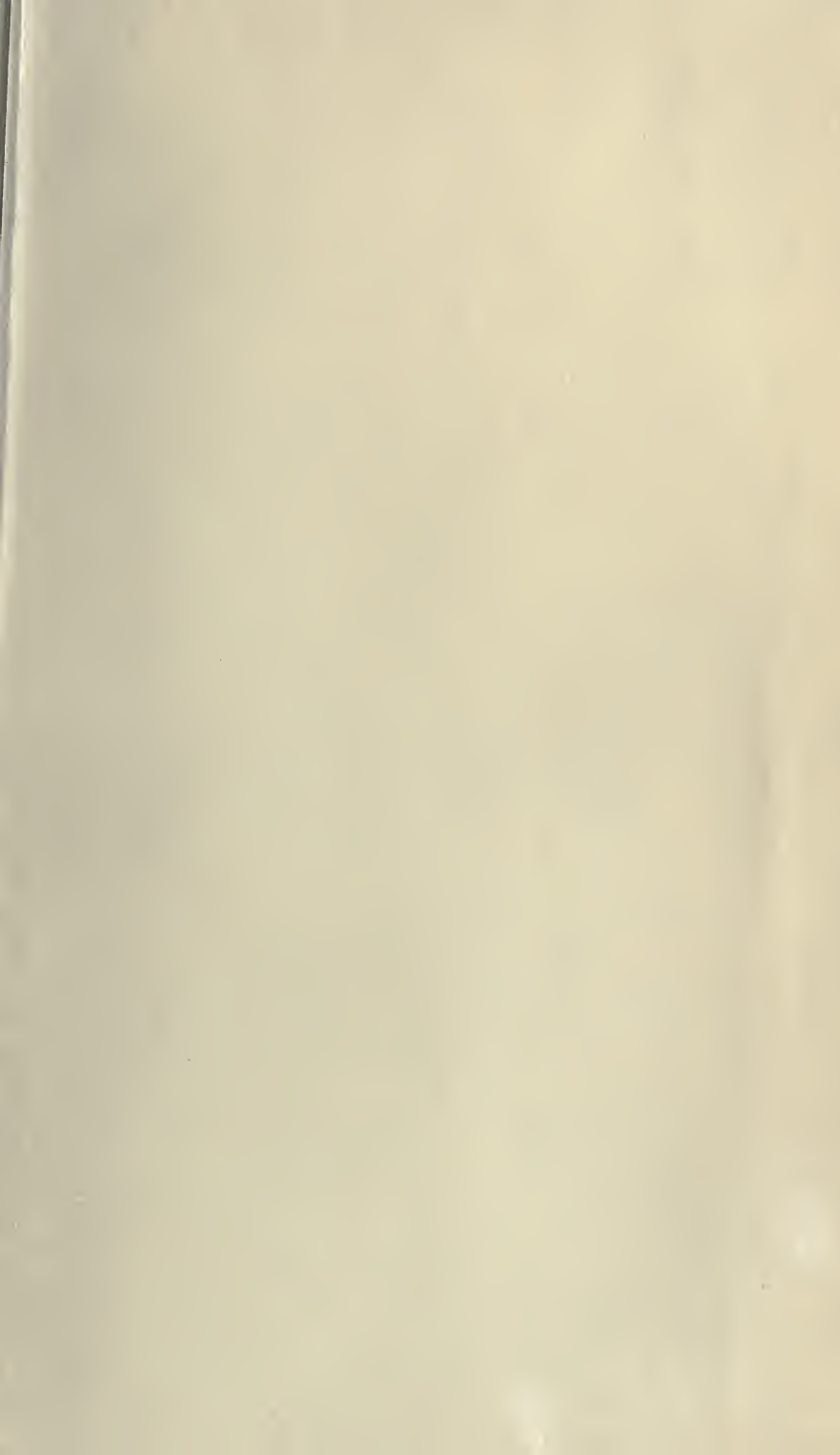
system, put it in action, and guided its course. When Hutchinson, in the next session of the Legislature, assailed the Committee as unlawful and of dangerous tendency, Adams was its special advocate, having been appointed by the town to prepare an answer to the Governor's objections. (Boston Gazette March 29, 1773.) And at a town meeting at the Old South, of which he was Moderator (Town Records, June 27, 1774), when the Tories attempted to pass a vote of censure upon the Committee, Adams again became its champion, having left the chair and taken the floor for that express purpose. It would seem that all men looked to him as the father of the Committee, and as such its natural defender and director. (See letters from members of the Committee to Samuel Adams, during his absence in Congress, August and September, 1774.)

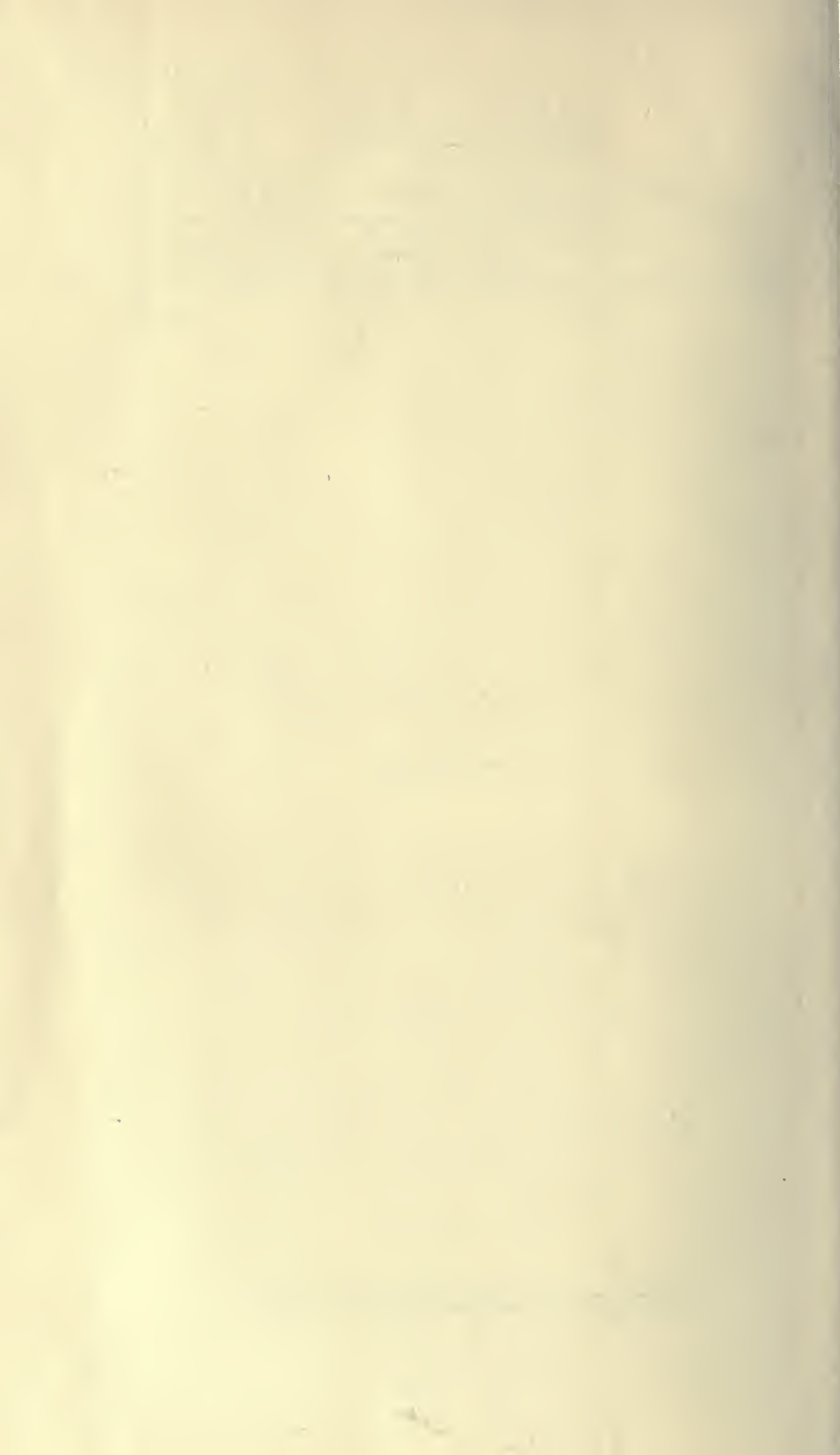
Still further proof is given by John Adams, as "Novanglus," in 1775, when, in his controversy with "Massachusettensis," he says: "When a certain masterly statesman invented a Committee of Correspondence in Boston, which has provoked so much of the spleen of "Massachusettensis" (of which more hereafter), did not every Colony, nay every county, city, hundred, and town upon the whole continent, adopt the measure, — I had almost said, as if it had been a revelation from above as the happiest means of cementing the union, and acting in concert? What proofs of union have been given since the last? Look over the resolves of the several Colonies, and you will see that one understanding governs, one heart animates, the whole body. Assemblies, conventions, congresses, towns, cities, and private clubs and circles have been actuated by one great, wise, active, and noble spirit, one masterly soul animating one vigorous body." (John Adams's Works, IV. 34. Bancroft, VII. 234.)

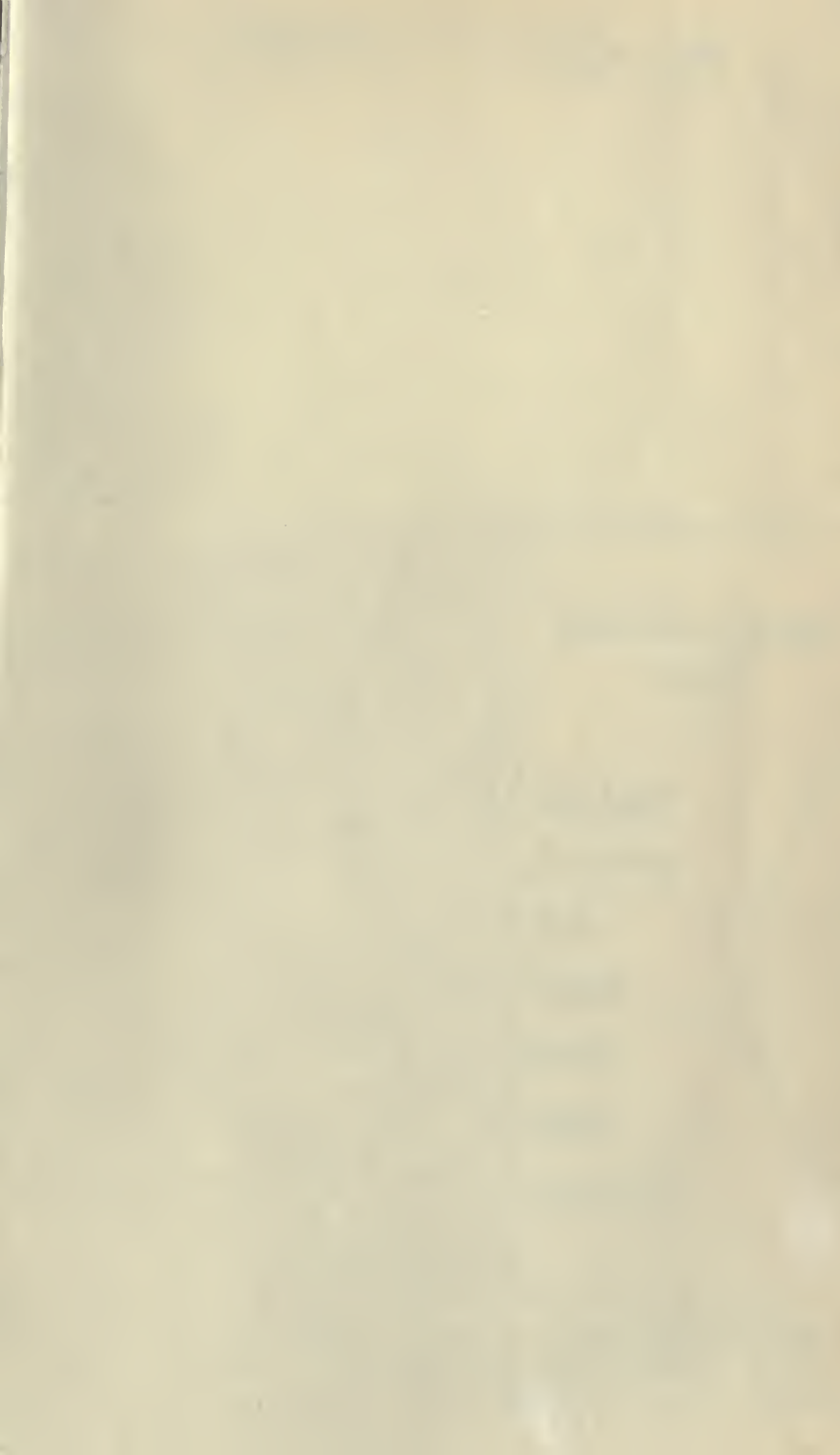
The person here alluded to is as clearly designated by the terms used, as if his name had been expressed. See Bancroft's opinion as to the originator of the Committees of Correspondence, VI. 428, 429.

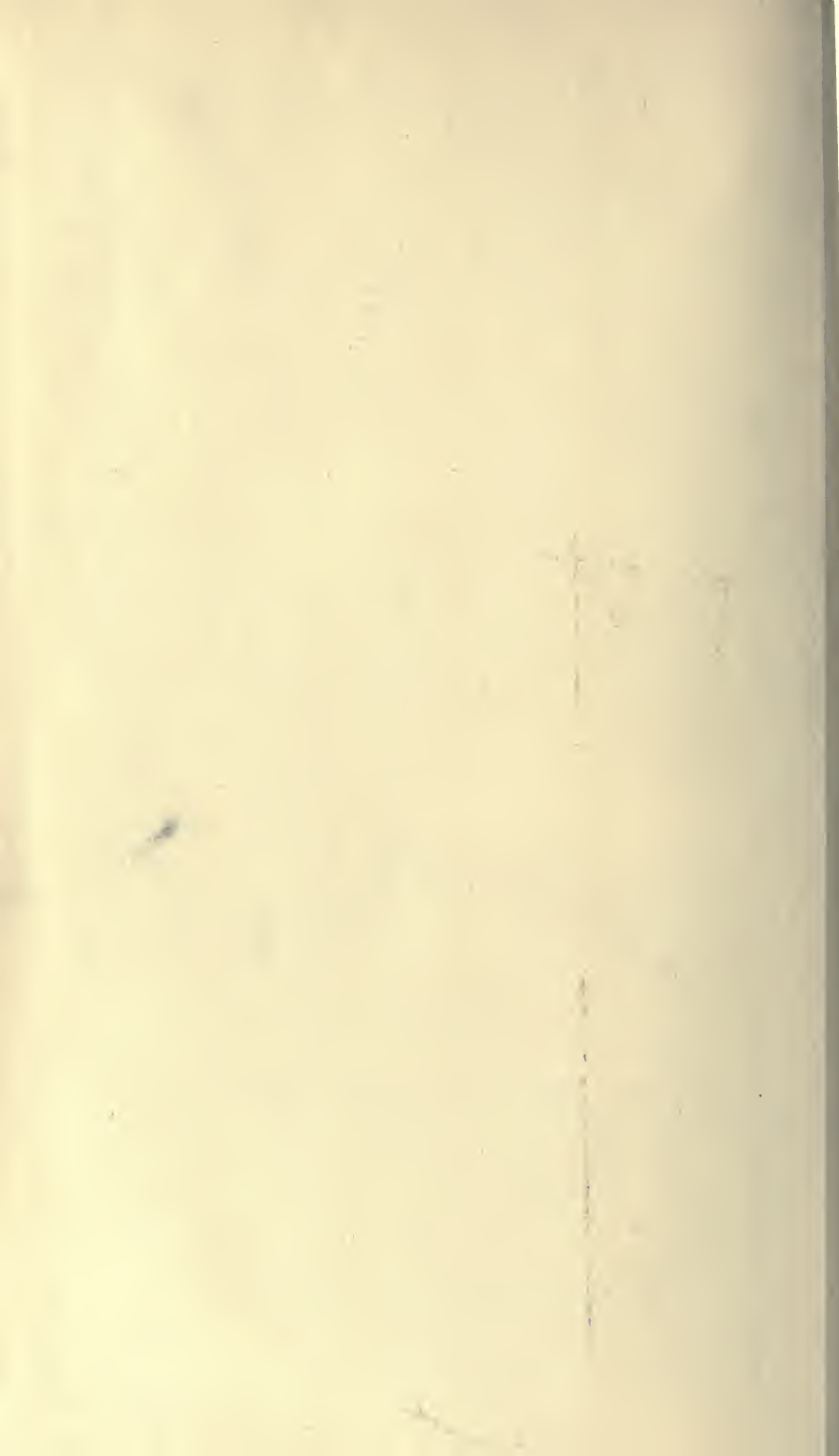
on the brink of destruction, while the iron hand of oppression was daily tearing the choicest fruit from the fair tree of liberty, planted by their worthy predecessors, at the expense of their treasure, and abundantly watered with their blood.”

END OF VOL. I.









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