"The Fatal Year": Slavery, Violence, and the Stamp Act of 1765

Joshua Fogarty Beatty

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“The Fatal Year”: Slavery, Violence, and the Stamp Act of 1765

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ABSTRACT

This dissertation argues that the American colonists came to resist the Stamp Act of 1765 through equating it with slavery, a state still understood as resulting from surrender in war. This metaphor both dominated print discourse and served to justify violence against supporters of the Act. Slavery rhetoric implied that resistance through violent struggle was essential for the colonists both to win their freedom and to demonstrate to the wider world that they deserved such freedom. Understanding resistance in these terms reveals the close connections between the rhetoric deployed against the Stamp Act and the actions taken against stamp officers and other supporters of the Act. A close examination of the chronology of rhetoric and resistance shows that it was the colonists’ commitment to violent struggle—the actions of urban crowds and of a vigilant network of Sons of Liberty—that prevented enactment of the Stamp Act. And it was knowledge of that resistance that caused Parliament to vote against sending troops to enforce the Stamp Act, well before merchants and manufacturers testified to their economic straits.

The four chapters proceed chronologically through the period May 1765 – May 1766. The first chapter examines the colonists’ decision to resist the Stamp Act and ends in July 1765. Chapter 2 is a study of the crowd actions against crown officers in August through October. The third chapter contrasts the ineffectual Stamp Act Congress with the actions of the Sons of Liberty in the winter of 1766, while the final chapter focuses on the repeal celebrations of May 1766.
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For Rhys
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INTRODUCTION

This dissertation represents the first book-length study of the Stamp Act in the American colonies since Edmund and Helen Morgan's *The Stamp Act Crisis: Prologue to Revolution* from 1953. As such, it incorporates nearly sixty years of historiographical and methodological evolution to reinterpret the resistance to the Stamp Act as a specifically colonial moment, rather than simply one step on an inevitable and logical path to the American Revolution. The four chapters proceed chronologically through the period May 1765 – May 1766. The first chapter examines the colonists' decision to resist the Stamp Act and ends in July 1765. Chapter 2 is a study of the crowd actions against crown officers in August through October. The third chapter covers the long winter of nullification, while the final chapter focuses on the repeal celebrations of May 1766. Throughout, this dissertation looks specifically at the colonists' point of view and uses sources penned in the heat of the moment to reconstruct their states of mind as they reacted to events. It focuses on slavery as the dominant metaphor colonists used for the Stamp Act and shows how the metaphor both dominated print discourse and served to justify violence against supporters of the Act.

Parliament passed the Stamp Act in early 1765. Intended to raise revenues to offset the costs of the Seven Years' War, the Act taxed nearly all printed papers used in the colonies: newspapers, customs forms, and legal writs were among those. The colonists received word of the Stamp Act in May 1765. It was set to be enacted on 1 November.
Paper, pre-stamped, would be shipped to the major port or capital of each colony, where a single designated stamp officer would take charge of the paper and, perhaps through sub-distributors, sell it to the colonists.

The colonists were initially disposed to submit to the Stamp Act, as they had the Sugar Act. Some planned a congress of representatives from each colony to petition King and Parliament for relief. However, over the summer of 1765 a spirit of resistance grew. Resistance hardened into a movement that through threats and violence nullified the Stamp Act by forcing the stamp officers to resign. By 1 November none in the colonies between New Hampshire and Georgia were willing to enforce the Act. During the long winter groups of Sons of Liberty in many towns took on the tasks of keeping the colonies free from stamped papers in their particular regions and of forming communities of mutual aid with the Sons in other towns. At the same time, Parliament, alarmed by the riots in the colonies and pressured by merchants and manufacturers who feared loss of trade, steadily moved towards a repeal of the Stamp Act. The King signed the repeal in March 1766; the colonists celebrated with great “rejoicings” in May of that year intended to demonstrate their renewed loyalty to the mother country.

The broadest historiographical trend with which this dissertation converses is that of the history of the coming of the American Revolution. Of those works, the muse for and nemesis of this project has been Edmund and Helen Morgan’s classic *The Stamp Act Crisis: Prologue to Revolution*. The Morgans argued for the importance of principled, constitutional opposition to the Stamp Act, culminating in the rational declarations of a congress made up of a representative cross-section of colonists. For the Morgans, the riots against stamp
officers were at best a sideshow. This dissertation bows to the Morgans' breadth of sources and subtle narrative; it nevertheless takes issue with them on several substantive points.¹

The other two agreed classic works that have been of great influence are from opposing viewpoints: Bernard Bailyn's *Ideological Origins of the American Revolution* and Gary Nash's *Urban Crucible*. Bailyn, rightly, identified a current of fear and uncertainty running through the writings of the time. What he saw in his very limited set of sources—he only consulted political pamphlets of the era—is magnified in the news reports and essays of the other major print source of the time, weekly papers. Bailyn's, though, is about a revolution of the mind. Nash brings that revolution crashing to earth, identifying how the lower classes of the urban seaports had similar sensibilities but had very different particular grievances. In this dissertation I try to show how this current of fear both shapes and is shaped by the specific events of 1765 and 1766.²

Within the larger historiography of the onset of the Revolution, some specific trends can be seen. Most important to this dissertation is the eroding interest in the Stamp Act. Modern historians have dismissed the Stamp Act as less important than the Townsend Acts and the Coercive Acts in provoking the Revolution. This trend is most apparent in the works that focus on colonial consumption and the importance of material goods—especially British goods—to their sense of self. But non-importation measures played only a minor role.

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in colonial resistance to the Stamp Act. Thus, the Stamp Act has little place in such histories.³

The North, particularly Massachusetts, has generally been considered the birthplace of the Revolution. This is in part due to the regional biases of historians of the Revolution—the bulk of elite colleges have always been in the North. But it is also due to the fact that dramatic and well-publicized events happened there. From the Boston Massacre of 1770, to the Tea Party of 1773, and the landing of troops at Boston to maintain order afterwards, to Lexington and Concord, the events of the early 1770s seem to indicate Massachusetts as the flash point. As merchants and their non-importation agreements were essential to Northern resistance, a consumer-oriented history of the Revolution tends to lean to New England and the middle colonies. This dissertation, in particular, argues for the importance of considering the actions of Virginia’s burgesses to understanding how resistance to the Stamp Act developed.⁴


Some historians of the Revolution have focused on the interaction between colonists and representatives of the British government. Abstracted, these can be histories of imperial oversight, often looking at the mistakes made by ministers in London. Others examine interactions on the ground between colonial Americans and customs officers, royal governors, and military and naval forces. The latter, especially, have greatly influenced this dissertation. Resistance to the Stamp Act cannot be understood without looking at the way in which that Act was to be implemented, and at the roles of the prospective stamp officers.\footnote{The classic work that looks at both events on the ground in America and the politics of the British court is Laurence Henry Gipson's fifteen-volume *The British Empire Before the American Revolution*, the first volumes of which were released in the 1930s and the last not until the 1960s. The volume directly relevant to this dissertation is Lawrence Henry Gipson, *The Triumphant Empire: Thunder-Clouds Gather in the West, 1763-1766*, vol. 10, *The British Empire Before the American Revolution* (New York: Alfred A. Knopf, 1961). On colonists' running battles with British naval forces see Neil R. Stout, *The Royal Navy in America, 1760-1775: A Study of Enforcement of British Colonial Policy in the Era of the American Revolution* (Annapolis, Md.: Naval Institute Press, 1973). For conflicts with customs officers, see Nash, *The Urban Crucible*. More recently, Fred Anderson, in *A People's Army: Massachusetts Soldiers and Society in the Seven Years' War* (Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture, Williamsburg, Va., 1984), shows the culture shock that resulted from the colonists' interactions with the British Army during the Seven Years' War. Anderson's *Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766* (New York: Alfred A. Knopf, 2000) ably extends this theme to cover the Sugar and Stamp Acts. That I am influenced so heavily by imperial history and the history of the port cities is due largely to my specific topic; I suspect for an understanding of the larger Revolution that adding the historiography of internal conflict in the 1760s and 1770s, as well as conflict on the frontiers, would be equally important.}

Situated within the larger history of the relationship between colonies and mother country is the history of taxation, and in particular, just what taxes the colonists objected to. Here the dominant voices for generations have been those of Edmund and Helen Morgan, who argued that during the Stamp Act crisis Americans held a reasoned position that accepted Parliament's right to legislate for the colonies but did not differentiate between internal taxes and external taxes or trade duties. That interpretation has been challenged—I believe convincingly—but has never been entirely overthrown. This dissertation will
illustrate that, indeed, the colonists did make a distinction between internal and external taxes, and that both their words and, importantly, their actions illustrate that distinction.\(^6\)

Over the past decade, historians of the Revolution have returned to the question of how the colonists were mobilized for armed resistance. Most of these histories focus on the period leading up to the war itself. This dissertation, in contrast, looks at how Americans progressed from an initial passive acceptance of the Stamp Act to violent attacks on crown officers with the goal of nullifying the Act.\(^7\)

My argument is that it was a rhetoric of slavery, and of the necessity of struggle against slavery to prove oneself worthy of freedom, that oiled the machine of colonists' mobilization against the Stamp Act. Thus, this dissertation draws on the historiography of the intellectual and cultural history of slavery during the colonial era with a view towards understanding the metaphor of slavery as it was deployed during the crisis over the Stamp Act. The historiographical trend has been to emphasize the nascent definition of slavery as a condition of African-Americans. However, during 1765 the classical understanding of slavery as a result of defeat in battle was still strong, and I draw in particular from works that reference that view.\(^8\)


Much of the major work done on the Revolutionary era in recent years has been in the field of cultural history. Important books have examined particular aspects of life during the period: forms of communication, whether print, oratory, or even demonstrations; metaphors like slavery or parent-child relationships; or, more recent, emotions, particularly sympathy and sentimentality. These provide valuable insights into particular aspects of life, yet none alone can successfully hold together a narrative of events. Moreover, these works tend to cover a long stretch of time, typically 1760 to 1820; the result is that the colonial period and even the Revolutionary War is quickly passed over in favor of the richer sources of the early republic. This dissertation tries to use the insights of these cultural histories while forcing them to serve a larger narrative that blends rhetoric and action.9

The primary methodological goal of this dissertation is, indeed, to craft a larger narrative of the Stamp Act that accounts for rhetoric, action, and the interplay between the two. It thus places added weight on documents written in the immediate aftermath of events. This is a significant shift from most histories, which, in particular, rely heavily on early nineteenth-century sources when examining Patrick Henry’s performance before the House of Burgesses in support of the Virginia Resolves. These Resolves and the passion they engendered across the colonies are the central subject of chapter 1.

Using documents written in the heat of passion is also important to reconstructing the states of mind of both colonists and Crown officers during the riots and crowd actions aimed at nullification described in chapters 2 and 3. The main sources here are newspaper essays and accounts of events, giving the anti-Stamp Act point of view, and letters from Crown officers describing the situation for their superiors in London for the other side.

In contrast, this dissertation places little emphasis on pamphlets, or any document written from a longer view and with a more abstract perspective. Historians, I believe, have been insufficiently suspicious that such works penned with the benefit of leisure and retrospection are going to be rationalizations of positions already held. I would prefer to look at the rhetoric surrounding such positions without the weight of self-justification masking real passions. The writings of Daniel Dulany and John Dickinson, the preeminent pamphleteers attacking the Stamp Act, are the main casualties to this method. The resolves of the Stamp Act Congress also fall into this category. Chapter 3 contrasts them to the resolves of local Sons of Liberty, the Virginia Resolves, and the rhetoric in the newspapers at the time. However, in chapter 4, on the repeal celebrations, I do focus more on well-
planned rhetoric, for here I am interested in the rationalizations as a way of understanding how the colonists stood down from their militant position against the Stamp Act.10

The dissertation takes as its subject “the colonists,” an admittedly amorphous and under-defined grouping. By it I intend to indicate the white, male European-descended settlers in the region between New Hampshire and Georgia. Most of the resistance to the Stamp Act that we know about took place in coastal towns and cities. However, there are hints of significant resistance in more rural regions. During the Stamp Act period there are almost no reports on women participating in resistance in any way, in contrast to their importance to the non-importation movements over the coming decade. Nor do we have much information on what black slaves or Indians did in direct relation to the Stamp Act. And unlike, say, colonial Virginia from 1767–1775 as described by Woody Holton, there is little indication of how, or if, those members of society lacking privilege even pushed elite colonists into resistance.11


11 Holton, Forced Founders.
In sum, this dissertation argues that the American colonists came to resist the Stamp Act through equating it with slavery, a state still understood as resulting from surrender in war. This equation implied that resistance through struggle, violent if necessary, was essential to both winning their freedom and demonstrating that they deserved such freedom. Understanding resistance to the Stamp Act in these terms allows us to see the connections between the rhetoric deployed against the Stamp Act and the actions taken against stamp officers and other supporters of the Act. Indeed, what is revealed is a practice in which one leads to the other in a cycle of hardening resistance and widening geographical scope. This understanding of resistance to the Stamp Act raises questions about the modern historiography of the build to the Revolution as rooted in a transatlantic consumer culture, in which the most meaningful forms of resistance were based on restricting consumption of British goods and increasing manufacture of American products. Instead, future studies of the Townshend Acts and beyond should ask which British actions produced a rhetoric of slavery and struggle among the colonists, and resulted in violent action meant to directly prevent such acts from being implemented.
CHAPTER 1
The Virginia Resolves and the Origins of Violent Resistance

When the American colonists received the news it could not have been a surprise. The rumors were true—George III had signed the Stamp Act into law. The colonists had followed the progress of the Stamp Act from its genesis. They had petitioned against it, only to have those petitions rejected. They had devoured reports of the debates in Parliament when the bill was proposed. And, with increasing despair, they had seen the accounts of those debates: first the Parliament passed a set of fifty-five resolves, then a bill that bundled them together into a Stamp Act, and all with little protest from any member. The colonists responded to the news with a sigh: they would have to bear this burden, for their monarch had made it their duty.

Yet three months later, in mid-August 1765, the colonists would have decisively rejected this reasoning. Across America, stamp officers came under threat, their houses attacked and their bodies threatened, until they had all resigned. The colonists had chosen to defy the Stamp Act, to nullify it.

This chapter asks: how and why did the colonists come to resist, violently, the Stamp Act? I argue that the answer lies in a detailed understanding of the events as they happened, inextricably embedded within a particular, and to us, foreign, time and place. The particular characteristics of the colonies in 1765 included a deep struggle with patriarchal authority and in particular what the colonists saw as a new challenge to their self-conception.
as Britons with British rights. In this period the common narratives of authority—metaphors of slavery and of parent-child relationships—became the way in which the colonists understood the Stamp Act. At first the colonists understood the proper lines of authority to indicate that they must submit to the Stamp Act. But these narratives could also be written to suggest a course of resistance. This latter course was buttressed by a defiant initiative attempted on the floor of the Virginia House of Burgesses.

The “Virginia Resolves” emerged in late May of 1766, at the end of a month-long session of the Virginia House of Burgesses, Patrick Henry—then a newly-elected legislator from Hanover County—proposed a set of seven resolves that denied Britain’s right to pass a Stamp Act and that called on Virginians to nullify it. Over two days the Burgesses debated and voted on each of the resolves. They passed the four deemed moderate and reasonable but not those they considered dangerously inflammatory. Yet when newspapers printed the resolves, they printed them all without specifying some had been rejected. The end result was to make it seem as if the Burgesses had approved all seven.¹

¹ The interrelated questions of how and why the colonists came to resist the Stamp Act have never been satisfactorily answered. The most famous study of Revolutionary mobilization, Pauline Maier’s From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776 (New York: Alfred A. Knopf, 1972), 51-54, shows the first Stamp Act riots arising ex nihilo. Her narrative begins with the decision to intimidate Andrew Oliver, the stamp officer in Boston, into leaving his position. The Boston crowd action then became the “cause,” the example and inspiration, for resistance elsewhere. Maier’s narrative implicitly follows that of Edmund Morgan and Helen Morgan, who in 1955’s Stamp Act Crisis, entitled a chapter on the riots “Action: Boston Sets the Pace.” For Morgan and Morgan, the riots were an unfortunate, if necessary, expression of ideas. It was these ideas that caused the Stamp Act crisis, and their book was written and reprinted, “in part, to reaffirm the significance of ideas in society, particularly political and constitutional ideas.” (viii) The colonists, in this interpretation, drew on their long-standing belief that taxes, internal or external, could only be levied by a properly representative body. Thus, the logical course was to protest the Stamp Act to Parliament. Violent resistance was an inconvenient distraction from the constitutional issues at hand.

Gary Nash’s explanation in The Urban Crucible, turns Morgan and Morgan’s argument on its head. Nash focuses on economic reasons and local conditions. “Only the economic buffeting suffered by the seaport towns after 1760 and the build-up of antagonisms on local issues can fully explain the extraordinary response to the Stamp Act.” (292)
Thus, if the Virginia Resolves are key to understanding resistance to the Stamp Act, a study of that Act must begin with an examination of those resolves: their origins, their nature, and their dissemination across the colonies.

The wild popularity of the Virginia Resolves indicated they reflected the mood of colonists throughout Britain's possessions. But the resolves also reused the ideas that some of Virginia's most influential gentry had developed during the previous few years. Two events had forced them to explicitly state a theory of the proper relation between the colonies and the mother country. The first was their struggle with the Anglican clergy and with the King and Parliament in Britain over the Two-Penny Act. The second was their reaction to George Grenville's original announcement that he was considering a Stamp Act for the colonies.2

The Parsons' Cause drama—the culmination of years of contention—was Patrick Henry's first step onto the Virginia stage. His performance at Hanover Courthouse in late 1763 would be a model for his words and actions two years later at the Capitol in

The problem here is that the Stamp Act becomes incidental to the economic displacements of the period. Nash counts the riots as the whole of the resistance, without any consideration of the complex processes of which the riot were only one part. The best explanation so far has been J. A. Leo Lemay's 1983 article "John Mercer and the Stamp Act in Virginia, 1764-1765," *Virginia Magazine of History and Biography* 91, no. 1 (1983): 3-38. Lemay rightly points out that the immediate reaction of the colonists was to submit, if unwillingly, to the Stamp Act. It was the spread of the Virginia Resolves in June and July of 1765 that inspired resistance. Though Lemay's argument is correct as far as it goes, like Morgan he tends to concentrate political arguments and does not connect the colonists' resistance to the rhetoric of previous months.

In my attempts to understand the interrelation of event and culture, I am informed by the theoretical work of Marshall Sahlins, particularly "The Return of the Event, Again: With Reflections on the Beginnings of the Great Fijian War of 1843 to 1855 Between the Kingdoms of Bau and Rewa," in *Clio in Oceania: Toward a Historical Anthropology* (Washington, D.C.: Smithsonian Institution Press, 1991). But the practical and humanistic variations on the model in Greg Deníng, *Mr. Bligh's Bad Language: Passion, Power, and Theatre on the Bounty* (New York: Cambridge University Press, 1992) and Inga Clendinnen, *Dancing With Strangers: Europeans and Australians At First Contact* (New York: Cambridge University Press, 2005) have been the greater influence.

2 The following discussion is drawn from Lemay, "John Mercer and the Stamp Act in Virginia, 1764-1765," 4-11.
Williamsburg. Local clergyman James Maury had sued in Hanover County court for the recovery of back wages due him now that the Two-Penny Act had been annulled. A panel of judges agreed that the merits of his case were not in dispute, for Parliament had the power to annul the act. Therefore it was left to a jury to determine the precise amount owed Maury. The jury awarded him a single penny.³

What frustrated Maury more, if anything, than the result of the case was the way in which the opposition had achieved it. The jury had been stacked, Maury believed, with the "vulgar kind" of the county—Presbyterians and their sympathizers—rather than with good Anglicans and members of the gentry. The judge was a wealthy local planter named Patrick Henry. And the courtroom hung on every word of an hour-long oration by a then-unknown young lawyer. This lawyer was the son of the judge—Patrick Henry, junior.

The surviving description of Henry's performance that day comes to us from Maury himself. But his letter was an effort to warn a friend, John Camm, of the arguments being used against the Parsons' Cause. Thus, Maury had little incentive to shade the truth. Despite his obvious bias, we can believe that the events he described did happen.⁴

Henry argued that the Two-Penny Act was a good law. It was constitutional, fulfilling a need beneficial to the community. Therefore, it "could not consistently with what he called the original Compact between King & People, stipulating Protection on one Hand & Obedience on the other, be annulled." What, then, to think of a king who did annul a

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⁴ This and the following paragraphs are taken from Maury to Camm, 12 December 1763.
good law? Henry's conclusion was that such a monarch was a tyrant who forfeited his right to obedience.

A ripple of horror went though Maury at this point. Was Henry speaking treason?

Maury described the scene:

the more sober & virtuous Part of the Audience were struck with Horror. Mr Lyons called out, alone & with an honest Warmth, to the Bench, "That the Gentleman had spoken Treason;" & expressed his Astonishment, "That their Worships could hear it without Emotion, or any Mark of Dissatisfaction." At the same Instant too, amongst some Gentlemen in the Crowd behind me, was a confused Murmur of "Treason, Treason, Treason!" But Mt Henry went on in the same treasonable & licentious Strain without Interruption from the Bench, nay even without receiving the least exterior Token of their disapprobation. One of the Jury too was so highly pleased with these Doctrines, that, as I was afterwards told, he every now & then gave the traitorous declaimer a Nod of Approbation.

Henry here had the bench and jury fully on his side. They made no motion to keep him from continuing his oration. To Maury, this was a sign that the whole proceeding was a charade.

The only use of an established church, Henry continued, was to enforce obedience to civil sanction. If the established church and clergy ceased to answer these ends, then the community had the right—perhaps even the obligation—to strip them of their appointments. And indeed, "the Clergy of Virginia, in this particular Instance of thus refusing to acquiesce in the Law in Question, had been so far from answering, that they had most notoriously counteracted those great Ends of their Institution; that therefore instead of useful Members of the State, they ought to be considered as Enemies of the Community."

Thus, Henry concluded, the jury should deny Maury any but the most trivial compensation. The alternative, he argued, was slavery:

And then he perorated to the following Purpose, "that, except they (the Jury) were disposed themselves to rivet the Chains of Bondage on their own Necks, he hoped,
they would not let slip the Opportunity, which now offered, of making such an
Example of him [Maury], as might hereafter be a warning to himself & his Brethren,
not to have the Temerity for the future, to dispute the Validity of such Laws,
authenticated by the only Authority, which, in his Conception, could give Force to
Laws for the Government of this Colony, the Authority of a legal Representative, of
a Council, & of a kind, benevolent, & patriot Governor."

Henry here deployed an argument and metaphor similar to those which he would
use against the Stamp Act. The "only authority" which could legislate for Virginia was the
royal governor, his council, and the legally elected Burgesses. Though during the Stamp Act
crisis the question of who could properly legislate would be, for practicality's sake, shrunk to
the question of who could properly levy internal taxes, the method of argument was the
same. During the Stamp Act, the metaphor and the imagery of slavery would become the
rhetorical center, the dramatic conclusion, of anti-Stamp Act discourse.

There was no doubt in Maury's mind that Henry had been performing a part here,
that his rhetoric was meant merely to enrage his listeners against the Parsons' Cause. Henry
had himself acknowledged this: "After the Court was adjourned, he apologized to me for
what he had said; alleging, that his sole View in engaging in the Cause & in saying what he
had, was, to render himself popular. You see then, it is so clear a Point in this Person's
Opinion, that the ready Road to Popularity here is, to trample under Foot the Interests of
Religion, the Rights of the Church, & the Prerogative of the Crown that even this little
pettyfogging Attorney could not miss seeing it." Whether Henry was as soulless as Maury
believed, there was no doubt that the aftermath fulfilled Maury's estimate of the "ready
Road to Popularity." In early 1765 Henry would be elected to the House of Burgesses,
where one of his first acts would be to introduce his resolves against the Stamp Act.
At the same time that the final act of the Parsons’ Cause drama was underway, a quieter but scarcely less influential event was taking place. In late 1763, the lawyer Richard Bland circulated a political manuscript among a group of friends. In this piece—intended as a final answer to the question of whether Parliament could constitutionally annul a law passed by the Virginia Burgesses and Council. He reviewed “the rights of Englishmen and of colonists” and surveyed “the legal confirmation of those rights by charters and by Parliament.” Through this two-fold chain of reasoning, he showed that Parliament had the power, but not the right, to force laws respecting the internal polity of the colonies upon them.5

Many of the friends to whom Bland circulated his manuscript were on the Committee of Correspondence assigned to draft addresses to the King and Parliament over the proposed Stamp Act. The danger seemed particularly acute because Grenville had stated that he “hoped that the power and sovereignty of Parliament, over every part of the British dominions, for the purpose of raising or collecting any tax, would never be disputed.” Robert Carter Nicholas and George Wythe drafted a letter for the Committee of Correspondence to Virginia’s agent in London, Edward Montague. The letter instructed Montague “to oppose [a Stamp Act] with all his Influence, & as far as he may venture insist on the Injustice of laying any Duties on us & particularly taxing the internal Trade of the Colony without their Consent.”6

When Nicholas and Wythe presented their protest to the whole committee on 28 July 1764, they drew a distinction between internal and external taxes. Internal taxes were

not constitutional, but trade duties were. But there was less of a distinction between internal taxes and internal legislation. They argued that laws respecting the “internal Polity” of the colonies, passed without the consent of the Virginia Assembly, could not bind them. Their “just Liberties & Privileges as free born British Subjects” meant that they could not be made subservient to laws taxing “such Part of our Trade & concerns as are merely internal.” Granted, “Parliament had the power to do it, Parliament did not have the right, for the internal tax was ‘contrary to Reason & Justice’ and tended ‘to the Destruction of the Constitution.’”

It is not clear whether Bland or the Committee of Correspondence first developed these arguments. What is certain is that there was a circulation of ideas and a “reciprocal influence” between those who wrote against the Parsons’ Cause and those on the Committee of Correspondence—in fact, many of the same people worked on both.

The sentiments of these gentry magnates were made public in late 1764. In October, Bland published his manuscript as a pamphlet, now entitled The Colonel Dismounted. And in December, the Burgesses drafted an address to the King, a memorial to the House of Lords, and a remonstrance to the House of Commons. There was, as J. A. Leo Lemay argued, a clear line of descent from the debates over the Parsons’ Cause and the thinking of the Committee of Correspondence, through the addresses to King and Parliament, to “the sentiments and even, in some details, the diction of Patrick Henry’s Stamp Act Resolves.”

So Patrick Henry's resolves had intellectual and rhetorical roots in two recent Virginia controversies. The resolves would thus resonate with Virginians. But the specific metaphors he would use would, too, echo with colonists far beyond Virginia's borders, for they were themselves speaking in the same ways.

Colonial writers deployed two great metaphors during 1765 and 1766. First, they compared the relationship between Britain and her colonies to that between a parent and their child. Second, they compared the Stamp Act itself to slavery.

Over the last few decades, historians have spilled much ink on the parent-child metaphor. The metaphor, they have found, was ubiquitous. It found its way into pamphlets, newspapers, conversation, even the visual culture of prints and paintings. Parent-child imagery could be deployed by writers on both sides of the Stamp Act and on both sides of the water. Was Britain a good, loving parent or a evil, tyrannical one? Were the colonies obedient children, impudent adolescents, or young adults on the cusp of maturity and ready to take responsibility for themselves? Tolstoy began *Anna Karenina* with the famous line, "Happy families are all alike; every unhappy family is unhappy in its own way." In the same way, the contested relationship between Britain and colonies could be represented by endless permutations of the parent-child dynamic.9

9 The classic work on the parent-child metaphor is Fliegelman, *Prodigals and Pilgrims*. Fliegelman's genius is to study the novels and letters that Americans read as well as their political writings. An older work that concentrates on the metaphor as used in political works is Edwin G. Burrows, and Michael Wallace, "The American Revolution: The Ideology and Psychology of National Liberation," *Perspectives in American History* VI (1972): 165-306. Lynn Hunt, *The Family Romance of the French Revolution* (Berkeley: University of California Press, 1992) is a beautifully-written look at the parent-child metaphor in the French Revolution that uses artwork as well as writing to make its case. Finally, Isaac, *Landon Carter's Uneasy Kingdom* skillfully juxtaposes the metaphor and its use in the Revolution with the travails of one particularly unhappy family, seen through the eyes of its insecure patriarch.
The parent-child metaphor was flexible, but the slavery metaphor was not. A reading of the sources suggests that was its strength: it could not be twisted by the opposition and, once confronted, forced the reader to deal with the implications. In article after article, pamphlet after pamphlet, the writer built a narrative with skillful use of constitutional arguments and cunningly-deployed familial metaphors, only to crown their efforts with an appeal to resist “slavery.” Indeed, slavery became practically the only thing to which the colonists directly compared the Stamp Act. And to understand what “slavery” meant to the white colonists of British North America when they used it to describe the Stamp Act, it is necessary to first understand how the institution was conceived and justified by those same colonists.

Over the last forty years historians have begun to realize the ubiquity of slavery in early America. The institution was legal, common and taken for granted across the colonies. African-Americans were a majority in some of the southern colonies. But even in the North, slavery was everywhere—almost ten percent of the population in some northern port cities were slaves of African descent, and more than that in Newport. No white person could go through life unaware of the presence of slavery among them.\(^\text{10}\)

In the patriarchal world of the American colonies, bonded servitude of all types was ubiquitous. Three categories existed: apprenticeship, indentured servitude, and slavery. Apprenticeship was the least onerous of the three. It was common in the colonies, as it was in England, and was widespread among social classes from lower-class workers to the political and mercantile elites of the colonies. Indentured servants were also common, but

lower in social standing. Sold to masters for a period of five or seven years, they were often
treated with contempt. "In the colonies," writes Gordon Wood, "servitude was a much
harsher, more brutal, and more humiliating status than it was in England.... Colonial
servants often belonged to their masters in ways that English servants did not." This
difference, Wood argues, meant that indentured servants in America were viewed as less like
apprentices and more like members of the third category of bonded servitude, chattel
slaves.\textsuperscript{11}

So, for Wood, there was nothing unique about slavery in a world of forced labor. "By
modern standards," he writes, "it was a cruel and brutal age, and the life of the lowly seemed
cheap. Slavery could be regarded, therefore, as merely the most base and degraded status in a
society of several degrees of unfreedom." Yet other historians, most notably Ira Berlin, have
argued that slavery was different in kind as well as in degree from the other forms of coercion
in the eighteenth century. Berlin writes, "African slavery was no longer just one of many
forms of subordination—a common enough circumstance in a world ruled by hierarchies—
but the foundation on which the social order rested." Berlin here emphasizes slavery as
inextricably entwined with Africanism. But the American colonies in the 1760s had not yet
come to identify slavery exclusively with race. Earlier conceptions of slavery still had some
sway, and understanding these is essential to understanding what colonists meant when they
talked about the Stamp Act as a form of slavery.\textsuperscript{12}

p.53.
\textsuperscript{12} Berlin, Many Thousands Gone, 99.
The late-eighteenth-century conception of slavery as inextricable from race had not replaced earlier conceptions of slavery. It had merely been laid atop those foundations. Especially in the 1760s, when the new racial attitudes were just taking shape, the institution of slavery still rested in part on understandings of slavery first developed in the Biblical and classical periods and then further refined in the sixteenth- and seventeenth-century Atlantic world. This older ideology saw slavery as conceived in warfare and born in the aftermath of victory. In a just war—or so said the theorists—the victors had the right to kill the conquered. But because their lives were in the victors’ hands, the victors could also show mercy of a sort and merely enslave those who had lost. Early modern Europeans, therefore, argued that captivity in the wake of a war was the first slavery.13

And indeed, colonists did not yet understand slavery as based only in the single dimension of race. Their rhetoric still on occasion referenced white slavery at the hands of Turks or Moors. In this they had significantly diverged from the mother country, where slavery had since the 1730s been disassociated from these forms of white captivity.14 Indeed, the very language of politics in Britain and America had begun to differ. Bernard Bailyn argued that by the 1760s the metropole and colonies had very different understandings of the concept of liberty. The colonists held to early eighteenth-century notions that had been espoused by Addison in Cato and Trenchard and Gordon in Cato’s Letters. These might have been foundational texts for the colonists but they were well out of fashion in Britain by the 1760s.15

The colonists’ understanding of slavery, I argue, was inextricably tied to their understanding of liberty. But slavery may have been the more important concept. In England, where large-scale slavery was nonexistent, slavery rhetoric had disappeared from the political discourse by the 1760s. But slavery was visible in every aspect of the lives of Anglo-American colonists, and the metaphor of slavery filled their political writings. Liberty could be understood as immunity from slavery more easily than slavery could be seen as the absence of liberty. How the colonists conceptualized slavery, then, is essential to understanding how they conceptualized liberty, and thus a key to their political thought. The powerful hold that slavery had on them meant that it could be deployed as a political weapon. If one could, successfully and consistently, invoke slavery as a metaphor for the situation one opposed, it would have great effect on public opinion and public behavior. And that was what happened, both during the Stamp Act crisis and throughout the Revolutionary era.

The use of slavery rhetoric in Revolutionary literature has not been given the attention it deserves. When historians have acknowledged the prevalence of the slavery metaphor, often it is only to highlight hypocrisy—slave owners themselves decrying taxes as slavery. Taking that approach further, historians have used slavery rhetoric in the Revolution as a starting point to examine the growth of anti-slavery movements. But little has been written on slavery as metaphor as part of the burgeoning resistance to Britain. Historians have not asked just why it figured so prominently in the pamphlets, the newspapers, and even (as we will seen in chapter 3) the material culture of resistance.

16 Prominent examples include Bailyn, The Ideological Origins of the American Revolution and Davis, The Problem of Slavery in Western Culture.
To the extent that historians have asked why slavery rhetoric was so prevalent, the answers have been general and unsatisfactory. The first attempt to answer the question concluded that white American colonists were afraid of themselves being reduced by Britain to equality with their own African-American slaves.\textsuperscript{17} This assessment found no support among other historians and, indeed, was followed by a long period in which historians avoided the question entirely. A second answer was much more plausible. It suggested that, since slavery was so common in the colonies, appeals using slavery as a metaphor would be understood by all white colonists. Slavery could act as a slogan—individual understandings of the institution or of what it meant as a metaphor would be subsumed under the general understanding that slavery for oneself, or for free white colonists, would be a very bad thing.\textsuperscript{18}

So, scholars have neglected the influence of slavery metaphor during the Revolutionary era. When they have acknowledged it, it has been, largely, in the growth of anti-slavery sentiment as Anglo-Americans recognized the hypocrisy of founding a nation based on liberty for all but built by enslaved workers. Literary scholars have begun to show the importance of the slavery metaphor in the abstract. But we are still missing knowledge of how this metaphor influenced events on the ground—the progress of the Revolutionary movement. We also don’t fully understand how colonists’ historically-constructed understanding of slavery was reflected in their use of the slavery metaphor.

\textsuperscript{17} Okoye, “Chattel Slavery as the Nightmare of the American Revolutionaries,” 28.
\textsuperscript{18} Bradley, \textit{Slavery, Propaganda, and the American Revolution}, 3. A good summary of the historiography (sparse as it is) can be found in Peter A. Dorsey, “To ‘Corroborate Our Own Claims’: Public Positioning and the Slavery Metaphor in Revolutionary America,” \textit{American Quarterly} 55, no. 3 (2003): 353-86, and, more recently, in Dorsey, \textit{Common Bondage}, xvi-xviii. Dorsey’s focus, however, is still on the evolution of anti-slavery thought rather than the direct usage of the slavery metaphor.
The answers to these two questions are intimately connected. The key is that slavery was not yet understood exclusively in terms of white over black. Rather, older conceptions of slavery—those that admitted the possibility of white bondage—still held great power, even as the racialized conception grew in strength. Slavery was still understood as forged in captivity, in the surrender that followed warfare and the decision of the victors to enslave rather than execute their captives. So when writers in the Revolutionary era invoked the metaphor of slavery, this idea of slave as helpless captive—as a person whose life was in the hands of the victorious master—also was there.19

So when a John Adams, a James Otis, or an anonymous writer in the newspaper compared the Stamp Act to slavery, he was tapping into a deeply-seated, historically-constructed notion of slavery. The question was: should the colonists submit to the Stamp Act? Without the rhetoric of slavery, this was a question of costs and opportunities, an economic decision matched against the danger of angering the mother country. But the slavery metaphor gave the question a very different interpretation. Now submission to the King and Parliament's authority was like surrender in war. By accepting the Stamp Act, the colonists would forfeit any right to control of their own lives. They would be entirely at the mercy of their rulers in London, their lives only preserved to labor for the victors.

The colonists, though, had a way out. Like an opposing army, they could fight against the oppressor. If they were victorious—if they did not surrender—they could not be made slaves. By opening up this possibility of resistance, writers portrayed the initial impulse

to submit to rightful authority as a slave's choice. The colonists accepted the metaphor of the Stamp Act as slavery, and accepted the logical implications of that metaphor: to remain freemen, to remain true Britons, they had to resist the Stamp Act by any means necessary, even violence against those trying to enforce it.

When news of the Stamp Act arrived, few were pleased. But all accepted that the colonists would submit to the Stamp Act. This was agreed upon by the colonists spread across the Atlantic seaboard, by the crown officers, and most especially by visiting Britons.

Chauncey Whittelsey of New Haven was explicit about the need to submit: “Whatever we can’t avoid we must Bear.” Writing when it was certain the Stamp Act would pass but before official confirmation of the King’s signing, Whittelsey provides us a detailed look at one colonist’s first reaction to the Stamp Act. In a letter to Ezra Stiles, Whittelsey referenced virtually all the arguments and metaphors that the colonists would use in their writing on the Stamp Act. He thought about colonial consumption and the supply of money. He showed his concern for colonial rights and a bitterness at Parliament’s seeming disinterest. And he employed the two metaphors that would be referenced continually by the colonists in the months to come: the parent-child and master-slave relationships.

Whittelsey reviewed the events of the previous months. He had been pleased by the petitions of the Virginia Assembly to the King and Parliament, but despaired that they had not helped. And the Stamp Act could be compared to the worst form of subjugation, as, Whittelsey concluded, the passage of the Stamp Act will “date the Slavery of ye Colonies.”

20 Chauncey Whittelsey to Ezra Stiles, 16 April 1765, Ezra Stiles Papers, microfilm, Beineke Library, Yale University, New Haven, Conn.
How, then, could the colonies bear what they could not avoid? Whittelsey thought that they had to change their behavior, to use the “best Oeconomy” and to “less[en] the number of Laws [and] Suits [to reduce] the Duty as far as may be.” Yet, the Stamp Act would still be a heavy burden that drew a great deal of money out of the colonies.

Whittelsey speculated about the mechanisms of enforcement. Presumably the duty would be collected by “a great Number of Officers, to be supported in Idleness.” Already people were suggesting that perhaps juries would ignore the law that stamped paper must be used in the courts. But even if the courts were forced to use only stamped paper, how would the law be enforced in other realms? Could the British government really regulate the paper upon which college diplomas would be printed?

Whittelsey became more and more agitated as he wrote. The Stamp Act, he thought, was indicative of a trend: the colonists were quickly losing their rights. “Pray tell us,” he asked Stiles, “what are all our boasted Charter Privileges if we are thus liable to have any property in our Interest taken from us, whether we will or now, & without our Consent or Voice.” Britain, perhaps, feared that the colonists would prove disloyal—but where was the evidence that this was ever the case?

From the specific question of the Stamp Act and the general issue of “Privileges” and rights, Whittelsey struggled to find a metaphor that would encompass the relationship between colonies and metropole. Though he had earlier referenced the metaphor of slavery, here he settled on a relationship that was even more familiar—that of child and parent. Was it “prudent, in a Parent, to correct a Child severely, for fear he should be disobedient and run away?—a Child that always has been dutiful, and still discovers & possesses a Disposition entirely dutiful?”
Finally, his frustration exploded into bitter sarcasm. “But this duty (if laid) is laid by the Parliament of Great Britain, it must therefore be wise and right and best.” Still, Whittelsey’s hope was not in direct resistance but in action by the Colonial assemblies. He would wait to see what measures they took in order to gain redress.

The reactions of other colonists were similar to Whittelsey’s. They expected that the Stamp Act would be enforced. They bewailed Parliament’s infringement on their rights. But most of all, they returned to the same metaphors to describe their treatment.

Parliament’s power over the colonists could be represented by variants on the master-slave or parent-child relationship. The Reverend Henry Melchior Muhlenberg had heard enough news by 15 April to conclude that the Stamp Act was certainly passed. The “supreme government,” he wrote, “have laid a Stamp Act on us in America. By degrees the wild colt has a bit put into his mouth, and a saddle on his back, so that the people will be homesick for their old homes in Europe.”21

The bit and the saddle could be symbols of involuntary bondage. But symbols could be made real rather than imagined. James Parker wrote to Benjamin Franklin, “Three Days ago Charles Read made me a Present of a Pair of Wooden-Shoes as a proper Badge of the Slavery the Stamp must soon reduce all Printers in America: And I shall wear them sometime for the Sake of contemplating on the Changes of Fortune’s Wheel.” Still, Parker thought “we are not yet worse than the Peasants in France, who have yet the Liberty of tilling the

Ground, and eating Chestnuts and Garlick when they can get them.”22 A month and a half later Parker would still think that he must submit to the “fatal Black-Act,” and he still used the slavery metaphor to describe it. “Indeed,” he wrote to Franklin, “we seem to be in Suspense and Expectation of some Alterations in the Post-Office, as all Things else seems going topsy-turvey; and However, I may be too apt to be chagrin’d, and sometimes the true Old English Spirit of Liberty will rise within me, yet as there is a Necessity to acquiesce in the Chains laid on me, I endeavour at a patient resignation.”23

It was left to Nathaniel Carter of Newburyport to weld the two metaphors of authority together. “Since receiving the last Prints with the shocking List of Stamp Duties, I can look upon my Children but with a Damp on my Spirits, viewing them as born for Slavery, & futurity as a Time when Blessed will be the Womb that never Bare, & the Paps that never gave Suck.”24

It was clear that much of the burden of the Stamp Act would fall on the colonial printers. Benjamin Franklin, in London at the time the Stamp Act was passed, wrote “Every Step in the Law, every Newspapers, Advertisement and Almanack is severely taxed. If this should, as I imagine it will, occasion less Law, and less Printing, ’twill fall particularly hard on us Lawyers and Printers.”25 Many printers, indeed, looked at the rates they would have

24 Nathaniel Carter to Samuel P. Savage, 11 April 1765, S. P. Savage papers, Massachusetts Historical Society, Boston.
to charge just to cover the cost of the stamped paper and decided to stop producing their newspapers. On 4 May, William Goddard suspended the *Providence Gazette* for at least six months, to be revived “provided the oppressive and insupportable Stamp Duties, with which the colonies are threatened, should not render it impossible.” A month later, William Weyman announced he was shutting down his *New-York Gazette*. The *Virginia Gazette* did the same, while reports said that the *Maryland Gazette* was “in a very ill state, occasioned by a violent cruel Kick, and it is thought cannot possibly survive the Month of October next.”

Despite the evident pains it would inflict upon them, the printers—who would later become principals of the resistance—were at first reconciled to the Stamp Act. They stopped their newspapers, tried to recover debts, and printed their yearly almanacs early—all precautions against the imminent drop in their income. It was not until the latter half of June, when the colonists had begun to prepare for a nullification of the Stamp Act, that the printers realized they might not be able to sell anything at all after 1 November. David Hall wrote his partner Franklin that “the Stamp Act is a Thing the People here in general dislike prodigiously, and it certainly will hurt the Printers and Papermakers in an extraordinary Manner.” His customers were canceling their *Pennsylvania Gazette* subscriptions, “being resolved, as they say, not to pay any thing towards that Act that they possibly may avoid.”

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26 *Providence Gazette*, 4 May 1765; *New-York Gazette*, 3 June 1765; *New-Hampshire Gazette*, 4 May 1765.

Even before they had decided to resist, most of the colonists were aghast at the Stamp Act and its implications for the relationship between colonies and mother country.

But Crown officers and others sympathetic to Britain, even those who thought the Stamp Act a bad law, saw little reason for concern. Thomas Hutchinson believed that the colonists would accept the Stamp Act, if grudgingly. He observed that trade regulations such as the Sugar Act were being better observed now than at any time in the past. But his other reasons were based in an unwarranted optimism:

The Stamp Act is received among us with as much decency as could be expected. Hitherto I have endeavoured to state the case of the colonies in the most favourable light always with submission to the supreme authority. It is now become my duty as an executive officer to promote the execution of the act and I hope there will be as little room for complaint from this as from any colony. Some boulefeus there are who will stick at nothing to inflame the people. I have always been more or less their butt.28

Hutchinson had always opposed a Stamp Act as bad policy. But there was no doubt that “submission to the supreme authority” was the proper course. So, Hutchinson concluded, his “duty as an executive officer” took precedence over his personal misgivings.29

Every crown officer would have to make this decision. Yet, given his choice to carry out his official duties, it seems strange that Hutchinson conflated the “boulefeus” dislike for him with their discontent over the Stamp Act. Perhaps he forgot that for him, “submission to the supreme authority” meant obeying King and Parliament. For the rest of Massachusetts, it meant obeying Hutchinson.

28 Thomas Hutchinson to Richard Jackson, 4 June 1765, Thomas Hutchinson letterbooks, 1741-1773, typescript, Massachusetts Historical Society, Boston.
Hutchinson’s belief that the Stamp Act must be obeyed was despite his understanding that it had great potential to upset the colonists’ lives. It was, he continued, difficult to tell how much the Act would raise, since the colonies had no previous experience with duties of this sort. But the Stamp Act would execute itself since there was no room for evasion—and the executive court (headed by Hutchinson) would not accept any attempts to evade it. The most serious effect, he thought, would be on the courts. Probate court duties would hit the colonists especially hard. Common law court duties would bring in more than all the other court duties put together, though this would at least have the benefit of lessening the number of common law suits. The fledgling colonial system of colleges would be hurt. Scarcity of money could also become a serious problem, especially if the money collected by stamp officers was carried “to Europe or to remote colonies.”

Hutchinson disapproved of the Stamp Act but believed that the colonies had to obey it. He understood the potential for unrest. British visitors, used to their own stamp act, could not. Lord Adam Gordon, on a circuit of the colonies, was feted by the governors and the wealthiest merchants everywhere he went. In conversation with John Watts of New York, he was “as sanguine about laying it thick upon the Colonies, as they are to throw off everything, an immense difference.”

News slowly arrived, carried across the sea on merchant vessels. The colonists picked over each nugget of information. Often the details were inaccurate or incomplete. Sometimes they contradicted earlier reports. Trying to understand what had happened, the

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30 This and the next several paragraphs are based on Thomas Hutchinson to Richard Jackson, 5 June 1765, Thomas Hutchinson letterbooks, 1741-1773, typescript, Massachusetts Historical Society, Boston.
colonists tabulated narratives from the scraps they were given. The narrative described an overbearing imperial power attempting to exert great control over the largely voiceless colonists. The powerful were opposed in Britain only by a small, though passionate, cohort—but it was in those few men that the colonists could see themselves reflected.

The colonists are sometimes dismissed as conspiracy theorists. Historians argue that they fabricated mysterious plots generally attributed to the ministers in Britain. The King's old tutor, the Scots lord John Stuart—better known as the Earl of Bute—was a primary villain, as was the self-designated "first minister" and drafter of the Stamp Act, George Grenville. The goal was usually to bring the colonies to heel, to establish absolute control, and to reap the profits of power.

But the term "conspiracy theory" dismisses the colonists' beliefs out of hand. It implies two separate points. First, that the colonists were credulous and believed fanciful things. Second, that they could only do so by dismissing or explaining away evidence to the contrary. The problem with applying the term "conspiracy theory" to the beginnings of the Stamp Act crisis is that there was no evidence to the contrary to be dismissed. The distance from Britain and its attendant time-lag, the uncertainty of the reports they received, and the contradictions among those reports, meant that the colonists had no reason not to assume the worst. All the evidence that seemed credible pointed in that direction, while the many rumors circulating supported that conclusion.

To be certain, the colonists fabulated a story of their own based on the available evidence. During the months of April and May, when news about the Stamp Act was arriving, the colonists discussed several other aspects of an increasing imperial control. Naturally, the news of the Stamp Act dominated. As explained above, the colonists—with
increasing bitterness—described the Stamp Act as a kind of “slavery.” But the colonists also began to fear other, seemingly more subtle, indications that Britain was trying to dominate them.

The colonists continued to heap scorn on the Sugar Act and its burdensome restrictions on trade. If they had hoped for a repeal or at least a lessening of the duties, they were to be disappointed. Reports from London suggested that the molasses duty would not be removed. An “Advocate for that Duty” had told Parliament that “in two Months from the Commencement of the Act, there had been collected at Boston £14,000 and at Charleston £10,000 Sterling.” The *Massachusetts Gazette* insisted that “this Information must be wrong, as it is well known here, that during that Space the whole Collection did not exceed £1,400 Sterling. The Truth of which the Nation will soon be convinced of.” The same report indicated that “some Relief will be obtained with respect to the Lumber trade” but any relief the colonists felt must have been tempered by the news that “it is feared there will be almost a Prohibition of the Distilling and Sugar boiling Business in America.”

Letters from London indicated that Britain intended to reform the colonial governments. According to the *Pennsylvania Gazette*, Parliament planned an “Alteration of Governments … in the Northern District of America.” Under this plan, Massachusetts, Rhode Island, and Connecticut would be divided between New York and New Hampshire. The reforms would not be limited to the colonial level: it was also said that the King had ordered North America divided into a northern and southern district at the Potomac, and a line drawn due west from “the head of the main branch of that river.”

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32 *Massachusetts Gazette*, 16 May 1765; *Pennsylvania Gazette*, 30 May 1765.
33 *Pennsylvania Gazette*, 2 May 1765.
would be a surveyor-general appointed in each district “to make general surveys both of
coasts and main, in order to facilitate the navigation, and promote the speedy settlement of
the new acquisitions.”34 How could the colonists have known that the first of these was false
and the latter, harmless if taken by itself, was true? They did not have the information to
distinguish between rumor and reality. Thus, both became fabulated into a grand plan, the
benign nature of the latter taking on a darker shade because of the outrage engendered by
the former.

There was great uncertainty over the methods of enforcing the Stamp Act. The
colonists began to understand that all breaches could be tried in the hated vice-admiralty
courts at the request of the informer or prosecutor. The Boston Gazette lamented that now
“the Americans are not only to have their monies taken from them without their consent,
but to be deprived of another darling privilege, viz., trials by jury.”35 Further, all fines had to
be paid in sterling money—of which the colonists believed they held an insufficient supply.36

Even the colonial agents, who had been instructed to present petitions against the
Stamp Act, came under suspicion. Letters from London suggested that “since the plantation
agents have failed in opposing the intended duty on American stamps, a motion is preparing
to be made in the house, that the commissioner for the receipt of this duty may be
appointed from the natives of each province, where the tax is to take place.”37 The colonists
might have been suspicious that their agents had become turncoats; if so, the appointment of

34 Newport Mercury, 20 May 1765.
35 Boston Gazette, 3 June 1765. See also the New-Hampshire Gazette, 7 June 1765; Newport Mercury, 20 May
1765. The Boston News-Letter, 6 June 1765, contained the news but not the editorial opinion. See also Thomas
Wharton to Benjamin Franklin, 24 June 1765, The Papers of Benjamin Franklin,
36 Boston Gazette, 27 May 1765.
37 Newport Mercury, 6 May 1765.
Connecticut's agent Jared Ingersoll to be stamp distributor for that colony would have served as confirmation of those suspicions.

The fear of an American bishopric lurked in the back of people's minds. American colonists were always at odds with the Anglican clergy. The northern Congregationalist and Presbyterian ministers were, of course, anxious about a threat from the mainstream church their forebears had tried to escape. But so were the southern gentry who, while Anglican, had great power over their own parishes precisely because of the lack of a central authority. And dissenters in the South, while in tension with the Anglican church there, had no illusions that an American bishop would somehow reduce their persecution. It was in fact a court case in Virginia over the "Parsons' Cause," a conflict between the colonists and their Anglican clergy, that would serve as a prologue to Virginia's response to the Stamp Act.

Some worried about the dark implications of reforms planned for the colonial postal service. Parliament had passed resolves that would extend the general post to cover the American colonies.38 It was not so much any increase in rates that disturbed the colonists so much as Parliament raising money directly within the colonies, rather than delegating the task to the colonial assemblies. In a pamphlet excerpted in many colonial newspapers, Thomas Whately, secretary to the Treasury, used the example of the post office to dismiss colonial concerns over taxation. The postal service, which fees colonists had paid over many years, was by any definition an internal tax. Why, then, would the colonists now be so concerned over the Stamp Act, claiming that it was unconstitutional because it was an internal tax? But it was not until early 1766 that concern over British control of the postal

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38 *Boston Gazette*, 20 May 1765; *Pennsylvania Gazette*, 30 May 1765.
service would come to the fore, when the Sons of Liberty, fearing spies, would insist on the use of unofficial riders to send mail.

The reports that the revenues from the Stamp Act were to be used for “commodious post roads from one province to another, erecting bridges where necessary, and other public measures equally important” in the colonies did nothing to quell colonists’ fears. Like a more efficient postal service, internal improvements may have seemed beneficial, but not at the price of the “slavery” brought by the Stamp Act.

By early June, newspapers had wrapped these various fears into a capsule summary that was read across the colonies. First printed in the Boston Gazette, the item reviewed both the imperial measures enacted so far and some that were only rumored. The judges of the new vice-admiralty courts would become wealthy men, with salaries of £800 per year coming from the American revenue. Regiments would be moved from Ireland to the American colonies, preceded by a bill that would allow them to be “quartered upon private Families.” There were reports of a possible new tax upon landed estates in North America. All this was facilitated by the ministry, who planned to deploy a “Swarm of Scribblers” to make the new measures—even if they were to ruin trade—acceptable to the British. The summary ended with a dark hint that all this was the work of “French agents & French monies,” employed to try and “alienate the Affections of the Colonies from their Mother Country,” in order to allow France to recover what had been French Canada, “taken from them by the Help and uncommon Exertions of these Infant Colonies.”

39 Massachusetts Gazette, 16 May 1765; New-Hampshire Gazette, 24 May 1765.
40 Boston Gazette, 3 June 1765.
Buffeted by this gale of dolorous news, forming a narrative of a dark plot against
them fomented in Britain and perhaps in France, the colonists looked for any hopeful sign,
any suggestion that someone in Britain would stand up for them. It was then that reports on
the debates over the Stamp Act began to arrive. Before, all the colonists knew was that none
had spoken in opposition to the resolves that would be bundled into the Stamp Act. But
now word arrived that, during the later debates, at least one man had stood to defend
colonial rights. That man, Colonel Isaac Barré, was quickly acclaimed a hero in the colonial
press.

Several different descriptions of the debates—and of Barré's role in the debates—
were printed in the colonial newspapers. Not all received equal play; some only made it into
one or two papers. But one particular report was reprinted across the colonies. It is worth
examining the several narratives of the debates in order to understand why that one story
became so popular.

The Providence Gazette printed the first report on 13 April 1765:

By a Letter from London in the last Ship to Boston, we are acquainted, that Colonel
ISAAC BARRÉ, Member of Parliament for the Borough of Chipping Wycomb in the
County of Bucks, distinguished himself gloriously in Parliament, by a strenuous
opposition of ministerial Projections against the known rights of the colonies, which
were most unconstitutionally attacked by the Commons of G. Britain, when they
resolved that Stamp-Duties should be charged here.— He, openly, and with great
Firmness, patronized the injured Colonies, and asserted their Privileges.— A Column
ought to be erected to him in America, as a lasting Monument of the gratitude of the
people, for his Virtue, Fortitude, & animated Endeavours to rescue them from
Slavery.— Should this, or any other public mark of the warm sense we have of his
Friendship and Zeal, be resolved on by the Governments of North America, free-will offerings would abundantly supply the Expence.41

It is important to note that this was the Providence Gazette's summation of the letter. They were able to fabulate their report in whatever way they wanted, in this case presenting Barré as a sympathetic man defending colonists against "slavery." Though the Providence Gazette's summation of Barré's speech would only make it into a few newspapers, the sentiments it expressed would soon become widespread. New York merchant John Watts, for one, immediately recognized the significance of Barré's words. "We are obliged to Coll: Barré," he wrote, "for espousing a derelict Cause."42

Doubt soon crept in: had Barré truly "asserted [the] Privileges" of the Colonies against the unconstitutional Stamp Act, as the Providence Gazette report had proclaimed? The publishers of the Boston Post-Boy, which had reprinted the Gazette's abstract of the letter celebrating Barré, began to have doubts. They had received a letter which stated that Barré did not "say one word in Opposition to the laying of a Stamp-Duty on the Colonies."

Therefore, the previous letter must have been wrong—Barré could not have opposed all "Projections against the known rights of the Colonies."43

The Providence Gazette could not let this go unanswered. The letter they had read, the publisher explained, was written "to a Person of Distinction in this Town, from a certain Agent for one of the Colonies, who, one would think, could not be mistaken as to that Gentleman's Behaviour in the House." The argument from authority was followed by one

41 Providence Gazette, 13 April 1765. As with other reports on the Parliamentary debates, newspapers throughout the colonies quickly reprinted this account of Barré's speech. See the Boston Evening-Post, 13 April 1765; New-Hampshire Gazette, 26 April 1765; Maryland Gazette, 2 May 1765.
43 Boston Post-Boy, 29 April 1765; New-York Mercury, 6 May 1765.
more logical: how, the publisher suggested, could “a meer Negative ... be proved by a Letter in Boston?”

“However,” the Gazette had to acknowledge, “it may be [a] Matter of some Doubt, whether Col. BARRÉ objected against the Legality of taxing the Colonies, when he exerted himself to ward off the fatal Stamp Duties, or not.” Another report on the reception of the colonial petitions seemed to confirm this view. While George Grenville and Charles Townsend believed that the stamp duties were both fair and practical, “Col. B—— confirmed the Equity of the Taxation, but doubted whether the Colonies were in a Capacity to pay it, and seemed inclinable to favor them.”

Further missives from Britain did not clear up the question of Barré’s position on Parliament’s right to levy an internal tax, but they did provide more details on the content of his speech. Grenville, a new report said, introduced the measure with a long speech “more specious than solid.” Several speakers from each side then went back and forth, each saying little of note. But then came the best speaker on the colonists’ side, Colonel Barré. Barré “made a most excellent speech, wherein he asserted the colonies rights, urged their services & importance to Great Britain, [and] resented the hardships and indignities that had been put upon them. The “hardships and indignities” included restrictions on trade, the vice-admiralty courts, and the corrupt or incompetent officials given high placed in the colonies.

44 Providence Gazette, 4 May 1765.
45 Providence Gazette, 4 May 1765.
46 Newport Mercury, 29 April 1765; Providence Gazette, 4 May 1765.
47 This and the following paragraphs rely on the Boston Gazette, 13 May 1765.
With the factual details laid out, Barré now made a transition in his rhetoric to the metaphorical. He invoked the parental metaphor for the relation between Britain and its colonies: “Great Britain called herself the mother country, but [Barré] cautioned here to beware that she did not give the colonies just reason to think her rather a cruel step dame than a mother.” Establishing a rhythm, Barré shifted back to the concrete: Britain had not incurred any cost at all in the planting of the colonies. Indeed, any services Britain had provided the colonies were “amply repaid her by their trade.” There was no reason to impose a tax on the colonies, who had suffered so much in Britain’s defense during the Seven Years’ War, for the sole reason of replenishing the mother country’s coffers. The Stamp Act, indeed, was as unreasonable as “to demand a reimbursement for the expenses of defending Portugal and Germany.”

Now Barré turned his attention to the colonists themselves, who he saw as “a brave people, inflexibly loyal, and affectionately attached to his majesty’s person and family, and the British constitution.” Their love of freedom and their “native rights” was so strong that “to preserve which they quitted their native country, and fled to a wilderness inhabited by barbarous savages, whom they chose to encounter rather than bear oppression.” Already they were strong—evidenced by the late war, in which they had taken Cape Breton by themselves. Given time they would become “the strongest bulwark to the British monarchy.”

This long-winded abstract of the speech got little play in the colonial newspapers. A dry summation of Barré’s opinions was, publishers perhaps thought, not to their readers’ taste. But another account of Barré’s speech soon made its way to the colonies—and this one was widely disseminated. This new account was much more dynamic than was the
detailed report that the printers had neglected. Rather than a dry narration of Parliamentary procedures, this account infused the debates over the Stamp Act with a passion designed to inflame the reader. The narrative dramatized the debate as a personal confrontation between two individuals: Charles Townshend and Isaac Barré. The account began:

Mr. Charles Townshend spoke in favour of the bill, [Stamp Duty] and concluded his Speech by saying to the following effect.

"These children of our own planting, (speaking of Americans) nourished by our indulgence, until they are grown to a good degree of strength and opulence, and protected by our arms, will they grudge to contribute their mite to relieve us from the heavy load of national ex pense which we lie under?"

Townsend was here portrayed as the sinister figure that the colonists feared him and the other ministers influenced by Bute to be. His malevolence in the colonial eyes was the result of his twisting the parent-child metaphor. By portraying Britain as generous parent and America as ungrateful child, Townsend called for sympathy to be given to the former rather than the latter.

It was this assumption, this story of the parent-child relationship, that Barré disputed. But the manner in which he disputed Townsend’s narrative is notable:

...Which [Townsend] having said and sat down, Mr. Barré arose, and with eyes darting fire, and an outstretched arm, spoke as follows, with a voice somewhat elevated, and with a sternness in his countenance, which express’d, in a most lively manner, the feelings of his heart....

Where Townsend calmly “spoke in favour of the bill,” said his piece and “sat down,” Barré’s very body language suggested the passion he was about to unleash. By immediately following Townsend—no talk of proper parliamentary procedure here!—Barré directed his speech to the person as much as to the abstract argument. But even within Barré’s passion there was reason: he took care to respond directly to the propositions Townsend had laid
out. Townsend had described the colonists as "children of our own planting,... nourished by our indulgence ... and protected by our arms." Barré raised and rejected each in turn:

Children planted by your care? No! Your oppression planted them in America; they fled from your tyranny, into a then uncultivated land, where they were exposed to almost all the hardships, to which human nature is liable; and among others, to the savage cruelty of the enemy of the country; a people the most subtile, and I take upon me to say, the most truly terrible, of any people that ever inhabited any part of God's Earth, and yet actuated by principles of true English liberty; they met all these hardships with pleasure, compared to those they suffered in their own county, from the hands of those that should have been their friends.

Barré, a veteran of the Seven Years' War, had for the audience (and especially the colonial audience reading the account, rather than the Parliamentary audience supposedly listening) special authority on the subject: who better to describe the hardships of American life than one who had warred with the colonists on the borders of English civilization? And yet, the colonists still upheld the "principles of true English liberty." The dangers posed by a malevolent Parliament attacking that liberty were far greater than those posed by a "savage" enemy.

Neither had the Parliament treated them well over the succeeding years:

They nourished up by your indulgence? They grew by your neglect of them: As soon as you began to care about them, that care was exercised in sending persons to rule over them, in one department and another; who were, perhaps, the deputies of some deputy, of members of this house, sent to spy out their liberty, to misrepresent their actions, and to prey upon them; men, whose behaviour, on many occasions, has caused the blood of those sons of Liberty, to recoil within them; Men promoted to the highest seats of justice, some to my knowledge, were glad by going to foreign countries, to escape being bro't to a bar of justice, in their own.

And yet, though neglected at their birth and abused as they matured, the colonies still served their unworthy parent:

They protected by your arms? They have nobly taken up arms in your defence, have exerted their valour, amidst their constant and laborious industry, for the defence of
a country whose frontiers, while drench'd in blood, its interior parts have yielded all its little savings to your enlargement...

In the Seven Years' War the colonies had been defending not their own autonomy but that empire that so disdained them. "Nobl[e]" and "valour[ous]" colonists had fought and died and yet still labored "constant[ly]" for the mother country. They gave their blood and their wealth so that Britain could grow rich.

Having in turn logically refuted each of Townsend's three premises Barré could at last give over to his passion. He prophesied that this state of affairs, this manifest injustice, could not long continue:

And believe me, remember I this day told you so, that the same spirit which actuated that people at first, will continue with them still: But prudence forbids me to explain myself any further. God knows, I do not at this time speak from motives of party heat: What I deliver, are the genuine sentiments of my heart: However superior to me in general knowledge and experience, the respectable body of this house may be, yet I claim to know more of America than most of you, having seen and been conversant in that country. The people there are as truly loyal, I believe, as any subjects the King has: But a people jealous of their liberties, and who will vindicate them, if they should be violated; but the subject is too delicate, I will say no more.

Even speaking with passion Barré took care to tread a fine line. His experience in America told him that the colonists were filled with the spirit of liberty. This spirit, he believed, would see them through the current crisis. What actions would that spirit engender? Here Barré refused, skillfully, to speculate. He hinted that, if it came to a choice, the colonists' love of liberty would win out over loyalty to the King. But "prudence" and the "delicate" nature of the subject forbade him from doing more than hinting. Yet the suggestion was out there: the Stamp Act could cause the colonists to rebel. And Barré, it was clear, thought resistance a viable and legitimate option.
Did he mean violent resistance? The whole thrust of his speech suggests that he did. He began with the origins of the colonies, their birth. The narrative continued with the growth of the colonies into maturity and ended with their behavior during the Seven Years’ War, in which, grown to potency, they defended Britain and British liberties against the savage enemy. If they were willing to defend their liberty with violence against one threat, why not against another? The juxtaposition, the continuous interweaving, of the need to defend liberty with the methods of doing so meant that Barré could make his meaning clear without going so far as to say it straight out. And the method he chose—to step up to a line, suggest what was on the other side, and then to back down while leaving the taste of the forbidden in the listeners’ mouths—would soon be used by another orator, not in Parliament but in the Virginia House of Burgesses.

By late May the names of the appointed stamp officers were arriving in the colonies. These men were well-known in the provinces in which they would work, if not so familiar to those beyond. Indeed, the Commissioners of the Stamp Duties wanted the stamp officers to be familiar to those from whom they would collect the tax. The ministry believed that the Stamp Act would go down easier were it swallowed with local drink.

The colonial newspapers eagerly printed the names, though as business per usual rather than accusations of treason. All the prospective officers were wealthy and many held positions of prestige. Many had been in Britain during the time in which the Stamp Act was debated and passed. Jared Ingersoll of Connecticut had served as that colony’s agent. Massachusetts’s Andrew Oliver had held many offices in that colony and, most importantly, was aligned by marriage and politics with the Lieutenant Governor, Thomas Hutchinson.
Augustus Johnston was the Attorney General of Rhode Island. James McEvers was a well-known merchant in New York as was John Mercer in Virginia. The newspapers did not carry any details about the stamp officers’s duties or when they would set up their offices. However, a rumor circulated about their salaries. “It is said,” they wrote, that Ingersoll “is to have a Salary of 300 £. per Annum.”

In the first weeks after news of the Stamp Act’s passage, many printers across the colonies had published abstracts of the stamp duties. Now, at the same time that they were publishing the names of the stamp officers, colonial printers were putting the full Stamp Act into press. The printers gave their reprint editions of the Stamp Act prominent advertising space in their own newspapers. Hugh Gaine of New York first advertised the Stamp Act on 3 June and his New-York Mercury ran advertisements through June and July. William Bradford and David Hall of Philadelphia had their version in print by the second week of June. Edes and Gill of Boston printed theirs closer to the end of June, when it was advertised in several Massachusetts newspapers. A month later, Edes and Gill were still encouraging sales of the Stamp Act. Its complexity, they argued, made it necessary for everyone to own a copy—that way one could avoid the “many Forfeitures” they might otherwise be subject to.

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49 Connecticut Courant, 10 June 1765; New-Hampshire Gazette, 21 June 1765.

50 New-York Mercury, 3 June 1765; Pennsylvania Gazette, 13 June 1765; Boston Gazette, 24 and 29 June 1765; Massachusetts Gazette, 27 June 1765; Boston News-Letter, 27 June 1765.
So, by the first weeks of June, the colonists had received confirmation of the Stamp Act's passage. They knew the tax would be in force from the first of November. They were beginning to find out how the tax would operate. The names of distributors were beginning to appear in the newspapers. Those same newspapers were preparing to close up shop, for fear they could not survive under the demands of the Stamp Act. Yet, during all this, the colonists were prepared, with set jaws, to accept the Stamp Act. Parliament may not have had the right to enact an internal tax on the colonies, but in point of fact they had the power. It was an event and a fabulation that changed their minds. The Virginia Assembly would pass several moderate resolutions against the Stamp Act, and the news as it traveled across the colonies inflated the tale to make it seem as if they had passed seven inflammatory—almost treasonous—resolves.

On 29 May, the Virginia House of Burgesses met in the Capitol in Williamsburg. They had been gathered since the beginning of May and were nearing the end of a long session. Many of the legislators had already left town for their plantations across the colony. Over the next three days, the remaining Burgesses would, unexpectedly, be drawn into a debate over their rights as British subjects and the dangers to those freedoms represented by the Stamp Act.

What happened over those three days is largely cloaked from view, largely because the most powerful Burgesses and Governor Francis Fauquier wanted it that way. Three contemporary accounts of those days remain: the official version in the *Journals of the House of Burgesses*, a letter from Francis Fauquier to the Board of Trade, and an eyewitness account by a young merchant traveling through the colonies, Charles Murray. Of these, it is Murray's...
that is essential to understanding both the Virginia Resolves and their embrace by the American colonists.51

The Journal recorded only the barest necessary to explain the final product of those three days: that the Burgesses indeed passed four resolves against the Stamp Act. Fauquier provided a hint of the contention behind those resolves with the emphasis being to show that they were, at best, a minority view. Only a small number of Burgesses were present for the votes (39 of 116), and even so they barely passed, and a fifth was passed then struck. And those who promoted the resolves were by no means the important men of Virginia. They were “young, hot, and giddy,” led by a young lawyer, Patrick Henry, who was inciting them with “indecent speech.” And even so, according to Fauquier, Henry saw he did not have the support for two even more radical resolves, so did not introduce them.

What were these seven resolves, four that passed, one passed and rescinded, and two so inflammatory that they could not even be brought up for debate?

The first five were largely conventional. Indeed, the ideas expressed were much the same as those the greatest of the Virginia gentry had been discussing among themselves for several years:

RESOLVES of the House of Burgesses in Virginia, June 1765,
• That the first Adventurers and Settlers of this his Majesty’s Colony and Dominion of Virginia, brought with them, and transmitted to their Posterity, and all other his Majesty’s Subjects since inhabiting in this his Majesty’s

Colony, all the Liberties, Privileges, Franchises, and Immunities, that at any Time have been held, enjoyed, and possessed, by the People of Great Britain.

- That by Two Royal Charters, granted by King James the First, the Colonies aforesaid are Declared Entitled, to all Liberties, Privileges and Immunities, of Denizens and Natural Subjects (to all Intents and Purposes) as if they had been Abiding and Born within the Realm of England.

- That the Taxation of the People by Themselves, or by Persons Chosen by Themselves to Represent them, who can only know what Taxes the People are able to bear, or the easiest Method of Raising them, and must themselves be affected by every Tax laid upon the People, is the only Security against a Burthensome Taxation: and the Distinguishing Characteristic of British Freedom: and, without which, the antient Constitution cannot exist.

- That his Majesty's Liege People of this his most Ancient and Loyal Colony, have, without Interruption, the inestimable Right of being governed by such Laws, respecting their internal Polity and Taxation, as are derived from their own consent with the Approbation of their Sovereign, or his Substitute: which Right hath never been Forfeited, or yielded up: but hath been constantly recognized by the Kings and People of Great Britain.

- Resolved therefore, That the General Assembly of this Colony, with the Consent of his Majesty, or his Substitute, HAVE the Sole Right and Authority to lay Taxes and Impositions upon Its Inhabitants:, And, That every Attempt to vest such Authority in any other Person or Persons whatsoever, has a Manifest Tendency to Destroy AMERICAN FREEDOM.²²

The ideas of these five resolves were identical to those expressed by Richard Bland in his pamphlets. Why, then, were the councilors and the Speaker discomfited? It seems likely that the tone and timing of the resolves may have had an effect on them. Patrick Henry put the ideas of the addresses into the form of resolves. The four forms of stating a position discussed here—the petition, address, remonstrance, and resolve—had specific meaning for students of rhetoric. In that order they were increasingly assertive and less deferential. Thus,

²² Many versions of the Virginia Resolves exist. The ones given here are those printed in the Maryland Gazette, 4 July 1765. This is one of two versions that circulated widely around the colonies. The other circulating set of resolves was that printed in the Newport Mercury, 24 June 1765. The Mercury printed only six resolves, leaving out the third given in the Maryland Gazette. The particular importance of the Virginia Resolves to the colonists' decision to resist the Stamp Act comes from the seventh resolve in the Maryland Gazette's version. This was nearly identical to the final resolve in the Newport Mercury. Thus, the colonists who read the resolves in the Gazette, or the papers which reprinted its version, read the same, radical, final resolve as did those who took their news from the Mercury or a paper drawing from the Mercury.
the very form of the resolves, which were an address to the general public, made them more
defiant than a petition to the King or even a remonstrance to the House of Commons.

Patrick Henry’s first contribution, then, was to put the ideas already expressed by Bland and
others of the Virginia gentry into the form of five resolves to be announced to the world.
Further, the role of the rhetor was to invigorate already-common ideas, so it would have
been counterproductive to introduce anything too new.53

The sixth resolve was, LeMay argues, an extension of the constitutional argument of
the first five beyond that of the Parsons’ Cause and Committee of Correspondence
arguments:

- That his Majesty’s Liege People, Inhabitants of this Colony, are not bound
to yield Obedience to any Law or Ordinance whatsoever, designed to impose
any Taxation upon them, other than the Laws or Ordinances of the General
Assembly as aforesaid.

LeMay interprets this resolve to cover external taxes—trade duties such as the Sugar
Act—as well as internal taxes like the Stamp Act. Such an argument was briefly used in
Massachusetts, in particular in a circular letter sent by Massachusetts’s Assembly to the
Virginia House of Burgesses in mid-1764. Yet it seems that, if this resolve was intended to
cover trade duties, there was no reason not to state that explicitly in the fourth and fifth
resolves. In those, it is precisely “internal Polity and Taxation” that go against the
“Distinguishing Characteristic of British Freedom.”

To be sure, the Virginia Resolves did have a logical order and did become
increasingly controversial as they progress. But it was a progression of the means of resistance,

53 David A. McCants, “The Role of Patrick Henry in the Stamp Act Debate,” *Southern Speech Communication
rather than of constitutional argument. The specific complaint against the Stamp Act—its interference in “internal Polity and Taxation”—was spelled out early on. The first four resolves establish this complaint in several contexts: the rights of the colonists, as defined in the establishment of Virginia; the granting of the royal charter; the assertion to right of no taxation without representation as “the Distinguishing Characteristic of British Freedom;” and the assertion that Virginians had never forfeited those rights of Britons.

The first four resolves, then, established the rights. The last three established the proper methods by which to defend those rights. From this perspective, the fifth was uncontroversial. It asserted that the General Assembly had “the Sole Right and Authority” to levy taxes upon Virginians. Its assertion that “every Attempt to vest such Authority in any other Person or Persons whatsoever, has a Manifest Tendency to Destroy AMERICAN FREEDOM,” did not imply anything more of resistance than had the addresses to King and Parliament. Yet the fifth resolve, in expressly setting a limit to Parliament’s power, would still go too far for the Burgesses to back.

But the sixth resolve specified that Virginians “are not bound to yield Obedience to any Law or Ordinance whatsoever, designed to impose any Taxation upon them,” except those passed by Virginia’s Assembly. Rather than a general statement of rights, the sixth resolve asserted an action that the colonists could take. They could refuse to “yield Obedience” to the Stamp Act—to go on with their business, to refuse to pay for or use the stamped paper that would soon arrive in the colony.

If many of the Burgesses did not want to be associated with this explicit statement of defiance, then they must have been set even more firmly against the seventh resolve:
• That any Person who shall, by Speaking, or writing, assert or maintain, That any Person or Persons, other than the General Assembly of this Colony, with such Consent as aforesaid, have any Right or Authority to lay or impose any Tax whatever on the Inhabitants thereof, shall be Deemed, AN ENEMY TO THIS HIS MAJESTY'S COLONY.  

Here Henry defined the specific people against whom the public could focus their anger. Stamp masters and stamp distributors would certainly be deemed enemies—by their very office they asserted Parliament’s right to levy an internal tax. Yet the resolve went further: it also implicated those colonists who defended Parliament’s position, “by Speaking, or writing.” Moreover, it removed those unfortunates from even the proper bounds of the public sphere. Not only were the ideas unacceptable, their holders were now enemies of Virginia. There could be no middle ground here, no more debates, no more petitions and remonstrances. Now any who submitted to the Stamp Act—any who, with whatever regrets, bought a newspaper or a pack of cards marked with the hated stamp—was as much an enemy of Virginia as Grenville or Bute.

These were the Resolves as text. But the meaning of the Virginia Resolves cannot be explained entirely by only the text. The way in which they were presented and defended would enter into the narrative that the colonists told themselves about the resistance to the Stamp Act.

Only a single eyewitness account—that was itself written at the time, rather than a memoir—goes into detail about the Burgesses’ debates over the Virginia Resolves. The author was probably Charles Murray, a lowland Scots wine merchant with the firm of Scott,

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54 *Maryland Gazette*, 4 July 1765. The *Newport Mercury*’s version (24 June) read: “Resolved, That any Person, who shall, by speaking or writing, assert or maintain, that any Person or Persons, other than the General Assembly of this Colony, have any Right or Power to impose or lay any Taxation on the People here, shall be deemed an Enemy to this his Majesty’s Colony.”
Pringle, and Cheap of London and Madeira, traveling through the colonies to make contacts for his company. He was also—as proven by the discovery of his (anonymous) journal in a French naval archive—spying for that hated Catholic power.  

Murray wrote,

*May the 30th.* Set out Early from halfway house in the Chair and broke fast at York, arived at williamsburg at 12, where I saw three Negroes hanging at the galous for haveing robed Mr. Waltho of 300 Ps. I went imediately to the assembly which was seting, where I was entertained with very strong Debates Concerning Dutys that the parlement wants to lay on the american Colonys, which they Call or Stile stamp Dutys. Shortly after I Came in one of the members stood up and said he had read that in former times tarquin and Julus had their Brutus, Charles had his Cromwell, and he Did not Doubt but some good american would stand up, in favour of his Country, but (says he) in a more moderate manner, and was going to Continue, when the speaker of the house rose and Said, he, the last that stood up had spoke traison, and was sorye to see that not one of the members of the house was loyal Enough to stop him, before he had gone so far. upon which the Same member stood up again (his name is henery) and said that if he had afronted the speaker, or the house, he was ready to ask pardon. and he would shew his loyalty to his majesty King G. the third. at the Expence of the last Drop of his blood. but what he had said must be atributed to the Interest of his Countrys Dying liberty which he had at heart, and the heat of passion might have lead him to have said something more than he intended, but. again, if he said any thing wrong, he beged the speaker and the houses pardon. some other Members stood up and backed him, on which that afaire was dropeed.

*May the 31th.* I returned to the assembly today, and heard very hot Debates stil about the Stamp Dutys. the whole house was for Entering resolves on the records but they Differed much with regard the Contents or purport therof. some weere for shewing their resentment to the highest. one of the resolves that these proposed, was that any person that would offer to sustain that the parlement of Engl’d had a right to impose or lay any tax or Dutys whats’r on the american Colonys, without the Consent of the inhabitants therof, Should be looked upon as a traitor, and Deemed an Enemy to his Country. there were some others to the same purpose, and the majority was for Entring these resolves, upon which the Governor Disolved the assembly, which hinderd their proceeding.

More than the constitutional arguments, Murray was taken with the passions on display in the House of Burgesses. Thus, he emphasized Patrick Henry's dramatic outburst. Even as Henry sidestepped accusations of treason, he bid his listeners remember the emotion behind his words, child of the "Interest of his Country's Dying liberty which he had at heart."

Henry's performance at the Capitol must be understood in the context of what he was promoting: the Virginia Resolves. Students of oratory have focused on his speaking, while students of politics have concentrated on the text of the Resolves. Both approaches miss something. Virginia was still an oral culture in 1765. Text and oratory were embroiled in a complex relationship. The Virginia Resolves and the dramatic gestures of Henry on their behalf, then, should be viewed as two aspects of a single performance.56

And indeed, when we look at Henry's performance of the Virginia Resolves—a performance comprising both text and oratory—we can easily see the parallels with Henry's oration at Hanover Courthouse from a year and a half before. In both, he decried the behavior of a group disliked by many Virginians—the colonial clergy in the Parsons' Cause, the ministry and Parliament who had devised and passed the Stamp Act. In both, he purposely tried to inflame the crowd while being prepared to pull back if called on his bluff. The gentry and common folk at Hanover Courthouse approved of his attack on the clergy, the protests of treason being voiced by few and fully counterbalanced by the "Nod of Approbation" in Henry's favor. At the Capitol in Williamsburg, when called out by the

Speaker—Henry immediately sidestepped. But in neither case could his words be unsaid. And it is perhaps notable that the Burgesses declined to censure him in 1765.

Finally, both performances decreed an outgroup the “enemy of the country.” The Virginia clergy, for not fulfilling a useful role, now hindered rather than helped the regimented, hierarchical Virginia community. Those who supported the Stamp Act—for example, the men whose names were arriving in the colonies associated with the stamp office—were enemies of the country, of the heirs to and protectors of English liberty.

So, Henry’s performance at the Capitol in May 1765 drew from his successful oration against the Parsons’ Cause from a year and a half before. Informed observers would certainly have recognized the connection. But, even more importantly, Henry patterned his performance on that of Isaac Barré before Parliament earlier in 1765—in particular, the dramatic telling of Barré’s oration through which the event was best known in the colonies.

Both orations took the form of a sudden outburst, offered against another speaker. Both, purposely, walked close to or even crossed over the line of treason. Henry was called on his words and retreated while Barré with an effort controlled himself, but both speakers, in backing down, attributed their intemperate speech to their great love for the colonies and to the passions that the issues evoked in their hearts.

Henry’s performance was too close to the wildly popular account of Barré’s speech for these similarities to be coincidence. Of course, by causing the Burgesses and observers to remember Barré’s words and his heartfelt passion he would have hoped to gain support for the resolves. But, more subtly, he would have thus reminded his audience of what Barré had suggested, that had, perhaps, been treasonous. Barré had warned Parliament that, if they continued to treat the colonists with scorn, “the same spirit which actuated that people at
first, will continue with them still. ... The people there are as truly loyal, I believe, as any subjects the King has: But a people jealous of their liberties, and who will vindicate them, if they should be violated." Barré was warning that the colonists would resist, perhaps with violence, a Stamp Act that violated their rights. Henry wanted to stir that memory in his listeners' minds, in order to connect the heroic Barré with the possibility of outright defiance suggested in the sixth and seventh Virginia Resolves.

A populace already excited by the dramatic version of Colonel Barré's speech to Parliament would have thrilled to one of their own repeating and extending the sentiments. If Patrick Henry and his Virginia Resolves (or, as the people believed, the Virginia Burgesses and their resolves) could not directly confront the hated Grenville as Barré had defied Townsend, they could at least declare their rights as British subjects and stake out the borders of the community. Like a political party of today that demands absolute fidelity on what is really only one of many important issues, the sentiment summoned by the Virginia Resolves created a fixed definition of acceptable and unacceptable behavior. Those who supported internal taxes levied by any body except the colonial legislatures was now the enemy.

Word of the Virginia Resolves spread quickly throughout the colonies. The *Newport Mercury* printed them on 24 June, the *Maryland Gazette* on 4 July. But before the newspapers put them into print the Resolves were circulating by word of mouth. Charles Murray left Williamsburg for Maryland soon after the end of the Burgesses' session. During his travels he paid close attention to the people's fulminations against the Stamp Act. The Virginia Resolves, he found, had stirred up a new anger, backed with promises of action, that had simply not been present before.
In Maryland Murray was mixing with the elite of the colony: the Galloway brothers, Samuel and John; Charles Carroll of Carrollton and his son, Charles Carroll of Annapolis; as well as the governor, magistrates, and other wealthy planters and merchants. He spent the middle of June at court days in Annapolis. On the 13th “There was a large and agreeable Company at my tavern. Where we had nothing but feasting and Drinking, after the Kings health, the virginia assembly, and then Damnation to the Stamp act.”57 A week later at a shipboard party Murray watched a friendly dispute over which planter had shipped the most tobacco. The planters had their honor at stake; the dispute was about to grow serious when someone created a distraction by bringing up the Stamp Act, “which altered the Conversation imediately. Then was they Daming their souls if they would pay and Damn them but they would fight to the last Drop of their blood before they would Consent to any such slavery.”58

On 26 June, Murray “Dined at the tavern in a large Company, the Conversation Continually on the Stamp Dutys.” The anger that the Marylanders had, and their willingness to express it, shocked the Scots merchant: “I was realy surprised to here the people talk so freely. This is Common in all the Country, and much more so to the Northward.” Yet he was aware of rifts among the colonists, as he saw that “The Catholiques seem to be very Cautious on this occasion.”59 The very next night, the planters’ agitation showed no signs of abating:

After Dinner as the bottle was going round the Conversat’n fell on the Stamps, and as the wine operated the rage against the proceedings of the parlement augment, only

57 “Journal of a French Traveller in the Colonies, 1765, II,” American Historical Review 27, no. 1 (1921), 71-72.
59 “Journal of a French Traveller in the Colonies, 1765, II,” 73.
the magestrate [Dr. George Stewart] seemed to retain himself, and took the part of the ministry, on acc’te of his Countryman lord Bute. In the hight of the Conv’on there was something said about taking up arms, that if the americans took it in head they were able to Cope with Britain in america. Upon which the magestrate said that non but Disaffected people, ore Enemys to the present government, could talk in such a manner, but notwithstanding his loyalty, he out with it at last, and said that if it Came to the push he would take up arms himself in Defence of his liberty and property, upon which he had a huza from the Company.60

Even the Scots magistrate, with a personal attachment to his fellow-countryman Bute, acknowledged that he would use violence to defend “his liberty and property,” a sentiment clearly shared by the rest of his companions at the tavern. A month before, the Virginia Resolves had proclaimed that vocal supporters of the Stamp Act were “enemies of the country.” Stewart here first claimed the opposite, that those who said such things (like Patrick Henry, or Stewart’s drinking companions) were themselves “enemies of the present government.” But finally, under a certain coercion, he acknowledged that what he really believed was the position of the Virginia Resolves.

In the wake of this display of passion, Murray concluded that the past month had seen a great change in the behavior of the American colonists. “It is Certain that this act has made a great alteration in the americans Disposition towards greatbritain, and will have a very Good Efect with regard to themselves.” Murray believed that the colonists would now become more self-sufficient: they would cut their spending on consumer goods and instead manufacture their own, “which they would never have thought of otherwise, for they hitherto were the greatest spendthrifts in the world, satisfied if at the years End they Could make both Ends meet.” An increase in manufactures would cause great changes in gentry lives, but more importantly would redound to the benefit of small planters. This class,

60 “Journal of a French Traveller in the Colonies, 1765, II,” 73.
Murray argued, had always lived hand-to-mouth, for what little money they made they were forced to spend on English goods. Moreover, the American change in attitude could have a great and deleterious effect on Britain. A decrease in American purchases of British goods could potentially destroy the manufacturing centers of the mother country.61

Murray spent another several weeks in Maryland. But while he was there news continued to arrive, not just from newspapers but by word of mouth from travelers. Resistance to the Stamp Act continued to increase across the colonies. Merchants “schemed how to raise manufactures.” They were sending to Britain for skilled workers, weavers and spinners, rather than for fully-made cloth. They planned that “in short in three years time they would not have a farthings worth of anything from England.” It was not just the Maryland merchants.62 A traveler from Philadelphia told Murray “that the people in Boston are highly infla’d against the mother Country, and that their first toast after Dinner is the virginia assembly.” To topple the traditional “loyal toast” to the King from its preeminent place was a radical shift indeed.63 Finally, Massachusetts had called for a “Committee” to

61 "Journal of a French Traveller in the Colonies, 1765, II," 73.
62 The movement to increase manufactures in the colonies did not begin with the Stamp Act, but it grew in size and prestige with the colonists’ resistance. A report in the New-Hampshire Gazette, 5 July 1765, noted with pride the growing frugality of Bostonians: “Funerals without Mourning or the giving of English Gloves is become so fashionable, that there has been but 1 Burial for many Months past, and that a Negro, in the old Fashion way.” The trend towards economy had, it was estimated, saved Bostonians upwards of £10,000 over the past year and had influenced other towns to join Boston. The same issue of the New-Hampshire Gazette noted of a Portsmouth funeral, “Last Tuesday Evening was interred, after the new Method of Burial, the Remains of Mrs. Sarah Davis.” Further, without their savings from the rejection of British manufactures, it would be impossible for Boston to pay the stamp duties. Therefore, it was the British merchants and manufacturers who would lose in the long term, while the vice-admiralty courts and the “Guardas Costas” (the Royal Navy patrols, the Spanish translation making it an epithet) would gain.
63 My gratitude to Rhys Isaac for this insight.
meet at New York in early October, “to Consult what measures they should take to oppose the Stamp act.”

Murray thought this “the best method they Could fall on the [to] unite the sentiments and Interests of the Different Colonys or provinces into one.” Britain, he believed, had always taken care to foster divisions among the colonies, whether by leaving different forms of government in place or by encouraging many different religions to populate the continent. Yet they had overlooked that such divisions were not unbridgeable, “for the Inhabitants of north america Can lay asside their religion, when their Interest requires it, as well as the English Can, and allways have done.”

Murray’s belief that the Massachusetts plan was the best way to oppose the Stamp Act was shared by much of the colonial elite. Thomas Wharton told his friend Benjamin Franklin that he and his compatriots hoped the Stamp Act Congress would “have a proper effect, As it is much more Consistent, than the Method pursued by Virginia.” Franklin himself was greatly disturbed by the Virginia Resolves. He told John Hughes, who he had been able to place as the stamp distributor for Pennsylvania, “the Rashness of the Assembly in Virginia is amazing! I hope however that ours will keep within the Bounds of Prudence and Moderation; for that is the only way to lighten or get clear of our Burden.” Franklin would work towards the repeal of the Stamp Act, but if he was unsuccessful, then Hughes would have to take the part of the noble, sympathetic man to successfully enact it. "If it

64 “Journal of a French Traveller in the Colonies, 1765, II,” 74. Massachusetts had proposed what would become known as the Stamp Act Congress in the middle of May, well before the Virginia Resolves. Yet Murray’s narrative suggests that the Virginia Resolves infused a new spirit of defiance into people’s understanding of the Stamp Act Congress. If they expected the New York proceedings to echo those of the Virginia Burgesses, they were to be sorely disappointed—see chapter 3.
65 “Journal of a French Traveller in the Colonies, 1765, II,” 75.
66 Wharton to Franklin, 24 June 1765.
continues, your undertaking to execute it may make you unpopular for a Time, but your
Acting with Coolness and Steadiness, and with every Circumstance in your Power of Favour
to the People, will by degrees reconcile them." Their best course was a "faithful Adherence
to the Government of this Nation," as opposed to "the Madness of the Populace or their
blind Leaders, who can only bring themselves & Country into Trouble, & draw on greater
Burthens by Acts of rebellious Tendency."67

But more of the colonists were becoming willing to chance those "Acts of rebellious
Tendency." The Virginia Resolves, it was agreed in retrospect, had stoked the colonists' passion. Thomas Hutchinson saw signs of change at the time: "Upon the first arrival of the
stamp act our political heroes seemed to be silenced and acknowledged the address or
petition from the province which had been much exclaimed against was right and well
judged but encouraged by Virginia they begin to open again and yesterday we had published
a piece as full of rant as any which has preceded it."68 And, John Adams, wrote later, the
Virginia Resolves had filled the dying Oxenbridge Thacher with passion. "I asked him
whether he had seen the Virginia resolves: 'Oh yes—they are men! they are noble spirits! It
kills me, to think of the lethargy and stupidity that prevails here.'" Thacher wanted to
emulate Barré and Henry and "'go into Court and make a speech, which shall be read after
my death, as my dying testimony against this infernal tyranny, which they are bringing upon

68 Thomas Hutchinson to Richard Jackson, 10 July 1765, Thomas Hutchinson letterbooks, 1741-1773, typescript, Massachusetts Historical Society, Boston.

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us.¹⁶⁹ Thacher’s anger was directed at the conservative wing of Massachusetts elite as much as it was at Britain.

Murray himself had seen a hint of how far a radical response might go. The day he left Williamsburg he stayed the night at a Colonel Johnson’s tavern in Hanover County. The only talk there for a whole day and night was about the Stamp Act. “Some of them mutter betwixt their teeth, let the worst Come to the worst we’ll Call the french to our sucour; and if they were in Canada the British parlem’t would as soon be Dd. As to offer to do what they do now.” To call for not only armed revolution, but an alliance with the hated French— even here, in Patrick Henry’s own center of power, he might have had trouble defending the taverngoers against charges of treason.⁷⁰

In the wake of the Virginia Resolves, the newspapers began to print more and more writings against the Stamp Act. And those writings would return, again and again, to the metaphor of slavery. Two bitter, satirical notes made the analogy between white colonists and African slaves clear to all. Both were widely reprinted across the colonies. The first directed anger at the stamp officers: “The Report that some Americans are to deliver Stamps to their Fellow Slaves, put us in Mind of the W. Indian Policy, most of their Plantations having Negro Overseers, who, in order to please their Masters, and hold their Posts, are

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¹⁶⁹ Clifford Putney, “Oxenbridge Thacher: Boston Lawyer, Early Patriot,” *Historical Journal of Massachusetts* 32, no. 1 (2004), 104. Adams was writing years later and there is little reason to assume his words are actually those of Thacher; however, there is even less reason to believe that he created the entire scene or the general tone of Thacher’s reaction.

more severe to their own Colour in their Exactions and Whippings, than are the white Overseers, and consequently are more abhorred and detested."\(^7\)1

The second referenced an earlier event: “Not many Months have passed when a White Negro was such a Novelty in America, that one was exhibited Night by Night at the Sign of the White Horse, South End, for about 1s Sterling the Sight—Behold and Wonder—a Twin Brother of this Negro Necromancer has lately turned all the White Men on the Continent into Negroes, and not one Freeman is now to be seen on this half of the Globe.”\(^7\)2

These notes, comparing the colonists to African slaves, were merely anecdotal; they proposed no remedy. For that, writers would have to invoke the earlier conception of slavery as the outcome of defeat in war. One writer to the Boston Evening-Post, in concurring with an earlier essay, concluded that “it appears an Englishman’s liberty, and the freedom so long boasted above our neighbors, is sunk to the bare name, and it is surely a matter of small import, what we are called if we are compleat slaves.” But this writer did not fully despair. He suggested that the colonists had a stark choice, a microcosm of which was the arguments he and his predecessor had presented. “Every friend to liberty will approve his sentiments, and those who are bred to slavery, can oppose with force.” Would the reader fight against the Stamp Act? Or were they “bred to slavery?”\(^7\)3

In Connecticut, as many other newspapers were winding down their presses, Benjamin Mecom started a new publication. It was, he acknowledged, an unpropitious time.

\(^7\)1 Boston Gazette, 3 June 1765.
\(^7\)2 Boston Gazette, 1 July 1765.
\(^7\)3 Boston Gazette, 8 July 1765.
"But, it is said there never was a Time when the Encouragement of such Papers was more necessary. The reigning question now is, Whether Americans shall be Freemen or Slaves?"

Mecom made his answer clear through action: he would resist the Stamp Act by starting a new newspaper in direct defiance of those trying to impose slavery upon him. He and the writer in the Boston Evening-Post both drew from a particular conception of slavery as defeat and captivity.74

In August, the implications of the Stamp Act conceived as “slavery,” the directives of the Virginia Resolves, and a diversity of local tensions would find a meeting-point in the violence directed at stamp officers. The rhetoric of the previous months would be interwoven with the riots.

One man in Newport had a foot in both worlds. That summer, Ezra Stiles avidly read newspapers from across the colonies and maintained correspondences with some of those who would become victims of the riots. In late August, he himself would play a very small role in forcing Augustus Johnston to resign as Rhode Island stamp master. Stiles had read his friend Chauncey Whittelsey’s prescient assessment of the Stamp Act. On 17 July 1765, a month before the riots but well after news of the Virginia Resolves had arrived, Stiles opened a new journal. On the cover he wrote simply, “STAMP ACT NOTEBOOK.”75

On the first page Stiles began a mammoth undertaking: what would become a twenty-page inscription, to be placed on an imaginary column—a monument like that

75 Ezra Stiles, Stamp Act Notebook, Ezra Stiles papers, microfilm, reel 4, item 372, Beineke Library, Yale University, New Haven, Conn.

64
William Goddard had suggested be erected to memorialize Isaac Barré. Stiles's inscription would eventually encompass a history of the American colonies and their continual struggle against tyranny. But the first five lines placed the Stamp Act firmly in that tradition:

This Column is erected AD 1765
That fatal Year
Which commences the Era
of American Slavery
and Subjugation to Great Britain.

Stiles's inscription thus drew on memories of Barré's speech as it argued that the Stamp Act was "slavery." And in Stiles's actions a month later, facing off a stamp officer, he would prove that he had internalized the message of the Virginia Resolves.
CHAPTER 2
Crowd Violence and the Fear of Slavery

By August 1765, colonists from New Hampshire to Georgia knew about the Virginia Resolves. They read the resolves as printed in the *Newport Mercury* and *Maryland Gazette* and came to believe that the gentry of Virginia had approved resistance, violent if necessary, against "the Enemies of our Country." And they justified such violence with reference to the threat of slavery implied by the Stamp Act.

It was not until 14 August that the words of the Virginia Resolves were finally translated into action. And it was not the Virginians themselves, nor the Marylanders who boasted so loudly in their taverns, but the colonists of Massachusetts who made the break.

But Massachusetts should not be considered as "setting the pace." The patriots of that colony were no more forward in the pursuit of liberty than their southern counterparts. Rather, Massachusetts was first merely by dint of circumstance. The Virginia Resolves embodied the Stamp Act in those "Enemies" who by word or action advocated enslaving the colonies under Britain. And it was in Massachusetts and neighboring Rhode Island that such supporters of the Stamp Act were most visible.

The most obvious target, and those who were unambiguously supporters of the Stamp Act, would be those who held office under the Act. And at the same time the newspapers were printing the Virginia Resolves, they were publishing the names of the men who had been named to offices under the Stamp Act. The Lords Commissioners of the
Treasury had appointed a distributor for each colony. The distributor would hold the stamped paper at a central place and sell it in exchange for specie, keeping a percentage of the income. The distributors were all colonists; it was thought that the Americans would accept the Stamp Act better if it was enforced by their own. Many were Americans employed in Britain, often as agents for their own colonies. They would return before 1 November, but for the moment were still in Britain or en route. But in Massachusetts and Rhode Island it was the respective attorneys general, rather than colonial agents, who had been named stamp distributors. Thus Andrew Oliver of Massachusetts and Augustus Johnston of Rhode Island were present to serve as targets of protest.

And protest against stamp distributors could serve a practical function as well. For here, it turned out, was the weak point of the Stamp Act: there were not many small offices, but one large one, for each colony. If a colony's single stamp distributor could be prevented from receiving and selling stamped papers, the Stamp Act would be nullified.

So the second phase of resistance to the Stamp Act began with an embodiment of Massachusetts's own "enemy." Bostonians hung an effigy of Oliver, decorating the figure with objects and texts rich in meaning.

The crown officers were, of course, not present during the day to see the effigy exhibited. But John Avery, part of the cabal who had built the effigy, gave the inscriptions on the effigy's breast:

Fair Freedoms glorious Cause I meanly Quitted
Betrayed my Country for the Sake of Pelf
But ah! at length this evil hath me outwitted
Instead of Stamping thus have hanged myself.
And those on his right arm ("AO") and on his left:

What greater Joy did ever New England see
than a Stampman hanging on a Tree

Behind the effigy "was a Boot with a Devil peeking his Head out."\(^1\)

The *Boston Gazette* interpreted the symbols while avoiding the names of the targets.
The effigy was "of a Gentleman sustaining a very unpopular Office, viz. that of St—p
Master." It was hung "together with a Boot, wherein was concealed a young Imp of the D—
I represented as peeping out of the Top." Neither Bute nor Oliver (even as "AO") were
mentioned explicitly. Nor did the paper record the vituperation of the labels. The breast-
label now was merely "in praise of Liberty, and denouncing Vengeance on the Subvertors of
it," while the arm-labels went unmentioned.\(^2\)

Another newspaper was able to include a third person in its description. Behind the
effigy hung "a Boot newly soled with a Greenvile Sole, out of which proceeded the Devil."\(^3\)

The governor and his lieutenant tried to have the effigy removed. Lt. Governor
Hutchinson, with Governor Bernard's approval, directed "the Sheriff to order his Officers to
take down the Effigy" and to record the names of any who opposed them so that a warrant
could be issued for their arrest. The Sheriff reported back that his officers had tried to do so,
"but could not do it without imminent danger of their lives."\(^4\)

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1 John Avery to John Collins, 19 August 1765, Ezra Stiles Papers, microfilm, Beineke Library, Yale University, New Haven, Conn.
2 *Boston Gazette*, 19 August 1765.
3 *Boston Evening-Post*, 19 August 1765.
4 Thomas Hutchinson to unknown, 16 August 1765, Thomas Hutchinson letterbooks, 1741-1773, typescript, Massachusetts Historical Society, Boston; Francis Bernard to Board of Trade, 15 August 1765, House of Lords Papers, HL 209/333, Library of Congress transcripts, Washington, D.C. Bernard is quoted.
The newspapers, in contrast, portrayed the day as free of conflict. (The *Boston Gazette* acknowledged that the owner of the tree had tried to take down the effigy, “but being advis’d to the contrary by the Populace, lest it should occasion the Demolition of his Windows, if nothing worse, desisted from the Attempt.”) In fact, the *Evening-Post* emphasized that “this Spectacle continued the whole Day without the least Opposition, tho’ visited by Multitudes.” The effigy, instead, served to build community: “The Diversion it occasioned among a Multitude of Spectators who continually assembled the whole Day is surprising; not a Peasant was suffered to pass down to the Market, let him have what he would for Sale, ‘till he had stop’d and got his Articles stamp’d by the Effigy.” By having the effigy physically “stamp” their goods, the organizers made visible the abstract threat of the Stamp Act and thus drew the incoming farmers into a community of protest.5

The authorities felt they should respond, but realized they had little power to do so. Bernard summoned the Council to consider their response. Bernard himself believed that the effigy-hanging was only “the beginning ... of much greater Commotions.” Some disagreed, suggesting that it was a “trifling Business” that could only grow if it was challenged. Others agreed with Bernard, saying that the well-planned demonstration should by rights be opposed. But they also argued that the authorities had no “force to oppose to it.” A weak opposition would “inflame the People” and thus would be worse than none at all. Thus, all were agreed against taking action. Hutchinson stood with this second group, though he doubted that the people would quiet down even if left alone. After a debate on what should be recorded in the Council records—since nobody wanted it written down that they stood

5 *Boston Gazette*, 19 August 1765; *Boston Evening-Post*, 19 August 1765.
against doing anything—they agreed to advise Bernard “to order the Sheriff to assemble the Peace Officers and preserve the peace,” which all understood to be “a matter of form rather than of real Significance.”

At dark the people lowered the effigy and prepared it for travel across town. How many people is uncertain: “some Thousands” and “the Mob to about three Thousand” said the Gazette and Avery, respectively. But the Evening-Post referred only to “a Number of Reputable People.”

All agree that the crowd took pains to stop by the town house on its parade through the streets. Bernard and Hutchinson were explicit about why: “knowing we were sitting in the Council Chamber, they gave three huzzas by way of defiance, and passed on.” When the newspapers mentioned that the crowd had made a short pause at the town house the informed local reader would have understood the challenge to authority—yet the distant reader would not.

The crowd passed down King Street to Oliver’s Dock, where Andrew Oliver had recently constructed a small brick building, intended, it was said, to be the stamp office. Accordingly, the crowd tore down the structure. They continued their march up to Fort Hill, carrying the timbers from the office as well as with the effigy. On the way up the hill they passed Oliver’s house. The crowd stopped and beheaded the effigy, according to Avery and Bernard—the newspapers did not mention the beheading. Bernard also wrote that at this point the crowd shattered all the windows on the façade facing the street. The Boston

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6 Hutchinson to unknown, 16 August 1765; Bernard to Board of Trade, 15 August 1765. Bernard is quoted.
7 Boston Gazette, 19 August 1765; Avery to Collins, 19 August 1765; Boston Evening-Post, 19 August 1765.
8 Bernard to Board of Trade, 15 August 1765, (quoted); Hutchinson to unknown, 16 August 1765; Boston Gazette, 19 August 1765; Boston Evening-Post, 19 August 1765.
Evening-Post acknowledged that the crowd had “received from the Populace some small insults, such as breaking a few Panes of Glass in the Windows of his Kitchen.” But the mild abuse would not have intensified without provocation from Oliver’s friends. In his turn, Hutchinson believed that the crowd’s attack on the house was in defiance of the gentlemen who were the nominal leaders of the demonstration.9

They burned the effigy atop Fort Hill, on a pyre made of the timbers from the destroyed stamp-office. The Boston Evening-Post found a religious parallel: “kindling a noble Fire therewith, they makd a Burnt-Offering of the effigies for those Sins of the People which had caused such heavy Judgments as the Stamp-Act, &c., to be laid upon them.”10

While the fire was burning the crowd returned to Oliver’s house. This was the point, the sources agree, where control shifted from the hands of the gentlemen “abettors” to the solid mass of the people. They attacked Oliver’s outbuildings and improvements first: his garden house, the garden itself and the fences around it, his stables and coach-houses. The Boston Gazette emphasized that “a number of Spectators present” prevented the crowd from doing even more damage to Oliver’s property, saving the “Coach, Booby-Hutch, Chaise &c.” from being thrown on the bonfire. The Boston Evening-Post was much more sanguine about the attack, not mentioning the attack on the outbuildings.11

Neither did Thomas Hutchinson mention the attack on the outbuildings. But by the time the crowd got to the house he was present. He had sent for “the Sheriff and Mr

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9 Hutchinson to unknown, 16 August 1765; Boston Evening-Post, 19 August 1765.
10 Boston Evening-Post, 19 August 1765.
11 Boston Gazette, 19 August 1765; Boston Evening-Post, 19 August 1765; Avery to Collins, 19 August 1765.
Paxton" and the three of them had taken up station in Oliver’s house, after first forcing Oliver to leave for his own safety.¹²

The Boston Evening-Post suggested that the house would have been left alone, “had not some Indiscretions, to say the least, been committed” by the men within. These “so enraged the People that they were not to be restrain’d, tho’ hitherto no Violence had been offer’d to any Person and the utmost Decorum had been preserv’d.” The Evening-Post’s assessment of why the house attack started paralleled the iconic story of Isaac Barré’s speech in Parliament, when he could no longer hold back against Townsend’s provocations and found himself standing up to passionately defend the colonies. The crowd, like Barré or his colonial counterpart Patrick Henry, could control themselves until righteous fury forced them to unleash their emotions.¹³

The crowd spent half an hour breaking into the house, according to Hutchinson. They heaved stones at the house until “the glass and frames of the lower story were entirely gone on one side.” Soon they had shattered the interior shutters as well and made a breach big enough to climb through. It was at this point that Hutchinson and his companions retreated into the back rooms of the house. The crowd deliberated briefly before entering the house—something that would not be expected of an out-of-control mob. But enter they did, and Hutchinson and the others removed themselves from the house entirely.¹⁴

No accounts survive from any of those who entered Oliver’s house, and neither Hutchinson nor Bernard were there to provide a crown officer’s viewpoint. The only

¹² Hutchinson to unknown, 16 August 1765.
¹³ Boston Evening-Post, 19 August 1765. On Barré and Henry, see chapter 1.
¹⁴ Hutchinson to unknown, 16 August 1765.
sources that described what happened next were the newspapers. The *Gazette* and *Evening-Post* were in a quandary. They approved of the attack on Oliver's but could not appear too comfortable with it. The solution was to emphasize the rioters' restraint. The *Boston Gazette* acknowledged that in Oliver's wine cellar they "help'd themselves to the Liquor which they found there in the Silver Plate that the house afforded." But "none of which however was missing the next Day, altho' scattered over various parts of the House." The *Evening-Post* concurred. "It is remarkable," they wrote, "tho' they enter'd the lower Part of the House in Multitudes, yet the Damage done to it was not so great as might have been expected, and not one thing missing." The crowd had exhibited its restraint by leaving Oliver's possessions. They were not out for personal gain, but for the good of the community. Though they were not entirely orderly— the *Gazette* acknowledged that they "destroyed Part of the Furniture, among which was a Looking Glass said to be the largest in North-America, with two others, &c." Hutchinson would later estimate the damage as about 100 pounds sterling.¹⁵

For the newspapers, this was the end of the night's activity. Bernard and Hutchinson said more to their English correspondents. Bernard reported, of course secondhand, that the mob "searched about for Mr Oliver, declaring they would kill him." A party searched "two neighboring houses, in one of which Mr Oliver was." Fortunately for him, "a Gentleman" threw off the mob by telling them Oliver had retreated to Castle William with Bernard; "otherwise he would certainly have been murdered."¹⁶

¹⁵ *Boston Gazette*, 19 August 1765; *Boston Evening-Post*, 19 August 1765; Hutchinson to unknown, 16 August 1765.
¹⁶ Bernard to Board of Trade, 15 August 1765.
After his retreat, Hutchinson found the colonel of the militia. Hutchinson told him that they should “make an alarm the town being in the hands of the mob.” Hutchinson went to Bernard and was granted the appropriate order “to make use of at my discretion.” Bernard did not say whether he mentioned his earlier meeting with the colonel. Then, the colonel had told Bernard that such an alarm would “signify nothing, for as soon as the drum were heard, the drummer would be knocked down, and the drum broke.” In any case, “probably all the drummers of the Regiment were in the Mob.”

Hutchinson received more bad advice when he returned to Oliver’s neighborhood. At a house “near the scene of action” he spoke to “several gentlemen” who had themselves spoken with the mob. The gentlemen estimated that “they had spent their rage and did not doubt if I would take the Sheriff and go to the house I should have weight enough to disperse them.”

Hutchinson may have suspected something was up. “I was in doubt,” he wrote later, “but however went, but upon my entering the cry was G-d-n their blood here’s the Sheriff with the Governor—stand by my boys let no man give way. The cry was succeeded by a volley of stones and bricks.” Hutchinson had entered as the crowd were downstairs in the cellar and otherwise scattered about the house. Upon seeing him the mob reformed, any doubts mollified by the informal authority of their own leader. They must have picked up the same “stones and bricks” that they had earlier thrown through the windows into the house and used them again, not against the house but against two bodies.

17 Hutchinson to unknown, 16 August 1765; Bernard to Board of Trade, 15 August 1765.
18 Hutchinson to unknown, 16 August 1765.
19 Hutchinson to unknown, 16 August 1765.
Hutchinson, avoiding the stones, “turned into a little room where a young
gentleman cried out for god’s sake Sir put out the lights or you’ll be dead in a moment and
then ran and blew out the candles and fled.” Presumably Hutchinson had entered a closet or
other room with only one exit, for he “considered a moment whether to take my chance
there or run thro the mob and chose the latter and escaped with a slight stroke in my arm
and another in my leg.” He never mentioned how the Sheriff escaped. This ended the night’s
escapades. Bernard wrote dryly that “nothing more to be done,” the crowd dispersed about
midnight.\textsuperscript{20}

The next day Bernard again summoned the Council. They once again recommended
only the most formal of actions, for “it would be to no purpose to attempt to raise a Military
Force, as the Militia, the only force we had, would never act against the Rioters, if they
would assemble at all, which was much doubted.” Instead they suggested Bernard issue a
proclamation promising a reward for “discovering the Offenders” and to ask “the Justices of
the Peace & the selectmen of the Town” to use their influence to protect the town. The
councilors realized that their authority was in name only and wished to take no steps that
would force an acknowledgment of that fact. Hutchinson wrote what they were probably all
thinking, that the proclamation would “have no effect and if discovery was made at present,
it would not be possible to commit them.” Accordingly, the justices and selectmen followed
the protocol: when Bernard summoned them into the Council Chamber and “earnestly

\textsuperscript{20} Hutchinson to unknown, 16 August 1765; Bernard to Board of Trade, 15 August 1765.

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exhorted them to use all means in their power to preserve the Peace” they promised to do so.\textsuperscript{21}

In the streets, the day began well when Oliver publicly resigned his office. As the Boston Gazette reported, “the St—p M—r, in order to appease the Sensations which seemed to possess the Breasts of every one, at the Prospects of a future Stamp Duty, sent a Card to several Gentlemen, acquainting them that he had absolutely declined having any Concern in that Office.” Oliver, now on the right side of the debate, could be portrayed as a man of sympathy, aware of and responsive to the “Sensations” of the people. Oliver’s card “being publickly read upon ‘Change, it was tho’’t all Uneasiness would subside.” According to Bernard, however, Oliver’s resignation had not been entirely voluntary, even apart from the intimidation of the night before. “Several Gentlemen” demanded that Oliver make a “publick declaration” of his resignation; otherwise, they said, “his House would be immediately destroyed, and his Life in continual Danger.” It was only after this intervention that Oliver agreed to have the gentlemen read a declaration that he “would immediately apply for leave to resign, and would not act in the office, (as indeed it was impossible for him to do,) until he received further orders.”\textsuperscript{22}

Bernard believed he had “taken all ... necessary Measures” to prevent “Mischief,” and retired at dusk to Castle William to write his letter to the Lords of Trade. Hutchinson was not so sanguine. “Towards the evening,” he wrote, “it was rumored about my turn would be next.” His friends asked him to leave his house. Hutchinson acknowledged the

\textsuperscript{21} Bernard to Board of Trade, 15 August 1765; Hutchinson to unknown, 16 August 1765.
\textsuperscript{22} Boston Gazette, 19 August 1765; Bernard to Board of Trade, 15 August 1765.
danger by sending “my daughters and young son to lodge abroad” while himself staying and
making fast the entrances “in the best manner I could.” The Boston Evening-Post
acknowledged the rumor, that “a certain honorable Gentleman in high Posts, had forwarded
the Stamp Act, by recommending it as an easy method of gulling the People of their Liberty
and Property.” The plural “Posts” was an intentional revelation that the man in question
was Hutchinson. One of the primary complaints against him had been that he held several
offices—Lieutenant-Governor, Chief Justice—in what was to some colonists a clear example
of a dangerous concentration of power in one man. Hutchinson thus embodied the worst
tendencies of imperial overreach. But the reason given for the present anger with him was
only that he had supported and encouraged the Stamp Act.23

The people of the town again assembled that evening. This time, Bernard believed,
the “Gentlemen” who had aided and abetted the previous night’s crowd were not present.
The newspapers would give no indication one way or the other. Atop Fort-Hill the people
erected the makings of a bonfire, an elaborate construction of “a Number of Stages with Tar
Barrels, &c. in the Form of a Pyramid, in the Centre of which was a Flag-Staff, and a Union
Flag hoisted.” Seeing the danger to the town, “the Justices and Selectmen” ascended Fort-
Hill to ask the people to disperse on the grounds that Oliver had resigned, “and had given
Satisfaction to all persons concerned upon that Account.” At first “the Mob were very
incredulous, or perhaps they were unwilling to lose their Frolick.” They dispersed—but only

23 Bernard to Board of Trade, 15 August 1765; Boston Evening-Post, 19 August 1765; Hutchinson to unknown, 16 August 1765.
temporarily. When they assembled again to ignite the fire, "proper persons" again went to speak with them, preventing mischief for the time.24

The newspapers presented the gathering quite differently. The Gazette acknowledged the bonfire, but reported that, "'tis said the Stamp Master sent them a letter with the aforementioned Resolution of Non-acceptance, and Assurance of Endeavors to serve the Province, &c., upon which they thought proper to demolish the Bonfire and retire." The Evening-Post described an even more harmless event: the assembled crowd merely "paid their Thanks to the Gentleman who resign'd by Huzza's, &c." In these accounts there was no evidence of any rift between the common people of the crowd and the gentlemen who had been with them the night before. Given the events of two weeks later, this particular fabulation could not be sustained.25

The newspapers skimmed over the crowd's final action for the night, in which they visited the house of the "honorable Gentleman" or "his H—r the L.—t G—r's," "in order to enquire about the Truth of that Rumour." "But not finding him at home," the Evening-Post reported, "and being assured by some reputable Gentlemen there was no Foundation for the Report, they quietly dispersed." The Gazette only contradicted the Evening-Post in order for the crowd to end with "loud Acclamations in every Quarter of the Town, on account of the Resignation of the Stamp Master; which, they were assured, was forwarded by Express to New-York, to go in the Pacquet from thence." The crowd was quite aware that a resignation meant little without the authorities knowing about it.26

24 Boston Gazette, 19 August 1765; Bernard to Board of Trade, 15 August 1765.
25 Boston Gazette, 19 August 1765; Boston Evening-Post, 19 August 1765.
26 Boston Gazette, 19 August 1765; Boston Evening-Post, 19 August 1765.

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Hutchinson described a rather different experience when the crowd visited his house that night. First, they came not to talk but to act, not to the front door but to the service areas in the rear. “Several hundred came to the back part of my house and finding all fast the leader asked whether they should begin with the coach house or stables.” The crowd forced Hutchinson’s gates and went to the rear of the house, “which finding well secured they moved round” to the front of the house. “With furious knocking at the door [they] demanded entrance promising to do no damage,” the threat, presumably, being stronger than the execution. The crowd “only wanted to speak to me.” More specifically, they wanted Hutchinson to “declare to them I had never wrote to England in favor of the stamp act.” If Hutchinson could swear this, “they would not hurt a hair of my head.”

The threats to Hutchinson echoed the acid test given in the Virginia Resolves:

Resolved, That any Person, who shall, by speaking or writing, assert or maintain, that any Person or Persons, other than the General Assembly of this Colony, have any Right or Power to impose or lay any Taxation on the People here, shall be deemed an Enemy to this his Majesty’s Colony.

Had Hutchinson written to England in support of the Stamp Act, a tax laid by an unrepresentative legislature? If so, he was an “Enemy to this his Majesty’s colony” (a clever juxtaposition, invoking loyalty to the King at the same time as claiming the right to determine who was and was not truly loyal to the King!) And if Hutchinson was an enemy, he could (and should) be prevented, by violence if necessary, from hurting the community.

Hutchinson, still hidden in his house, gave no answer and the crowd “began to break the windows.” It was left for Hutchinson’s neighbors to intervene. One “called out his

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27 Hutchinson to unknown, 16 August 1765.
28 Newport Mercury, 24 June 1765.
window and declared he knew I was not in town.” Another went further: “One grave elderly tradesman” ventured into the crowd “and seeing one of the mob lay hold of the pales asked what he was going to do.” The man replied “pull down the fence.” Hutchinson’s intercessor, perhaps shaking his head, “asked whether [Hutchinson] had ever injured him and then begged them to be silent and being a noted speaker in town meetings he soon engaged their attention.”

Hutchinson reported that the tradesman “challenged every one of them to say I had ever done them the least wrong, [and] charged them with ingratitude in insulting a gentleman who had been serving his country all his days.” This invocation of sympathy could not be wholly denied. Even the spokesman for the crowd “acknowledged they had a regard for me in my private character.” But private character must, he argued, be dissociated from public actions. The spokesman thus argued “it was said I was in favor of the Stamp Act.” Hutchinson would not lie (a point the tradesman must have had to concede, since he had based his rhetoric in Hutchinson’s character). So if the crowd “could know from my own mouth that I was not” in favor of the Stamp Act “they would be easy.”

The tradesman “replied that he would answer for me. I was in favor of no act that would hurt the country but yet it was unreasonable in them to expect, if I was at home, that I should be accountable to them.” Hutchinson’s defender “went on with his harangue until he brought” the crowd’s leaders “to give the word to move.” From there they went to the

29  Hutchinson to unknown, 16 August 1765.
30  Hutchinson to unknown, 16 August 1765.
Province House, looking for Bernard. Finding from his servants that he was at Castle William, "they gave three huzzas, and went away."  

Hutchinson expressed relief at the "raising of the siege," but his words suggested that the crowd may have had some justification. He feared "if I had been obliged to answer their question I must either have enraged them or else given them a handle to justify their extravagant behavior." Hutchinson, of course, believed that the colonists should submit to Parliament's rightful authority and accept the Stamp Act. Parliament, in other words, did have the "Right or Power to impose or lay any Taxation on the People here," in the words of the Virginia Resolves. And Hutchinson's immediate behavior may have raised more suspicions among the people. "For the sake of a more easy mind... as well as to shew some resentment," Hutchinson immediately removed himself and his children to a country house "where I intend to remain a few days."

In a long letter to the Board of Trade, Francis Bernard tried to make sense of the previous days' events. Bernard believed that the Virginia Resolves had been the ultimate provocation to riot. At first, "two or three months ago, I thought that this People would have submitted to the Stamp Act without actual Opposition." But everything changed when, in late June and early July, the northern newspapers published the Virginia Resolves. It was these that "proved an Alarm bell to the disaffected." The Virginia Resolves inspired "an infamous weekly paper," probably the Boston Gazette, which "swarmed with libels of the

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31 Hutchinson to unknown, 16 August 1765; Bernard to Board of Trade, 15 August 1765.  
32 Hutchinson to unknown, 16 August 1765; Newport Mercury, 24 June 1765.  
33 Hutchinson to unknown, 16 August 1765.
most obnoxious kind." Bernard considered the repetition of these "Vehemen[t]" libels to be "preludes to Action." But he had expected that resistance, if it came, would begin closer to the first of November. Nor would it "be carried to such Lengths, as it has been."34

Ensconced safely in the Castle after the second day of rioting, Bernard spun a story about the participants in the riots and their motives. "The abettors of them say," that the mob's visit to Hutchinson's and Bernard's homes "were designed only to desire me & the Lt. Governor to write home to get the Stamp Act repealed." Bernard thought those who had been out on the second night were "I am told, the Lowest of the Mob." But the mob had many "Abettors of Consequence," some fifty "Gentlemen Actors...disguised with trousers and Jackets on," as well as "a much larger Number behind the Curtain." The gentlemen, he had heard, had only participated on the first night, and then only to the point of burning the effigy. Those same gentlemen "took pains the next day to prevent any further Mischief being done to Mr Oliver or his house."35

Despite the moderate actions of the "Gentlemen," Bostonians were fully prepared to continue with violence. They would refuse to allow the Stamp Act to be enacted. "Any Man who offers a Stamped Paper to sell, will be immediately killed." Britain's power would not suffice to stop them, for they would rather "die upon the place first." Bernard admitted that he had dismissed these words at first, but that now, after the riots, he was forced to believe that the Bostonians meant what they said.36

34 Bernard to Board of Trade, 15 August 1765.
35 Bernard to Board of Trade, 15 August 1765.
36 Bernard to Board of Trade, 15 August 1765.
Bernard tried to forestall any thoughts that the townspeople were in a general revolt against authority. It was clear to him that the mob's actions were directed against only the Stamp Act. He had received no "personal insult." The people did not complain that he had issued a proclamation against the rioters, "as it was considered a form of Government." But if he had actually tried to put that proclamation into execution, "I should [have] become an Object of Popular Resentment myself." The people accepted his authority—as long as it was used in support of ends approved by the community. And Bernard knew he had no power to change the state of affairs. The militia was not under his command and there was no "Company of Regulars" within 200 miles. Thus, Bernard knew he had "no Choice but to submit to indignity, and to acquiesce in this high insult upon the Authority of my Government, & wait for a more firm Establishment of it."\(^{37}\)

Concluding his long letter, Bernard tried to place the events of the previous days into a larger context. He accepted the gentlemen "abettors'" position that their goal in visiting him and Hutchinson had only been to influence them "to write home to get the Stamp Act repealed." But the visitors themselves had mostly been "the lowest of the Mob." This contrast between gentlemen and the mob made this riot very different from others in recent times: "Everyone agrees that this riot has exceeded all others known here, both in the Vehemence of Action and mischievousness of intention, and never had any Mob so many abettors of Consequence as this is supposed to have had." At least fifty "gentlemen Actors... disguised with trousers and jackets on" accompanied the crowd as far as Fort Hill to burn

\(^{37}\) Bernard to Board of Trade, 15 August 1765.
the effigies, "& then departed, and had no hand in storming the House." These same gentlemen were instrumental in keeping the crowd away from Oliver's after he had resigned.  

Bernard's eyes had been opened to his own powerlessness. He acknowledged that "no personal insult" had been directed at him. But this was because they realized he could not do anything to stop the crowd. The crowd and its abettors were so secure in their power that they would allow Bernard to keep up the charade that he controlled the city. They allowed him to issue his proclamation ordering the capture of the rioters. This "gave no Offence, as it was considered as a Form of Government." But if Bernard had actually attempted to carry out the proclamation, he was told, "I should soon become an Object of Popular resentment myself." He had no military force with which to "oppose or correct an insurrection of this kind...there is not, that I know of, a Company of Regulars within 200 miles of me." Thus, Bernard had to "submit to indignity, and to acquiesce in this high insult upon the Authority of my Government."  

The balance of power in Boston meant that Oliver was free of blame in resigning his office as stamp distributor. Indeed, Oliver had acted as well as anyone could have. He only resigned "under the Terrors of the first Night, the expectation of great distress upon the second, his Wife and Children drove from their own House, and not safe in any other, himself devoted to Destruction by an enraged & merciless Mob, and no Power in the Place capable of protecting him." By placing the safety of his family over "Considerations of

38 Bernard to Board of Trade, 15 August 1765.
39 Bernard to Board of Trade, 15 August 1765.
Profit," by refusing to "set so mad & incensed a People at defiance," Oliver had
demonstrated his superior qualities—the qualities of the sympathetic man.\textsuperscript{40}

The riot had cemented Boston’s resistance to the Stamp Act. The “common talk”
was that “the Stamp Act shall not be executed here, that a Man who offers a Stamped Paper
to sell, will be immediately killed, that all the Power of Great Britain shall not oblige them
to submit to the Stamp Act; that they will die upon the place first &c. &c.” Bernard had
dismissed this talk before; now, his impotence revealed, he was convinced that the Stamp
Act could not be enforced without “fresh Orders and Powers” from England. John Avery, in
contrast, was jubilant: “What will be the Consequence? I know not neither do I care but
hope that all the provinces will follow this laudible example & pray god that England asserts
their Rights & Priveledges and may maintain them, & Die like Freemen rather than live like
Slaves.”\textsuperscript{41}

One final report on the riot provides an illuminating contrast. The \textit{Massachusetts}
\textit{Gazette}, owned by the official printers to the colony, had come under attack for not
immediately publishing an account of the “Occurrences of Last Week.” The \textit{Gazette}
counterered that—since they were “Tools to none”—they had not been given an account by
the instigators. Nevertheless, the \textit{Gazette} now consented to publish “as concise and true an
Account of that Affair as is in our Power.” That account would be dry as could be, recording
the bare bones of the event while skewering the participants. They noted the effigy meant to
represent Bute, “a Jack-boot with a Head and Horns peeping out of the Top, said by some

\textsuperscript{40} Bernard to Board of Trade, 15 August 1765.
\textsuperscript{41} Bernard to Board of Trade, 15 August 1765; Avery to Collins, 19 August 1765.
of the Printers, to be the Devil or his Imp.” But making it clear that they had not been themselves part of the planning or privy to inside information, they wrote, “but, as we are not acquainted with that Species of Gentlemen, we cannot so well determine whether it was an exact Resemblance or not.” The patriotic subjects of the King who had come out to view the effigy were in the Gazette’s rendering, “So much ... affected with a Sense of Liberty, that scarce any could attend to the Task of Day-Labour; but all seemed on the Wing for Freedom.” The task of demolishing the stamp-office was “soon effected, without receiving any Hurt, excepting one of the Spectators, who happened to be rather too nigh the Brick Wall when it fell.” Even the attack on Oliver’s house allowed the rioters to “bravely shew their Loyalty, Courage, and Zeal, to defend the Rights and Liberties of Englishmen.”

On the second day’s events, they merely wrote that at Hutchinson’s house, “upon being informed by some Gentlemen of Integrity and Reputation, that he had not only spoke but wrote” that he had not had any part in the Stamp Act, “they retired; and having patroled the Streets, returned to their respective Habitations, as quietly as they had done the Night before.” Coming a week after the events, when knowledge of the tumult both evenings would have been well-known throughout Boston, the Massachusetts Gazette’s obvious dismissal of the tensions in the town would have had the effect of highlighting them.

In contrast to the Massachusetts Gazette, Andrew Oliver felt the need to directly disavow what the Boston Gazette had written, “that he had wrote home, that it would endanger the Life of any that did, it being contrary to the Rights and Privileges of

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42 Massachusetts Gazette, 22 August 1765.
Englishmen.” Instead, he had only written that he “desired to be excused from executing the Office of Distributor of the Stamps, and that when they arrive he shall only take proper care to secure them for the Crown but will take no one Step for distributing the same at the time appointed by the Act.” Even this, he admitted, was only “given out by my leave in order to quiet the People.” He still wanted to “bring things to rights: if I cannot issue the Stamps, the People themselves must be the Sufferers.”

Conditions in Boston were dangerous. The sheer mass of people involved in “the Opposition” meant that the state had little power to intervene, beyond “issuing a Proclamation, which it is supposed can have no Effect; and a Guard of six men to defend my House from Pillage after the Mob had quitted it the first night.” The gentlemen who had organized the first night’s events were beginning to see that they had created a danger to themselves. Oliver believed, perhaps wishfully, that they might consent to the use of stamped paper—“but they have so alarmed the lower sort of People that I am doubtful whether they could safely make use of them, however necessary.” He concluded that only the military could enforce the Stamp Act: “I am fully persuaded it will not be in the power of any Native to execute.” The people would try to destroy the stamps upon their arrival.

Britain’s best hope was that Boston would prove to be the only defiant city:

Much will depend on the behaviour of the other Governments: if no Acts of violence should take place there, the temper of our people may lower. As so much depends on this contingency, I dare not presume to give any opinion concerning the measures proper to be pursued by the Administration on this Occasion.


[44] Oliver to Whately, 20 August 1765.
Bernard, too, was concerned that the stamps be protected. He made arrangements for them to be secured by the Royal Navy and in Castle William. Opinion in the city ran strong against this. Townspeople asserted “that the Castle shall not protect the Stamps. Some say it will be stormed by thousands of People; others that the Garrison will give it up at first Summons.” The garrison was only sixty men strong. Bernard might increase it with militiamen, but that would “produce an Effect the very reverse of defending the place.” The little that could be done to strengthen the fort he would do.45

Bernard passed on anecdotes from Boston to illustrate “the Fury, which at present possesses the People of Boston of all Orders and Degrees of Men.” Even the gentry of Boston had to watch their words. One gentleman had said he would submit to the Stamp Act. The response was swift: “a Day was fixed for pulling down his House, and it was prevented not without difficulty.” Another had “mentioned his Expectation, that some regular Forces would be sent into the Town.” He was threatened with the same treatment. An Anglican minister, “having in his Sermon obliquely condemned these Proceedings, has been threatened with the Resentment of the People.” Even more shockingly, “another congregational Minister, well known by his late polemical writings, has, as I have been told by several Persons, justified this Proceeding in his Sermon, and prayed for its Success.” Bernard’s hope was that most people were merely afraid to speak out, “and will appear on the other Side, when they can do it with Safety.”46

45 Francis Bernard to Board of Trade, 22 August 1765, House of Lords Papers, HL 209/348, Library of Congress transcripts, Washington, D.C.
46 Bernard to Board of Trade, 22 August 1765.
But Bernard feared that things would get worse, not better. The Sheriff had been asked by concerned friends to resign, for “it would soon become dangerous for a civil officer to appear.” Already there were plans for a “grand Jubilee” on the first of November, “when I suppose there will be much Mischief done, and Vengeance wreaked upon those who remain friends to Government.” Like Oliver, Bernard believed the best hope was that the other colonies would not act as had Massachusetts. Boston’s leaders, he thought, were encouraging the popular leaders elsewhere: “It is said at Boston, that the same Spirit prevails over the Country: But I much doubt it at present; how it may be brought about hereafter, I can’t say.”  

In Boston, indeed, Bernard’s authority had become little more than a pretense. The people allowed him to act as Governor “in the Council Chamber, provided I don’t attempt it any where else.” They might not allow him even this were it not that they wished to avoid the appearance of open revolt. Only force, directed from Britain, would suffice to restore the correct lines of authority. And even that might not succeed. The mood on the streets was, “let the force from England be ever so great, it will be sufficiently opposed.” The Virginia colonel who in June had suggested alliance with France would have felt a kinship with his Boston counterparts.  

A week after the well-organized effigy-burning and the successful intimidation of Oliver, Boston had slipped in a direction uncomfortable for both the gentlemen opposed to the Stamp Act and the crown officers who wanted to enforce it. The crowd, once risen, had

47 Bernard to Board of Trade, 22 August 1765.
48 Bernard to Board of Trade, 22 August 1765.
purposes that ran counter to those of their ostensible leaders. They were pleased with the
nullification of the Stamp Act, certainly, but what of redressing other grievances? In the
aftermath of the riot, then, tension arose on the edges between each of three points of a
triangle: the crowd, representing the lower classes; the gentlemen of the upper classes; and
the crown officers and their supporters whose social position was based in their relation to
Britain. This situation could not continue for long. At the end of August, the crowd made its
move.

The morning of 26 August Thomas Hutchinson returned to Boston from his
country estate. Friends told him the news: a rumor was circulating that the custom house
and admiralty officers' houses would be attacked that night. They assured Hutchinson that
he should not worry, since “the rabble were satisfied with the insult I had received” two
weeks earlier “and that I was rather popular.” Indeed, few thought the rumors were more
than idle threats.49

At twilight people began to gather in King Street, upon the Exchange—directly in
front of the Town-House. A few “boys and children” started a small bonfire. Some
gentlemen congregating had them extinguish the fire, but it was soon lit again. This time a
“Fire-Ward, perceiving it to rise to a dangerous Height,” tried to put it out or at least
remove some of the fuel. First he was warned, then, persisting, “received a Blow, and such
Tokens of Insult and Outrage,” that forced him to abandon the effort. As darkness fell, a
signal was given: “a peculiar Hoop and Whistle” that summoned “a great number of

49 Thomas Hutchinson to Richard Jackson, 30 August 1765, Thomas Hutchinson letterbooks, 1741-1773,
typescript, Massachusetts Historical Society, Boston; Francis Bernard to Board of Trade, 31 August 1765, House of
disguised Ruffians ... armed with Clubs, Staves, &c.” They took up the cry of “Liberty and Property,” which Bernard interpreted as “their usual notice of their intention to plunder and pull down a house.”

The crowd first visited the house of Charles Paxton, surveyor of the port of Boston and marshal of the vice-admiralty court. There they found not Paxton but his landlord, who explained that Paxton had taken all his things and left. The landlord pointed out that “he had never injured them,” and invited them to his tavern for a barrel of punch. The crowd happily obliged.

Next marked was William Story, register-deputy of the court of vice-admiralty. His house was opposite the north side of the court-house. Perhaps fortunately for Story, he used the lower story of the house as his office. It was apparently that which the crowd was looking for, since they concentrated on the “public Files and Records of that Court.” These, along with his private papers and account books, were “exposed to Ravage and Destruction, and improved as Fuel to revive the expiring Flames.” The house was itself battered and some people looked in the area for Story “with an intention to kill him.” But in half an hour—having fulfilled the principal goal of destroying Story’s admiralty-court records—they had decided to move on.

Benjamin Hallowell, comptroller of customs, was the third victim. His was a larger house, a “new and elegantly finished Building” on Hanover Street, and the crowd treated it

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50 Boston Gazette, 2 September 1765; Bernard to Board of Trade, 31 August 1765; Boston News-Letter, 5 September 1765.
51 Bernard to Board of Trade, 31 August 1765; Boston Gazette, 2 September 1765.
52 Boston News-Letter, 5 September 1765; Boston Gazette, 2 September 1765; Bernard to Board of Trade, 31 August 1765.
much as they had Oliver's two weeks before. "After tearing down the Fences, breaking the Windows, &c. they at length entered the House, and in the most savage and destructive manner broke and abused his Furniture, Chairs, Tables, Desk, Glasses, China, and in that every Thing they could lay their Hands on." From the cellar they drank as much wine and liquor as they could hold. Like the other houses that night, they laid hold of all the private and public papers and in this case (there perhaps being no fire burning) they merely "dispersed" them. At Oliver's the newspapers and even the crown officers noted, little or nothing had been stolen. But at Hallowell's, all agreed, the crowd "destroyed or carried off every thing of value," including about £30 sterling in money.53

The final target of the night was Hutchinson. Two weeks before the crowd had been inclined to go after him, but had been guided to Oliver's and Fort-Hill instead. Hutchinson apparently felt that the danger was over—he had been implicated in neither the custom-house affair or the Stamp Act. So, when the crowd began to gather, he was "at supper and my children around me." Friends came to warn him and Hutchinson took action. He sent his children away and secured himself inside the house as he had done before. But Margaret, his eldest daughter, "repented her leaving me and hastened back and protested she would not quit the house unless I did. I could not stand against this and withdrew with her to a neighbouring house." Hutchinson subtly portrayed himself as the sympathetic man; himself willing to fight the forces arrayed against him, but valuing the lives of those under his protection more. Bernard in his letter to the Lords of Trade gave the same story.54

53 Boston News-Letter, 5 September 1765; Boston Gazette, 2 September 1765; Bernard to Board of Trade, 31 August 1765.
54 Hutchinson to Jackson, 30 August 1765.
“The hellish crew fell upon my house with the rage of devils,” Hutchinson wrote. His son, in the “great entry” of the neighboring house, “heard them cry damn him he is upstairs we’ll have him.” When they did not find him in the house, they began to search the nearby area. Hutchinson and his family retired “thro yards and gardens to a house more remote.” He did not return until four in the morning, after the mob had left, to find that “one of the best finished houses in the Province had nothing remaining but the bare walls and floors. “ The crowd had removed the cupola and sent it crashing to the ground, They broke down the doors, the wainscot, and even the interior partitions, and were systematically removing the slates from the roof when the sky began to lighten.\footnote{55 Hutchinson to Jackson, 30 August 1765.}

As at Hallowell’s the crowd made off with Hutchinson’s goods: his plate, family pictures, “Wearing Apparrel,” close to £1,000 sterling, a “valuable and costly Library.” They “emptied the house of every thing whatsoever except a part of the kitchen furniture.”\footnote{56 Hutchinson to Jackson, 30 August 1765; Boston News-Letter, 5 September 1765.}

But perhaps, for Hutchinson, the worst loss was that of his collection of manuscripts. Hutchinson had a reputation as one of the colonies’ great antiquarians. He had collected a vast store of private and public papers for use both in his official posts and for writing his multi-volume *History of the Province of Massachusetts-Bay*. All these papers were “scattered or destroyed.” The *Boston News-Letter* judged this a crime against not just Hutchinson but also the colony: “the Damage in its Consequences may be esteemed publickly as well as privately, Injurious.”\footnote{57 Hutchinson to Jackson, 30 August 1765; Boston News-Letter, 5 September 1765.}
And Francis Bernard made of the papers' destruction a symbol of the entire tragic event:

But the loss to be most lamented is, that there was in one room, kept for that purpose, a large and valuable collection of manuscripts and original papers, which he had been gathering all his life-time, and to which all persons, who had been in possession of valuable papers of a publick kind, had been contributing, as to a publick Museum. As these related to the history and policy of the country, from the time of its settlement to the present and was the only collection of its kind, the loss of the publick is great and irretrievable, as it is to himself, the loss of the papers of a family, which had made a figure in this province for a hundred and thirty years.58

After the first riot, the newspapers had made of Hutchinson a secondary figure. But now Hutchinson became a hero, the quintessential man of sympathy. Relaxing at dinner, "the evening being warm I had undressed me and slipt on a thin camlet surtout over my wastcoat." The next morning the weather had turned chilly and Hutchinson, his wardrobe destroyed, was forced to borrow mismatched pieces from his friends. That day, the Boston News-Letter explained, the Superior Court was to meet. If Hutchinson did not attend, "notwithstanding his great distress," there would be no quorum. He indeed came, though his regalia had been stolen or destroyed the night before. "His Brethren of the Bench, and the Gentlemen of the Bar habited in their respective Robes, and him in his only Suit! A Scene truly affecting to every humane and feeling Breast."59

The writer for the Boston News-Letter explained why Hutchinson's behavior was so worthy of recognition:

To bear one's own Misfortune with Firmness, and to feel for others, (the Words on the Occasion of an honorable and worthy Gentleman, who has lately take his Residence among us) is the Part of true Philosophy; who then can blush, or be

58 Bernard to Board of Trade, 31 August 1765.
59 Hutchinson to Jackson, 30 August 1765; Boston News-Letter, 5 September 1765.
ashamed of Sympathy with those who have so severely felt the Resentment of a misguided and merciless Rabble.

Even after his house had been destroyed Hutchinson still felt the anger of some Bostonians. He intended to take his family to his Milton country house after the court had met. But on the road Hutchinson encountered several bands of “ruffians” who, he believed, had hid out in the country. They must have been looking for him—his coachman heard one say “There he is.” Listening again to his daughters, who “were terrified and said they should never be safe,” Hutchinson had the coachman turn around and return them to Castle William.60

Meanwhile, Bernard was trying to organize a Council meeting at Cambridge, away from dangerous Boston. But Oliver, in his role as secretary of the council, told Bernard that there would not be any problems in Boston, for “all the Gentlemen in the Place were ready to support the Government in detecting and punishing the Actors in the last horrid Scene, and there was a Town meeting appointed to testify their Abhorrence of it.” Further, it was rumored in the town that a “greater Mischief” was planned for the night of 27 September. The crowd had a list of fifteen houses to attack, including the Custom-house and “the Houses of some of the most respectable Persons in the Government.” The Council meeting was accordingly devoted to measures designed to prevent more rioting. Bernard called out the Boston militia and those of the neighboring towns. He encouraged the gentlemen of Boston to enroll in these companies as volunteers. Many did, especially in the Cadet-Guards. This trustworthy group Bernard assigned to protect the custom-house and its

60 Hutchinson to Jackson, 30 August 1765.
"several thousand pounds of the King's money." The precautions worked: the town was quiet, "except that the Cadets were obliged once to present their pieces, but did not fire."61

In the aftermath of the second Boston riot, the different actors tried to explain what had happened and to predict what would come next.

Bernard tried to explain to the ministry. The first riot had been surprisingly "practicable and easy." The government had been unable to stop it, nor could they take any action against the rioters since "the principal people of the town publickly avowed and justified the act." The result had been that the townspeople felt free to dig up past offenses, public and private, committed by crown officers and to trumpet them "under the Mask of the publick cause." The central grievance was that over a dispute with the Admiralty and Custom-house in 1761.

A townsperson, with the initials B. H., had been in London and had seen the depositions filed there by the Massachusetts crown officers. When he returned to Boston in 1763 or 1764 his story had "occasioned some murmuring" before dying out. But now "this Story has been revived...with fresh Circumstances of Acrimony and Inflammation" that chiefly involved accusations against the person involved in the former case—Thomas Hutchinson. B. H. now "instead of telling his story verbally, reduced it into writing, which was handed about the town." Some merchants panicked, worrying that they had been named in the documents. The merchants' specific fears, Bernard believed, stoked a hotter fury in Boston: "the Clamour, as usual, soon descended from the top to the bottom of the

61 Bernard to Board of Trade, 31 August 1765.
Town, and several persons Houses began to be threatened.” It was this anger and desire for
revenge that “was truly the principal if not the sole Cause of the second Insurrection.”

Bernard concluded that the merchants and the “Mob,” who had been allied in the
attack on Oliver’s, were now at cross-purposes. Bernard believed those who participated in
the second riot were out to erode the hierarchy upon which society was organized, preferring
to conduct a “War of Plunder, of general levelling, and taking away the distinction of Rich
and Poor.” The merchants who had planned and facilitated the first riot “became now as fearful for themselves, as the most loyal person in the Town could be; they found, as I told
some of them, that they had raised the Devil and could not lay him again.”

Yet still resistance to the Stamp Act held strong. Bernard had thought that the
violence of the second riot might cause Boston to disavow the first. But instead “great pains
are taken to separate the two Riots; what was done against Mr Oliver is still approved of as
a necessary declaration of their Resolution not to submit to the Stamp-Act.” Their resolve
was so strong that “even the cruel treatment of him and his Family is justified by its
consequences, thus frightning him into a Resignation.” Indeed, Bernard’s government
depended upon his accepting these conditions. If he refused to abide by them, “the civil
Power will not be supported by the principal People of the Town, as it is assured it shall be
now.”

Bernard believed, then, that the attack of 26 August was not about the Stamp Act at all. Thomas Hutchinson agreed. Like Bernard, he saw that the populace of Boston looked

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62 Bernard to Board of Trade, 31 August 1765.
63 Bernard to Board of Trade, 31 August 1765.
64 Bernard to Board of Trade, 31 August 1765.
differently on the two riots. “The encouragers of the first mob never intended matters should
go to this length and the people in general express the utmost detestation of this
unparallelled outrage.” But, he feared, the people would not learn their lesson about the
“infinite hazard” of loosing violent men “in a government where there is not constant
authority at hand sufficient to suppress them.”

For Bernard and Hutchinson to guess at colonists’ reasons for rioting was one thing.
But the *Boston Gazette*—the paper published by Benjamin Edes of the Loyal Nine, directing
group of the Sons of Liberty—agreed with, and expanded on, the crown officers’ assertions.
“Most People seem dispos’d to discriminate between the Assembly on the 14th of the
Month, and their Transactions, and the unbridled Licentiousness of this Mob; judging them
to proceed from very different Motives, as their Conduct was most evidently different.” The
sentiments of Bostonians were perhaps best illustrated by their faces: “The Countenances of
people almost universally on the former Account, apparently discover’d an Approbation; on
the latter, as might reasonably be expected, every Face was gloomy, and we believe every
Heart affected.” Why the difference in colonists’ views? Here again the *Gazette* echoed
Bernard and Hutchinson’s explanations, while holding its own opinions on what could and
could not be justified.

At some Times and in some extraordinary Cases, the Cause of Liberty requires an
extraordinary Spirit to support it, but surely the pulling down Houses and robbing
Persons of their Substance, especially when any suppos’d Injuries can be redress’d by
Law, is utterly inconsistent with the first Principles of Government, and subversive
of the glorious Cause.

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65 Hutchinson to Jackson, 30 August 1765.
66 *Boston Gazette*, 2 September 1765.
67 *Boston Gazette*, 2 September 1765.
The Stamp Act constituted an "extraordinary Case." It was an internal tax, unconstitutional and with its legal remedies themselves unconstitutional. For the right of trial by jury had been ripped away in favor of trial by vice-admiralty court in far-flung Halifax. The grievances against the customs officers and Hutchinson could, theoretically, be settled by existing legal procedures. In other words, there was no need to resort to extralegal actions against them. Moreover, this misuse of extralegal action damaged its legitimate uses.

Why should Bernard and Hutchinson draw a distinction between the Stamp Act and other grievances if the people themselves did not?

Further, the *Boston Gazette's* reasoning had clear precedent in the Virginia Resolves. The two most controversial resolves defined what should happen when their right to self-taxation had been taken away. First, they were "not bound to yield Obedience" to any such law. Second, they had the right—possibly the duty—to determine that "any Person, who shall, by speaking or writing, assert or maintain, that any Person or Persons, other than the General Assembly of this Colony, have any Right or Power to impose or lay any Taxation on the People here, shall be deemed an Enemy to this his Majesty's Colony." And it is clear that, across the colonies, the people believed that they had a right to act according to this determination. The actions of Bostonians, as explained in the *Boston Gazette*, corresponded precisely to the injunctions of the Virginia Resolves.

The *Boston News-Letter*, in its turn, pointed out what it saw as hypocrisy in the *Gazette*’s argument. The "strange and tumultuous spirit" of Boston after the second riot, they claimed with a good deal of sarcasm, must be distinguished from the "truly noble Opposition to the imposition of internal Taxes" by an unrepresentative British Parliament.
As rioters retreated from the ruins of Hutchinson's mansion in the early morning of 27 August, Newport's merchants were erecting a scaffold and effigies on that city's central common. They hoped for a demonstration to equal that which had forced Oliver's resignation. What they would get instead was more like the one which had just ended.

The merchants had been planning for the last week, since receiving news of the Boston riot. The 27th was chosen since that day would also be a "quarterly meeting of the Newport freeholders." Both the rumored victims, lawyer Martin Howard Jr. and physician Thomas Moffatt, waited on Governor Samuel Ward and asked him to prevent the riot. Ward, in turn, called on the ringleaders Samuel Vernon and William Ellery and asked them to "prevail with their accomplices to forbear proceeding farther in that affair then dismissing them both He only requested their appearance before Him next morning to give an account of their mediations."68

Later Moffatt and Vernon conversed. Vernon professed personal respect for Moffatt but insisted on their right to carry on the demonstration, as "He and his Confederates proceeded upon just principles drawn from the absolute necessity of some proper sacrifices at this dangerous and very critical conjuncture..." The justification was twofold. Moffatt and Howard still insisted that Parliament maintained an absolute authority over the colonies and, further, continually tried to convince others of the same. Further, Howard, in a widely-distributed pamphlet, had "branded the merchants of Rhode Island as smugglers which accusation alone deserves death."69

68 Thomas Moffatt to Joseph Harrison, 16 October 1765, George Chalmers papers, 1606-1812, New York Public Library, New York.
69 Moffatt to Harrison, 16 October 1765.
Vernon here drew on a combination of local and colonial arguments. His argument that Moffatt and Howard spoke in favor of Parliament’s authority and that they tried to draw others to their side recalls the seventh Virginia Resolve as printed in the Newport Mercury: “Resolved, That any Person, who shall, by speaking or writing, assert or maintain, that any Person or Persons, other than the General Assembly of this Colony, have any Right or Power to impose or lay any Taxation on the People here, shall be deemed an Enemy to this his Majesty’s Colony.” Howard’s particular offense against the merchants was the culmination of a pamphlet war over the Sugar Act in late 1764 and early 1765, in which Howard took the side of Parliament against then-Governor Stephen Hopkins and Boston’s James Otis. By the end of the carnage, Howard had shown that Hopkins and Otis’s positions actually contradicted each other and Otis had raged against Howard and his like-minded friends as a “little, dirty, drinking, drabbing, contaminated knot of thieves, beggars and transports, or the worthy descendants of such, collected from the four winds of the earth, and made up of Turks, Jews and other Infidels, with a few renegado Christians & Catholics.”

Perhaps Howard could have forestalled the events. He hinted that he had been given the opportunity to recant. But in an extraordinary, signed letter in the Mercury of 26 August, he refused: “The writer does not retract any Position contained in the Halifax Letter,” Howard wrote, “and therefore does not meanly solicit any Favour or Exemption from the Abuse intended him, because if his Person and Interest become the Objects of popular Revenge for these Sentiments, he thinks he shall never lament the Cause, whatever may be

70 James Otis, Brief Remarks on the Defence of the Halifax Libel, on the British-American Colonies (Boston: Edes and Gill, 1765), 10.
the Consequences.” Howard sought to shield himself in the mantle of the sympathetic man. Newporters would decisively reject that gambit.\footnote{Newport Mercury, 26 August 1765.}

On the same day Howard’s letter appeared, a third person was asked to signal his acceptance of Newport’s community norms. Augustus Johnston had been named stamp distributor for the colony. Complicating issues, though, was that (unlike Howard and Moffatt) he was well-liked in the community. Johnston was also the colony’s Attorney General. Late on the night of the 26th, Johnston was visited at home by “two Gentlemen sustaining considerable Offices in the Colony, and with whom, I had lived in great Friendship.” They told him of the plans for an effigy-hanging the next day and warned him that he would be asked to resign. Johnston, perhaps inspired by Howard’s defiance, flatly told his visitors he would refuse to resign. Nor would he leave town for his own safety.\footnote{Augustus Johnston to Commissioners of Stamps, 31 August 1765, T1/439, fo.96, Public Records Office, Library of Congress transcripts, Washington, D.C.}

The men left. Early the next morning a crowd erected a gallows near the Colony House, where the Newport freeholders would meet that day. Around ten o’clock the crowd reassembled, this time bearing effigies of Howard, Moffatt, and Johnston. The people put halters around the effigies’ necks, heaved them onto a cart and paraded them throughout the town, ending at the gallows “where they were hung up by the Neck and Suspended near 15 feet in the Air.” This happened, according to Johnston, “at the very Instant, the People were choosing their Representatives.” So that none could mistake who the stuffed figures were meant to represent, they had labels affixed to them. Johnston got off easily, having only an inscription “the Stamp Act” attached to his breast and a copy of the Act itself in his hand.
But Moffatt and Howard, though only supporters of and not officers under the Stamp Act, were demonized, all the insults from the previous year's pamphlet war once again levied against them. Moffatt was labeled “that infamous, miscreated, leering Jacobite.” Other labels and a boot with a devil peeking out from it called attention to Moffatt’s Scottish birth and, therefore, his connection to the hated Earl of Bute. From his mouth hung a paper with the words “It is too late Martinius to Retract, for we are all Aground,” a reference to Howard’s defiant letter to the Mercury.73

If Howard had tried to appropriate for himself the role of sympathetic gentleman, how could his claim be denied? The organizers’ answer was to remind the people of the crimes he had allegedly committed. Howard had petitioned Britain to retract Rhode Island’s charter and to make it a royal colony and had written Benjamin Franklin to ask for his help in getting an office under the Stamp Act. James Otis in his Brief Remarks on the Defence of the Halifax Letter had alleged a further crime: that Howard, when beginning his law career, had stolen business from his teacher, the well-respected James Honeyman. The label on the Howard effigy’s breast therefore read “that fawning insidious, infamous miscreant and paracide Martinius Scriblerus”—“paracide” perhaps referring to both Howard’s attack on colonial rights and his crime against Honyman. Howard’s letter to the Mercury was also referenced: a label reading “what tho’ I boast of independance posterity will curse my memory.” A “New Song” was nailed to a post of the gallows, while another note warned that

73 Moffatt to Harrison, 16 October 1765; Johnston to Commissioners of Stamps, 31 August 1765.
“That Person who shall Efface this Publick Mark of Resentment will be Deem’d an Enemy to liberty and Accordingly meet with Proper Chastisement.”

Thomas Moffatt thought that the ceremonial hanging of the effigies was not as well received by the people as the organizers had hoped. By eleven o’clock, when the Governor and the freeholders went into the Colony House, the people had dispersed. Only three figures, trying to appear anonymous in great coats, “flappd hats,” and carrying bludgeons, stood before the “Theatre and figures.” These Moffatt identified as Vernon, Ellery, and fellow merchant Robert Crook—confirming his belief that these merchants were the drivers of the plot, not any unrest over constitutional issues from the people. The logical end to an effigy-hanging was a bonfire built on the effigies, but the merchants worried that the people would not turn out. Therefore, they “sent into the street strong Drink in plenty with Cheshire cheese and other provocatives to intemperance and riot.” The crowd gathered again and, after sunset, cut down and burned the effigies on the spot. Unlike in Boston, when Oliver’s was attacked, there was no violence that night. “The whole was conducted with Moderation,” wrote the Newport Mercury. But customs commissioner John Robinson divined a darker reason. The three men who had been chosen as victims had left town and taken refuge aboard the HMS Cygnet.

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74 Moffatt to Harrison, 16 October 1765; Newport Mercury, 2 September 1765; William Almy to Elisha Story, 29 August 1765, miscellaneous bound manuscripts, 1629-1908, Massachusetts Historical Society, Boston. Almy is quoted.
75 Moffatt to Harrison, 16 October 1765; Newport Mercury, 2 September 1765; John Robinson to Commissioners of Customs, 28 August 1765, T1/442, fo.239, Public Records Office, Library of Congress transcripts, Washington, D.C.
Thinking the threat passed, the three men returned the next day. Rather than take the previous day’s events as an indication they should lie low, at least one chose to appear in public. That afternoon Martin Howard and John Robinson, either by themselves or accompanied by two other gentlemen, were accosted by a man familiar to them.

The colonial newspapers suggested that Howard and Robinson met an unnamed person, who “in Consequence of a private Pique” berated them one-on-two or one-on-four and demanded satisfaction. Robinson, on the other hand, wrote that he and Howard were “attackt and Collared ... by a person at the head of a small party of the Mob.”

Samuel Crandall, a Newport craftsman, apparently had a prior history with Robinson. With an entourage that Robinson described as “a small party of the Mob,” Crandall reproved Robinson, and “insisted on satisfaction.” Robinson wrote that he then retreated to his own house (the *Boston Evening Post* reported that he ran directly to the *Cygnet*). While Robinson made haste away, Howard while Howard faced down Crandall and his friends. Howard, high-handed, chastised Crandall for his “Insolence.” Howard never wrote down his version of events.

Howard was always a defender of proper deference to authority. But Crandall and his friends were in no mood to acquiesce. Whatever deference was owed to Robinson, an appointed crown officer enforcing what were at worst distasteful trade duties, was not to be granted to Howard, a private person who vigorously defended the hated Stamp Act. Thus the anger first directed at Robinson now turned against Howard.

76 *Newport Mercury*, 2 September 1765; *Boston Evening-Post*, 2 September 1765; Robinson to Commissioners of Customs, 28 August 1765.

77 *Newport Mercury*, 2 September 1765; *Boston Evening-Post*, 2 September 1765; Robinson to Commissioners of Customs, 28 August 1765.
As in Boston, early evening saw a larger crowd gather, this time fueled by the added offense of Crandall’s treatment at the hands of Martin Howard. Thus, Howard was the natural first target. And at around eight in the evening the crowd marched on his house.

The narratives of the Newport riot are confused. It is apparent that a large crowd went back and forth between Howard’s and Moffatt’s several times during the night, each time doing more damage until the houses were left ruined. The interior woodwork was destroyed, windows and window frames shattered. Even the *Mercury* acknowledged that at Howard’s they “broke the Windows and Doors all to Pieces, damaged the Partitions of the House, and ruined such Furniture as was left in it.” They destroyed furniture, china, and looking glasses; they carried off Howard’s clothing, linens, and even his bed; and they plundered the wine stored in his cellar. At Moffatt’s they “committed Outrages equally terrible.” Moffatt wrote that the rioters “were even so brutal after hewing down the mahogany cases as to throw what books they could not carry off or otherwise destroy into the well with all my writings Physical instruments and many other articles which I highly valued.” At the end of the evening the crowd returned to Howard’s and “Saw’d down two Trees which Stood before his door and Bro’t them and Stuck them up in two Great Guns which have been fix’d at the Bottom of the Parade some Years as Posts.”

Yet, while this was happening, there seems to have been a second campaign taking place, one of threats rather than direct violence. At different points during the night a crowd visited the various customs officers. They went to the house of Benjamin Wickham, where the custom-house was based, and demanded to see Robinson. The *Mercury* wrote that they

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78 *Newport Mercury*, 2 September 1765; Moffatt to Harrison, 16 October 1765.

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entered through the windows, while a letter from Robinson and John Nicoll in the next week's *Mercury* said that they “tumultuously surrounded the House ... armed with Clubs, &c.” But they accepted that Robinson had by now made his way to the Cygnet and left without doing any damage. They went to Nicoll's but found he had retired to the Cygnet as well.79

The crowd also visited Johnston's. According to Johnston, while the crowd was at Robinson's his friends began removing the furniture from his house, but “a set of Miscreants, who attended the Mob with the hopes of Plunder, entered my House and carried off a great part of my Goods &c but as yet am not able to ascertain my loss 'tho it must be considerable.” Yet later, the crowd visited again, this time demanding Johnston's resignation as stamp master. Johnston said he went to meet them, thinking that “as I had before been popular in the Town had hopes that I could prevail upon them to desist” from the rioting, but friends prevailed upon him not to put himself into the way of danger—nor to expose himself to a situation where he could be forced to resign his office.80

At Johnston's, the colonial newspapers explain, the crowd did indeed desist. The *Boston Evening-Post* explained that they “were stopt and parley'd with by a Gentleman who informed them that the house was not the property of Mr. Johnston.” The crowd accepted a “quantity of Liquor” but “insisted that the Gentleman should deliver up Mr. Johnston's effects the next day, which were then in the House” should Johnston not resign as stamp master. The *Mercury* tightened the narrative, but also suggested that Johnston had himself agreed to resign. The crowd had “surrounded the House of the then Stamp Master; but

79 *Newport Mercury*, 2 and 9 September 1765.
80 Johnston to Commissioners of Stamps, 31 August 1765.
upon Promises of his resigning that Office, they offered no Violence to his Habitation." In the *Mercury*'s telling there was no second "Gentleman" to treat with the crowd.\(^81\)

It seems likely that Newport saw two crowds roaming the streets that night. One concentrated on destruction: heading back and forth between Howard's and Moffett's, with perhaps a detachment removing furniture from Johnston's. The second crowd went to treat with the customs officers and with Johnston, with the very real threat of violence serving as backdrop.

And, the next morning, the physical effects of violence were plain. Howard and Moffett's houses had been devastated and they, Johnston, and Robinson had retreated aboard the *Cygnet*. Yet the chaos generated by the two crowds, intended to cow their victims, had also served to confuse the people of Newport: they thought that Johnston had resigned or at the least agreed to formally resign the office of stamp master. And, as expected, Johnston did submit a written resignation that day.

In their reporting on the first riot in Boston, the *Boston Gazette* and *Boston Evening-Post* had downplayed the dangers. Violence had been relatively ordered and controlled, directed against only those who had directly supported the Stamp Act. And in their reporting on the second riot, the same newspapers had decried the violence directed at other imperial officials, especially Hutchinson, who had nothing to do with the Stamp Act.

The *Newport Mercury* had opposed the Stamp Act from the beginning. And its publisher had been the first to print the most inflammatory Virginia Resolves. Thus, it might be expected that, like the Boston papers, the *Mercury* would have applauded the attacks on

\(^81\) *Boston Evening-Post*, 2 September 1765; *Newport Mercury*, 2 September 1765.
Howard, Moffatt, and Johnston, while decrying the threats to the other customs officers. Yet the *Mercury*’s report neglected to mention the threats to Robinson and Nicoll. It was not until a week later, on 9 September, that they published a letter by the two customs officers chronicling the threats they had faced that night.

Two things happened in between to change attitudes among the better sorts in Newport. First, they received news of the second Boston riot. When planning their own crowd action, Newport’s merchants presumably envisaged it as being just like that in Boston’s from 14 August. Though the attack on Hutchinson’s took place a day before the Newport effigy-burning, the Newport organizers would not have known about the escalation of affairs until a day or two later. Most likely, even if there were rumors, they would have had to wait for full details until the *Boston Gazette* and *Boston Evening-Post* wrote up the event. And those accounts were not published until 2 September—the same day the *Mercury* went to press.

So the people of Newport thought their own crowd action would be interpreted in the light of the successful, disciplined events of 14 August in Boston. Instead, they soon found, it could not help but be interpreted in the light of the transgressive riot of the 26th. The attack on Hutchinson’s showed that Boston’s Sons of Liberty did not have the control they thought they did.

Newport’s merchants may have attempted to subvert themselves the principles of violent resistance laid out by the Virginia Resolves and subscribed to by the *Boston Gazette*. By taking advantage of the violence against the supporters of the Stamp Act to extract concessions from the customs officers, they played on a certain lack of clarity in everyone’s mind regarding the proper use of violent actions.
The second thing that happened to change the *Mercury*'s view was that threats of violence would next be used against them. The day after the riot, the Newport crowd remained riled up. A young seaman, John Webber, proclaimed himself the leader of the crowd and instigator of the previous night's riot. He was quickly detained and brought on board the *Cygnet*. But the crowd (perhaps inflamed by the parallel to impressment) again gathered and demanded Webber's release, to which his captors agreed.

The *Mercury* had little interest in releasing the details of what was a rather embarrassing situation for the merchant leaders of the crowd. Their description portrayed an almost civilized situation. The seaman "like Massianello" declared himself as a leader of the mob. To "prevent any further Evil, some Gentlemen" seized him and transported him to the *Cygnet*. But then a crowd collected and "it became necessary to bring him on Shore again." The seaman then promised to leave the colony, was released, and "the Night passed without any Tumult."\(^{82}\)

Johnston's account differs. What was for the *Mercury* a triumph of reason and negotiation was for him something altogether more passionate and chaotic. According to Johnston, the seaman "was Insolent to several Persons, some of whom were the very people concerned in beginning the Riot, by preparing the Effigies." These men thought, Johnston continued, that by bringing Webber aboard the *Cygnet* they could "atone for the part they had acted." As they brought Webber aboard, though, he "exclaim[ed] that he was betrayed by the very people who set him to work." The crowd again collected, Johnston agreed, but the details of the *Mercury*'s blandly passive locution "it became necessary to bring him on

\(^{82}\) *Newport Mercury*, 2 September 1765.
Shore again” Johnston now revealed. The mob had threatened to “destroy the Houses of those persons, who had seized him.”

The situation descended into farce. The gentlemen went back aboard the Cygnet and explained to the captain that Webber “was the wrong Man, and that the Authority in the Town were in Pursuit of the Ringleader, and that as soon as he was taken, he should be sent on board.” Leslie, deceived, released Webber.

But Leslie’s own account suggests that much more happened that even Johnston was willing to acknowledge. Leslie’s account follows Johnston’s to the point of Webber’s release from the Cygnet. But then,

the moment the fellow got on shore, he insulted them all, and threatened their houses. They begged and prayed him to be satisfied, gave him money, and ordered him clothes, and everything he would have. The Sheriff was so abject as to say to him, ‘What would you have of me? I will do everything to satisfy you; I will lay myself down, and let you tread on my neck, if that will satisfy you.”

Now gentlemen, including Godfrey Malbone, scion of Newport’s wealthiest family, offered to “oppose force to force” if the crowd could not be persuaded to disband. The latter method, however, was successful, and the night remained quiet—at least there the Mercury was not eliding the truth.

That day, the 29th, Johnston had submitted a written resignation. But it appeared he had no intent of honoring it. His friend Moffatt later wrote that Johnston had described it as

83 Johnston to Commissioners of Stamps, 31 August 1765.
84 Johnston to Commissioners of Stamps, 31 August 1765.
“an ambiguous ineffectual declaration” extorted from him, and thus Johnston felt it was not binding.86

Either news of Johnston’s thinking reached Newport or it was realized that the text was indeed ambiguous and ineffectual. The Congregational minister, Ezra Stiles—who had been radicalized by the Stamp Act—apparently went to the town and made his misgivings public. The only sources on this are from the Crown officers and Stamp Act defenders—Johnston, Moffatt, and Capt. Leslie of the Cygnet.

Moffatt painted a picture in which on the morning of 30 August Stiles “came into the street” (rather than preaching inside to a congregation) and “declared the instrument of resignation artful base insufficient and harrangued upon its defects in form and method pointed out that there was no clause obligatory that it was not avouch’d and that not withstanding of it Mr Johnson might execute the office.” Moffatt himself had acknowledged that the resignation was a false one, so the crown officers and their defenders could hardly fault Stiles for his words. Instead they disparaged him for stepping beyond the bounds of civility. Johnston writes (presumably of Stiles) that “one of whom who from his station in Life better things ought to be expected, objected to it, and said in a publick Manner, it was no resignation at all, and that I ought to be obliged to write to the Lords of the Treasury, that I would not accept of the Office.” And Leslie, who must have known Stiles barely if at all, wrote that he “harrangued the mob: ‘Why! this paper is nothing; it will not do; by all that he says here, he may resume his office when he pleases; this is no attestation to it.’” Stiles

86 Moffatt to Harrison, 16 October 1765.
was only halted when a gentleman “checked him by asking ‘How he could behave so unbecoming his function?’”\textsuperscript{87}

The \textit{Mercury} never mentioned Stiles’s oration; in the \textit{Mercury’s} narrative, the city was largely at peace, with all the principals reconciled—at least the genteel ones. The gentlemen of Newport were now united against the threat from below.

For John Webber was again threatening violence: “Destruction to the Town, more particularly to the Persons and Houses of those who seized him the preceding Day, unless they made him Presents agreeable to his Demands.” But Webber had the misfortune to run into Augustus Johnston in the street. Johnston “heroically seized upon him; and some Gentlemen running to his Assistance, they carried him off to Gaol.” Webber was now isolated: “nobody appeared to rescue him, nor to say a Word in his Favour.”\textsuperscript{88}

Johnston’s own account matched that of the \textit{Mercury}. Leslie, though, offered a darker picture of Webber’s captivity. Webber refused to give evidence against the merchants who instigated the riot because, “says he, very wisely, I shall be tore to pieces by those who set me on but if my Person can be secured I will say what I know.” In the end, there would be no real attempt to prosecute the merchants.

So the stamp distributors in Boston and Newport had been forced to resign. This meant that there would be no stamped paper available in Massachusetts or Rhode Island come 1 November. New commissions could only be granted by the Stamp Office in London.

\textsuperscript{87} Moffatt to Harrison, 16 October 1765; Johnston to Commissioners of Stamps, 31 August 1765; Leslie to 29 August 1765, 609-11.

\textsuperscript{88} \textit{Newport Mercury}, 2 September 1765.
Perhaps a governor could grant a temporary commission, but the risk to house and home was hardly worth the potential reward. And, even had there been willing stamp officers, Samuel Ward of Rhode Island was firmly set against the Stamp Act, while Francis Bernard of Massachusetts had seen the fate of his lieutenant governor’s house—and he had merely been accused of supporting the duty, not of directly enforcing it.

Ships from Britain were always landing new arrivals in the port towns, but by August their passengers included the stamp officers for the other colonies. The colonists knew their names and could wait for their arrival. And the stamp officers, for their part, quickly heard about Boston and Newport.

James McEvers, distributor for New York, found the news of the assault on Oliver’s house to be most alarming. Even before the attacks on Hutchinson and the Newport writers, he feared for his property and his business, if not yet for his life. He concluded that the “general Clamour” and the “discontent of the People” meant that it would be “extremely dangerous for any person to execute the office of stamp masters, which has become so very odious to the people, that the very name is mentioned with the greatest contempt & detestation.” He asked a friend in London to help him receive a release from his office. Yet his panic was not total; he asked that, should it be too late to have him released and a new distributor appointed in time for 1 November, that he be retained in office, for “the first month or six weeks service in the office will be the most dangerous & disagreeable part of it.” But, later that day, McEvers retracted even that hedge and told his
London friend that he had been forced to resign “in order to prevent the most dreadful consequences that will probably happen otherwise, very soon.”

Whatever the threats had been, as soon as his resignation was secured the newspapers were quick to praise McEvers:

We congratulate our Countrymen upon the late Resignations of the Stamp Officers and especially the Friends and Well wishers of the Gentleman appointed to that Office in this City. The Number of his Friends and Well wishers, which was considerable before, is greatly increased by this Resignation; which has entirely cleared his Character from the Imputation of joining in the Design to enslave his Country; for we are well assured, as his Appointment was without his Solicitation or Knowledge, so his Resignation was voluntary, and not the Effect of any Menace or Disturbance, nothing of which has yet appeared in this Place.

With his resignation secured, McEvers was allowed to save face and appear a patriot.

Meantime, New Jersey’s stamp distributor William Coxe was blissfully unaware of the pressure being laid upon McEvers. As late as 24 August Coxe was writing plans to the Treasury in Britain for increasing the revenue from the Stamp Act. But on 2 September, witnessed by William Humphreys and Philip Francis, he scribbled a resignation on a scrap of paper. Apparently he had succumbed to subtle intimidation. When he tried to rent a house, it was said, the “Gentleman” who owned it refused him “unless he would insure the House from being pulled down, or damaged.” William Franklin, royal governor of New Jersey, could not understand why Coxe had felt forced to resign. He had heard of no threats. Yet,

90 Pennsylvania Gazette, 5 September 1765.
Franklin felt, he could easily enough find a new distributor, should that be allowed, “one that will execute the Office, with little or no Trouble.”

New Hampshire had word that their distributor, George Meserve, would arrive sometime in mid-September. As unrest grew, his friends made it clear to the public that they would not allow him to take up the office.

Meserve’s ship made port in Boston. Before he could disembark he was brought a letter from “a number of the Principal Gentlemen of this town” warning him that the people would not allow him to leave the ship until he had resigned his office. The Boston Gazette allowed, as had been the case with McEvers, for Meserve to retain his dignity. The Gazette told of how Meserve came on shore and “declared, as he was the unhappy Man who had personally accepted of an Office odious to his Countrymen, he freely resigned it, and determined never to act in that Capacity: Upon this three Cheers were given by a vast Concourse of People, which were repeated at the Head of the Wharf, and again on the Exchange.”

Meserve, too, was less than sincere in his resignation. He believed that by the first of November the people would realize they could not do business without stamped paper.

“Never was an Act better made,” he wrote the Stamp Office, “to execute itself than this is.”

92 Boston Gazette, 5 September 1765.  
93 Boston Gazette, 12 September 1765.
Instead, on 1 November, he would be taken bodily out of Portsmouth and forced into an even more public resignation.94

Connecticut, so quick to receive news from Boston, held its first protests against its stamp distributor soon after Oliver's resignation. In towns on the Thames River, east of New Haven and Hartford, Jared Ingersoll was burned in effigy. At New London the crowd denounced Ingersoll in the words of the Virginia Resolves, shouting at the figure, “There hangs a traitor, there’s an Enemy of his Country.”95 On 19 September a well-organized crowd of five hundred men in Wethersfield intercepted Ingersoll on his way to Hartford for a meeting of the Connecticut Assembly. The crowd refused to let him leave until he had resigned his office; he read a declaration already prepared for him and repeated the performance before the Assembly.96

By the middle of September, then, the ministry’s plans for enforcing a Stamp Act were at a standstill. The colonists had identified a weakness: the stamps had to be distributed by a small number of men, one in each colony. If they could prevent that one man from taking up his duties, the Stamp Act could not go into effect.

And the colonists had been able to target that weakness. The Virginia Resolves provided justification for violence against stamp officers and defenders of the Stamp Act. The riots in Boston and Newport served as proof they would not hesitate to use violence. The

95 Gipson, Thunder-Clouds Gather in the West, 300.
96 Jared Ingersoll to the Connecticut Gazette, 23 September 1765, in Papers of the New Haven Colony Historical Society, vol. 9 (New Haven, Conn.: New Haven Colony Historical Society, 1918), 341-49; Connecticut Courant, 23 September 1765.

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house attacks committed in the two cities translated into real threats for the other colonies. Where mobs had walked in Newport and Boston, it was sufficient for the potential for a mob to rise for other stamp masters to resign. There was, then, a consistent pattern in the threats against the stamp officers.

But the next attack on the Stamp Act would be, not a threat against a single stamp officer, but one against all of them. On 21 September the hawksers on the streets of New York appeared with a new paper, halfway between newspaper and broadside. A wild success, copies of the paper made their way north to Boston where it was reprinted.

Though first distributed in New York, the paper had no true geographical location attached to it. It was entitled the Constitutional Courant and it advertised itself as being printed by “Andrew Marvel, at the Sign of the Bribe Refused, on Constitution Hill.” The heading “Join, or Die” was paired with Benjamin Franklin’s segmented-snake woodcut.97

The newspaper was shorter than usual. It had one sheet instead of two, so was the length of the “extraordinary” editions that many printers added to their papers during the Stamp Act crisis. The Courant contained four items: an introductory note and a concluding note from “Andrew Marvel,” and two essays, by “Philoleutherus” and “Philo Patriae” respectively.

The essays in the Constitutional Courant are best considered as parts of a whole, serving a larger purpose than either alone. One explained the present through the past; the

97 Philoleutherus, et al., The Constitutional Courant: Containing Matters Interesting to Liberty, and No Wise Repugnant to Loyalty ([Woodbridge, N.J]: Printed by Andrew Marvel [i.e., William Goddard], at the Sign of the Bribe Refused, on Constitution Hill, North America, 1765).
other used the present state to strategize for the future. That by “Philoleutherus” looked back on the violence of the past month, celebrated it, and offered justification. It put the attacks on stamp officers into a larger context of resistance to slavery. “Philo Patriae’s” essay was ostensibly more moderate. It acknowledged that the violence of the riots was excessive. But this was merely a rhetorical trick, for the author immediately laid out all the reasons by which violence was not excessive. Instead, Philo Patriae wanted to look forward, to the coming months in which the Stamp Act would be in place, and to lay out a strategy for resistance.

Central to the rhetoric of the two essays was the threat of slavery. Philoleutherus, in fact, invoked the physical markers of slavery as the opening of his essay:

At a time when our dearest privileges are torn from us, and the foundation of all our liberty subverted, everyone who has the least spark of love to his country, must feel the deepest anxiety about our approaching fate. The hearts of all who have a just value for freedom, must burn within them, when they see the chains of abject slavery just ready to be riveted about our necks.98

Colonial authors had repeatedly demonstrated that the colonists were fully British subjects, with all the rights of British subjects including self-taxation. The Stamp Act represented the first time London had tried to attack those rights. Since such a situation had no precedent, Philoleutherus asked, “What then is to be done? Shall we sit down quietly, while the yoke of slavery is wreathing about our necks? He that is stupid enough to plead for this, deserves to be a slave.” The conclusion was unwritten, yet clear. To avoid slavery, one must refuse to surrender. And to avert the Stamp Act, the colonists must continue their struggle against it.

98 This and the following paragraphs quote from the essay by “Philoleutherus” in the Constitutional Courant.
The bombastic introduction gave rise to a slow build. Philoleutherus hoped that the king would exercise his “royal care and benevolence” and not allow the sacrifice of the rights of some of his subjects. The colonists therefore had to “besiege the throne with petitions and humble remonstrances.” The upcoming congress proposed by Massachusetts and to be held in New York was thus of great worth. Yet, some public office-holders—“mushroom patriots”—had refused to endorse that congress. Did they not recognize the threat?

For “liberty and property are necessarily connected together. He that deprives of the latter without our consent, deprives of the former. What is a slave, but one who depends upon the will or another for the enjoyment of his property?” This was the threat of the Stamp Act. If the colonists allowed themselves to be stripped of some property, they were abandoning the right to defend any of their property. In the past it had been single tyrants who had enslaved peoples—but “fellow subjects” could do it just as easily. Further, Parliament, in rejecting the colonists’ petitions on the Sugar Act, had shown the precariousness of the situation. Even a Turkish peasant or a common criminal had the right to have his petition heard.

Philoleutherus had again returned to slavery; after praising the colonists’ attempts at petitions he had shown that such petitions were not enough to maintain their freedom. King and Parliament were themselves benevolent but, in this case, had been misled. And if Parliament transgressed “the bounds prescribed them by the constitution” the colonists would “owe them no more subjection in this respect, than the Divan of Constantinople; to seem to acknowledge such a claim, would be to court our chains.” The young King, once he realized the implications of the Stamp Act and saw the vigor of the colonists’ resistance, would surely demand repeal:
Be assured, my countrymen, whatever spirit we manifest on this juncture, it cannot be offensive to our sovereign: He glories in being King of freemen, and not of slaves. To shew that we are freemen, and resolve to continue so, cannot displease, but must endear us to him.

Neither King nor Parliament, but only “the blackest villains” could be displeased by colonial resistance. Yet too many were “thinking of nothing but tamely yielding their necks to the yoke,” especially in the provinces south of New York. For these colonies to submit would be to reject the example shown by Massachusetts, Connecticut, and Rhode Island. There, colonists had risen up against the stamp officers. Some officers had, nobly, refused to serve. Others had been “intimidated into a resignation, by those hardy sons of liberty.” But a third group “resolved to keep the detested office. These men were the danger, for they were the key to enslaving America. Philoleutherus spoke to them directly:

We cannot be enslaved without you reach out a helping hand: If you emulate the noble example of some of your fellow officers, whose disinterestedness will endear them to generations yet unborn, the chains of thraldom cannot be put about our necks, at least the duration of our freedom will be prolonged. Dare you then bear a part in hastening its final extinction?

No: those who would reject bondage must fight. Philoleutherus concluded:

Can you expect to escape the unseen hand of resentment, awakened by injuries like these? Assure yourselves the spirit of Brutus and Cassius is yet alive; there are [those] who dare strike a blow to avenge their insulted country. Know ye vile miscreants, we love liberty, and we fear not to shew it. We abhor slavery, and detest the remotest aidsers and abettors of our bondage: but native Americans, who are diabolical enough to help forward our ruin, we execrate as the worst of parricides. Parricides! 'tis too soft a term: Murder your fathers, rip up the bowels of your mothers, dash the infants you have begotten against the stones, and be blameless;—but enslave your country! entail vassalage, that worst of all human miseries, that sum of all wretchedness, on millions! This, this is guilt, this calls for heaven's fiercest vengeance. But rouse, rouse my countrymen, let the villain that is hardy enough to persist, do it at his peril. Shew them we have resentment no less keen than our Eastern brethren; will you tamely suffer the execution of a law that reduces you to the vile condition of slaves, and is abhorred by all the genuine sons of liberty? Let the wretch that sleeps now, be branded as an enemy to his country.

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The final sentence, with the phrase "an enemy to his country" echoed the seventh and final Virginia Resolve, the resolve that had brought turmoil to the Virginia House of Burgesses and threats of revolution to taverns from Williamsburg to Boston, the resolve that stated that supporters of the Stamp Act should "be deemed an Enemy to this his Majesty's Colony." From colony to country, the necessity of struggle against the Stamp Act, born in Virginia, had become received wisdom across British North America.

As Isaac Barré and Patrick Henry had both found, a powerful rhetorical trick was to step right up to a line, gesture at crossing it, and to retreat. The *Constitutional Courant* was laid out along similar lines. After the bombast of Philoleutherus's final paragraph came a return to measured rationality in an essay by "Philo Patriae."

Philo Patriae acknowledged that the colonists had done wrong. The violence of the riots in Boston and Newport had been excessive, and because of their excess had hurt the good cause of principled opposition to the Stamp Act. But were the colonists, rightfully angry, really to blame for that violence? No—the true instigators of the riots were the aiders and abettors of the Stamp Act. For if they were willing to advocate the use of arbitrary power, should they not have expected the same to be turned against them? 99

Yet, violence by itself would serve no good purpose. The colonists should instead "throw all possible obstructions in the way of its taking effect, and to treat with the utmost ignominy and detestation, all those enemies and betrayers of their country's most sacred rights, who officiously endeavour to inforce it." For if they were to pay a stamp tax, "that moment we commence as errant slaves as any in Turkey." And, as in Turkey, civilization

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99 This and the next several paragraphs quote from the essay by "Philo Patriae" in the *Constitutional Courant.*
would soon fail. Surely it would be better "to die in defence of our rights, than to leave such a state as this to the generations that succeed us."

Philo Patriae concurred with Philoleutherus that neither the king nor Englishmen who "understand and value their own rights" could plausibly be angry if the colonists asserted theirs. For, surely, the colonists' rights to liberty and property faced a great threat in the Stamp Act, the possibility of being reduced to a "slavish state ... if we ever suffer it to take place among us."

This "slavish state" was no mere metaphor. Submission to the Stamp Act meant submission to any decree of which Parliament could conceive. "If the English parliament can lay these burdens upon us, they can also, if they please, take our whole property from us, and order us to be sold for slaves, or put to death." But surely Parliament should only have such power over the places they had been directly chosen to represent. And since most members had no property in America, they had no interest in preserving liberty there.

Thus, Philo Patriae argued, the "spirit of opposition to the Stamp Act" in the colonies was in no way a "rebellion against lawful authority or disloyalty to our king." For the colonists loved their King and Parliament; they were, after all, one people with those of the mother country. And yet, this was no reason to yield their rights and privileges. Without the "advantages" of the English constitution, "why should we desire to continue our connection? We might as well belong to France, or any other power; none could offer a greater injury to our rights and liberties than is offered by the Stamp Act."

The danger of the Stamp Act, then, was such that the methods of resistance were fully justified. But the Stamp Act was never fully debated, and, Philo Patriae felt, Parliament would surely repeal it soon. "Mean while let us never, for one moment, acknowledge that it
is binding upon us, nor pay one farthing in obedience to it, for it was made by a power, that, by the fundamental laws that both they and we acknowledge, hath no jurisdiction over us.”

The crafters of the Stamp Act were, it was rumored, soon to be removed from their offices. And those stamp officers who still refused to resign would lose their protection. A new ministry would not look kindly on them “for their activity in so odious an office.” Good statesmen knew that if liberty could be taken away in America, the same could—and would—happen in Great Britain.

Philoleutherus had finished his essay with bombast; Philo Patriae, in contrast, offered King and Parliament a way out. Repeal the Stamp Act, and all would be chalked up to the machinations of evil ministers and a trusting Parliament. The English constitution would have proven, again, that it was self-correcting. Yet, on the question of what to do next, the two writers were in agreement. Until the Stamp Act was repealed, the colonists must resist it with all the vigor they could muster. Submission was slavery.100

News of the Courant spread quickly. The Boston Evening-Post wrote of the excitement the paper had raised, described the masthead with the “Join or Die” emblem and included an excerpt and the printer’s introduction. The Evening Post concluded, “There is such a Demand for the above mentioned Paper in these parts, that, we hear, it will soon be republished.”101

Cadwallader Colden, as always, was alert to the danger. He had been fearful of the colonists’ rhetoric throughout the summer. Two days after the publication date on the

100 Essays by “Philoleutherus” and “Philo Patriae” in the Constitutional Courant.
101 Boston Evening-Post, 7 October 1765.
Courant's masthead—but almost certainly before he had seen it—Colden wrote to Henry Conway of "virulent Papers ... filled with every falsehood that malice could invent to serve their purpose of exciting the People to disobedience of the Laws and to Sedition." Always priding himself on his rationality, Colden could not, for some time, "imagine these Papers could have the effect on the Minds of the People which I found they afterwards had." But similar papers had inspired the Boston riots, which in turn had led to McEvers's resignation as stamp master for New York. There was only one conclusion to be reached: it was a conspiracy: "a secret Correspondence has been carryed on throughout all the Colonies; & that it has been concerted to deter by violence the Distributors of Stamps from Executing their office, and to destroy the stamped Paper when it arrives."\(^{102}\)

Yet if he could distribute the stamps on November 1, he felt, "the present Bustle will subside." Colden, without realizing it, had followed the same line of thought as the writers of the papers he so despised, for they too had concluded that any successful enforcement of the Stamp Act would be a death blow to the opposition.\(^ {103}\)

Colden had no effective way to prevent the publication of "seditious papers." He would be opposed by the mob and by his peers. The temper of the town was towards unrest, and any prosecution of the publishers might cause a riot. Moreover, he suspected it was the "most popular Lawyers" who had written the offending remarks, "Countenanced by some of


\(^{103}\) Colden to Conway, 23 September 1765.
the Judges & others in the highest trust in the Government." Colden enclosed a copy of a recent paper—not the Courant—to illustrate his points.\(^\text{104}\)

The Courant, then, confirmed all Colden's suspicions of a "secret Correspondence" among the colonies. On 1 October he sent a copy to Benjamin Franklin in London and on the 12\(^{th}\) he shipped one to Conway. With each copy he explained the circumstances behind its publication. Post riders had distributed the papers along their usual routes. They had received the papers at Woodbridge, New Jersey, where James Parker had a printing press. The same distribution along the post roads had taken place in each of the nearby colonies, with the postmaster kept ignorant of the happenings. The printer Franklin, Colden hoped, could identify the press by the types in the Courant.\(^\text{105}\)

Thus, the Constitutional Courant provided a bookend to the crowd actions in the northern colonies. It put the Stamp Act into a larger context, assessed the colonists' efforts, and pressed them to continue their work. The Courant's narrative of the previous months showed the colonists that, without doubt, the logic of the Virginia Resolves was correct. If the Burgesses had declared who the "enemies" of the country were, the Courant showed how those enemies should be fought.

At the same time that plans to reprint the Courant were afoot in Boston, representatives from nine colonies were meeting in the city of New York. They were there to

\(^{104}\) Colden to Conway, 23 September 1765.
agree upon a united colonial response to the Stamp Act. Colden saw this as another hint of conspiracy. He no doubt feared that they would affirm the message of the Virginia Resolves and the *Constitutional Courant*, setting an official imprimatur on the rhetoric of violent resistance to slavery. As it turned out, he would not need to worry.\textsuperscript{106}

\textsuperscript{106} Colden to Conway, 23 September 1765; Colden to Conway, 12 October 1765.
In the first two chapters we have seen, first, how the Virginia Resolves excited the colonists against the Stamp Act and, second, how the colonists responded with violence and threats of violence against the stamp officers and their supporters. So when, in the wake of the riots, representatives from nine colonies gathered in New York to draft a united statement to send to King and Parliament, one might have expected them to follow suit: to closely follow the Virginia Resolves and to utterly refuse submission to the forces that had imposed the Stamp Act. The colonists would toast the patriotic commissioners with the same vigor as they had celebrated Isaac Barré’s speech, the Virginia Resolves, or the resignations of Andrew Oliver or Augustus Johnston.

None of this happened. The Stamp Act Congress spent nearly two weeks in deliberation and produced an obsequious set of fourteen declarations—declarations of thought, not resolves of action. The boilerplate of the Virginia Resolves was present—the general assertions of the colonists’ rights. But the resolves that had so excited the colonists, that had established the supporters of the Stamp Act as “enemies” and implicitly endorsed violence against them, were gone. Nor were the Congress’s proceedings greeted with joy. Indeed, they were barely greeted at all. The Congress did not make public its debates or the resulting documents. It seems that none of the delegates kept minutes of the debates, and
the Declaration of Rights and Grievances and the petitions to King and Parliament were not published until 1766.

Yet the most important work on the period, Edmund and Helen Morgan’s *Stamp Act Crisis: Prologue to Revolution*, holds up the Stamp Act Congress as an unparalleled example of democratic consensus. Edmund Morgan reiterates in the preface to the third edition that *Stamp Act Crisis* had been intended to “reaffirm the significance of ideas in society, particularly political and constitutional ideas.”¹ The two concepts—democratic consensus and the preeminence of ideas—were inextricably bound. For the Morgans, a people’s ideas were accurately reflected in their democratic institutions. The Stamp Act Congress commissioners had been selected by the colonial assemblies and the assemblies had themselves been elected by the people. Therefore, the Congress’s resulting declarations must remain a mirror to the deepest beliefs of the colonists on political and constitutional ideas. The commissioners in 1765 might have even agreed.

This chapter, in contrast, argues that the Stamp Act Congress represented not the visible culmination of a colonial consensus but a retreat from an emerging consensus. The first part examines the Congress with an eye towards why it resulted in such uninspiring, unrepresentative declarations when more dynamic possibilities were present. The second part argues that the Sons of Liberty represents the further logical outcome of the passions behind the Virginia Resolves, the crowd actions of the summer and fall, and the essays in the *Constitutional Courant*. Rather than the Morgans it reaffirms the view of Carl Becker: “No

¹ Morgan, and Morgan, *Stamp Act Crisis*, viii.
one was likely to be profoundly stirred by this declaration of the Stamp Act Congress, in this month of October when the spirited Virginia Resolves were everywhere.\textsuperscript{2}

In early June of 1765 the Massachusetts Assembly appointed a committee to recommend a proper route of protest against the Stamp Act. The committee, returning, advised that the Assembly call for a congress of representatives from all the colonies. The Assembly accepted the recommendation and sent a circular letter out through the colonies. The letter proposed that committees chosen from the colonial assemblies “consult together on the present Circumstances of the Colonies and the Difficulties to which they are, and must be reduced, by the Operation of the Acts of Parliament for levying Duties and Taxes on the Colonies.” The Massachusetts men had the end result of this congress in mind: “a general, and united, dutiful, loyal and humble Representation of their Condition, to his Majesty and the Parliament, and to implore relief.”\textsuperscript{3}

The circular letter was cautious in tone. The Massachusetts Assembly assumed that the colonies would submit to the Stamp Act. Rather than advocate resistance, its members simply wanted to produce a petition signed by representatives of all the colonies. Their hope was that Parliament would not dismiss such a document as they had those of the individual colonies in late 1764. It was not until the end of June that the Virginia Resolves arrived in New England and the political winds shifted.


\textsuperscript{3} \textit{Journal of the Honourable House of Representatives, of His Majesty's Province of the Massachusetts-Bay, in New-England, Begun and Held At Boston, in the County of Suffolk on Wednesday the Twenty-Ninth Day of May, Annoque Domini, 1765.} (Boston: Green and Russell, 1765), 108; \textit{Proceedings of the Congress At New-York} (Annapolis: Jonas Green, 1766), 1.
Massachusetts proposed that the Congress be held in New York, which could be reached in a few days time from the colonies between New Hampshire and Maryland. The Congress would begin the first Tuesday of October—which was also the first day of that month. The colonial assemblies were asked, should they approve of the Congress, to appoint three members each and to send advance word to the Massachusetts Assembly. The response of the colonies was indeed favorable. Boston papers reported on 5 September that “We hear that the Meeting of the Commissioners from the several Provinces will be general; to the great Pleasure of every Inhabitant of this, where it was first proposed.”

Nine colonies on the continent did send representatives. Of the “original thirteen” New Hampshire, Virginia, North Carolina, and Georgia failed to send delegates. The New Hampshire legislature, beholden to Governor Wentworth, sent regrets and encouragement. The three southern colonies did not have meetings of their lower houses during the hot summers and thus had no time to select and instruct delegates. Neither did Nova Scotia, Quebec, or East or West Florida send delegates—the three latter colonies having no assemblies to appoint representatives.

Of the delegations that did arrive three had only limited powers. The Connecticut, New York, and South Carolina representatives were obligated to return the proceedings of the congress for approval by their legislatures—this wholly contrary to the intended purpose, of sending Britain a petition signed by representatives of all the colonies. Delaware’s assembly had not met during the summer but representatives from each of the three counties

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5 Pennsylvania Gazette, 19 September 1765.
6 Gipson, Thunder-Clouds Gather in the West, 330.
approved an unofficial delegation that would, they assured the congress, certainly have the power to sign for the colony. Only five colonies, then, had sent a delegation properly chosen by their elected legislature—Massachusetts, Rhode Island, New Jersey, Pennsylvania, and Maryland.  

The makeup of Massachusetts’s own delegation was of great importance. As the colony to propose the congress, Massachusetts men would certainly have influence over the proceedings. Thus, Governor Francis Bernard, a conservative, desired to have men of his own choosing in the delegation. The Assembly voted for James Otis Jr., Col. John Worthington, and Col. Oliver Partridge. Worthington, uncomfortable with the idea of defying British authority (he would later become a Loyalist), declined. Timothy Ruggles was elected in his place. Bernard was gleeful about the choices: “It was impossible to oppose this measure to any good purpose and therefore the friends of Government took the lead in it … Two of the three [delegates] are fast Friends to Government, and prudent and discreet Men, such as, I am assured, will never consent to any undutiful or improper application to the Government of Great Britain.” Ruggles and Partridge were indeed “prudent and discreet,” but even Otis was not such a danger as he might seem. He had proposed the congress and so could hardly be left out of it. But in his public behavior (if not his pseudonymous essays), Otis had begun to acknowledge Parliament’s supremacy. Perhaps any worries Bernard had were assuaged when, upon seeing the Virginia Resolves, Otis declared them “treasonable.”

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8 Journal of the Massachusetts House of Representatives, 110; Francis Bernard to Board of Trade, 8 July 1765, House of Lords Papers, HL 209/318, Library of Congress transcripts, Washington, D.C; Morgan, and Morgan, Stamp Act Crisis, 109.
The first order of business was for each of the delegations to produce its appointment. This ritual was of the utmost symbolic importance. The representatives were in New York to oppose an act that they believed had been laid upon them in direct contravention to their rights. They believed that only the colonists or their elected representatives could lay internal taxes upon them, whatever might be the case with trade duties or of other forms of legislation. Thus, they needed to show each other and, eventually, the world, that they had been appointed by duly elected representative bodies, that they were proper representatives of the people on this great stage.9

Most of the legislatures, in their appointments, simply repeated the words the Massachusetts assembly had used in its call for a congress. But the colonial legislatures also had some ideas of their own, ideas that they laid out in their letters of appointment and in resolves passed at the same time as they chose their delegates. The Massachusetts legislature emphasized that the representatives must not acquiesce to any petition that accepted the doctrine of virtual representation. Delaware’s representatives were asked to give special consideration to the colonists’ “Privilege of a Trial by their Peers.” And, forebodingly, Pennsylvania required its representatives “to take Care, that such Addresses in which you join, are drawn up in the most decent and respectful Terms, so as to avoid every Expression that can give the least occasion of Offence to his Majesty or to either House of Parliament.”10

Pennsylvania’s injunction to humbly approach the King and Parliament was in direct contrast to the mindset of the Rhode Island representatives. When that colony’s assembly

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selected Metcalf Bowler and Henry Ward it did so with the understanding that the congress was intended to "agree on the most probable Methods to obtain Redress for the injured and oppressed British Colonies on this Continent." At the same time the Rhode Island assembly passed a set of six resolves closely modeled on those from Virginia that had caused such an outbreak of the spirit of liberty. The Rhode Islanders, acting in the wake of riots that had themselves followed the injunction of the Virginia Resolves to treat all those supporting internal taxes as enemies of the country, did not repeat that resolve. But Rhode Island's penultimate resolve echoed the penultimate resolve of the Virginians as printed in the northern newspapers: "That his Majesty's liege People, the Inhabitants of this Colony, are not bound to yield Obedience to any Law or Ordinance, designed to impose any internal Taxation whatsoever upon them, other than the Laws or Ordinances of the General Assembly aforesaid." And, further, Rhode Island officials were instructed to ignore the Stamp Act: "they are hereby directed to proceed in the Execution of their respective Offices, in the same Manner as usual: And that this Assembly will indemnify and save harmless all the said Officers, on Account of their Conduct agreeable to this Resolution."11

The Maryland legislature did not go so far as to adopt the Virginians' assertion that they did not owe obedience to the Stamp Act. But, like Virginia and Rhode Island, they drew their constitutional line in the sand at internal taxes. Marylanders "have always enjoyed the Right of being Governed by Laws to which they have consented in the Article of Taxes and internal Polity" and had never yielded up those rights. Therefore Maryland's legislature resolved that it had the "Sole Right to lay Taxes and Impositions on the Inhabitants of this

11 Pennsylvania Gazette, 26 September 1765; Newport Mercury, 16 September 1765.
Province or their Property and Effects And that the laying imposing levying or Collecting any Tax on or from the Inhabitants of Maryland under Colour of any other Authority is Unconstitutional and a Direct Violation of the Rights of the Freemen of this Province."\(^{12}\)

Already, then, the different delegations were burdened by their legislatures with different assumptions about the goals of the congress, the particular wrongs they were to right, and the vehemence with which they should express their views to Britain. The wide differences among the instructions given by the colonial assemblies, together with a relatively conservative body of delegates that was yet hampered by their own inability to agree, may have destined the documents produced by the Stamp Act Congress to be bland and uninspiring.

The next order of business was to elect a president of the congress. Here the race was between two of the Massachusetts men, James Otis and Timothy Ruggles. Ruggles won what was apparently a close contest. This result would have pleased Francis Bernard and, by extension, the conservatives across the colonies, for Bernard had instructed Ruggles before the Congress “to get the Congress to recommend submission to the Stamp Act until Parliament could be persuaded to repeal it.” Delaware’s Thomas McKean attributed Ruggles’s victory to the support of the large New York delegation—they had sent five men, while New Jersey and Rhode Island only sent two. Perhaps this was seen as unfair; throughout the rest of the Congress each colony, rather than each delegate, would receive a single vote.\(^{13}\)

\(^{12}\) J. Hall Pleasants, ed. *Archives of Maryland*, vol. 59 (Baltimore, Md.: Maryland Historical Society, 1942), 31-32.

\(^{13}\) Morgan and Morgan, *Stamp Act Crisis*, 109; Francis Bernard to Timothy Ruggles, 28 September 1765, in *The Papers of Francis Bernard: Governor of Colonial Massachusetts, 1760-69*, ed. Colin Nicolson (Boston: Colonial
Looking back nearly fifty years later, McKean remembered the 1765 Congress as cautious. “Indeed,” he wrote John Adams, “some of the members seemed as timid as if engaged in a traitorous conspiracy.”

From the inside, Delaware’s Caesar Rodney confirmed that the delegates argued over “the British Constitution, and the Rights and Privileges of the Colonists under that Constitution as Subjects of Great Britain”—in particular, the “Prerogative Power of Parliament.” Thomas Gage’s description of the debates, or of what he was told by the delegates, was similar: “The Question is not of the Inexpediency of the Stamp Act, or of the Inability of ye Colonys to pay the Tax, but that it is unconstitutional & contrary to their Rights, Supporting the Independancy of the Colonies & not subject to the Legislative Power of Great Britain.”

Over three weeks, the delegates argued over these questions in closed debates. Yet there was one point that was not under serious debate: that the Stamp Act was fundamentally illegitimate. It was an internal tax for the sole purpose of raising revenue, with no pretense to regulating trade, and it had been imposed by Parliament rather than the colonial assemblies. Yet if they could agree that it was illegitimate, they could not agree on why. What particular qualities of the Stamp Act made it such a violation? And since the


14 McKean to Adams, 20 August 1813, 60-62. The view from the British standpoint was very different. Thomas Gage, for one, was concerned “that the Spirit of Democracy, is strong among them.” Thomas Gage to Henry Conway, 12 October 1765, in The Correspondence of General Thomas Gage With the Secretaries of State, 1765-1775, ed. Clarence Edwin Carter (New Haven, Conn.: Yale University Press, 1931), 69-70.

reasons they laid out for its illegitimacy would lead naturally to positions on other laws such as the Sugar Act the delegates had to tread carefully.

Indeed, there was far less unity over the nature of the Sugar Act. Some thought it a trade duty and thus within a category that Parliament had the right to impose. Of these, some no doubt thought it in practice unfair and were happy to protest on practical grounds for its repeal. A more nuanced argument held the Sugar Act illegitimate since it was specifically intended to raise revenue rather than control trade. It was, therefore, an external tax rather than a trade duty. This argument—that external taxes were unconstitutional—would become more accepted in the succeeding years after the Townsend duties were enacted.

All or almost all the delegates believed that, in theory, Parliament did not have the constitutional right to impose an internal tax. But this did not mean that the colonists should not obey. Timothy Ruggles, for example, wanted the Congress to recommend submission to the Stamp Act until Parliament repealed it. Further, they should only protest as individual colonies, not as a united group. James Otis also thought the colonists should submit but that this was merely a pragmatic decision—they would be quite justified in refusing to pay stamp taxes. But again, it is doubtful that he took this position at the congress, for he was remembered much later for his words there in the colonists' cause.16

There was a general sense that Parliament could impose trade duties to regulate the commerce of the empire. Here the argument was whether the Congress should explicitly acknowledge Parliament's power. In an early draft of the Declaration of Rights John

Dickinson wrote that all acts of Parliament were obligatory on the colonists except those which violated the colonists’ freedom. Other delegates thought this gave away too much. In the end, they accepted a formulation drafted earlier by Connecticut’s William Samuel Johnson that the colonists owed “due subordination” to Parliament—leaving the specifics of that due subordination untouched. C. A. Weslager has argued that by this the delegates intended to say that Parliament had the right to regulate trade and to exercise legislative authority in the colonies so long as their actions did not conflict with taxing or the other prerogatives of the colonial assemblies. Yet it was very definitely not Gage’s worst fear—that the congress would try to clearly define the relationship between Parliament and the colonies.17

But could Parliament impose trade duties with the explicit purpose of raising revenue? It is not clear that most colonists ever thought through this question. They were focused on the distinction between internal and external taxes and were therefore less concerned with the purpose of the tax than the way in which it was levied. It was John Dickinson who tried to cut through the fog by explicitly defining a tax as “an imposition on the subject for the sole purpose of levying money,” a definition he believed was accepted by the rest of the congress. But how could this help? The Sugar Act might have had the purpose of raising revenue from the colonies, but it was not the sole purpose—it was also a trade regulation. So was the Sugar Act an unconstitutional external tax or a constitutional trade duty, if one viewed as onerous?

Dickinson believed Parliament had the right to regulate trade but not to levy internal or external taxes for the purpose of raising revenue. The delegates from the northern and middle colonies largely agreed with the first assertion. But the southern delegates—particularly South Carolina's Rutledge and Lynch—believed that Parliament could not levy taxes for raising revenue, for regulating trade, or for any other purpose. New Yorkers and cousins Robert R. Livingston and Philip Livingston thought the congress should formally acknowledge Parliament's right to impose trade duties for the purpose of regulating trade. Why, he asked, would England want colonies otherwise? And if the colonies conceded this point, Parliament might be more willing to compromise on the more important question of internal taxes. But again the South Carolina delegates and Delaware's Caesar Rodney opposed this concession.

Whatever rights the colonists possessed must have a source. Yet the delegates were unable to agree on how they had obtained those liberties. The argument was between those delegates who wanted to focus on the rights bestowed in colonial charters and those who felt such an argument was insufficient. Virginia, Maryland, Pennsylvania, and Connecticut had charters that specified that their colonists had the rights of natural-born Englishmen. Rhode Island, Maryland, and Pennsylvania had referred explicitly to their charter rights in protests against the Stamp Act. Even James Otis had advanced the idea of charter rights in his writing. But Christopher Gadsden opposed too great a reliance on charter rights in the declarations of the congress. Each colony, he argued, had its own charter: did that not mean that each colony should protest individually? And John Dickinson and James Otis both

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18 Weslager, *Stamp Act Congress*, 129.
believed that the colonists should appeal to natural rights—those, after all, could by
definition not be taken away.20

Beyond arguments over Parliament’s powers and over the nature of the colonial
rights which circumscribed those powers, more questions arose: How obeisant should the
colonists be towards King and Parliament? How much authority should they acknowledge?
What recourse did the colonists have to push back against those who tried to trample on
their liberties? These questions, more than anything, would define the difference between
the declarations made by the Stamp Act Congress and the prevailing sentiments among the
colonists.

The original call for a congress, and the appointments and instructions that followed,
emphasized that the congress must acknowledge the authority of George III and his
Parliament. And indeed, the declarations of the 1765 Congress began with a standard
voicing of deference. In particular, they promised “all due subordination” to Parliament. In
the context of the debates in the Congress, the wording was a defeat for the conservative
delegates. Yet the Virginia Resolves had been more radical still in their assertions of precisely
what subordination Parliament was due and what was the prerogative of the colonial
legislatures.21

20 The Pennsylvania resolutions against the Stamp Act, crafted by Dickinson, specified that “the Constitution of
Government in this Province is founded on the natural Rights of Mankind, and the noble Principles of English
Liberty, and therefore is, or ought to be, perfectly free.” Dickinson, The Political Writings of John Dickinson, 1764-
1774, 173; Weslager, Stamp Act Congress, 131-35. Gadsden later wrote, "But had we consented to the addition that
was so strenuously proposed to be made to the first Declaration of the Opinion of the Congress, I am sure we
should have been far, very far from having the thanks of our House. The attachment the eastern gentlemen seemed
to have to it, I imputed to their Charters, but I must own I was unable to account how any other gentlemen could
be so particularly fond of it.” Christopher Gadsden to Charles Garth, 2 December 1765, in Documentary History of
21 Proceedings of the Congress At New-York, 15, article I.
The two documents established their arguments by recourse to a similar structure that would now be familiar on both sides of the Atlantic. Both began by asserting the rights under which the colonists denied Parliament’s ability toconstitutionally levy a stamp tax. And both drew on the British constitution as the safeguard and guarantor of those rights. The Declarations held that the colonists possessed all “the inherent Rights and Liberties of [his Majesty’s] Natural born subjects, within the Kingdom of Great-Britain.” Similarly, the Virginia Resolves stated that “the first Adventurers, Settlers of this his Majesty’s Colony and Dominion of Virginia, brought with them, and transmitted to their Posterity, and all other his Majesty’s Colony, all the Liberties, Privileges, Franchises, and Immunities, that have at any Time been held, enjoyed and possessed by the People of Great Britain.”

But the Virginia Resolves also went on to cite the colony’s two charters as granting them “all Liberties, Privileges and Immunities of Denizens and Natural Subjects.” The Stamp Act Congress rejected this line of argument because not all the colonies had such charters and, more importantly, it seemed logical that an argument from charter rights implied that each colony should petition individually. The third alternative put forth at the Congress had been a protest grounded in the more general theory of “natural rights.” But that argument did not find its way into the Declarations, nor had it been invoked in the Virginia Resolves.

The differences among the colonies, then, were still great enough that the only justification they could agree on was the argument from charter rights. Each colony might

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22 Proceedings of the Congress At New-York, 15, article II; Maryland Gazette, 4 July 1765, resolve 1.
23 Maryland Gazette, 4 July 1765, resolve 2.
have had a more trenchant argument against the Stamp Act, but the consensus across colonies was less certain than the consensus within any colony.

The colonists’ rights established, both documents agreed that those rights had been violated by the Stamp Act. The Declarations held, “it is inseparably essential to the Freedom of a People, and the undoubted Right of Englishmen, that no Taxes be imposed upon them but with their own Consent, given personally, or by their Representatives.” And the Virginia Resolves called “the Taxation of the People by themselves, or by Persons Chosen by themselves to represent them … the Distinguishing Characteristic of British Freedom.” Thus, the colonists’ freedom—and their Britishness—was bound up with their right of self-taxation.24

Both, again, agreed on the logical corollary of the colonists’ right to self-taxation: “That the only Representative of the People of these Colonies, are Persons chosen therein by themselves, and that no Taxes ever have been, or can be Constitutionally imposed on them, but by their respective Legislature,” wrote the Congress. It was only the colonial legislatures—those bodies elected by the people—that could tax the colonists. Similarly Virginia’s Burgesses had declared that “the General Assembly of this Colony,” with the king’s consent, “have the Sole Right and Authority to lay Taxes and Impositions upon It’s Inhabitants.” Yet the Burgesses redacted this declaration the next day—perhaps for the direct challenge to Parliament that followed it, “That every Attempt to vest such Authority in any other Person or Persons whatsoever, has a Manifest Tendency to Destroy

24 Proceedings of the Congress At New-York, 15, article III; Maryland Gazette, 4 July 1765, resolve 3.

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AMERICAN FREEDOM." But the whole was printed in the northern newspapers as if the
Burgesses had passed it.25

The Declarations of the Stamp Act Congress also dealt with specific burdens placed
on the colonies, both by the Sugar Act and the Stamp Act, that the Virginia Resolves had
not met. First was the issue of virtual representation. In the months since the Virginia
Resolves had been penned, the colonial newspapers had reprinted essays from London
newspapers that attacked the colonists' rights. British writers now argued that the colonists
had no cause to complain about Parliamentary taxation, for they were "virtually
represented" therein in the same manner as many areas of England. The Massachusetts
assembly had instructed Ruggles, Otis, and Partridge to oppose any suggestion that this
argument was valid. Further, there had been rumblings that Parliament might admit several
members from the colonies. The colonists rejected this argument as well, on the grounds
that a handful of representatives a month's travel from their constituents could not possibly
do justice to the colonies' needs. The Congress agreed, for their Declarations stated that
"the People of these Colonies are not, and from their local Circumstances cannot be,
Represented in the House of Commons in Great-Britain."26

The delegates to the congress wrote that "Trial by Jury" was the right of "every
British Subject in these Colonies," that the expansion of Admiralty courts subverted the
colonists' rights, that the duties under the Sugar Act and the Stamp Act would not only be

25 Proceedings of the Congress At New-York, 15, article V; Maryland Gazette, 4 July 1765, resolves 4 and 5.
26 Proceedings of the Congress At New-York, 15, article IV.
“extremely Burthensome and Grievous,” if not actually impossible to pay because of the chronic lack of specie in the colony.27

Further, the delegates wrote that the colonists were essential to the manufacturing industry—and thus the revenue—of Great Britain, for all the profits of their trade went to purchasing goods. And the duties and taxes would “render them unable to purchase the manufactures of Great-Britain.” They left the conclusion unsaid but surely meant to imply that the Stamp Act and trade duties must lead of their own accord to the crippling of Britain’s steady revenue stream from the colonies, rather than, as the acts intended, increase that revenue.28

The delegates skillfully tied together their arguments on rights with those based in economic realities with their twelfth declaration, “That the Increase, Prosperity, and Happiness of these Colonies, depend on the full and free Enjoyment of their Rights and Liberties, and an Intercourse with Great-Britain mutually Affectionate and Advantageous.” Britain’s well-being, they had established, was wedded to the revenue from vibrant, growing colonies that consumed British manufactures. Now the delegates argued that the colonies’ happiness and growth depended on their “enjoyment” of their rights—the rights the delegates had just asserted. Thus, Parliament needed to affirm the colonists’ rights for the sake of the empire’s continued prosperity.29

So the Declarations of the Stamp Act Congress and the Virginia Resolves were similar in those assertions that dealt with the basis and the implications of colonial rights.

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27 Proceedings of the Congress At New-York, 15, articles VII, VIII, and IX.
28 Proceedings of the Congress At New-York, 15, articles X and XI.
29 Proceedings of the Congress At New-York, 15, article XII.
These were the Resolves that Virginia’s burgesses had actually passed. And the Declarations gave specific examples of how their rights had been violated and of how those violations hurt Britain as well as America. But the Virginia Resolves as distributed through the colonies went beyond discussion of rights to assert what could be done in defense of those rights. This was the greatest difference between the two documents: the violent methods of resistance advocated by Henry’s resolves implied a very different relationship to a Britain that enforced the Stamp Act than did the reliance on petitioning authority implicit in the Declarations.

The fifth Virginia Resolve stated that taxes imposed by Parliament the colonists “destroys” American freedom. This was the resolve that the Burgesses had first passed, then repealed. The Declarations, too, established that such a tax was unconstitutional. Yet in the context of the Virginia Resolves, this fifth statement served as a rhetorical pivot. By moving from the abstract discussion of taxes and rights to the vivid language of destruction, it took the Resolves from an abstract exposition of rights towards concrete steps for asserting those rights. 30

The Virginia Resolves asserted, first, a direct challenge to Parliament’s authority: Virginians had no need to pay taxes laid by anyone other than their elected assembly. Second, the Resolves declared that those who said or wrote that Virginians should submit to such taxes were “enemies” of the colony. The colonists, in short, had a right to resist the Stamp Act, and there were no limits specified to the extent of legal resistance. In contrast,

30 Proceedings of the Congress At New-York, 15, article V; Maryland Gazette, 4 July 1765, resolve 5.
the Declarations of the Congress merely asserted that the colonists had a right—and a
duty—to petition for redress.31

With the Declarations accepted, the congress next had to prepare petitions to the
authorities in Britain. All agreed that an address must be sent to the King. But South
Carolina's representatives Gadsden and Lynch argued that nothing should be sent to the
House of Lords and the House of Commons. Christopher Gadsden explained that the
Commons had refused to accept the colonies' earlier petitions against the proposed Stamp
Act “as we neither hold our rights from them or the Lords.” Moreover, the address to the
King could simply ask the monarch to “lay the matter before the Parliament.” The South
Carolinians' proposal was voted down and appeals sent to the two houses of Parliament as
well as the King. Gadsden commented that since “union is most certainly all in all, the
Memorial to the Lords and Petition to the Commons were supported by us here equally
with as much zeal as if we had voted for them at the Congress.”32

Like the Declarations, the petitions were conservative in their language. They
acknowledged “due subordination” to Parliament. The petition to the Commons included
additional arguments on the threats to trade made manifest by Parliament's actions. It was
in the Commons that the colonists could expect the greatest support and it was there, where
merchants and manufacturers held seats, that this argument might sway the most votes.

If the original goal of the Congress had been to present a united front to Britain, the
final disposition of the documents made the colonies seem anything but in accord. Delegates

31 Proceedings of the Congress At New-York, 16, articles XIII and XIV; Maryland Gazette, 4 July 1765, resolves 6 and 7.
32 Gadsden to Garth, 2 December 1765, 9.

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had come to New York from nine counties, but those from the host colony, Connecticut, and South Carolina were not empowered to sign. They would have to present the Declarations and petitions to their respective assemblies before adding their names.³³

That had been known before the congress had settled down to business. But what came next was a surprise. Two delegates, including the president of the congress, refused to sign. New Jersey's Robert Ogden and Timothy Ruggles of Massachusetts "for Reasons best known to themselves, if they had any, refused to sign, and abruptly left the Congress before the Business was compleated." The rest of the commissioners and their home assemblies saw Ruggles's and Ogden's actions as duplicitous. Ruggles, in particular, could have changed the course of debate at any time in his role as president. Ruggles would be censured by the Massachusetts Assembly, while Ogden would soon resign as speaker of New Jersey's.³⁴

The Stamp Act Congress did not immediately release its Declarations or petitions. The justification proffered was that it would be a mark of disrespect for them to be generally distributed before their intended audience in Britain could have the opportunity to accept them. Already, though, enough news of the dissension at the Congress had seeped out for colonists to be suspicious. There were high hopes before the delegates had met; now they were no longer willing to commit to whatever path the commissioners had chosen. The Boston Post-Boy, itself publishing on unstamped paper in defiance of the Stamp Act, argued:

Commissioners from almost all the colonies had held a congress at New-York, to agree upon and send home such remonstrances, petitions, &c. as might be thought proper to obtain a repeal of the stamp act—But whatever might be the result of their proceedings, the generality of the friends to liberty, did not choose that it should

³³ Pennsylvania Gazette, 24 April 1766.
³⁴ Pennsylvania Gazette, 24 April 1766; Weslager, Stamp Act Congress, 149-57.
ever once be thought that the enjoyment of their rights depended merely upon the success of these representations or the courtesy of those to whom they were made.\footnote{Boston Post-Boy, 18 November 1765.}

The Stamp Act Congress, then, was a great disappointment to the colonists who had come to their opposition to the Stamp Act through reading of Isaac Barré’s impassioned speech in the papers and the Virginia Burgesses’s stand against the “enemies” of the colonies. The riots of August and the forcing of stamp officers’ resignations had been the natural next step for those who saw the struggle against the Stamp Act as a struggle against slavery. The dithering they detected from New York suggested that the Congress had taken this progression backwards, not forwards. There was a growing colonial consensus, but it was not for the negotiated compromises of the Stamp Act Congress.

Weslager argued that, though it was true the Congress had inspired neither the riots against nor the resignations of the stamp masters, it had led to one important outcome: it provided a basis and an inspiration for non-importation agreements among merchants in the largest colonial cities. The economic threat posed by these boycotts was then instrumental in the decision by Parliament’s decision to repeal the Stamp Act in early 1766.\footnote{Weslager, Stamp Act Congress, 240.} Chapter 4 will show, however, that even this result of the Stamp Act Congress had little effect on the eventual repeal.

In the meantime, without knowing what had been said in New York and sent across the ocean, colonists continued the process begun in the attacks on the stamp officers, to join together in extralegal organizations to defend themselves against the threat of slavery. These new groups used violence, threats of violence, and the rhetoric of slavery to enforce unity in
the name of nullifying the Stamp Act. In the process, they would unite the people of single communities while creating alliances among many.

When Isaac Barré stood before Parliament, and, as the colonists read it, “with eyes darting fire, and an outstretched arm … with a voice somewhat elevated, and with a sternness in his countenance, which express’d, in a most lively manner, the feelings of his heart” he named the colonists as “sons of Liberty.” This speech served to inspire his American readers, and those who resisted the Stamp Act took Barré’s epithet and made it their own.

The Sons of Liberty began as small cohorts in the seaboard towns. But they quickly made contact with one another. The mechanism for contact may have been previously-existing mercantile relationships. When merchants in their local Sons traveled to another city they saw a different response to the crisis and were in a position to either offer support, or, as necessary, ask for it. In November 1765, New York’s Joseph Allicocke wrote his friend and fellow New York Son John Lamb when Lamb was in Philadelphia. In New York there was a rumor that Philadelphians were using stamped papers. Many New Yorkers and New Jerseyites were prepared to march to Philadelphia to stand fast with their Pennsylvania brethren against tyranny. They would “Swarm like the Industrious Bees, to assist with Heart and Hand to scourge the base Enemies of our Country and our greatest Darling LIBERTY whensoever or wheresoever may happen, that they should be so depraved as dare to meddle with the Infernal Stamps.” But in New York the situation was not so bad, for the stamps were in no danger of being used and newly installed Governor Moore had shown himself to
be "a man of good Sense, and much inclined to such measures as will promote Peace and a
good Understanding with us."37

A note Allicocke attached testified to the previously-existing relationships. He asked
Lamb to distribute a enclosed document (unfortunately not preserved) “with Speed, privacy,
and usual Secrecy” to John Hughes, the “Coffee-House,” and a third place of Lamb’s
choosing. Allicocke knew that, given the vagaries of locating Lamb in a city not his own, he
might not receive the letter. Thus he asked another merchant, John Bayly, should he wind
up with the letter, “to follow the above Instructions implicitly; in Pain of the Welfare of his
Tea Pot.” Here Allicocke was speaking directly to a friend, one with whom he had no doubt
shared food and drink as well as the vessels in which such things were served.38

Much of the tension stemmed from the knowledge that elsewhere in the empire the
Stamp Act had been enacted. Halifax in Nova Scotia was closest to the Northern seaports.
Though earlier reports had held that “the Inhabitants are very uneasy with the Beginning of
their Slavery, and it was thought they would not be holden of their Chains long,” such hopes
did not come to pass. By February hopes were dimmer, for Boston printers received several
Halifax newspapers, “with a bloody red Stamp on each, as terrible as Death to Printers,
being two Daggers through a crown, or under it, and the Points toward the Word America
on the Top.” Even the crest showed the Stamp Act as malicious: it had thrust through
British liberty towards its next victim, America.39

37 Joseph Allicocke to John Lamb, 21 November 1765, John Lamb Papers, 1762–1795, New York Historical
Society, New York.
38 Allicocke to Lamb, 21 November 1765.
39 Pennsylvania Gazette, 5 December 1765, 13 March 1766.
In Georgia, too, the news was bad. Reports trickled northward through Charleston that the Stamp Act was in operation, if only for "the clearing out of Vessels" from Savannah. But echoing their northern cousins, Georgia merchants and others had “entered into Bonds” to refuse all other uses of stamped paper. A detailed missive from that colony warned readers that continued resistance was necessary:

Our Liberty here is at a very low ebb. When we received the first accounts of the opposition made to the stamp act to the northward, the same spirit took place here, and there seemed to be a general dislike to it; but of late some of our merchants (finding their interest concerned) who at first exclaimed most against the act, drew off, and have even endeavoured to suppress the spirit of liberty, by gaining over the greatest part of the ship masters to their side. The number of the sons of liberty are too few here to make any head against the other party, which is supported by the rangers of this province.

Protests had been quelled by the Governor’s guards and the stamp distributor had arrived and was waiting in Fort Halifax for the right moment to emerge. “I am afraid as matters now stand we shall have stamping enough tomorrow or next day,” concluded the correspondent. “Any opposition will now be fruitless, as those yet hearty in the cause of liberty, are but few in number.”

The Sons’ first priority, therefore, was to prevent the enactment of the Stamp Act. To do so they would have to keep their communities united against it. In the previous chapter we saw how the nascent Sons used the rhetoric of sympathy and of slavery against the incumbent stamp officers and their supporters. This language, its success proven, would be deployed throughout the winter and spring of the coming year. So too would coercion and threat, echoes of the attacks on stamp officers’ houses before 1 November. But previously these methods had depended on an obvious target—the men who had accepted

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40 *Pennsylvania Gazette*, 13 February 1766.
stamp offices and were present and visible in the colonies. Now the Sons had to maintain the same passion among themselves and their people without the focus of a direct threat.

The attacks and threats of attack against the stamp officers had worked. Nobody could be found to accept an office; it was difficult even to get someone to accept responsibility for the stamps. The communal actions had also created a spirit of community, both locally and (through, especially the print media) beyond. The Sons of Liberty therefore kept up these public ceremonies. Before the center of the ritual had been the burning of an effigy. But without a stamp officer to threaten, what could be the focus of their ire? The answer became the stamped paper itself.

Up and down the coast the Sons of Liberty created spectacles whenever a stamped paper was found. All of that in the colonies from New Hampshire to South Carolina had been accounted for—it was stored in a coastal fort or stowed away in a Royal Navy ship. But stamped paper still circulated throughout the British Atlantic. Throughout the colonies the customs system required each ship leaving a port to have a properly authorized pass. These passes were one of the many documents on which a stamp tax was now levied. In the colonies where the Stamp Act had been nullified the ports were either closed or ships left without stamped passes. But where the Stamp Act was enforced—Halifax, the Caribbean islands, even Georgia—captains left port bearing stamped passes.

When these ships landed at Boston or New York or Philadelphia, then, they bore the physical manifestation of the hated stamp tax—the stamped papers themselves. The Sons of Liberty took full advantage.

On the night of Thursday 12 December a ship arrived at New York bearing bad news from Quebec: the Stamp Act had been enforced in that colony. The ship carried "a
stamped Let Pass ... from Governor Murray.” None of the readers would have seen a stamped paper before so the newspapers carefully described the hated object: “It bears the same Stamp as an English Bill of Lading, with the Word AMERICA, at the Top, and at the Bottom, V. SHILLINGS:, the Words of the Pass in Manuscript.” The Sons had apparently taken the pass from the ship’s captain and placed it on display in a coffeehouse, where it became practically the site of a depressing field trip: “Numbers, with dejected Countenances, went to see the same.”41

A few days later the Sons of Liberty again drew attention to the stamped paper, this time with a more traditional effigy-hanging. They “exhibited to the Publick the Effigies” of Lord Colville, George Grenville, and Quebec’s Governor Murray, “the latter for signing a let Pass or Stamped Paper which is the first Stamp that has made its odious appearance in this City.”42 Murray’s signing of the stamped pass was a physical endorsement of the hated Stamp Act and put him on the same level as an enemy to the colonists as were the most dangerous ministers or the stamp officers themselves.

Boston’s Sons would make an even more public display of a stamped pass. They took the clearance from a ship captain who had just arrived from Jamaica, “fixed it on a Pole, and carried it to the low end of the Court House, where they put the Pole in the Stocks, and exposed the Paper to public view.” After some hours in the stocks it was time for the final penalty. “The Executioner then carried the guilty Criminal to the Center of King Street, and

41 Pennsylvania Gazette, 19 December 1765; Boston News-Letter, 26 December 1765.
42 Caspar Wistar to Richard Wistar, 19 December 1765, ALS — Society Collection, Historical Society of Pennsylvania, Philadelphia.
with a lighted Match set Fire to one of the Stamped Papers, and with that burnt the Offspring of that Hydra-headed Monster."

As in New York, the Sons emphasized a material connection between the stamped paper and the people who abetted the Stamp Act. Both were "Criminals" subject to sanction by the people. Treatment differed: it would not have been prudent to put the well-connected Andrew Oliver in stocks, and after all, the goal had been to get him to turn against the Stamp Act and back towards the community, not punish him. But they had processioned his effigy by the courthouse on 14 August before setting fire to it atop Culp's Hill. Here, without direct threat to any person, they were able to use stocks before the courthouse and the public space in the center of town for the same purpose. This burning of a pamphlet and a parchment would have been over quickly.

Newport's Sons of Liberty, protected by the elected governor of Rhode Island, had little fear of retribution from crown officers or colonial officials. Accordingly, when they exhibited stamped papers they could do so with more drama than most. The Newport Gazette, mouthpiece of the Sons, set the scene. It arose from a "dispute," perhaps a tavern argument. A "Son of Tyranny" had argued that "all the Artillery, and Means of Defence, with which this and the other Government were furnished, ought and would eventually turn and recoil upon themselves, whenever the Trial should in Fact be made, of forcing the supposed Badges of Slavery upon us."  

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43 Pennsylvania Gazette, 13 March 1766.
44 Newport Mercury, 24 March 1766; Pennsylvania Gazette, 10 April 1766.
Would the colonists give in if the Stamp Act were enforced at gunpoint? The Sons of Liberty took the opportunity, not to make an example of the speaker, but rather to run an “experiment”:

two large Cannon (given to the Public by a patriotic Gentleman, and which, from this Time, may be emphatically called, the Cannon of LIBERTY) were some Time past placed at the Foot of our Parade; and on Saturday last, about Sunrise, two of the Badges of Slavery, brought hither from the West Indies and Georgia, were seen in the Mouth of these Cannon, and remained there full six Hours, without any Part of them being in the least injured; but on a sudden, the detestable Papers were instantly disgorged, as a loathsome Vomit, the angry Flames raised, and committed their Ashes to the Care of the four Winds, which seemed at that Time, in a patriotic Contention, to prevent their revisiting the Earth again: But what is most remarkable, and it is thought no inauspicious Omen, the Cannon appeared instantly to be immovable fixed, as a Monument and Bulwark of Liberty, and perpetual Terror to our Adversaries, and (without a Metaphor) would baffle and defy a Thousand of the sturdiest Sons of Tyranny in Europe or America, with all their Teeth and Claws, to remove. And we will for once venture to prophecy, those Cannon will never be turned upon the Town to annoy it.45

It was not only stamped passes that were made into objects of scorn, but other stamped papers as well. Some of the first stamps to circulate widely in the colonies that had nullified the Act were on editions of the Halifax Gazette from early November. Bostonians missed an early chance to burn these papers when the captain of the Nova Scotia packet discovered that, unbeknownst to him, the printer had arranged for his stamped newspapers to be put on board. Captain Green “immediately burnt them on board, which prevented those to whom they were directed from treating the papers in the same, though in a more public Manner.”46

Another bundle of Halifax Gazettes would find its way to Philadelphia, where the Sons of Liberty devised an elaborate ceremony to surround its consignment to the flames.

45 *Newport Mercury*, 24 March 1766.
46 *Newport Mercury*, 5 December 1765.
By Capt. Davidson we also received a STAMPED News-Paper of the 2d of November. It being the first Stamp which had shewn its ugly form in this province, in the evening it was exposed to public view at the Coffee-House, and then suspended, not by a golden, but an iron chain, to which was affixed a pair of hand-cuffs, in the middle of the room; the Company, which was very large, then formed a circle, and fire was set to the paper, with a wish it might be the last ever seen in America, to which the whole Company gave their hearty approbation by three huzzas.47

Setting fire to the newspaper would have called to mind the autumn’s effigies—and of course both straw-men and stamped paper burned extraordinarily well. Similarly, the “iron chain” and “pair of hand-cuffs” that held the Gazette were a visible reminder of the rhetoric of slavery around which defiance of the Stamp Act was based.

Of course, colonists might take preemptive action to make sure that stamped papers never came into use. At midnight on 9 January, a “Company of Armed Men” boarded a merchant brig in New York harbor. They forced the ship’s crew to surrender the keys to the cargo hold, “searched the Vessel from Stamp to Stern, and seized the Stamped Papers” for New York and Connecticut. They loaded the ten boxes of stamped papers onto a boat, rowed them to the “Ship Yards,” and “broke the Packages to Pieces, and with some Tar Barrels, and other Combustibles, made a Bonfire of them and their Contents.” Newspaper reports took care to mention that afterwards there was no other mischief—the goings-on were confined to one specific, purposeful event.48

Even stamped papers that were not in use held an attraction. After the merchant vessel Ellis wrecked on the Long Island coast, a small bundle of stamped papers was found on the beach. These were brought to New York, where the Sons seized them and “purified

47 Boston News-Letter, 26 December 1765.
48 Pennsylvania Gazette, 16 January 1766.
[them] at the Coffee House ... before a Thousand Spectators." Other stamped papers were simply sent to rot in the forts and naval vessels, where, in Boston's case, "no officers here would venture to take them into Possession, or to offer one of them to be executed."49

The Sons of Liberty had made the stamped papers themselves into objects to be scorned, with rituals enacted around their uncovering, exhibition, and their destruction by fire. But this did not mean the cessation of earlier rituals. In the autumn the colonists had prevented enactment of the Stamp Act by forcing appointed officers to resign their posts and swear oaths that they would never accept such an office. Now the Sons of Liberty continued that practice by continually reiterating the fate of those who accepted a stamp distributorship or who expressed a willingness to use stamped papers.

In Elizabeth, New Jersey, the townspeople erected a "large Gallows ... with a Rope ready fixed thereto." They vowed "that the first Person that distributes or takes out a Stamped paper, shall be hung thereon, without Judge or Jury." Similarly, Windham, Connecticut raised a post, "called LIBERTY ... decorated with various Inscriptions, importing that it shall be DEATH to any Person who shall presume to use any Stamp Papers."50 These public sites were descendants of Boston's Liberty Tree, which continued to represent resistance to the Stamp Act in that city throughout the crisis.51

Archibald Ritchie, a Virginia merchant, boasted at the Richmond county court that "he was determined to Clear out his Vessels on Stampt Paper; at the same Time, saying, that

49 Pennsylvania Gazette, 6 March 1766.
50 Pennsylvania Gazette, 27 February 1766, 5 December 1765.
he knew where to get such Paper.” Spoken at his colony’s most public gathering, his words could not fail to provoke. A meeting was called at nearby Leedstown “to consider of what Measures it would be necessary to take against a Man who was thus attempting to introduce a Law so destructive to the Community.” The first measure was preventative, an association among the merchants to bind them all to resist the Stamp Act. The second was directed against Ritchie. They prepared a declaration for the absent Ritchie to sign and swear to, which expressed remorse for the “high Insult” of threatening to clear his vessels on stamped paper and swearing never to do so “unless the Use of such Paper shall be authorized by the General Assembly of this Colony.”

If Ritchie refused to take the oath, they resolved,

his Person should be taken and stripp’d Naked to his Waist, tied to the Tail of a Cart, and drawn to the public Pillory, where he should be fixed for One Hour, and if in that Times he did not comply, that he should be brought up by the whole Company to Leeds Town, there to be farther determined on, as should seem Expedient to the Friends of Liberty.

News of Ritchie’s outrage had spread. The next day when the Northern Neck merchants again gathered, this time to accost Ritchie at Hobbs’ Hole, they were joined by men from the south side of the Rappahannock. They totaled four hundred in all and made use of those numbers to impress. They “drew up in two lines in the main street of the Town” while a committee went to Ritchie’s house and demanded that he swear to the declaration they had prepared. Ritchie balked but the Sons of Liberty would not be refused. Finally, “he, in Presence of the whole Company, with his Hat off, and with an audible Voice, first Read, and then Swore” to the prepared declaration. Similarly, when Simon Metcalf was

52 Maryland Gazette, 27 March 1766.
53 Maryland Gazette, 27 March 1766.
suspected of holding “some Office in the Stamp Way” the New York Sons of Liberty would not be assuaged until the young newcomer swore an oath that he was not tainted with such associations.54

The Sons of Liberty were willing to coerce not just those proclaiming they would use stamps, but those suspected of supporting or abetting the Stamp Act. When a rumor reached Boston’s Sons that a Captain Kirkwood had brought stamped papers from England they “waited on him ... to know the Truth of said Report.” Kirkwood said he had refused to carry the stamps from England. The Sons accepted his offer to swear an oath to that effect and actually brought him to the court house to swear before a justice “before a great Number of Witnesses, who dispersed in good Order, after three Cheers were given.” In this case no explicit threats were necessary, but as the Sons-sympathetic newspaper explained, such vigilance was necessary for those “ever intent on the Good of their Fellow Subjects, and determined to use their utmost Efforts to prevent even the Appearance of Slavery.”55

And again, when a Captain Thatchew arrived from Jamaica with, reports said, a “Clearance on stamped Paper,” Boston’s Sons sent one of their own to the docks. Their representative bore a warrant that authorized him to “go and demand in their names those Marks of Creole Slavery; and when you have obtained them, commit to the Flames in King Street, this day at One o’Clock; and for doing so this shall be your Warrant.” The Sons were consciously inverting the authority structure of the colony. It would be the sheriff or a


55 Pennsylvania Gazette, 13 March 1766.
customs officer that would receive a warrant. But with moves such as these the Sons of Liberty stated their authority as community leaders outweighed the official channels.  

But not all crumbled under coercion. Those with other authority at their backs might resist the Sons' threats. Not surprisingly, it was in New York where the Sons directly confronted a Royal Navy officer. Lieutenant Hallam of the *Garland* had “expressed himself much to the disadvantage of the Americans, by advancing that their Proceedings were equal to the Proceedings in Scotland in the Year 1745, and other Invectives of the like Kind, which falsely eludes to a Disaffection in them to the best of Kings.” The Sons might be opposed to British policy but at this late date, when rumors of the repeal were becoming more and more common, they could not tolerate accusations of Jacobitism and treason. Accordingly they demanded Hallam sign an oath repudiating his statements—but Hallam denied ever having said such things. The Sons then took “Affidavits” from those who had reported Hallam. Even faced with these depositions Hallam “refused giving any satisfaction.”  

The Sons of Liberty were reduced to issuing threats. “Should he meet the just Resentment of an undeservedly provoked People, it will be of his own seeking, and he must abide by the Consequences. Yet they acknowledged they could not carry out these threats. If Hallam stayed aboard the Garland, he would be safe “as the Sons of Liberty would to a Man

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56 *Pennsylvania Gazette*, 13 March 1766.
join in preserving the Properly of their Sovereign, and by no Means attempt to commit the least Outrage against his Crown and Dignity." Yet they framed it as loyalty to the King. In doing so the Sons threaded the needle: they disproved Hallam's accusations while still avoiding an escalation of the situation. The Sons explained that they "would carefully avoid every Step that may have a Tendency to any Act of Disloyalty, as much as any of his Majesty's Subjects whatsoever, or wheresoever." As will be shown in chapter 4, by the end of March the Sons of Liberty knew that the Stamp Act was almost certain to be repealed, indeed might already have been repealed. Now, unlike in the autumn there was now little incentive to provoke, and where resistance had once been a mark of loyalty (for George III wanted, they said, to be king of freemen rather than slaves), now forbearance was an equal sign.\(^{58}\)

The adept New York Sons of Liberty could quickly adapt to circumstances when a target did not behave as they expected. But those to the north in Albany did not have such success.

The Albany Sons of Liberty summoned merchant Henry Van Schaack to a meeting late on the evening of 4 January 1766. When he arrived the Sons—numbering, he said, thirty to forty—told him they had heard a rumor that he had applied for a stamp distributorship. They demanded Van Schaack swear an oath that he would never accept such an office. He flatly denied ever doing so, demanded (without success) to know who the

\(^{58}\) *Pennsylvania Gazette*, 27 March 1766.
supposed informer was, and finally refused and said he would extend such an assurance in writing.  

This did not satisfy the Albany Sons. Where in other towns the Sons were experienced, well-connected men, skilled at negotiation, the Albany Sons were young men, the sons of well-to-do merchants. Perhaps they had begun the whole thing on a lark, not expecting resistance. But now they felt they could not back down. Over the next several days they harassed Van Schaack. They continued to demand an oath, put up broadsides with drawings of Van Schaack hung in effigy, and finally attacked his house and possessions.

Van Schaack asked the town magistrates for help. These men, themselves the fathers of many of his tormentors, advised him to take the oath. But Van Schaack refused to do so unless the magistrates did the same. This angered them, for later when he returned to them he found “the door of justice ... shut up against me.” In the end Van Schaack took the oath, though declaring it “illegal arbitrary and oppressive, exacted from me by a set of men who stile themselves Sons of Liberty but in my opinion it would be more just if they were to call themselves Sons of Tyranny & ignorance.” The next week James McEvers, formerly distributor for New York before his own resignation, published a letter in the New York newspapers assuring readers that, indeed, Van Schaack had never applied for an office under the Stamp Act.

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61 Van Schaack, “Narrative of Riotous Behavior in Albany,” 10 January 1766; Pennsylvania Gazette, 23 January 1766. The Albany riot is perhaps the only case in which newspaper reports made it seem more violent than did the victim. The same newspaper that printed McEvers’s letter also stated that the Sons had dragged Van Schaack
These instances of coercion and threat, then, were spread throughout the colonies. There were episodes in New Hampshire, Georgia, and all the provinces in between. Each episode served to shore up community sentiment against the Stamp Act by destroying the stamps themselves or by threatening the possessions and the bodies of the stamp officers. Those who might use stamps or justify their use were made public figures to be shamed. Those opposed could celebrate their own virtue and their restraint in not carrying out their violent threats.

During the period before the first of November, when the problem was to force the stamp officers already in place to resign their posts, both anti-Stamp Act colonists and the embattled officials could follow the progress of the resistance movement in the colonial newspapers. The debate began with the riots in Boston and Newport and the hunt for Jared Ingersoll in Connecticut and continued with protests against John Hughes in Philadelphia, James McEvers in New York, John Mercer in Virginia, and George Saxby in South Carolina. It was quickly apparent to all that the protests were working. On one side, the stamp officers knew it was not worth defending their post while all about them their peers were abandoning theirs. On the other, the colonists could take advantage of the actual violence in Boston and Newport to threaten more violence against their own stamp officers. The newspaper writers, too, showed the way for stamp officers to repent by providing them a path back into the good graces of the community—through the language of sympathy.

Those newspapers that continued to print after the first of November were even more set against the Stamp Act than before. After all, publishing on unstamped paper was through the street via a halter around his neck. Perhaps this was a mishearing of how the Sons had put up broadsides threatening to hang him.
now a crime. Before, voices in favor of submission had been few and dwindling. Now, anything they might say in their turn would be filtered on its way to the wider public by editors explicitly opposed to them. The very Stamp Act intended to raise revenue from the colonies prevented its defenders, not from speaking in its favor, but from disseminating their message to a larger audience. The public relations war was probably lost anyway, but the Stamp Act prevented even a rearguard action. To take several examples from above, the Newport “Son of Tyranny” could hardly expect to have the *Newport Gazette* print anything in his defense. Even in such a case as that in Albany, where a group of young “Sons of Liberty” lacking authority were faced down by a man innocent of the charges against him, the public record only contained the reading of events most favorable to the Sons.

So the “imagined community” of patriotic colonists grew with every report of effigies burnt and oaths extracted. But the total disappearance of one side of the debates—brought on, ironically, by the enactment of the law that side wanted to defend—meant that the colonial newspapers in late 1765 and early 1766 were hardly a “public sphere” of reasoned debate. There was no longer a way to question with others across the colonies the proper rights granted by the British Constitution, the colonial charters, or even natural law. Nor could the proper deployment of the language of sympathy be debated. One narrative, and one only, survived.

The Sons of Liberty across the colonies surely encouraged newspaper editors to publish such narratives in which they brought the unrighteous to justice. But equally, they would not have wanted their more secretive doings to be made public. In particular, the Sons concealed their efforts to create an underground network for direct communication, more rapid than the printed news.
Like most private communication between merchants, the Sons' transactions would have to be through manuscript letters. Yet the mechanism of transmission was a problem. They doubted that the imperial post could be trusted. For amid the previous year's attempts to centralize imperial authority had been a bevy of new post office regulations. The new laws established rates that, while not high, had like the stamp duties to be paid in sterling coinage. The system, moreover, was based around a small number of chief post offices, each with a larger network of local offices.  

Compared to the Stamp Act, the Sugar Act, or proposals to billet troops in private homes, the new postal regulation were not the greatest threat to the colonists. But Virginia's Landon Carter retained his suspicions. In retrospect, Carter argued, the establishment of the post office in America was an unconstitutional tax and a subtle encroachment on colonial liberties. Only the South Carolina assembly “foresaw the evil tendency of such a precedent.”  

Carter's essay, first printed in the *Maryland Gazette*, made its way across the colonies. If his worries were constitutional—was the postal service an unbearable internal tax?—those of the Sons of Liberty were all too concrete. Could the postal service be trusted to deliver the Sons' letters without reading the contents?  

The Sons concluded that the postal service could not be trusted. They were helped to this decision by incidents like one involving the transmission of a letter (whether through the official post or other means is unknown) between Boston's Sons and

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62 *Newport Mercury*, 16 September 1765.  
63 *Newport Mercury*, 5 August 1765. Also see Jack P. Greene, “’Not to be 'Governed' Or 'Taxed', But By. Our Representatives': Four Essays in Opposition to the Stamp Act By Landon Carter,” *The Virginia Magazine of History and Biography* 76, no. 3 (1968): 259-300.
Connecticut’s John Durkee. Sending the letter on to his New York counterpart Isaac Sears, Durkee wrote “I am like to find the Villain who broke open the letter [and] hope he will meet with due punishment.”⁶⁴

There is no indication that Durkee ever discovered who broke the wax seal on the Bostonians’ letter—nor if it was a malicious act rather than an accident caused by rough dirt roads. But the New York Sons were sufficiently alarmed to take precautions and to warn their correspondents to do the same. Replying to the Connecticut Sons, they wrote “You’ll please to be very cautious by whom you communicate; the like will be offered on our part. If any unfavorable accounts should transpire, well authenticated, we desire you should send a special messenger.”⁶⁵

Nor did suspicions abate as the likelihood of a repeal grew. Even in late March and early April, the New York Sons warned against correspondence by other than “a private Conveyance, for reasons that will occur to you.” And in proposing a Congress of Sons of Liberty to Boston’s Sons, they asked the Bostonians to reply only “by the first safe opportunity”—in other words, to use a trusted merchant or independent rider rather than the official post.⁶⁶

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There was, perhaps, grounds for these suspicions. Certainly the colonial officials opposed to the Sons were aware that something was happening outside their power. As early as September, Cadwallader Colden had grumbled that “it is evident that a secret Correspondence has been carryd on throughout all the Colonies; & that it has been concerted to deter by violence the Distributors of Stamps from Executing their office, and to destroy the Stamped Paper when it arrives.” Colden had also been alarmed by the quick distribution of the *Constitutional Courant* at about the same time. That had been done by the post riders along their usual routes, and without the knowledge of the postmaster.

Both Colden and the Sons of Liberty, then, were alarmed by conspiracies. They took the few facts they had—uprisings in several colonies and the appearance of a seditious newspaper for Colden; a broken seal and a preexisting suspicion of centralized power for the Sons—and fabulated these into something more. But Colden was soon removed from day-to-day power by the arrival of new governor Henry Moore, who was less willing to see these happenings as evidence of conspiracy. Colden, though, had not been wrong. For the New York Sons now pursued their nascent alliances with less fear of official intervention.

The Sons of Liberty had begun as independent groups in urban centers. But as they began to reach out to each other relationships of authority formed among them. New York’s Sons seemed to always be at the center of activity. It was a New Yorker, John Lamb, who first made contact with Philadelphia’s Sons. And New York took steps to assert its preeminence over its southern neighbor. In February, when rumors arrived in the northern city that Pennsylvania stamp master John Hughes was still thinking about distributing

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67 Colden to Conway, 23 September 1765, 35.
68 Colden to Conway, 12 October 1765, 767.
stamped paper, New York's Sons wrote to Philadelphia's, threatening to halt all commerce with them should they not finally remove Hughes.\footnote{Allicocke to Lamb, 21 November 1765; New York Sons of Liberty to Philadelphia Sons of Liberty, 21 February 1766, John Lamb Papers, 1762–1795, New York Historical Society, New York.}

Soon after establishing relations with the Philadelphia Sons, New York's entered into a “reciprocal agreement” with those of Connecticut. The two sides pledged their support to each other and, further, to quickly bring other colonies’ Sons of Liberty into their pact. True to their word, Connecticut soon extended the chain to Boston with a similar agreement.\footnote{New York Sons of Liberty and Connecticut Sons of Liberty, “Certain Reciprocal and Mutual Agreements,” 25 December 1765, Library Company of Philadelphia Manuscripts, Historical Society of Pennsylvania, Philadelphia; John Lamb, et al. to William Bradford, 13 February 1766, Pennsylvania Stamp Act and Non-importation Resolutions Collection, American Philosophical Society, Philadelphia.} To the south, Philadelphia’s Sons perhaps felt their credibility damaged by their apparent lack of control over Hughes. They requested advice from their New York counterparts on forming a committee for correspondence and assured the New York Sons that they would communicate further with the Sons of Liberty to their south.\footnote{Philadelphia Sons of Liberty to New York Sons of Liberty, 15 February 1766, John Lamb Papers, 1762–1795, New York Historical Society, New York.}

But New York’s Sons was already taking steps in that direction. They had sent a circular letter to all towns as far south as Charleston. With this letter the New Yorkers went beyond the slow process of individually contacting Sons town-by-town and tried to unite Sons of Liberty across the colonies. The stated goal was to enter into a union for the preservation of rights, in particular the rights to trial by jury and to self-taxation that were threatened by the Stamp Act. Yet the rhetoric was that of defense against slavery. It asked the colonists “in the sacred name of Liberty, and the Regard you owe the British Constitution” to assemble true-born Sons of Liberty into associations “in imitation of our
Brethren in Connecticut, Boston, &c.,” and to enter into resolves “for the Preservation of Liberty and perfecting an Union (upon which under God depends our existence as freemen.)” The Sons needed to be united in their struggle, and an important part of that would be to see that others were doing the same. Thus, Sons should distribute their resolves far and wide “as far as your Influence exists.” They should make sure to send the resolves to the New York Sons as well. For their part, the New York Sons would maintain the struggle by violence if necessary. They and their “Brethren to the Eastward” pledged “not to be enslaved, by any Power on Earth, without opposing Force to Force.” 72

New York’s effort was successful. By the second week of March a committee in Baltimore had written to the New York Sons. Then group in Providence in the colony of Rhode Island soon followed. And smaller groups began to spring up in the towns surrounding New York. During February and March of 1766, New York’s Sons received warm letters of commiseration from circles in Oyster Bay, Huntington, White Plains, and Middletown in New York, Penington and Upper Freehold in New Jersey, and Fairfield and Preston in Connecticut.

Sons, of course, continued to visit each other in person as well, possibly in the course of mercantile dealings or other legitimate business. A guest of Boston’s Sons in February described how they valued their commitment, in terms of the number of men they had willing to fight against any imposition of the Stamp Act:

I am but just returned from Boston where I had the Honour of being introduced to ye Sons of Liberty -- I produced proper Credentials & gave them due Information -- They were highly pleased with ye Conduct of their Western Brethren & are

72 Boston Sons of Liberty to Portsmouth Sons of Liberty, 14 March 1766, Jeremy Belknap Papers, Sons of Liberty Papers 1766-1770, Massachusetts Historical Society, Boston.
Delighted at ye proposed Union. After I was admitted in their most Honourable Privy Council & took my Seat at ye Board accordingly, they acquainted me that they were as Fixt as Fate in their Opposition to the Stamp Act & all its Abetters that they can at two Hours Notice bring 3000 men under the Tree of Liberty who would go any where for ye Preservation of ye Constitution & that there is above 40,000 in that Province & New Hampshire who are Determined to take up Arms for ye same Purpose if Necessary.73

And New York’s Sons, too, conceived of a day when correspondence should give way to action. At the beginning of April New York proposed to Boston a that, should word be received that the Stamp Act is to be enforced, “there ought to be a Congress of the Sons of Liberty, in order to form a general plan to be pursued by the Whole.” They suggested the same to the Providence Sons: “But perhaps the time is drawing near when all commercial intercourses must cease as the only means of retaining our freedom, Which if that is the case, we conceive a personal interview (previous to it) indispensable.”74

By the time news of the Stamp Act’s repeal reached the colonies, the Sons of Liberty formed a network from at least Portsmouth, New Hampshire, to at least as far south as Wilmington, North Carolina, with New York’s Sons as the central node. They corresponded with speed through means outside the usual post routes. Many of these Sons of Liberty wrote and published their own sets of resolves as well. The New York Sons had asked this of them, but many had already begun, even doing so the previous year. Invariably, these local sets of resolves resembled more the Virginia Resolves than they did the Declarations of the more recent Stamp Act Congress. They reflected the Sons’s understanding of the Stamp Act as a threat of slavery, as something that must be fought against—by violent struggle if

74 New York Sons of Liberty to Boston Sons of Liberty, 2 April 1766; New York Sons of Liberty to Providence Sons of Liberty, 2 April 1766, John Lamb Papers, 1762–1795, New York Historical Society, New York.
necessary. They, not the Stamp Act Congress, were heir to Isaac Barré, the Virginia
Resolves, and the *Constitutional Courant*.

Sons of Liberty in Windham, Connecticut pledged ten days after the enactment of
the Stamp Act that they would resist the Stamp Act:

But as the stamped papers being, by the hands or means of our rulers, or those who
sustain offices of trust over or among us, or distributing or receiving of them by the
lowest peasant, may be of the most fatal consequences, thereby to enforce said act;
we do hereby declare and publish this our settled and deliberate purpose, as a free
people, that we will, by all due and effectual means, prevent the use, distribution or
receiving of said papers, stamped according to said act.75

Soon after Connecticut and New York’s Sons had entered into their “reciprocal
agreement” the New York circle made a similar public promise. They stated “That we will
go to the last Extremity, and venture our Lives and Fortunes, effectually to prevent the said
Stamp Act from ever taking Place in this City and Province.”76

Two smaller towns in New York’s hinterlands followed suit. The Sons of Liberty in
Penington assured readers that “the People of Hunterson County West Jersey, think
themselves Free and are determined to Live or Die so.”77 Nearby Huntington justified their
vigor of their resolves by the corresponding danger of the Stamp Act. If they were to submit,
they determined, “we and all our Posterity will be as absolute Slaves, to all Intents &
Purposes.”78

75 *Pennsylvania Gazette*, 12 December 1765.
76 *Pennsylvania Gazette*, 16 January 1766.
77 Penington (NJ) Sons of Liberty to New York Sons of Liberty, 28 February 1766, John Lamb Papers, 1762–
78 Resolves of the Town of Huntington, 24 February 1766, John Lamb Papers, 1762–1795, New York
Historical Society, New York.
Writing at the same time as the two northern towns, the Sons of Wilmington, North Carolina echoed the rhetoric of slavery and struggle. Like Penington’s Sons, they found themselves “preferring death to slavery” and despite their loyalty to the King, chose to “mutually and solemnly plight our faith and honour, that we will at any risque whatever, and whenever called upon, unite, and truly and faithfully assist each other, to the best of our power, in preventing entirely the operation of the stamp act.” They signed their association on 18 February; the next day they began a march on the port of Brunswick, picked up a crowd of over a thousand people on the way, and on the 21st forced the customs officers of the colony to swear “that they would not, directly or indirectly, by themselves, or any other person employed under them, sign or execute in their several and respective offices, any stamped papers, until the stamp act should be accepted of by the province”—thus reopening the port to trade. The Wilmington correspondent hastened to assure his readers that there was no “injury offered to any person, but the whole affair conducted with decency and spirit, worthy the imitation of all the SONS OF LIBERTY throughout the continent.”

A similar association was signed in Westmoreland County, Virginia, before a crowd action against a local merchant. Sons of Liberty in Leedstown, roused by Danger and alarmed at Attempt foreign & domestic to reduce the People of this Country to a state of abject and detestable slavery by destroying that free and happy constitution of Government under which they have hitherto lived … bind ourselves to each other, to God, and to our Country, by the Firmest Tyes that Religion & Virtue can frame, most sacredly and punctually to stand by, and with our Lives & Fortunes to support, maintain and defend each other, in the Observation and Execution of these following Articles.

79 Pennsylvania Gazette, 27 March 1766.
They resolved to "pay no Regard to Danger or to Death." And they defined their
targets in familiar terms: "if therefore any Person or Persons shall attempt by any Action or
Proceeding to deprive this Colony of those fundamental Rights we will immediately regard
him or them as the most dangerous Enemy of the Community." The Westmoreland Sons of
Liberty were explicitly invoking the language of the Virginia Resolves—but the earlier
document's "Enemy of the Colony" had been transformed into the more fluid "Enemy of the
Community." ⁸⁰

In Cecil County, Maryland, Sons of Liberty insisted that internal taxes imposed by
Parliament and the dissolution of the right to trial by jury was "contrary to the Spirit of the
English Constitution, destructive of our just Rights and Privileges, and tending to the
Slavery and Ruin of us and our Posterity." ⁸¹ Middletown, New Jersey, also justified their
opposition in terms of slavery. Their resolves have not survived, but were apparently forceful
enough to draw a passionate response from the New York Sons. They concluded that since
there's "more real Dignity in ruling Freemen than Slaves"—and since slavery is "a state so
utterly incompatible with the Happiness of the Human Race" the colonists' "preservation of
our Liberties" is "the most essential Service that we can render his Majesty, our fellow
Subjects, our selves, & Posterity." The King, once he understood the stakes, would surely
approve their actions. And since the Sons' cause was the cause of "all the British Subjects, in
every part of the British Dominions, and of every man who deserves Freedom, Consequently,
if we give up essential Liberty, for the sake of temporary Safety, we deserve neither Liberty

⁸⁰ Pennsylvania Gazette, 10 April 1766.
⁸¹ Pennsylvania Gazette, 3 April 1766.
nor Safety, nor indeed could any Government confide in such a dastardly tribe, that would
sell their birthright for a mess of pottage.”82

Norfolk, Virginia, was the major port closest to the Capitol in Williamsburg where
Patrick Henry had introduced his resolves. Nearly a year later, it was clear that sentiment
against the Stamp Act in the region had not abated. Nor had the rhetoric against it changed;
if anything it had become more violent, and it laid out with greater detail the association
between struggle and slavery. The Norfolk Sons of Liberty declared that they, “unwilling to
rivet the shackles of slavery and oppression on ourselves, and millions yet unborn,” had
entered into resolutions. These resolves included a defense of the rights of self-taxation and
jury trial, “for if we quietly submit to the execution of the said Stamp Act, all our claims to
civil liberty will be lost, and we and our posterity become absolute slaves.” They pledged to
fight rather than submit: they would “sacrifice our lives and fortunes, in concurrence with
the other Sons of Liberty in the American provinces, to defend and preserve those invaluable
blessings transmitted us by our ancestors.” And in a final, telling move, the repeated the
injunction of the seventh Virginia Resolve against “enemies of this Colony.” But they
changed the key clause:

Resolved, That whoever is concerned, directly or indirectly, in using, or causing to
be used, in any way or manner whatever, within this colony, unless authorized by the
General Assembly thereof, those detestable papers called the Stamps, shall be
deemed, to all intents and purposes, an enemy to his country, and by the Sons of
Liberty treated accordingly.83

82 New York Sons of Liberty to Middletown (NJ) Sons of Liberty, 10 April 1766, John Lamb Papers, 1762–
83 Virginia Gazette, 4 April 1766.
The change from the Burgesses' "enemy to this colony" to Norfolk's "enemy to his country" reflects the growth of the resistance to the Stamp Act. The Burgesses had spoken for Virginia (or, rather, the resolves had been published as if the Burgesses had spoken for Virginia). But the Norfolk Sons of Liberty claimed the right to speak not only for Virginia, but for all the colonies. Their resolves, like the Virginia Resolves before them, would make their way into the newspapers across the provinces.
By April, then, resistance to the Stamp Act across the colonies had its own norms, its accepted forms of action. The direct efforts of the Sons of Liberty, and their resolves published and republished throughout the colonial newspapers, had made clear that the struggle to prevent the Stamp Act from being enforced was universal. The Sons had silenced resistance within their local purviews—and had shown themselves willing to travel beyond those localities to assist wherever a stamped paper or a potential distributor might appear.

But also by April, the newspapers beginning to arrive from Britain gave the Sons—and all those in America watching for signs of a repeal—great hope for success. Reports said that petitions prepared by the merchants and manufacturers trading to the colonies had been accepted by Parliament; that Benjamin Franklin had acquitted himself well in defending the colonists’ rights; that on the floor of the House of Commons, the great Pitt had broken Grenville on the wheel of his rhetoric. Vote counts in Parliament were trickling in, and they were nearly all positive.

Along with these positive reports came warnings from friends in Britain. The “riots and tumults” of the previous months had no place now that repeal was near, they said. Nor should those in America continue to insult Parliament. Instead, when they celebrated the repeal they must do so in a manner that made them appear thankful and humble—otherwise they would alienate Britain.
These friends thus demanded of the colonists a behavior very different from their militant resistance of the previous months. The colonists had unleashed violence on stamp officers and men thought to be potential stamp officers, while thousands of nascent Sons of Liberty had declared that they would resist the Stamp Act as slavery. Yet it was these same Sons of Liberty who followed the directives from Britain and celebrated the repeal peacefully. More, they rewrote the history of their own resistance. They raised the great men of Parliament and the King to positions of heroism. They effaced the colonists’ own roles in resisting the Stamp Act. And the rhetoric of slavery and struggle faded into the background—but it did not disappear entirely. Some representations persisted in the words penned and printed about the repeal and in the material culture of the celebrations. And some who maintained that Parliamentary statutes beyond the Stamp Act were also unconstitutional, with hesitation, began to expand the reach of the slavery metaphor beyond the accepted bound of internal taxes imposed by an unrepresentative legislature.

As the colonists had followed closely news and rumors of the imposition of the Stamp Act in the spring of 1765, so too in the winter and spring of 1766 did they avidly scan newspapers and letters for any clues to the eventual repeal of that same act. By following the evolution of their incomplete, and often incorrect, understanding, we can better see how the colonists made the transition from resisting to celebrating their potential enslaver.

The colonists knew well that the path to the repeal of the Stamp Act within the British government was long and torturous. First the House of Commons had to create a bill to repeal the Act. Then first the Commons and then the Lords had to pass the bill before it finally went before the King for the royal assent.
Even with their understanding of the procedures Parliament must follow, the colonists knew that any attempt to scry the proceedings of that legislature as it debated a repeal must be twice fouled. First, of course, was the time-lapse imposed by the ocean that separated the colonies from Britain. Any news they received, especially this early in the year when winter storms raged in the Atlantic, would be six or more weeks out of date. And the order in which ships left London or Bristol by no means corresponded to the order in which they arrived in the colonies.

Second, the Commons and Lords both chose to conduct their debates in secret. As had the Virginia Burgesses in May of 1765 when debating what would become the Virginia Resolves, they formed themselves into “committees of the whole,” led by a temporary chair rather than the usual speaker. No official notes were taken of these debates, nor were any accounts published—save for an unauthorized narrative of Parliament’s examination of Benjamin Franklin. As a result, watchful Americans had to glean what clues they could from secondhand reports from interested friends with contacts in Parliament.

With such unsure knowledge, the colonists watched for the milestones they knew to expect in the proper course of the passage of an act of Parliament: introduction, three readings, and passage of a repeal bill in the Commons; its carrying to the Lords for the same steps, and finally the royal assent. And they had to carefully gauge the reliability of each report that they received. The social status of the writer and the recipient became essential proxies for certainty of knowledge.

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1 Gipson, Thunder-Clouds Gather in the West, 386-87.
Even before Parliament was to meet, rumor was fast winging its way from London to the colonies. The publisher of one New York newspaper, finding too much to print, tried to sum it up for his readers. The British people stood with their fellows across the Atlantic. They “applaud us for the Spirit we have shown, in opposing these Measures.” Merchants were alarmed by the small orders of goods from the colonies and the even smaller remittances in payment for earlier orders. These merchants wanted not just the Stamp Act repealed, it was said, but other restrictions on trade lifted. The present ministry understood the merchants’ unease, and would soon “endeavour to get the Stamp Act repealed, which had thrown the whole English Nation into the most terrible Convulsions.”

But before a benevolent ministry could steer a repeal bill through Parliament, the King had to call the Parliament into session. And, unlike the debates over the bill itself, the proceedings during which Parliament began the slow process towards repeal were public knowledge. The colonists would closely read the detailed accounts of the opening of Parliament for clues to the eventual fate of the Stamp Act.

News arrived by the third week of February that, on 17 December 1765, the King had called for Parliament to assemble. This date was sooner than usual, but the meeting could not be delayed, for (as the King explained in a speech) “matters of importance ha[d] lately occurred in some of my Colonies in America.” An “Eminent Manufacturer” explained to his colonial correspondent,

what will be the Consequence no one can tell: I believe the great Difficulty lies, to know how they can relieve you, and yet kept up the Authority of Government. The

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2 New-York Gazette and Weekly Post-Boy, 23 January 1766. For a similarly optimistic assessment by a different publisher, see the Newport Mercury, 6 January 1766.
Parliament thinks it a bad Example and Precedent to repeal that Act, because the People murmur at it; and they rather fear the Consequences, in case they insist upon its being put in force.4

The battle to repeal the Stamp Act would, surely, be difficult, for Parliament had to maintain both order and the appearance that it had never been in danger of losing such control.

A letter dated 26 December 1765 brought word that the battle was put off for a little longer. Parliament had adjourned until 14 January 1766. Yet accounts of the King’s speech and the way in which Parliament had responded suggested significant opposition to any repeal of the Stamp Act. “Mr. G——e [Grenville] expressed himself very warmly on the late Behaviour of the Americans, stiling their Transactions in Opposition to the Stamp Act, Open Rebellion, instead of Late Occurrences, which the King termed them in his Speech.” However, not all members of Parliament agreed, for Grenville’s outburst caused “sundry Members to cry ‘To the Tower! To the Tower!’”5

When Parliament resumed in the new year, it was again Grenville, already scorned by the colonists, who would continue to serve as their foe. On 14 January 1766, at the opening of the session, the King delivered a speech to Parliament; the Lords and Commons each responded the next day. The address and replies had been carefully negotiated by the royal ministers and the leading men of Parliament beforehand.6 The King’s speech asked Parliament to look into the disturbances in the colonies, and, if necessary, to consider

4 Pennsylvania Gazette, 6 March 1766.
5 Pennsylvania Gazette, 6 March 1766.
6 Gipson, Thunder-Clouds Gather in the West, 383.
alteration in the “commercial oeconomy” of the colonies. Parliament responded with grace and deference, yet without committing themselves to any particular path.

It was two months before those in America would receive news of what happened at these Parliamentary sessions. Yet the reports that finally came were enough to revive any flagging of resistance that might have been taking place. Letters from London printed in New York on 20 March described the first day of Parliament’s session. Grenville had “inveighed bitterly against the colonies” but Pitt had responded with a brilliant speech, two-and-a-half-hours in length, which had won repeated praise in London.7

The colonists followed as closely as they could the torturous machinations of Parliament. Yet, separated by an ocean and reliant on second- and third-hand correspondence from unnamed sources, they could not grasp the whole of Parliament’s proceedings, of the negotiations and votes among hundreds of members. They thus fastened on strong personalities; they represented the opposing sides—those who wanted to enforce the Stamp Act versus those who wanted to repeal it—through personification. Grenville reprised his turn as villain, the role in which he had already been cast during the riots. And, if Isaac Barré had been the primary hero in Parliament during the original debates over the Stamp Act, it would now be William Pitt, the “Great Commoner,” who came to represent the forces supporting the colonies.

Yet the details of Pitt’s performance were scarce at first. No full description would arrive until early May. In the meantime, colonists had to follow the rumors of Parliamentary machination. Fortunately for them, the way in which they received news about the progress

of Parliament towards a repeal seemed to quicken as the days went on. It had been the third week of February when they read about the King calling Parliament into session on 17 December. And a month later, on 20 March, they first read about Parliament’s return on 14 January. Now the pace of rumors increased, but those rumors would turn out to be, in some cases, deceiving.

In early April came the first supposed news that Parliament had repealed the Stamp Act. The merchants J. and R. Day in London wrote to a Baltimore correspondent, “We sincerely congratulate you on the repeal of the Stamp Act, which thanks to God is just now resolved here by a great Majority in Parliament.”8 This news quickly spread and was reprinted in several newspapers. Yet it soon turned out that this had merely been the Commons’ vote on 7 February against a motion by Grenville to enforce the Stamp Act. A significant moment—but not the repeal.

And, at the same time, there was sobering news. Letters from 13 February, arriving in Boston on 17 April and quickly reprinted, suggested that Parliament might not be so quick to repeal the Stamp Act. Both houses of Parliament had resolved “that the King, Lords, & Commons of this Realm, have always had, and ought to have, the undoubted right to tax the colonies.” There had been only a very few dissenters, including Pitt and Barré in the Commons and several others in the Lords. Other resolves had established Parliament’s disapproval of the “Riots and Tumults” in the colonies and blamed them on “certain Resolves of the several Assemblies.” Further, Parliament had rejected the petitions of the Stamp Act Congress, concluding they were from “persons improperly joined.” The writer

8 *New-York Gazette and Weekly Post-Boy*, 10 April 1766.
believed that, had the colonies petitioned separately, they would surely have been heard.
Thus, the correspondent suggested, whatever came about would be due to the petitions and
the testimony of the merchants and manufacturers of Britain, and not those of the colonists.9

As for those representing the colonists before Parliament, their appearances were not
going well. When London merchant (and agent for New Hampshire) Barlow Trecothick
said he thought nothing could reconcile American opponents to the Stamp Act, it “inflamed
Grenville’s party,” who called Trecothick and his fellow-travellers “traitors.” The ministry,
itself for repeal, feared that Bute had inflamed the King against it. The bishops were, it was
said, “for carrying Fire and Sword to America,” before America grew strong enough to defy
them.10

The uncertainty in these rumors was not as great as it had been during the previous
year, when the colonists were waiting to find out if a Stamp Act had been enacted and, if so,
precisely what measures it contained. This time around their correspondents in London
continually reassured them of the likely outcome.

And, indeed, the same papers contained far more hopeful news. The ministers had
gone before the King to discuss the repeal. At that meeting the King insisted that if the
Stamp Act could not be enforced without bloodshed it should instead be repealed. So the
King could be counted on the colonists’ side.

The dramatic details of how Grenville’s motion to enforce the Stamp Act must
surely have excited the colonists further. The papers revealed there had been much debate
about the motion, capped off by a speech by the aged General Howard:

Old General Howard stood up, at his Martial Appearance, a profound Silence ensued, he spoke (I don't pretend to give you the words, only the Substance) to this Effect, that he shuddered at the unnatural Motion, he hoped in God it would not Succeed, lest he should be ordered to Execute it, and before he would imbrue his Hand in the Blood of his Countrymen, who were contending for English Liberty, he would if ordered, draw his Sword, but would sooner sheath it in his own Body.11

The news the colonists read about the repeal, then, was chosen and summarized by printers in the colonies from the multitude of often-contradictory reports and letters from correspondents on both sides of the Atlantic. And those printers, in themselves trying to make sense of the information at hand, returned to the reliable patterns from the previous months. The Stamp Act could only be enforced through military means, for the Sons of Liberty would surely resist. Grenville and the bishops of England understood this, but thought the colonists should be subjugated. But so did virtuous men like Howard, who would not raise his weapon against his “Countrymen” fighting for “English Liberty.” The key figure was, as always, the King, who, it seemed, was coming down on the side of Howard and of the repeal.

And soon the mood turned for good. A week later came news, via letters dated 22 and 25 February, that Commons had voted for repeal. After three and a half hours of debate, at three in the morning, the House of Commons had approved a motion to repeal the Stamp Act by the vote of 275-167. The majority of 108 votes would become a recurring motif in colonial celebrations.12 By 21 April Boston had more detailed news. The vote had been early in the morning of 22 February, following a “great Debate relative to the Right of Parliament in taxing the Americans.” Yet that had only been the first reading, and the devious Grenville

still had the opportunity to interfere. On the morning of the 24th he took advantage of the absence of many members “to make a Motion that the Bill might be recommitted to a Committee of the whole House.” The attempt to derail the repeal was thwarted when some absent members were alerted, who “immediately sent messengers, and wrote Letters to their Friends, which brought them directly to the House.” Grenville’s motion failed, it was reported, by the same majority of 108 as the motion to repeal had passed two days earlier.

The third and final reading in the Commons was far less dramatic. The bill to repeal the Stamp Act was passed on 4 March with a majority of 128. The next day it was presented to the House of Lords, “where it was met with a very favourable Reception. — It was on Thursday, the 6th, read a second Time, and it was thought it would pass at the third Reading, and meet with the Royal Assent before the End of the next Week.”

But then, a gap in the news. Would the King assent to the repeal? No word was forthcoming. But, as if to whet their appetites, came fuller accounts of earlier events—in particular the debate between Pitt and Grenville. These accounts served to accentuate the emotions the colonists felt towards what now seemed a certain repeal. Moreover, they saw the fulcrum of the debate as a direct approval of the path they had taken in resisting the Stamp Act. And, with the news that Pitt’s defense of the colonists actions and that others in Britain had accepted Pitt’s arguments, the colonists had an opening to cease that resistance with honor and instead to celebrate King and Parliament as deliverers of the repeal.

13 Pennsylvania Gazette, 1 May 1766.
Pitt, though, needed a foil. He had that in George Grenville. That minister argued that what he termed “disturbances” had begun in July,

and now we are in the Middle of January. Lately they were only Occurrences (the word used in the King’s Speech on the 17th December); they are now grown to Disturbances, to Tumults and Riots, I doubt they border on open Rebellion, and if the Doctrine I hear today be confirmed, I fear they will lose that name, to take that of Revolution: this Government over them being dissolved, a Revolution will take Place in America.”\textsuperscript{14}

In his response, Pitt rejected this argument. He said “The Gentleman tells us, America is obstinate, America is almost in open rebellion. I rejoyce that America has resisted. Three millions of people, so dead to all the feelings of liberty, as voluntarily to consent to be slaves, would have been fit instruments to make Slaves of the Rest.”\textsuperscript{15}

Pitt’s declamation elicited an instant and spontaneous reaction from his audience. The correspondent explained, “You have seen, when a large Company have been made to feel altogether an electrical Shock, such was the effect on the whole House of Commons, and the Galleries, when Mr. Pitt pronounced, \textit{I rejoyce that America has resisted}!”\textsuperscript{16}

Here was confirmation that the colonists had not been wrong, neither in their reading of the Stamp Act as illegal and unconstitutional, nor in their decision to resist through violence. The great Pitt had adopted their argument that to submit to the Stamp Act would be to submit to slavery, and that struggle against it was not just a necessary response, but something for every Briton to celebrate.

Correspondents, too, told of how Pitt’s rhetoric had been invaluable to their cause. One explained that “The Stamp Act is now in a fair Way to be repealed in a few Days,

\begin{footnotes}
\item \textsuperscript{14} New-York Gazette and Weekly Post-Boy, 1 May 1766.
\item \textsuperscript{15} New-York Gazette and Weekly Post-Boy, 1 May 1766.
\item \textsuperscript{16} New-York Gazette and Weekly Post-Boy, 1 May 1766.
\end{footnotes}
owing to Mr. PITT's outdoing his usual Outdoings in the Cause of Liberty and his Country.

... [A]ll the Powers of that great Man were exerted against a very strong Party, and has made more Friends among those who know and love the Interest of their Country, and more Enemies among the Green villians than ever." Pitt deserved to be celebrated by the colonists: "if every Province in America does not erect a lasting Mark of public Honour to the Saviour of Great Britain and themselves, they never deserve to be assisted again when on the very Brink of Destruction."17

A second writer emphasized Pitt's physical heroism in even coming to Parliament:

"Mr. Pitt continued in the House all the time, though so lame with the gout as to make use of crutches; when he left the house he was huzza'd by many then present." And a third confirmed: "About eleven o'clock Mr. P— (who went to the house in flannels and with crutches) arose, he spoke an hour in favour of the Repeal, and in the course of his speech paid great compliments to Mr. Con—y and Mr. B—ke."18

When news of the King's assent and the repeal arrived it did so quickly. The first hint might have been a third-hand account arriving in the colonies on 10 May that as of 30 March, "the Bill for the Repeal of the Stamp Act had passed the House of Lords, and gone through all the usual Formalities, and that troublesome Affair was not entirely settled."19

17 Pennsylvania Gazette, 6 March 1766.
19 Pennsylvania Gazette, 22 May 1766. The news had been printed first in a Boston paper on 12 May, the Boston publisher having heard that Captain Ward had arrived in Salem "Saturday last" (10 May) with the news. Ward's ship had embarked from St. Eustatius; en route to Salem it met another ship sailing from London on 30 March and bound for either Philadelphia or New York, which had passed on word of the repeal.
Such uncertain news, while hopeful, could not be taken as official. That final confirmation could only be the arrival of the repeal act itself, passed by Parliament and signed by the King.

That act arrived nearly simultaneously in several of the large cities. Boston received word on 16 May "from London with Copy of the Act for Repeal" and immediately dispatched messengers north and south. Those messengers arrived in Portsmouth and Newport the next day, in Plymouth and in Hartford on the 18th, and finally New York on the 20th. On the 19th Philadelphia first heard of the repeal; their messenger to New York arrived the same day as the one from the north.20

The colonists were sure to hold large celebrations for the repeal—"rejoicings" was the word they used—as they did for annual events like the King's birthday. But what mode should they use, given that they had so recently been in conflict with Britain? The letters arriving from London implored restraint. These letters arrived from merchants and ministers, from those close to the halls of power. The men to whom they were addressed were those in positions to influence their countrymen. That the recipients took the warnings seriously, and passed on the directive to good conduct, can be seen by the fact that they worked with the printers of the colonial newspapers to publish the letters well before word of the King's assent to the repeal had arrived. In this way, the influential colonists both warned their countrymen against celebrating injudiciously, showed their London correspondents (who would eventually read the colonial newspapers) that they had taken the warnings seriously, 20

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20 The precise dates were compiled by Newport minister Ezra Stiles from newspaper accounts. Stiles, Stamp Act Notebook, 38.
and, perhaps, protected themselves against blame should crowd violence or other difficult-to-foresee events take place.

Among the correspondence, perhaps the most important was that a committee of merchants in London trading to America. They asked that the colonists not insist that by repealing the Stamp Act Parliament had ceded the right to impose such a tax. The merchants told their New World correspondents to portray themselves in a way that allowed their friends to say “We are in the right—is it not as we said? See the Colonies regained to this country by our moderation—regained with their loyalty, their affection, and their trade?”

The riots of the previous year, and the threats made against stamp officers, were now considered a point against them in London circles, such that Parliament felt its honor attacked. Thus, the colonists should react in such a way as to emphasize “the restoration of peace to the colonies; union, trade, and reciprocal advantages to them and us.” But, the merchants warned, “if violent measures are continued, and triumphs on the point gained; if it is talked of as a victory: if it is said the Parliament has yielded up the right; then indeed your enemies here will have a complete triumph. Your friends must certainly lose all power to serve you.” The result would be that the “Tax-Masters” would regain influence and act again. Or, as another correspondent put it, “if your Opponents come into Power, what then becomes of Public Safety, mutual Security, and the Common Good?”

23 Maryland Gazette, 15 May 1766.
Other correspondents sent similar sentiments. A “Reverend Divine” asked them to be “truly thankful and humble, and frugal, and not insult the Parliament in their Rejoicings, for this would render you odious to those who have been your Friends.” A gentleman who, it was said, had worked for repeal explained that if the colonists celebrated the repeal as “victory over the Mother Country” they would be “ruined,” for they would “lose the greatest part of your Friends by such a Conduct, and effectually disable the few who remain from serving you.” And these friends could still serve them, for they were “labouring to put the Commerce of America, on a much better footing than it has been.”

One final correspondent warned readers that it would be the leaders of resistance in America, not the followers, who would be blamed should the celebrations go wrong. Those leaders must use their “Influence” to make sure the celebrations “mix discretion with this great Joy, that you do not exult as Conquerors, but receive the Blessing (now confirmed to you) with Thankfulness and Gratitude….It therefore behooves all those who have any Influence, to exert themselves in inculcating a becoming decent Behaviour, a Behaviour that will do Honour to your Friends, and cause your Enemies to stand Abashed.”

If the colonists wanted to “do Honour” to their friends across the Atlantic, that had only to look at the reports coming from the mother country for examples of the proper methods. The provincial newspapers published these alongside the injunctions to avoid inappropriate celebration.

Britons, like Americans, followed each step of the progress of the repeal. In London, after the House of Commons made their first vote for repeal, “there was a universal joy to be

seen in the countenance of every lover of trade in this city, on the hopes of the Stamp Act being repealed, that the merchant as well as the mechanic may once more be able to pay their just debts, and the manufacturers be enabled to employ the poor. ... The bells in most churches rang from morning to night,” and houses and coffeehouses put up illuminations—including one decorated with exactly forty-five lights, a reference to John Wilkes’s *North Briton* no.45 that had become a key text for opposition to Parliamentary misrule. And “the captains of the ships in the West-India trade, displayed their colours on board their respective vessels in the Thames.”26

In Bristol, there was a great celebration over the “favorable turn in American affairs.” There, “the bells throughout the City rang incessantly the whole Day, and in the Evening were uncommon Bonfires: Several Houses were illuminated, the American Coffee-House in particular, from whose Windows the Merchants trading to that Quarter of the World, generously threw Money to the Populace, who in return appeared decently thankful.”27

But the greatest celebrations were reserved for news of the King’s assent. One writer—likely a merchant trading to the colonies—described the progress of the day as it happened. It began with a meeting of “about 100 American Merchants” for breakfast at the King’s Head Tavern. From there they traveled in a procession of “about Sixty Coaches and Chariots” to Parliament, where they were accorded the great honor of viewing the reading of the repeal bill to the King:

> when we got there, we were conducted to the Robe Chamber, where waiting till about Half after One o’Clock, the King came, amidst the Acclamations of Thousands, when he was immediately robed and crowned; after which the several

Acts lately passed in Parliament were read; amongst the rest, the Total Repeal of the Stamp Act: Immediately on hearing which his Majesty smiled, and seemed very much pleased, as were all those present; (none were admitted but American Merchants) after which the King went to the House of Lords, and signed the Repeal; and then returned to the Robe Chamber, and was uncrowned and unrobed; after which he returned to his Palace, amidst the Shouts and Huzzas of a crowded Multitude.

The merchant party then repaired to the Queen's Head tavern, where began the celebrations that the colonists would later echo. "in the Evening a Number of Houses were illuminated, one in particular had 108 Candles, it being the first Majority in the House of Commons for the Repeal of the Stamp Act." Other merchants set church bells ringing, and then rejoined the larger party at the Half Moon tavern, "where the Committee of Merchants had a very grand Entertainment prepared; many loyal Toasts were drank, and the Evening concluded with the greatest Pleasure and Satisfaction."28

The illumination of houses, the ringing of bells, the loyal toasts: these would be chief components of celebrations on both sides of the Atlantic. But where the Britons had concluded their evening with the "greatest Pleasure and Satisfaction" the colonists would emphasize that theirs had been peaceful and conducted with order—an intentional contrast to the riots and tumults of the previous fall.

It was in Boston where violent resistance to the Stamp Act had begun; it was Boston that first received the news that the Act had been repealed. When on 16 May a ship bearing both an official copy of that repeal and a London Gazette confirming the King's assent arrived in Boston harbor. The Boston Gazette described the reaction:

28 Pennsylvania Gazette, 29 May 1766.
It is impossible to express the Joy the Inhabitants in general were in ... the Bells were immediately set Ringing, and the Cannon fired under Liberty Tree and may other Parts of the Town. Colours were displayed from the Merchants Vessels in the Harbour, and the Tops of many Houses. Almost every Countenance discovered an unaffected Gaiety on the Establishment of that Liberty which we were in the utmost Hazard of losing.29

Such spontaneous celebrations upon arrival of the news happened in many towns. But beyond expressing joy, the specific means by which Boston celebrated included several through which the news of the repeal—or at least news that there was news—could be carried to anyone within sight or hearing of the city. The bright flags on high masts and tall houses showed anyone who cared to look that something important had happened; the bells and cannons could be heard for miles and thus spread word to many more.

One town that might have heard the bells and cannon of Boston was Medford, five miles to the northwest. Medford, too, held a spontaneous celebration, centered on “the Dwelling house, Summer house, &c. of the Hon. Brigadier General Royall.” Royall’s buildings “were very handsomely illuminated, a Number of Chambers were fired, Rockets discharged, and Fireworks displayed, with many other Demonstrations of Joy.” Where in London it had been the committee of merchants that had dined, in Medford it was the military company of the town, who, “being that Day raised, they repaired in the Evening to the Brigadier’s House, and were generously entertained.” The correspondent also reported that “a Number of other Houses ... were illuminated, a large Bonfire made, and such Expressions of Joy were shewn, as became a free and loyal People.”30

29 *Boston Gazette*, 19 May 1765. Also see William Barrell, Diary, 1766, Pre-Revolutionary diaries microfilm, reel 1, vol. 1.23, Massachusetts Historical Society, Boston, 17 May 1766.
30 *Pennsylvania Gazette*, 12 June 1766.
Abington, Massachusetts used similar means as did Boston to communicate news of the repeal. The day after the arrival of news at Boston, on 17 May, “two Strangers, with the Glorious News of the Repeal of the Stamp Act” passed through Abington. The correspondent to the Boston Gazette wrote, “They were received as though they had been Angels; our Houses and our Hearts spontaneously opened to receive them. Abington’s people immediately proclaimed the News “by the Beat of Drum, and the Ringing of our Bells.” But in Abington the celebration immediately took on religious overtones. By means of drums and bells “were collected a large Number of People (considering we were in the midst of Planting) who in a decent Manner assembled with their Minister on the Green, and there gave publick Thanks to Him by whom Kings reign.” Nor was the thanks to heaven merely a general statement. For Abington’s celebrations did not forget what the real danger of the Stamp Act had been. God was praised for the specifics of “rais[ing] up Friends to the Colonies, powerful enough to bring about a total Repeal of the Stamp Act, that would have entailed Slavery on us and our Children yet unborn, had it remained in Force.” The day in Abington ended with toasts to “the King and Royal Family, Mr. Pitt, Lord Cambden, General Conway, Col. Barre, and all the Friends of Liberty in England.”

31 Pennsylvania Gazette, 12 June 1766.

The spontaneous celebrations of Medford and Abington reveal well the immediate emotions of the moment: unbridled joy. But two of the larger urban areas, Boston and Newport, instead took their time for a later, larger display. In these ceremonies it can be more clearly seen what sort of message the colonists wished to express beyond that of joy
and thanksgiving. These greater repeal ceremonies reflected their view of the correct relation between America and Britain.

Boston held their grand repeal ceremony on 19 May, three days after the news had arrived. It started at one o’clock in the afternoon, when “the Castle and Batteries, and Train of Artillery fired a Royal Salute; and the Afternoon was spent in Mirth and Jollity.” But it was in the evening when the greater part took place. Then “the whole Town was beautifully illuminated:—On the Common the Sons of Liberty erected a magnificent Pyramid, illuminated with 280 Lamps” and painted with significant emblems. Atop the pyramid was fixed a box of fireworks. And close by was a staging area for the launching of even more fireworks. The whole was set up “near the Work House, in the lower Room of which they entertained the Gentlemen of the Town.”

So the Sons of Liberty had fireworks and food and drink for some of the better sorts of Boston. But at the same time, seemingly both in competition and cooperation with the Sons, John Hancock was doing precisely the same thing. Hancock entertained “the genteel Part of the Town” while rolling out for “the Populace … a Pipe of Madeira Wine.” He, too “erected at the Front of his House, which was magnificently illuminated, a Stage for the Exhibition of his Fireworks, which was to answer those of the Sons of Liberty.”

If there had been any doubt, it quickly became clear that all had been coordinated between Hancock and the Sons. The evening festivities opened as the sun set, with “the Discharge of twelve Rockets from each Stage; after which the Figures on the Pyramid were uncovered, making a beautiful Appearance.” Fireworks were shot off from dusk until eleven

32 Boston Gazette, 2 June 1766.
33 Boston Gazette, 2 June 1766.
at night from both stages: "the Air was filled with Rockets— the Ground with Bee hives and Serpents— and the two Stages with Wheels of Fireworks, of various Sorts." And it was not only the two houses of Hancock and the Sons that were open during the fireworks, for "Mr. Otis, and some other Gentlemen, who lived near the Common, kept open House, the whole Evening, which was very pleasant; the Multitudes of Gentlemen and Ladies, who were continually passing from one Place to another, added much to the Brilliance of the Night."

At eleven o'clock came the final part of the celebration, "the Signal being given by a Discharge of 21 Rockets, the horizontal Wheel on the Top of the Pyramid or Obelisk was played off, ending in the Discharge of sixteen Dozen of Serpents in the Air, which concluded the Shew." 34

Governor Bernard had been threatened as an enemy to the colonies during the fall, when it was believed he had supported the imposition of the Stamp Act. But during the intervening months reliable correspondents in London had told the colonists that it had not been so, that instead Bernard had vociferously opposed the Stamp Act. The celebrations of the repeal provided an opportunity for Bernard to show himself in harmony with the King's subjects in Boston. As the Sons of Liberty were preparing the evening's fireworks and foodstuffs, Bernard and the Council "met at the Province House on Monday Afternoon, where his Majesty's Health, and many other loyal Toasts, were drank." That evening, as the celebrations were in full swing, Bernard and the Council made a public appearance. They "walked in the Common, to see the Fire works, Exhibitions, &c. who were well pleased with the Regularity the Inhabitants carried on their Demonstrations of Loyalty and Joy on this

34 Boston Gazette, 2 June 1766.
happy Occasion.” Indeed, the *Boston Gazette* emphasized the harmony in Boston between the King’s viceroy and his subjects, making sure to “inform the World, that every thing was conducted with the utmost Decency and good Order, not a Reflection cast on any Character, nor the least Disorder during the whole Scene.”

Yet the “Rejoicings” were not over. For the next night, another ceremony took place. Monday’s festivities had emphasized the joy of the colonists at the repeal, with, perhaps, particular thanks given to the King. Tuesday’s celebration, in contrast, emphasized Parliament’s role in delivering the American colonies from the Stamp Act. In the evening, “all the Gentlemen in the Town contributed Lanthorns to illuminate Liberty Tree, till the Boughs could hold no more, which made a most beautiful and splendid Appearance.” The total number of lanterns hung was 108, commemorating the majority by which the House of Commons had voted to repeal the Stamp Act. The houses surrounding the Common hung on their windows “illustrated Figures as large as the Life, the Colours all in a Glow with the Lights behind them, representing the KING, the immortal PITT, CAMBDEN, BARRÉ, &c.”—all the members of Parliament who had supported the cause over the past year. It was the houses of Capt. Dawes and the merchant Thomas Symes that held the portrait of Pitt, and to support the point they added an inscription:

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Hail, PITT! Hail, Patrons! Pride of GEORGE’S Days,
How round the Globe expand your Patriot Rays!
And the NEW WORLD is brighten’d with the Blaze.36
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King George might have ushered in the celebration with his assent to the repeal, but it was the colonists’ supporters in Parliament who had made that assent possible.

35 *Boston Gazette*, 2 June 1766.
36 *Boston Gazette*, 2 June 1766.
Newport’s Sons of Liberty took another week after receiving news of the repeal before holding their celebration of the repeal. Their “Rejoicing” was therefore the most elaborate of all, and the most meticulously planned. And it also lasted the longest, for “the Populace were so impatient that, before One o’Clock in the Morning, all the Bells in the Town were set a ringing, Drums were beat, Music played, and Guns were discharged.” At sunrise the planned festivities began, with the simultaneous unfurling of visual and auditory signals across the city:

At Sunrise a Signal Gun was fired, and the Flag hoisted, at Fort George; immediately Ensigns were displayed upon the Tree of Liberty --- at the Bottom of the Parade --- upon the Tops of Houses --- on the Shipping in the Harbour --- and at the Batteries at the South and North End of the Town.”

That afternoon brought more celebrations. Fort George “fired a Royal Salute” at noon, answered by volleys from the batteries to the north and south of the city. And at three o’clock came a grand procession, in which “his Honour the Governor, attended by the Committee of the Sons of Liberty, the Civil Officers of the Government, and Gentlemen of the Town, was escorted by the Officers of the Militia, with Colours flying, and Drums beating, in grand Procession, to the Court House, where a Number of loyal and patriotic Toasts were drank.” As each toast, whether to King, Pitt, or other worthies, was made, a “Trumpet sounded an air, and five Cannon were discharged; and Joy and Gratitude sparkled in every Face.”

37 Newport Mercury, 2 June 1766.
38 Newport Mercury, 2 June 1766.
In the evening Newport, like Boston and other towns before it, bathed itself in 
artificial light. Some houses had candles in the windows “equaling in Number the Majorities 
in both Houses of Parliament.” And the “grand wide-spaying Tree of Liberty, hung full of 
Glass Lanthorns, made a most brilliant, magnificent Appearance.” But despite the 
decoration of the houses and on the Tree of Liberty, the center of the celebration remained 
the courthouse and the long Parade below it. Fireworks, arcing over the Parade from a stage 
just below the courthouse, lasted until midnight, “when Wheels and Fountains closed the 
most grand, and most beautiful Scene, that ever was exhibited in this Colony.”

Newport and Boston’s celebrations both exhibited emblematical paintings, works 
that portrayed figures and landscapes representing some aspect of either the repeal or the 
colonists’ proper relation to Britain. The emblematical paintings made for Newport’s was a 
large work, displayed prominently. “From the front Steps of the Court House,” reported the 
Mercury, “was exhibited a beautiful Piece of Painting, eight Feet wide, and fourteen Feet 
high, consisting of four Compartments.”

The first compartment was clear enough: “In the lower Compartment, to shew the 
Advantages which Liberty gives to Commerce, was drawn a fine Prospect of the Harbour of 
Newport, with the Ships Pitt, Conway, Grafton, &c. entering it deeply laden, and with 
Colours flying.” The painting of Newport’s deep-water harbor thus reflected the present day, 
where “Ensigns were displayed...on the Shipping in the Harbour.” But it renamed those 
ships after the men of Parliament who had voted for the repeal. A second compartment also

39  Newport Mercury, 2 June 1766.
40  Newport Mercury, 2 June 1766.
featured virtuous Parliamentarians. There “stood the Goddess of Liberty, surrounded by the
Right Honourable Mr. Secretary Conway, the Marquis of Rockingham, Lord Cornwallis,
Lord Paulet, Lord Shelburne, Lord Torrington, General Howard, and Colonel Barre.”

The central panel was given over to King George in his greatest moment, signing the
assent to the repeal. The king was depicted “in his Royal Robes, sat enthroned, and, with a
most gracious Aspect, pointed to a Scroll ... inscribed, in Capitals, ‘Stamp Act Repealed,
1766. G. R.’” Yet the King was not alone on this panel, for two great parliamentarians
shared space with him: “At his Majesty’s Right Hand, with one Hand on his Breast, his
Thoughts distended with the Patriot Virtues, and with the other holding forth Magna
Charta, stood the firm, determined Friend of Constitutional Liberty, the Immortal Pitt. ---
At the left Hand of his Majesty, holding in his Right Hand the Bill of Rights, stood the
British Aristides, the patriotic, upright Cambden.” The King signed the assent, but it was
Pitt and Camden who held the documents codifying the rights of Englishmen that so
concerned the colonists.

The final panel was given over to “A beautiful Landscape, charged with vegetable
Productions, representing the Blessings which Liberty bestows on Agriculture, and Rural
Life.” This painting “filled the upper triangular Compartment, and finished the Piece.”
Thus, the four portions of the emblematical painting exhibited the commerce that tied
together Britain and its colonies, the agriculture that produced valuable raw goods for
Britain, and the men who were, in the colonists’ eyes, working in Britain to protect that

41 Newport Mercury, 2 June 1766.
42 Newport Mercury, 2 June 1766.
commerce and that agriculture, and who had "stood forth, strenuously exerted, and nobly distinguished themselves in the glorious Cause of American Liberty."\textsuperscript{43}

Newport’s emblematical paintings must have been memorable for those who saw them. Certainly they were considered important enough for a detailed description to be published in the \textit{Newport Mercury} and reprinted in newspapers across the colonies. Ezra Stiles made sure to transcribe the \textit{Mercury}'s description in his “Stamp Act Notebook.”\textsuperscript{44}

Stiles had begun that notebook in the summer of 1765, after the Virginia Resolves had been printed in Newport but before the crowd actions in that city or in Boston. The first thing he wrote was an inscription to be carved on an imaginary obelisk. Stiles’s inscription chronicled the history of English settlement in America, especially as it related to political turmoil in Britain in the seventeenth century—Cromwell and William and Mary as heroes, the Stuart kings as villains. He tied the Stamp Act to that narrative, and portrayed the relationship between America and the ascendant powers in Britain as frayed due to corruption in the mother country.\textsuperscript{45}

Now, as if in response to Stiles, Boston’s Sons of Liberty built an obelisk of their own. This was a frail thing, made of oiled paper and painted with figures and an inscription. Though taking a different form, the Boston monument conveyed similar sentiments to the emblematical painting in Newport. And, unlike that painting, a copy of the obelisk survives—for Paul Revere made an engraving showing each of the four sides. The engraving

\textsuperscript{43} \textit{Newport Mercury}, 2 June 1766.
\textsuperscript{44} Stiles, \textit{Stamp Act Notebook}, 45.
\textsuperscript{45} Stiles, \textit{Stamp Act Notebook}, 1-19.
of the Boston obelisk, then, is the only surviving visual representation of the emotions and sentiments that the Sons of Liberty wished to convey to their compatriots during the repeal celebrations.46

Revere described the engraved image as “A View of the Obelisk erected under Liberty-Tree in Boston on the Rejoicings for the Repeal of the — Stamp Act.” He showed a four-sided monument with a pyramidal top, solid rectangular base, and between them three panels on each of the four sides. The top panel on each contained four head-and-shoulders portraits of British royal and parliamentarians, making sixteen portraits in all. The middle panel on each contained ten lines of a poem. The bottom panels incorporated emblematical paintings. And written below the monument was the text “To every Lover of Liberty, this Plate is humbly dedicated by her true born Sons in Boston, New England.”

The sixteen portraits in the top panels of the monument were of men (and women) who the colonist viewed as supporters of their cause. Though their ranks ranged widely—from the King down to Dennis De Berdt, Massachusetts’s agent in London—the sixteen were given equal space. In this tableau, De Berdt or Alderman Beckford of London ranked with Colonel Barré or William Pitt, the Duke of York or Lord Dartmouth, or even King George or Queen Charlotte.47

46 A high-quality image file of a print can be found at “The Illustrated Inventory of Paul Revere’s Works At the American Antiquarian Society,” http://www.americanantiquarian.org/Inventories/Revere/b2.htm (accessed 26 November 2012). The description of the print is based on that image.
47 The full list of the sixteen:
On the first panel: Duke of York, Marquis of Rockingham, Queen Charlotte, and King George.
3rd: Lord Dartmouth, A—n B—r [Alderman Beckford] Lord D—l, Charles Townsend
4th: Lord George S-k-e [Sackville], Mr. DeBerdt, John Wilkes, Ld. Camden
Figure 1: "A View of the Obelisk," 1766. Used by permission of the Massachusetts Historical Society.
The poem in the middle panels celebrated resistance to the Stamp Act. It began with an invocation to Liberty, personified as a woman, for whom the colonists so clearly longed: “Have we not woo’d thee, won thee, held thee / Lain in thy Lap, & melted on thy long Tongue…” Their passion for liberty led them to pursue “through Deaths & Dangers rugged paths” and to brave “the Powers of Earth & Powers of Hell.” And their fear was, as always that they would “be slaves.” This fate they struggled against always: “We dare to scorn it—dare to die.”

The second panel turned from the colonists’ striving against slavery to their enemies and supporters in Britain. To Grenville and Bute, architects of the Stamp Act, they would direct the sound of their “clanking Chains & Curses.” But to their friends they would instead appeal. “Illustrious Camden, Britain’s Guardian Pitt,” the poet begged, “recede not, frown not, rather let us be / Deprived of being, than of Liberty.” The settlers in America, too were Britons: “The Foes of Britain, only are our Foes.”

The third panel reflected the struggle against the Stamp Act. Yet it was not entirely clear who was doing the struggling. Was it the colonists, or their friends in Britain? “Foul oppression” waxed stronger “while honest freedom struggles with her Chain.” Yet they would give answer. The “Sons of Virtue, hardy, brave” were “Arrouz’d in Thunder, awfull they appear / With proud deliverance stalking in their Rear.” And with the hardy resistance of the “Sons of Virtue”—their refusal to be confined in chains—the other side gave way: “While Tyrant-Foes their pallid Fears betray / Shrink from their Arms & gave their Vengeance / See in th’ unequal War Oppressors away fall / The hate, Contempt and endless Curse of all.”
And the final panel celebrated the reunion of Britons and Americans. The poet, in joy, announced “Our Faith approach’d our Liberty restor’d / Our Hearts bend grateful to our Sov’rgn Lord.” They would now defend their beloved monarch against all threats. The poet perceived potential threats: a divided Britain, in which “Hosts rebellious, Shake our Brunswicks Throne / and as they dar’d thy Parent, dare the Son.” Should George III find his rule under assault as had George II in 1745, then he could always call across the water: “To this Asylum stretch thine happy Wing / And we’ll content who best shall love our King.”

The four bottom panels were each small emblematical paintings. In his engraving, Revere helpfully provided a gloss on each. The first description read “1. America in distress apprehending the total loss of Liberty.” The panel contained two groups of figures. To the left, a woman wearing only a skirt, headdress, and quiver of arrows rested pensively under a tree. A second woman, with wings and carrying a pole with a liberty hat on it, hovered over the first holding out an arm as if to hold off the second group. These two figures followed accepted iconography and were clearly intended to represent, respectively, America and Liberty.

The second group consisted of four figures—a monk, a Scotchman, an Englishman, and a man with snakes in his hair shouting at the other three while pointing at the reclining figure. The Englishman and Scotsman held chains over their shoulders. It is likely that these two represented, respectively, Grenville and Bute. The monk likely represented Catholicism or even Jacobites. These three all had smiles on their faces as they prepared to chain Liberty. What the fourth man was intended to represent remains wholly unclear. Above the four was a flying demon holding in one hand a paper labeled “Stm-Act.”
The tension in the image came from the relation between the two standing non-human figures. The angelic representation of Liberty and the demonic creature with snakes for hair connected the two groups visually; his hand, pointing towards America, overlapped horizontally with hers restraining the villains.

The second panel showed how that tension—between pictorial groupings and between colonies and mother country—had been resolved. The painting held three groups. In the center was America, dressed as before but now holding, in one hand, her bow. She faced, to the right, four men in formal wigs and dress, likely meant to represent those in England to whom the colonists looked to for relief. Above the foremost of the four men was another angelic figure, holding not a liberty pole but blowing a trumpet and simultaneously placing a wreath on the first figure’s head. This may have represented Fame bestowing glory upon the Englishman for saving America.

America faced away from but pointed towards the third group: the four villains from the first panel. They now stood further in the background while a thundercloud shot down lightning bolts upon each of their heads. The shock caused the Englishman and Scotchman to drop their chains, which the artist portrayed in the moment of their falling to earth. Taken alone, the panel can be read two ways. It might have portrayed America kneeling, beseeching Britain to save her from slavery—and Britain responding in the affirmative. Or, perhaps, America had already freed herself of her chains and now was exposing the evildoers to those who could undo their works. Just who and what had undone the Stamp Act was, perhaps, purposely left unclear—was it colonial resistance or parliamentary act?
The third panel, however, strongly suggested that the former interpretation was the proper one. This panel was much simpler in composition. It showed a deciduous tree growing from a low hill, topped by a nest of five baby birds, necks craning upwards to where an adult bird flew above them, apparently in the process of feeding them. To the right flew towards them an armored female angelic figure bearing a shield—the accepted representation of Britannia. The mother country was, in this panel, giving essential sustenance to her children.

The parent-child relation was again suggested in the final panel. This image was of a single group of three figures, standing and conversing. Britannia in the center, now without wings, looked to the right in conversation with the Native American figure representing America. Behind Britannia, but connected visually by their hands extended towards each other, was Liberty with hat on pole. British rights and British liberties, the panel suggested, would ever be the savior of America.

There was a narrative tension, then, within both the poem and the panel. Both told stories of release from bondage. But who was the agent of that release? Was it King George, William Pitt, and the others who had voted for repeal of the Stamp Act? Or was it the colonists themselves, the “Sons of Virtue, hardy, brave” who refused to be chained by the Stamp Act in the first place?

It seems likely that it was not possible to resolve this tension, neither in the repeal celebrations as a whole nor on the obelisk in particular. The colonists had been asked by their friends in Britain to celebrate the repeal well, to pay their respects to Parliament and to acknowledge the work done on their behalf. Yet their whole resistance over the previous
year had been based on the idea that they themselves must fight the imposition of the Stamp Act at all costs. Thus, in Paul Revere’s engraving of the Boston obelisk, he used traditional emblems—the armored woman for Britannia, the Native American woman for America, and the woman with hat and pole for Liberty. The caricatures of Grenville and Bute would also have been familiar to readers both in the colonies and in the mother country. But in British cartoons of the period, even cartoons that were opposed to the Stamp Act, there was one vital difference. None of those attempting to lay the Stamp Act on America bore chains. The Stamp Act was, across the water, an abstract thing—a relationship between colony and metropole, a new account opened in the royal coffers. But for the colonists, it was something more, something real and visible. The relationship it implied was a particular one, and that relationship was not colony to metropole but slave to master.1

Throughout the colonies the repeal celebrations followed patterns similar to those seen in Boston and Newport. In Hartford, though, the “Rejoicings” were muted. This was not because the people of Connecticut had any lingering fondness for the Stamp Act, but rather because of a horrible accident. Connecticut’s General Assembly had appointed Friday, 23 May was appointed as a “day of general Rejoicing.” The day began as it did in many other colonies—ringing of bells, flags raised on the ships in the harbor, the thunder of cannon, “and the greatest Preparations making for a general Illumination.”2

1 For British prints, see Douglass Adair, “The Stamp Act in Contemporary English Cartoons,” William and Mary Quarterly 3d series, 10, no. 4 (1953): 538-42.
2 Pennsylvania Gazette, 12 June 1766.
"But sudden," reports continued, "was the Transition from the Heights of Joy, to extreme Sorrow!" The Assembly had granted a great deal of gunpowder for use in the evening's fireworks. That powder was delivered to the basement of the brick schoolhouse where men were preparing the fireworks. As the powder was taken in, some leaked out and was scattered on the ground.3

Nearby, some boys, "undesignedly, and unnoticed," set the scattered powder alight. (A second account instead blamed "a Negro Boy, [who] seeing some Powder scatter'd on the Ground, scraped some of it together, and set Fire to it.") The fire immediately followed the powder trail into the schoolhouse, to the cellar room set aside for its storage. The resulting explosion "in an Instant reduced the Building to a Heap of Rubbish" and buried the twenty-seven men and boys within. Three died immediately, the rest all had injuries ranging from slight wounds to shattered limbs and severe burns, and many were not expected to live.4

The planned celebrations were of course canceled. And that Sunday John Devotion, the minister of Hartford's North Meeting-House, preached a sermon titled On the Necessity of a Constant Readiness for Death. The dour text of Devotion's sermon was in keeping with the title. But in contrast to the mood in Hartford, other ministers across the colonies were preaching on the far happier topic of the repeal, titling their sermons such things as The Snare Broken or Good News from a Far Country.5

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3 Pennsylvania Gazette, 12 June 1766.
4 Pennsylvania Gazette, 5 June 1766, 12 June 1766.
These sermons celebrating the repeal of the Stamp Act in many cases served a dual purpose. They invoked, as had so many other writings of the past year, the themes of bondage and slavery. Yet they treated these themes in a different way than had, for example, the Sons of Liberty who had resolved to resist the Stamp Act as slavery. The sermons, like other events surrounding the celebrations of the repeal, emphasized deliverance by King and Parliament rather than the colonists' struggle to free themselves.

Of the half-dozen or so sermons surviving sermons that played variations on this theme, one in particular reached a wide audience, by being printed and reprinted by several different publishers. This was *The Snare Broken*, delivered by the Congregationalist minister Jonathan Mayhew at the West Church in Boston on 23 May 1766—the same day as the explosion at the Hartford schoolhouse. *The Snare Broken* was, perhaps not coincidentally, the sermon that most directly engaged the rhetoric of slavery and resistance that had animated the colonies through the prior year.6

And Mayhew was explicit about what the Stamp Act had represented. Its repeal had left the colonists “emancipated from a slavish, inglorious bondage.” Mayhew, then, took it upon himself to express the “general sense of the colonies” upon that repeal. The essential point was that the Stamp Act took their money away from them unlawfully. And it was unlawful because they were not slaves:

6 The first printing was by three Boston publishers in concert. They produced a second edition after the first proved popular. It was also distributed in London, through the printer G. Kearsly.
...[A]s we were free-born, never made slaves by the right of conquest in war, if there be indeed any such right, nor sold as slaves in any open lawful market, for money, so we have a natural right to our own, till we have freely consented to part with it, either in person, or by those whom WE have appointed to represent, and to act for us.7

The Stamp Act had abridged the colonists' right to self-taxation and, Mayhew added, to the right to trial by jury. In so doing, it tended directly to reduce the colonies to slavery. Thus, they had been justified in certain forms of resistance to the Stamp Act. Their petitions and remonstrances to Britain had been right and natural. But Mayhew drew the line at anything beyond such peaceful forms and here, he acknowledged, he might differ from the "general sense of the Colonies." He decried the violent resistance against the Stamp Act, without specifying any particular examples of such violence, and declared the perpetrators "men of Belial ... who had the effrontery to cloak their rapacious violences with the pretext of zeal for liberty."8

But the Stamp Act had indeed been repealed, by a just and good King and Parliament. In the metaphor of the sermon's title, "'our fowl is escaped from as a bird from the snare of the fowlers; the snare is broken, and we are escaped;' tho' not without much struggling in the snare, before it gave way, and set us at liberty again." The fowlers, Mayhew suggested, had been "not improbably, in the employ of the Houses of Bourbon and the Pretender." Thus, the Stamp Act may have been intended to rupture the good relations between the colonies and Britain.9

7 Mayhew, Snare Broken, 4.
8 Mayhew, Snare Broken, 4-7.
9 Mayhew, Snare Broken, 9.
The Stamp Act, then, represented a greater danger than had even the Seven Years' War. For it made no difference whether slavery was laid upon them by an absolute monarch or a legislature in which they were not represented:

It may be questioned, whether the ancient Greeks or Romans, or any other nation in which slavery was allowed, carried their idea of it much further than this. So that our late apprehensions, and universal consternation, on account of ourselves and posterity, were far, very far indeed, from being groundless. For what is there in this world more wretched, than for those who were born free, and have a right to continue so, to be made slaves themselves, and to think of leaving a race of slaves behind them; even though it be to masters, confessedly the most humane and generous in the world?  

Though discontent over the Stamp Act was general, it took different forms in different people, according to their dispositions: melancholy, consternation and delirium, or instinct towards submission. “But the greater part,” Mayhew believed, had been “firmly united in a consistent, however imprudent or desperate a plan, to run all risques, to tempt all hazards, to go all lengths, if things were driven to extremity, rather than to submit; preferring death itself to what they esteemed so wretched and inglorious a servitude.” It was not only the white men of the colonies who felt this way. White women were, “I imagine, so far metamorphosed into men on this sad occasion, that they would have declined hardly any kind of manly exertions, rather than live to propagate a race of slaves, or to be so themselves.”

And yet a more extraordinary group, Mayhew believed, also opposed the Stamp Act:

Even our bought Negro slaves apparently shared in the common distress: For which one cannot easily account, except by supposing that even some of them saw, that if the act took place, their masters might soon be too poor to provide them suitable

10 Mayhew, Snare Broken, 13.
11 Mayhew, Snare Broken, 18.
food and raiment; and thought it would be more ignominious and wretched to be the servants of servants, than of free men.12

The colonists' primary fear was of a new layer of authority ruling directly over them, not from Britain, but from their own shores. They believed that the money collected from the Stamp Act would be used to pay civil officers, or to maintain a standing army in America that would intimidate them into submission, or to maintain a "standing army of bishops and other ecclesiastics." The result had been tension among the people, the shutting of courts, a state of general disorder, and even some committing "abominable excesses and outrages on the persons or property of others."13

Mayhew, and some others, saw a dark road ahead. They worried this would lead to "British subjects making war on British subjects," and from there the ruin of the colonies and the fall of Britain. Popery would be triumphant. "Some of us had, lately, painful apprehensions of this kind, when there was talk of a great military force coming to stamp America into a particular kind of subjection, to which most people here have an invincible aversion."14

Now Mayhew, having recreated the despair of the previous autumn, shifted to the present—the news of the repeal. That repeal had "restored things to order, and composed our minds, by removing the chief ground of our fears." And for this, he asked, "how great are our obligations for it to the supreme Governor of the world?" From honoring God the proper next step must be to honor the King. Thus, the colonists should have "a respectful,

12 Mayhew, Snare Broken, 17.
13 Mayhew, Snare Broken, 18-20.
14 Mayhew, Snare Broken, 20-22.
loyal, and dutiful manner of speech and conduct, respecting his Majesty and his government; thereby making a suitable return to him for the redress of our late grievances.” The King’s actions, in assenting to the repeal, confirmed his understanding of his proper relation to his subjects. It was to be a communion between father and child. The King was not a “tyrant, or even master; [the people] are not slaves, or even servants.”

The colonists must also pay due respect to the British Parliament. It was clear that Parliament had the right to “superintend the general affairs of the colonies, to direct, check, or control them.” And Parliament, it was now clear, would listen to humble petitions from the colonies, even the colonies speaking as one. Their voices united in the resolves of the Stamp Act Congress, had been accompanied by the “spirited resolutions and conduct of the American Merchants” in Britain. Parliament could have no doubt that equitable treatment would bind the colonies to Britain more surely than any amount of force.

The best way to pay respect to King and Parliament would be to behave well in their celebrations of the repeal. In doing so, they would frustrate those in America who predicted the colonists would grow insolent or triumphant. And Massachusetts, in particular, had an obligation. As they had led by calling for a “spirited, tho’ decent and respectful application for the redress or our late grievances” (likely referring to the Congress held in New York in October), now they should again set “an example of moderation and discretion to other colonies.”

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Nevertheless, the colonists should not abandon their watch: threats against their rights and privileges could appear at any time. It was Mayhew’s hope that even out of the evil of the Stamp Act good might come. He had been horrified when, last November, “Liberty” had seemed “about to take her final departure from America, and to leave that ugly Hag Slavery, the deformed child of Satan, in her room.” But now, he believed, the end result of the repeal might even be “confirmation and enlargement” of those liberties.18

Mayhew hoped that colonists would never abuse the influence they had shown they could have when united, nor would they become restless under good treatment by Britain. But nor should they “lose a just sense of liberty, or what they may reasonably expect from the mother country.” For had they “patiently received the yoke, no one can tell when, or whether ever it would have been take off.” Finally, the unity that had led them through the crisis of the Stamp Act should be replicated at home. There had been many internecine disputes about how to resist the Stamp Act; with the Act’s repeal and their own restoration to good relations with Britain, so too should these internal rifts be bridged.19

The Snare Broken remains extraordinary for the importance it placed on the resolves of the Stamp Act Congress, and the power of the colonists petitioning in unison. For this directly contradicted the best information that had arrived from Britain. By 17 April news had arrived in Boston that the Congress’s petitions had been rejected as coming from “persons improperly joined.” It was clear that the Stamp Act Congress had not been instrumental in the repeal; if any sort of colonial unity had contributed, it was certainly the

18 Mayhew, Snare Broken, 35-37.
19 Mayhew, Snare Broken, 38-44.
concerted nullification carried out by Sons of Liberty across the continent. Nevertheless, Mayhew’s interpretation might have tended to become accepted wisdom. So long as Britain did not try again to lay chains on the colonists, it was in the interest of very few to remember their actions that led to the repeal.

Despite the defeat of the Stamp Act, the tossing off of chains, not all in the colonies were as convinced as Mayhew that a perfect balance of power between Parliament and colonies had been achieved. The stirring of such dissent—and the opposition it provoked—can be seen in the furor over a particular letter published in the New-York Gazette and Weekly Post-Boy on 8 May. A writer with the pseudonym “Philatheles” argued that neither Parliament nor King had the right to legislate unilaterally for America—never mind lay an internal tax on the colonies. Philatheles drew from Pitt’s speech in debate with Grenville from January:

A celebrated patriotic member of the H—se of C—ns has lately and very justly ridiculed the idea of virtual representation, boldly denied the right of Great Britain to tax America, and yet to my surprize asserts the authority of that Kingdom to restrain the trade, manufacture, &c. of the colonies, tho’ he allows this very step may raise a revenue, and so be equivalent to a tax.\(^{20}\)

Philatheles’s argument went further than did the consensus colonial position, that Parliament could not impose an internal tax on the colonies, but could impose trade duties for the empire that affected the colonies. It had become accepted truth in the colonies that submission to an internal tax like the Stamp Act was equivalent to slavery. Philatheles, then,

\(^{20}\) New-York Gazette and Weekly Post-Boy, 8 May 1766.
tried to show that it was really Parliament’s attempts to legislate that made the colonists into slaves, and not simply their imposition of an explicit internal tax.\textsuperscript{21}

Philatheles argued from analogy: there was no difference between “tying a man’s hands and picking his pockets without his consent.” Indeed, the former might be the more “slavish,” for it prevented the man from earning any income at all. He argued from British law: “the King himself has no right to impose a law of any kind on any of his subjects.” If the King could not do so, how could any one part of his subjects impose a law on another part? And Philatheles argued from a view of what the future might hold. The colonies were growing in population far faster than was Britain. If Britain could legislate for them now, why should it not be that, “if America should ever be, as she doubtless will be, more populous than Great Britain, she must necessarily take the lead and give Law.”\textsuperscript{22}

Yet, as the capstone of the essay, Philatheles returned to the key metaphor of his time. He declared “...I had rather be a subject to King George, even tho’ he were clothed with all the power of an absolute Monarch, than be a slave to his British subjects.” To truly avert slavery, then, the colonists must be free to legislate for themselves (and legislation included trade duties that raised revenue), and not just to impose their own internal taxes.

The next issue of the Gazette made it clear readers had been outraged. A short essay titled “The Printer to his Readers” discussed Philatheles’s essay. The printer made it clear that he had not written the piece. He acknowledged the negative response he had received. Yet, he believe the essay was too important to be withheld from the public. He asked

\begin{itemize}
\item \textsuperscript{21} \textit{New-York Gazette and Weekly Post-Boy}, 8 May 1766.
\item \textsuperscript{22} \textit{New-York Gazette and Weekly Post-Boy}, 8 May 1766.
\end{itemize}
readers to "suspend censures" until, next week, he could explain why he had published Philatæles. At that time he would publish letters for and against Philatæles's position.23

The printer never did; instead he wrote a lengthy defense of his decision to publish the essay in the first place. He laid out four objections that readers had made. First, that the essay's doctrine was "not true, nor defensible upon the Principles of Reason and the English Constitution." Second, some readers felt that whatever the piece's merits, this was not an appropriate time to dispute these issues. Third, some thought it was disrespectful to friends in England, who had asked the colonists to show proper submission to Parliament and to be discreet in their celebrations. It was also ungrateful to Pitt and disobedient to Parliament for denying their authority. Finally, a small group who had always disagreed with the sentiments expressed in the New-York Gazette and Weekly Post-Boy saw Philatæles's essay as a justification of their suspicions towards the paper.24

The printer responded to each objection individually. To the first, he said merely that he thought the matter sufficiently important to deserve the public's attention. It was his answer to the question of whether this was an appropriate time to publish the piece that reveals more about the more radical strains of thought in May of 1766:

The Author thought this a proper Time; many other Persons are of the same Opinion; and the Printer did not think himself at Liberty to control those Opinions. The Subjects of this Piece are as yet new to the whole British Nation. They were never thought of till the Stamp, and some other late Acts brought them under consideration; and the People of England understand them not a whit better than we do in America, nor have had any more Experience, or Information, or Opportunities


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of reasoning upon them. God forbid that any Printer should take upon him to obstruct a free Inquiry.25

And there was no better time to conduct such a "free Inquiry." Those who agree with Philatheles thought it equally true that the English constitution denied Parliament the right to legislate for those who had not assented (in person or via representative) as surely as it denied them the right to tax. And since these matters were now under consideration, it was a good time to settle them on a "firm Foundation." Surely the English constitution was strong enough to withstand such examination, as long as they are expressed, as did Philatheles, with "the duty of a loyal subject to his majesty." Further, the joyous time of the repeal was potentially also a time of danger, as those behind previous "machinations" might try to gain an advantage: "for Instance, an Acknowledgement from us of the Parliament's Right to Tax us; of that in every other Respect but Taxation, they have an absolute Right to make Laws to bind us without our own Consent." In other words, the danger might be that the colonists would acknowledge their rightful subjugation, or that they might be forced into such a state. The editor's phrasing was, though subtly, again the rhetoric of slavery and struggle. But, surely (to answer readers' third objection) their true friends such as the great Pitt would always want them to defend themselves, for they believed in all Britons' "freedom to liberty of expression."26

Philatheles's letter and the minor uproar it caused, then, illustrate some of the intellectual unrest that was taking place in the colonies. Already, when the Stamp Act— decried as slavery by colonial assemblies and Sons of Liberty alike—had been defeated, some

were asking whether the logic by which the Stamp Act had been understood to be a form of slavery did not also apply to other kinds of Parliamentary measure. Such thoughts were at this time uncertain: their holders felt the need to work through long chains of questionable logic backed with rhetorical tricks in order to make the argument that Parliament had no right to legislate for the colonies. Within a few years such reasoning would be conventional. Further down the road, during and after the period of the Townsend duties, this understanding of Parliamentary right would become a commonplace. Someone calling the Boston Port Act "slavery" could just come out and say it, as had, for example, the writer of the essays in the *Constitutional Courant*, or the Sons of Liberty who drafted resolves for their towns against the Stamp Act.

The American colonists, following the injunctions of their supporters in Britain, celebrated the repeal of the Stamp Act peacefully. They credited Parliament with their deliverance; they downplayed their own acts in nullifying the Stamp Act through violence and threat. Yet, in retrospect, perhaps the clinching case for the repeal had been the testimony before Parliament of the men who had been the victims of those crowd actions. When Parliament came back into session in January of 1766 and began, per the King's request, to reconsider the Stamp Act, they gathered as much information as they could. It is well known that they took the testimony of British merchants trading to America. But they asked the Treasury, the Stamp Office, and the Colonial Office to provide them with the documents sent by royal governors and stamp officers that detailed the violence and the threats of violence against those who supported the Stamp Act. And Parliament requested
testimony from four men who had been the subjects of that violence: Martin Howard, Jr.
and Thomas Moffatt, whose houses had been attacked in the Newport riot of August; Major
Thomas James of New York; and Colonel George Mercer of Virginia. Of the four, only
Mercer had been appointed a stamp officer; Howard and Moffatt had defended the Stamp
Act with pen and voice while James, commanding Fort George, had tried to protect the
stamped paper itself.

The men gave their testimony at the beginning of February 1766, before any votes
had been taken on whether to repeal the Stamp Act or to enforce it. The documents from
the crown officers, read to Parliament in the days just preceding, painted a picture of
colonial cities largely out of British control. And the testimony of the four men who had
witnessed that colonial unrest confirmed and amplified the fears expressed in the letters.
Moffatt and Howard told Parliament of attacks by crowds cut free of all authority, crowds
that nearly destroyed their houses and that did destroy or steal most of their most valued
possessions. These mobs had “overawed” the better people of the town. There was no
effective force that could have prevented the riot. Moffatt estimated it would take ten weeks
or more to outfit a proper command and send it to Newport. And, when asked if those same
better people would have cooperated with a military force if it existed, the hypothetical
seemed hardly worth considering. Howard could only repeat, “Our civil authority is very
weak, military we have none.”

In New York the situation was worse. There a mob of three or four thousand had surrounded the fort, threatening an attack. James had, he estimated, twenty-four men to defend it. He might have fired on the crowd, killing (he estimated) nine hundred of them, but “if that would have intimidated the country I can’t tell.” But he strongly doubted it would have been enough to enforce the Stamp Act. He believed that any attempt to use military might would have met general resistance. For the areas of New York and the Jerseys surrounding the city were well-populated. James explained, “[t]here can be assembled in New York and the Jerseys 50,000 fighting men as I have heard. If any small force had been used there would have been a general resistance. In two days more there would have been 20,000 strong. There was no possibility of assembling [British] forces nearer than 200 miles.”

Mercer reported the potential for similar resistance in Virginia. He had stayed in his colony until 28 November, a month longer than James and three longer than the Rhode Islanders. Yet he found no alteration in their temperament. The Stamp Act, were it to be enforced, would certainly meet resistance. Military force would be the only way to enact it—and nobody in Virginia would be willing to risk their own lives by executing the Act without the backing of such military force.

Parliament asked the four men what was behind the colonists’ unexpected resistance to the Stamp Act, and if they could be expected to put up similar resistance to other acts.

they might pass. Here the responses differed by colony. Moffatt and Howard believed that
the Stamp Act was the principal source of Rhode Islanders' anger, but that some in that
colony were also beginning to doubt Parliament's jurisdiction in other areas. In Rhode
Island, Moffatt suggested, the distinction between internal and external taxes was less
important than elsewhere—he had seen the distinction made in newspaper articles, at least.
Howard believed that "They made no objection while they only taxed by customs. But now
the whole." Apparently a justification for the latter was that "they have in Virginia denied all
taxes." 30

Yet when the Sugar Act had been passed in 1764, Moffatt remembered "no
conversation at that time, or complaints about the jurisdiction of Parliament." And, even
when a crowd seized Newport's fort and fired on Royal Navy ships that summer, Moffatt
believed the cause had been "a dispute about seamen." The questioner insisted it had been
about a seizure; Moffatt seemingly shrugged, "Probably it might. There was no punishment
for it." Moffatt was right the first time; the crowd had been angered over impressment of
local seamen into service on the HMS St. John. The seizure of a merchant's sloop had been
an entirely different incident. 31

In New York, James indicated that the mob's resentment was due to two factors,
both immediate in scope: "One that I should say I would force the Stamp Papers on them
throughout. The other that I said I would drive them out of town with 24 men." And in
Virginia, such resistance was also specific to the Stamp Act. Three years ago, there had been

30 Simmons and Thomas, Proceedings and Debates of the British Parliaments Respecting North America, 1754-
1783, 118-21.
31 Simmons and Thomas, Proceedings and Debates of the British Parliaments Respecting North America, 1754-
1783, 118-20.
“not the least breath of disloyalty.” It was never their opinion that British Acts of Parliament ought not to be received, “nor now except in the Stamp Act.” (This last, of course, contradicted the Rhode Islanders’ interpretation of Virginia’s position).32

So, in brief, Parliament heard from those who had been on the scene of some of the largest acts of resistance to the Stamp Act that the vast majority of the colonists were ready to use force, if necessary, to prevent the Stamp Act from being enacted. Thousands had already mobbed in New York, and tens of thousands were nearby, numbers corroborated in the correspondence of the Sons of Liberty. The letters from crown officers confirmed the extent of the resistance. Yet it was also clear that such great resistance was confined to the Stamp Act itself, not to any other acts of Parliament, however disliked they might be. The Stamp Act, though, could not be enforced without committing military men and materiel to the cause.

The geography of the American colonies thus thwarted enactment of the Stamp Act in two ways. As shown in chapter 2, it was the centralized distribution of the stamped papers from the port cities that made it possible for crowds to nullify the Act. Perhaps a larger military presence could have protected the distributors of the stamps, each in his own colony’s capital. But to force Virginia’s justices back to their benches, to oversee their use of only stamped papers, throughout the sixty counties of that province—that would surely have been beyond the capabilities of even the British army. In proposing the Stamp Act, Britain had, without fully considering the implications, created a law that would extend tendrils

down the rivers and roads of the colonies, reaching the merchants and especially the courthouses scattered across the countryside. To exert control over such a decentralized system would surely have cost far more than the Act ever would have brought in revenue. A model that might have worked in Britain, with a greater population packed into a smaller area and with more and larger cities, was not effective in the colonies.

Small wonder, then, that Parliament chose instead to repeal the Stamp Act. But, even if colonial resistance and the threat of more should enforcement be attempted had been the keys to the repeal, it would be difficult for Parliament to acknowledge that. Instead, they found a way to save face. They emphasized Americans' more moderate actions: the non-importation agreements among some merchants in a handful of cities and the potential economic damage that the loss of the American market would do to British merchants and manufacturers. The correspondents to merchants in the colonies wrote of the planned repeal, and asked for calm celebration and due deference to Parliament, on threat of losing their remaining friends in Britain. For the colonists, there was no reason not to express such gratitude. The repeal of the Stamp Act had been the whole object of their resistance.

Yet it was those statements by Howard and Moffatt, James and Mercer—that brought home to Parliament the extent of the uprising against the Stamp Act. Added to letters from colonial governors and stamp officers echoing the same themes, the testimony forced Parliament to choose between repeal and a military suppression of a revolt. And even then, the statements also hinted at the rifts that would over the next decade widen between the colonies and the mother country.
For the differences in the testimony of Howard and Moffatt from that of James and Mercer showed that the merchants and seamen of Rhode Island had a very different relationship with imperial power than did the gentlemen of Virginia, or even the artisans of New York. Both New Yorkers and Virginians were willing to resist with force attempts to impose a particular new layer of taxes upon them, taxes collected by a new level of official—the stamp officers. But Rhode Islanders believed they had been dealing with such force for the past year and more. They had relied on coercion and threat in the past to vex customs officials; they were used to resisting the impressment of their seamen onto Royal Navy vessels. For colonists less dependent on ocean-borne trade, the Sugar Act and similar acts were merely trade duties. Rhode Islanders, though, found them enforced with the same vigor as would be an internal tax like the Stamp Act. What difference, then, should be made between the two? The distinction between internal and external tax, clear enough in the abstract and accepted as such across the colonies, became far less clear when both were the leading edge of British military might.33

And it was such might, enforcing British acts with coercive power, that was at the heart of all colonial fears: standing armies; increased enforcement by the Royal Navy; tighter restraints on settlement across the Appalachians; even the possibility of a network of bishops for America. Coercion of these sorts could be, and were, argued to be no better than slavery. This theme of bondage, and struggle against bondage was returned to, again and again, by those writing and speaking against the Stamp Act, from the version of the Virginia Resolves

printed in the *Newport Mercury* and *Maryland Gazette*, to the *Constitutional Courant*
distributed anonymously in New York as the crisis there came to a head, to the Sons of
Liberty in town after town declaring their intention to struggle against those chains. After
the Act was repealed and the rift with Britain healed, slavery was invoked less, yet Jonathan
Mayhew’s broken snare and the chains held by Bute and Grenville on Paul Revere’s obelisk
show that the dangers of the Act were not forgotten.

Nine years after those celebrations of the repeal, British redcoats would attempt a
raid on colonial military supplies at Concord, Massachusetts. The result was the battles of
Lexington and Concord, and the iconic “first shots of the American Revolution.” Though
they could not have known, the Massachusetts minutemen were echoing an oration of a
month before. For in March, at a meeting of the Virginia House of Burgesses at St. John’s
Church in Richmond, Patrick Henry had risen and with passion declared, “Give me liberty
or give me death!”

Those seven words, the climax of Henry’s speech, are famous; but how many
remember what preceded it? For Henry spoke about slavery: neither the bondage of Africans
on the plantations of the South nor in the seaports of the North, but the oppression under
which Britain wished to lay the colonies. Britain’s armed forces menacing the colonies were
“implements of war and subjugation; the last arguments to which kings resort.” They were
sent to “bind and rivet upon us those chains which the British ministry have been so long
forging.” Argument, so long tried, had failed. Now only arms were left: “If we wish to be free

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... we must fight! ... There is no retreat but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come."^35

Henry finished,

It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, Peace—but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!^36

We remember Henry positing a decision between liberty and death. But, calling to mind only the last clause of his oration, we forget all that led up to it. The choice between liberty and death was not, truly, any choice at all, merely a consequence of the real decision. And that had been, not between liberty and death, but between slavery and struggle. To prevent themselves from being chained, the colonists must resist, with arms. They must set foot upon the battlefield and prove to themselves and the world that they refused to be subjugated—and, in that refusal, proved themselves to be not slaves at all, but free men.


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BIBLIOGRAPHY

Primary Sources — Archival

_Massachusetts Historical Society_

Belknap, Jeremy. Papers.

Cooper, William. Diary, 1764-1766.


Hutchinson, Thomas. Letterbooks, 1741-1773.

Jones, Joseph. Papers, 1766-1841.

Mather, Samuel. Letters, 1689-1790.

Miscellaneous Bound Manuscripts, 1629-1908.

Murray, James. Papers, 1732-1781.


Quincy, Wendell, Holmes, and Upham Family Papers, 1633-1910.

Savage, Samuel P. Papers.

Sullivan Family Papers, 1735-1837.

Thacher, Oxenbridge. Papers, 1762-1765.

_Beineke Library, Yale University_

Stiles, Ezra. Papers (microfilm).
New York Historical Society

BV New Netherlands Papers.
Kempe, John Tabor. Papers.

New York Public Library

Chalmers, George. Papers, 1606-1812.
Galloway, Samuel, and John Galloway. Papers.

American Philosophical Society, Philadelphia

Hall, David. Papers.
Pennsylvania Stamp Act and Non-Importation Resolutions Collection

Historical Society of Pennsylvania

ALS Society Collection.
Cadwalader Family Papers.
Dreer Collection.
Gratz Collection.
Hughes, John. Papers.
Library Company of Philadelphia Manuscripts.
Meredith Family Papers, 1756-1964.
Pemberton Papers.

Library of Congress
Feinstone, Sol. Collection (microfilm).
Public Records Office papers (transcripts).
House of Lords papers (transcripts).

Maryland Historical Society
Dulany, Daniel to Lord Baltimore. Letter. Undated (May or June 1766).

Virginia Historical Society
Custis Family Papers, 1683-1858.
Dabney Family Papers, 1742-1928.
Lee Family Papers.
Mercer Family Papers.
Miscellaneous Manuscripts.

Primary Sources — Printed — Newspapers

Boston Evening-Post.

Boston Gazette.
Boston News-Letter.

Boston Post-Boy.

Connecticut Courant.

Maryland Gazette.

Massachusetts Gazette.

New-Hampshire Gazette.

New-York Gazette.


New-York Mercury.

Newport Mercury.

Pennsylvania Gazette.

Providence Gazette.

Virginia Gazette.

Primary Sources — Printed — Other


Chauncy, Charles. A Discourse on “the Good News From a Far Country”: Delivered July 24th. A Day of Thanks-Giving to Almighty God, Throughout the Province of the Massachusetts-
Bay in New-England, on Occasion of the Repeal of the Stamp-Act; Appointed By His Excellency, the Governor of Said Province, At the Desire of Its House of Representatives, With the Advice of His Majesty’s Council. Boston: Kneeland and Adams for Thomas Leverett, 1766.


Hancock, Harold B. “Letters to and From Caesar Rodney.” Delaware History 12, no. 1 (1966): 54-76.

Journal of the Honourable House of Representatives, of His Majesty’s Province of the Massachusetts-Bay, in New-England, Begun and Held At Boston, in the County of Suffolk, on Wednesday the Twenty-Ninth Day of May, Annoque Domini, 1765. Boston: Green and Russell, 1765.


*Proceedings of the Congress At New-York.* Annapolis: Jonas Green, 1766.


Secondary Sources


Greene, Jack P. “‘Not to be Governed Or Taxed, But By Our Representatives’: Four Essays in Opposition to the Stamp Act By Landon Carter.” *The Virginia Magazine of History and Biography* 76, no. 3 (1968): 259-300.


Omohundro Institute of Early American History and Culture, Williamsburg, Va., 1999.


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