

Unit 1

THE EVENTS LEADING TO THE AMERICAN REVOLUTION

CHAPTER 1 AN INTRODUCTION TO THE STUDY OF HISTORY	1
CHAPTER 2 SOCIAL CLASS IN COLONIAL AMERICA	3
CHAPTER 3 GOVERNMENT IN ENGLAND AND THE COLONIES	9
CHAPTER 4 BRITISH MERCANTILISM AND THE COST OF EMPIRE	14
CHAPTER 5 THE FRENCH AND INDIAN WAR	19
CHAPTER 6 THE PROBLEMS THAT ENGLAND FACED AFTER THE FRENCH AND INDIAN WAR.....	23
CHAPTER 7 THE STAMP ACT AND VIRTUAL REPRESENTATION	29
CHAPTER 8 THE STAMP ACT AND METHODS OF PROTEST	33
CHAPTER 9 THE BOSTON MASSACRE	38
CHAPTER 10 THE TEA PARTY AND THE INTOLERABLE ACTS.....	43
CHAPTER 12 BY WHAT RIGHT	50
CHAPTER 13 DECLARING INDEPENDENCE	53
CHAPTER 14 HISTORIANS AND THE AMERICAN REVOLUTION	57

by
Thomas Ladenburg, copyright, 1974, 1998, 2001, 2007
100 Brantwood Road, Arlington, MA 02476
781-646-4577
t.ladenburg@verizon.net

Chapter 1

An Introduction to the Study of History

The study of history is the search for the answers to four basic questions:

- What were the conditions at the time?
- What happened?
- Who was right?
- Why did it happen?

On the morning of April 19, 1775, about six-dozen Massachusetts farmers stood on the Lexington town green. They had been warned by Paul Revere that a far larger number of British soldiers were marching to Lexington and Concord to capture Sam Adams and John Hancock and to destroy military supplies. When the British army arrived in Lexington, the two forces stood for several minutes in tense confrontation. Suddenly, a shot rang out from an unknown source, and instantly, the British opened fire. Retreating in hasty confusion, the colonists left behind eight men, dead or dying, on the village green. Thus, with this incident, which neither side expected or willed, the American Revolution began.

A Search for Answers

The battle of Lexington raises most of the important questions that students of its history should ask and try to answer. Even before beginning to sort through the various accounts of the battle, you would need to know the conditions at the time that paved the way for this event. You should know that the British had restricted the colonists' trade, were forbidding town meetings, and were viewed by many colonists as tyrants who were depriving Americans of their natural born rights. Such were the significant economic, political, and ideological factors in 1775 that gave rise to what happened in Lexington that April morning.

Secondly, you would want to learn what actually happened on the Lexington Green. There are scores of different accounts, many disagreeing over such essential facts as the time of the battle, the source of the first shot, the number of men involved, and the orders given by the commanders. To formulate your own answer to the question "what happened?" you must read and analyze all these varied accounts.

Contradictory versions of the battle of Lexington circulated in the colonies and in England. Each was slanted to favor one side or the other. The British account portrayed the colonists as rebels defying lawful orders and opening fire on the King's army. The colonists claimed they were merely defending their homes and liberties, and they insisted that the British fired the first shot. Each side, in other words, justified its own actions and blamed the other for firing first. Even 200 years after the event, the question "who was right?" has not been answered to the satisfaction of all historians.

The final question, "why did it happen?" is also very controversial. Events have both causes in the economic competition between merchant businessmen in the New and Old Worlds. Both groups are portrayed by economic historians as competing for control over furs, lumber, slaves, shipping and manufacturing. Social historians, on the other hand, see the underlying causes of events in the struggle between social classes, while other historians seek the causes of events in the different ideas and mind-

sets among competing groups. In this way the student of history is presented with political, economic, social, and ideological explanations for the American Revolution.

The questions, "what were the conditions?", "what happened?", "who was right?", and, "why did it happen?" are as important to understanding the present as they are to understanding the past. Historians will search for answers in the political, economic, social, and ideological conditions of the time and come up with different answers stressing one or another of these factors. Thus, the four types of questions that have been raised will be posed as long as there are people interested in human behavior.

This unit on the American Revolution raises the four questions that have just been highlighted. While there will be a great deal of factual information to help you answer them, the emphasis will be less on the answers you arrive at than on the facts and logic you use to support them. The questions posed here about the American Revolution are bound to raise a great number of disagreements. This should encourage each of you to think more deeply and search somewhat harder. Thinking and searching for one's own answers, rather than memorizing the conclusions of others, will cast you in the role of historian

Suggested Student Exercises

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|--|-------------------------|------------------------|
| a. the 4 kinds of questions historians ask | d. intellectual history | h. underlying causes |
| b. social history | e. primary sources | i. first shot |
| c. economic history | f. secondary sources | j. Battle of Lexington |
| | g. immediate causes | |

2. Give examples of the political, economic, social, and ideological factors that may have been said to have brought about the battle of Lexington.

Chapter 2

Social Class in Colonial America

Divisions based on income, occupation, education, and decision-making power have always existed in societies. These divisions are referred to as social classes. One can identify lower, middle, and upper classes as they are defined by income, occupation, education, and power.

The term social mobility refers to the likelihood or ability of a person to move up from one social class to another. Two hundred years ago, in Europe, it was almost impossible for an individual to improve his social position. In the colonies, however, social class divisions did not prevent social mobility. Many colonists, such as Ben Franklin, were born in poverty and rose to the highest level of society. The question remains, however, just how deep were the social divisions in America and how much mobility was there? Historians disagree. Some argue that most Americans belonged to the middle class or could easily move up into it; others claim that colonial society was deeply divided along class lines and controlled by a small upper class or elite group.

This chapter provides both primary (first-hand or eyewitness) sources and secondary accounts (based on data or information from the times) on the existence of social class divisions in the colonies.

William Byrd's Secret Diary

William Byrd, one of the richest men in 18th-century America, was born on the frontier and educated in England. He owned a huge mansion in Virginia, one of the largest libraries in the colonies, and 179,000 acres of land. He kept a detailed secret diary in a private shorthand that has only recently been deciphered. Following are several entries.



William Byrd

August, 1709

I rose at 5 o'clock and read a chapter in Hebrew and 150 verses in Homer, I said my prayers, and ate milk for breakfast. I danced my dance (exercised). The child had her fever again last night for which I gave her a vomit this morning, which worked very well. Anaka was whipped yesterday for stealing the rum and filling the bottle up with water. I went to church, where were abundance of people, among whom was Mrs. H-m-l-n, a very handsome woman. Colonel Eppes and his wife, came to dine with me, who told me that Tom Haynes was gone out of his wits. I sent Tom and Eugene to Mr. Harvey's to meet me tomorrow morning. I took a walk about the plantation I said my prayers. I had good health, good thoughts, and good humor thanks be to God Almighty.

November, 1709

I rose at 6 o'clock and read a chapter in Hebrew and some Greek in Lucian. I said my prayers and ate milk for breakfast, and settled some accounts, and then went to court where we made an end of the business. We went to dinner about 4 o'clock and I ate boiled beef again. In the evening I went to Dr. Barret's where my wife came this afternoon. Here I found Mrs. Chiswell, my sister Castes, and other

ladies. We sat and talked until about 11 o'clock and then retired to our chambers. I played at (r-m) with Mrs. Chiswell and kissed her on the bed till she was angry and my wife also was uneasy about it, and cried as soon as the company was gone. I neglected to say my prayers — which I should not have done, because I ought to beg pardon for the lust I had for another man's wife. However I had good health, good thoughts, and good humor, thanks be to God Almighty.

October, 1710

I rose about 5 o'clock and got myself ready for my journey and about 6 o'clock I recommended my wife and my family to God's protection, and after my people had set me over the creek, I got on horseback about 7 and proceeded to Williamsburg where I arrived about 12. About 1, I went to wait on the Governor, where I found Colonial Digges and several other gentlemen. My wife sent a present of blue wing which were kindly accepted. I ate some roast beef for dinner. In the afternoon we drank a bottle of claret and then we took leave of the Governor and went to the coffeehouse where after we had settled some accounts of the naval officers. We played at cards till 11 o'clock. Then I went to my lodgings but my man was gone to bed and I was shut out. However I called him and beat him for it. I neglected to say my prayers but had good thoughts, good health, and good humor, thank God Almighty.¹

The Autobiography of Devereux Jaratt

Unlike Byrd's secret diary, this autobiography was written for public consumption. Jaratt, who became a minister, used much of his autobiography to draw moral lessons for his readers. However, he also revealed something of his life and experience.

I begin, as is usual in works of this sort, with my birth and parentage. I was born in New Cent, a county in Virginia, about 25 miles below Richmond, on January 6th, 1732. I was the youngest child of Robert Jaratt and Sarah his wife. My grandmother, as I was told, was a native of Ireland. Both she and my grandfather died before I was born, and I have had no account of them, except that they were poor people, but industrious, and rather rough in their manners. They acquired a pretty good tract of land, of near 1200 acres, but they had no slaves — probably they were prejudiced against that kind of property. My father was brought up to the trade of a carpenter, at which he worked till the very day before he died. He was a mild, inoffensive man, and much respected among his neighbors. None of my ancestors, on either side, were either rich or great, but had the character of honesty and industry, by which they lived in credit among their neighbors, free from real want, and above the frowns of the world. This was also the habit, in which my parents were. They always had plenty of plain food and clothing, wholesome and good, suitable to their humble station, and the times in which they lived. Our food was altogether the produce of the farm, or plantation, except a little sugar, which was rarely used; and our clothing was altogether my mother's manufacture, except for hats and shoes, the latter of which we never put on, but in the winter season. We made no use of tea or coffee for breakfast, or at any other time; nor did I know a single family that made any use of them. Meat, bread and milk was the ordinary food of all my acquaintance. I suppose the richer sort might make use of those and other luxuries, but to such people I had no access. We were accustomed to look upon what were called gentle folks as beings of a superior order. For my part, I was quite shy of them, and kept off at a humble distance. A periwig, in those days, was a distinguishing badge of gentle folk, and when I saw a man riding the road, near our house, with a wig on, it would so alarm my fears, and give me such a

¹Louis B. Wright, ed. William Byrd, *The Secret Diary of William Byrd of Westover, 1709-12*, Richmond, Va., Dietz Press, 1941.

disagreeable feeling, that, I dare say, I would run off, as for my life. Such ideas of the difference between gentle folks and simple, were, I believe, universal among all of my rank and age.

Both my brothers were taught the trade of a carpenter and millwright, at which they worked for the most part of their lives. They both died about the middle of life. At 8 or 9 years old, I was sent to an English school in the neighborhood: — and I continued to go to one teacher another, as opportunity served (though not without great interruptions) till I was 12 or 13. In this time I learned to read in the Bible, (though but indifferently) and to write a sorry scrawl, and acquired some knowledge of Arithmetic. With this small fund, I left school; no further care was bestowed on my education.²

Story of a Virginia Servant

A Virginia servant, accused of attempting to kill his mistress, tells his tale in court. This account is taken from court records.

I was delivered into the custody of one Lewis Connor of Barme-doe Hundred Virginia who sold me off to one Cutbeard Williamson, living at a Plantation called Hard Labour, Virginia. Williamson promised me I should be employed in Teaching his Children, and not be set to any manual work, unless necessity did compel now and then, merely for a short spurt. But though I did not lack for clothes or food, yet I found their dealings contrary to their fair promises; which much disheartened me. And though my labour at the House was very irksome, I was however resolved to do my utmost at it; yet that which embittered my life, and made everything I took in hand difficult to me, was the unworthy ill-usage which I received daily and hourly from my ill-tongued Mistress; who would not only swear and curse at me within doors, whenever I came into the house casting on me biting Taunts; but like a live Ghost would haunt me, when I was quiet in the Ground at work. And although I silently worked as fast as she demanded, doing my labor, without so much as muttering at her, or answering anything good or bad; yet all the silence and observance that I could use, would not charm her vile tongue. Those things burning and broiling in my breast, tempted me to take the trip, and give my master the bag to hold; thereupon I ran off, and got on board Capt. Larimore's ship, where I remained eleven days, or thereabouts. At length home I came, begg'd pardon of my Master for my fault, and all seemed pretty well again. But my ill-usage proving still worse than before, my Mistress ever taunting me with her wicked Tongue.³

A Slave is Beaten

Philip Fithian, the tutor on one of the largest Virginia plantations, kept a diary from which the following excerpt was taken.



Thursday, December 23, 1773. Except for some favorite slaves who wait on the table, their [the slaves'] weekly allowance is a peck of corn and a peck of meat apiece! And Mr. Carter is admitted by everyone to be, and from what I have seen of others I have no doubt at all that he is, by far the most humane master to his slaves of any in this area! Good God! Are these Christians?

While I am on the subject, I will relate further what I heard Mr. George Lee's overseer say the other day that he had done to Negroes himself and had found useful. He said that whipping of any kind does them no good for they will laugh at your latest severity. But he told us he had invented two things and proved their effectiveness by trying them several times. First tie them fast to a post. Then take a sharp curry comb and comb and curry him severely until he is well scraped; then call a boy with some dry hay and make the boy rub him down for

²Douglass Adair, *The Autobiography of Devereux Jaratt*, "William and Mary Quarterly", Vol. IX, no. 3, July, 1952, p. 360-63.

*several minutes; and then salt him and release him. He will, said this human savage, attend to his business afterwards!*³

Probate and Tax Records

Much fragmentary evidence of colonists' wealth and life styles can be found by examining tax and probate records. Parts of such records are reproduced below:

Name: William Call
Occupation: Baker
Estate: £24.14.2*
Including: £10 household equipment
Other: £2.6 silver watch

Name: Ebenezer Kezar
Occupation: Blacksmith
Estate: £287.10
Including: £50 personal property
£3.96 tools

Name: Andrew Sigourney
Occupation: Distiller
Estate: £1,400

Name: Ephraim Copeland
Occupation: Tailor
Estate: £266.13.4 house and land, silver watch,
silver buckle, two gold rings, etc.⁴

An Historian's Conclusions

A well-known historian, Jackson Turner Main, spent years examining the evidence of social class divisions in the colonies and published his conclusions in a highly regarded book, *The Social Structure of Revolutionary America*. The following excerpt is taken from the final chapters of this book:

Revolutionary society was certainly not classless, yet neither was it entirely aristocratic. It contained the essential elements for an aristocracy while at the same time possessing the potential for social and economic democracy. There was, of course, a proletariat class of those who always remained at the bottom. Slaves formed the largest part of this class. They totaled 23 percent of the whole population in 1760 and a little less than that thirty years later. Four-fifths of these were in the South, near the coast. Where slaves were scarce, white indentured servants or wage-workers were used instead. Less numerous than the Negroes, the white laborer usually formed only about one-fifth of the whites...certainly fewer than half, possibly only one-fourth of them failed to become small property holders. Therefore out of twenty whites only one or two remained permanently poor....Thus the whole proletariat, white and black, totaled less than 30 percent of the population. At any point in time, revolutionary society contained a lower class comprising between one-third and two-fifths of the men. If defined by occupation, it included Negro slaves, white servants, and landless laborers employed by property owners such as farmers, artisans and merchants. If defined by income, the lower class (generally) had almost none, except that they were given food, clothing, and shelter; free workers,

³Quoted in Charles Sellars, et al. *As It Happened*, McGraw-Hill Book Co., 1975, p. 85, from *Journal and Letters of Philip Vickers Fithian, 1773-1774, A Plantation Tutor of the Old Dominion*, ed. Hunter D. Farish Williamsburg, Colonial Williamsburg, Inc., 1965, pp. 38-39.

⁴ Jackson Turner Main, *The Social Structure of Revolutionary America*, Princeton University Press, Princeton, NJ, 1965, pp. 133-34.

however, did receive a money wage which enabled them to save. If defined by property, the men of this economic rank almost always had estates of less than £50 and usually they had none.

The free workers, with their money and opportunities for advancement, belonged to an intermediate category. They were partially independent, owned some property and perhaps some skill, were poor but not impoverished, and often were moving up into the middle class. Many farmers were no better off; there were, for example, numerous landowners in western Massachusetts and southern Delaware, the annual value of whose land was assessed at under £50. Many tenants were also poor, while perhaps 30 percent of the skilled artisans, especially many weavers, cordwainers, carpenters, coopers and tailors, left very small estates. These men did not earn enough money to support their family adequately most of the time.

The middle class of America consisted of small property holders who were usually self employed. Its members are distinguished, at the lower end of the scale, from servants and slaves, others who had little or no property, and from the wage workers who depended entirely upon their daily labor; while at the other end they merge without any sharp definition into the upper-class of men with large estates. Whereas the lower class lived at or barely above the subsistence level, the "middling sort" lived in comfort.

This largest and most important part of revolutionary society was made up of several occupational groups. Small farmers were the most numerous element, comprising 40 percent of the whites and one-third of the whole population....These farmers furnished most of their own needs and earned at least £16 in cash (or credits) which permitted them to pay their debts and taxes, buy a few luxury articles, and save a little....The more fortunate, who had good land in commercial farming areas, cleared much more than £16 and presented an agreeable picture of the ideal American, the prosperous farmer. Second in number among the middling sort were the "artisans and mechanics" or "craftsmen". These were of two types. Some of them were not entrepreneurs, but skilled workers who hired themselves out by the day, week, or year. Receiving from £40 to £50 annually, they could save a good deal of money so long as they remained single, but the married man just broke even; indeed if he had to rent a house and buy all of his food, £50 scarcely met expenses. Fortunately most of these artisans raised much of their own food and were thereby able to live in reasonable comfort and even acquire some property. Apparently almost half of them significantly improved their economic position.

The great majority of skilled workers...were independent businessmen who ordinarily kept a workshop in or near their houses. These were equivalent to farmers in that they were self-employed, but they usually ranked somewhat below the free farmer both in wealth and prestige. Their income and chance of increasing it depended upon their particular craft. The majority never rose above the middle rank, for the trades of cooper, cordwainer, blacksmith, tailor, weaver, or carpenter seldom provided a large return. On the other hand, they also required little equipment and were in great demand, so that the apprentice could quite easily become a master. A few types of enterprise were by their nature more profitable for the enterpriser. Distillers, rope makers, goldsmiths and the like were businessmen whose economic position compared favorably with that of prosperous farmers and many professional men.

Professional men as a whole also belonged to the middle class, earning considerably more than most farmers and artisans but not enough to raise them decisively into the economic elite.⁵

⁵ Ibid.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|----------------------|-------------------------------|--------------------------------|
| a. social class | e. Byrd and politics | i. Virginia servant's mistress |
| b. secret diary | f. Jarratt's parents | j. "fair promises" broken |
| c. Byrd and servants | g. Jarratt's education | k. weekly allowance |
| d. Byrd and women | h. Jarratt and "gentle folks" | l. curry comb |

Drawing Conclusions from Primary Sources

This chapter contains both primary and secondary source material depicting social classes at the time of the Revolution. Primary sources consist of records left by the people who lived at the time. They may include diaries, court records, autobiographies, newspaper articles, and such objects as weapons, paintings, pictures, household furnishings, old buildings and so forth. Secondary sources, on the other hand, are accounts written by historians or observers who have used primary or secondary sources to comment on the events. Historians are trained to analyze and evaluate primary documents and to write balanced and objective accounts.

2. Using the primary sources contained in this chapter, draw some conclusions about social class in colonial America. If your teacher directs, present these conclusions in a paragraph or short essay, containing a thesis, main body, and a conclusion.
3. Using the secondary sources, try to diagram the class structure in the colonies.
4. Evaluate the advantages and disadvantage of using primary and secondary sources to answer the question, "what happened?".

Chapter 3

Government in England and the Colonies

The governments in America today are similar in many ways to the governments of the thirteen colonies. In the original "New England" each town was directed by town meetings and in the South counties were headed by sheriffs or constables. We still have town or representative town meetings and county governments in many states. Like the states today, each colony was run by a government headed by a governor and a legislature. The thirteen colonies were under a legislature, the British Parliament, [similar to the present Congress] and a King whose powers were not that different from those granted the American President.

This chapter asks you to determine the degree of democracy in the colonies by comparing the colonial government to the British rule in England. Each must be analyzed in terms of structure (how the government was organized) and function (how it actually worked). You can then decide whether the colonies were democratic, or if they at least contained more democratic elements than did England.

The Governor and the Assembly

British rule in the colonies was enforced by the colonial governor. He was usually appointed by the King and he served as the chief law enforcement officer in the colony. The governor seemed all powerful. But the royal governors often met determined resistance from colonial assemblies. The power struggle between governor and assembly is described in the following selections.

A Colonial Governor Complains about the Massachusetts General Assembly 1723

Upon arrival in Massachusetts Bay I soon called the General Assembly together. I found the House of Representatives who are chosen by annual elections, possessed of all of the same powers of the English House of Commons, and some greater. They have the power of nominating once a year the persons that constitute your Majesty's council, and also of giving the salary of the governor and lieutenant-governor for six months, rather than for a full year. The House of Representatives also provides the salary of the treasurer once a year and thereby gains sole authority over that important office. They use their authority thus obtained to intimidate the treasurer from obeying proper orders for issuing money, if such orders are not agreeable to their views.

By all of this, the House of Representatives is, in a manner, the whole legislative and in a good measure, the executive power of this province.

Presently, three persons that I have vetoed for nomination to the Council have been elected to the House as representatives for the town of Boston. This practice is so notorious and so widely justified in this town that it is a common belief that a vetoed councilor makes a good representative. Thus constituted, and unsatisfied with the many uncommon privileges they enjoy, the House of Representatives for some years past has been making attempts to take away the few rights of government remaining to the Crown.⁶

⁶Quoted by Robert E. Burns, *Episodes in American History* Ginn & Co., Lexington, Mass., 1973, pp. A119 & A120 from Cecil Headiam, et al, *Calendar of State Papers, Colonial Series, America and West Indies, 1722-1723* (London: Her Majesty's Stationery Office, 1934), pp. 324-330.)

Complaints against the Colonial Governor of Virginia, 1702

To speak of the governor's injustices, oppressions, and insolence to individuals would require a large volume, so we shall limit our observations to his behavior toward the members of our General Assembly.

Formerly the General Assembly was called for meetings at appropriate times. The present governor calls frequent Assemblies at unseasonable times of the year, and at great trouble and expense to the inhabitants. Furthermore, his behavior toward the Upper House of the Assembly has been arbitrary and outrageous. For example:

*He has taken upon himself the right to preside over this body and limit debate.
He states the questions and overrules in an arbitrary and threatening manner.
He threatens and abuses all who speak anything contrary to his opinions.
He endeavors to encourage misunderstanding between the two Houses, by siding sometimes with one House, and sometimes with the other.
He meets privately with members and uses all of the arts of cajoling and threatening for his own ends.
His behavior constitutes intolerable encroachments upon the liberties of both Houses.⁷*

See this and the next page the following page for an analysis of structure and function of government in England and the colonies. First note the following:

<u>Branch</u>	<u>In England</u>	<u>In the Colonies</u>	<u>In the US Today</u>
Executive (Enforces the laws)	King	Governor	President
Legislative (Makes the laws)	Parliament: House of Lords and Commons	Council and Assembly	Congress: Senate and House of Representatives
Judicial (Decides whether laws were broken)	Courts leading to House of Lords	Courts leading to Council	Courts leading to Supreme Court

⁷Quoted by Robert E. Burns, *op. cit.*, from, *A Memorial Concerning the Maladministrations of His Excellency, Francis Nicholson, Esq.*, printed in *The Virginia Magazine of History and Biography*, III (1895-1896), pp. 373-382

<u>Official Structure in England</u>	<u>Official Structure in Colonies</u>
<p>KING</p> <ol style="list-style-type: none"> 1. Chief executive (law enforcement officer). 2. Appointed ministers to carry out and administer laws passed by Parliament. 3. Power limited after 250 years of dispute with Parliament. Could not: <ol style="list-style-type: none"> a. veto laws passed by Parliament. b. interfere with elections. c. keep a standing army without Parliament's consent. d. deny free speech, etc. 4. Hereditary position, remained in office for life and passed title down to successor. <p>HOUSE OF LORDS</p> <ol style="list-style-type: none"> 1. Chief court of the land. 2. Upper house of legislature has veto power. 3. Membership composed of peers barons, dukes, earls, and bishops of the church, etc. <p>HOUSE OF COMMONS</p> <ol style="list-style-type: none"> 1. All adult males owning property worth more than 40 shillings a year could vote for Commons. About one man in twenty was eligible to vote. 2. All money bills started in Commons. 3. Had to approve of all legislation. 	<p>GOVERNOR</p> <ol style="list-style-type: none"> 1. Usually appointed by King, in few cases by proprietor (owner), and elected in Connecticut and Rhode Island. 2. Could veto law passed by Assembly and Council. 3. Chief Executive (law enforcement officer). 4. Could dissolve lower house (Assembly) and call for new elections. <p>COUNCIL</p> <ol style="list-style-type: none"> 1. Appointed by governor or by Assembly. 2. Acted as "Supreme Court" for Colonies. 3. Could decide on certain appointments made by governor. 4. Often served as "cabinet" (advisors) for governor. <p>ASSEMBLY</p> <ol style="list-style-type: none"> 1. Elected by people (50-80% of white adult males could vote). 2. All money bills started in the Assembly.

For limitations of power of colonial governor and British parliament, see function of government on next page.

<u>Actual Function of British Government</u>	<u>Actual Function of Colonial Government</u>
<p>KING</p> <ol style="list-style-type: none"> 1. Appointed officials to such important offices as tax collector, governor of colony, judge, prime minister, etc. 2. Bolstered by hundreds of years of tradition, pomp and splendor, support from Church, and support and respect of royalty. 3. Could use influence in Parliamentary elections by bribery and distribution of campaign funds. <p>LORDS</p> <ol style="list-style-type: none"> 1. Contained many wealthy and powerful noblemen who had a great deal of economic and political influence. <p>HOUSE OF COMMONS</p> <ol style="list-style-type: none"> 1. Many of England's largest cities could only send one or two representatives to Parliament. 2. Members did not have to live in districts where they were elected, and thought of themselves as representing all of England. 3. Members often willing to trade votes for well-paying government jobs. 	<p>GOVERNOR</p> <ol style="list-style-type: none"> 1. Usually an Englishman rather than a colonist and not familiar with colonial politics. 2. Appointed because of influence in England — often lost after coming to America. 3. Average in office 5 years. 4. Received detailed instructions from England which often reduced his bargaining power. 5. Had little power to appoint people to such political offices such as judges, sheriffs, or tax collectors. <p>COUNCIL</p> <ol style="list-style-type: none"> 1. Usually members of upper class. Usually in office longer than governor. <p>ASSEMBLY</p> <ol style="list-style-type: none"> 1. Sometimes refused to pay salaries of unpopular governors and/or judges. 2. Appointed treasurers. Delegates often came with specific instructions from people they represented. 3. Membership enlarged as new towns were added in the West. 4. Represented actual towns and places, not "rotten boroughs" as in England. 5. Colonists hired agents to represent their views to Parliament.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

a. 3 branches of govt.	d. governor's complaints	h. compare elections
b. function of each	e. assembly's complaints	i. appointing powers
c. examples in England and colonies	f. structure of government	j. salaries
	g. function of government	k. time in office
2. Define the term "democracy."
3. Describe the structure of each government taking into account the three branches of each: executive, legislative, and judicial.
4. Identify the differences between structure and function in both England and the colonies.
5. Give your opinion as to whether there was more democracy in England or in the colonies.
6. List facts from the readings that support your conclusion, referring both to structure and function in both England and the colonies.

Chapter 4

British Mercantilism and the Cost of Empire

Three hundred years ago, nations wanted colonies in order to increase their power. According to the economic thinkers of those days, colonies would help the mother country become self-sufficient and wealthy. No great nation could exist without colonies. This was the idea behind mercantilism, a forerunner of the present day idea of imperialism.

England, Spain, France, and other nations competed with each other to own colonies in North America, South America, Asia, and Africa. Their competition often led to wars. The mercantilists reasoned that even wars were worth the price, because each colony would be a help to its conqueror. England needed raw materials that her colonies could supply. Lumber, wool, iron, cotton, tobacco, rice, and indigo were among the products needed in England. British manufacturers in the meantime needed markets for the goods they produced. The American colonies bought their cloth, furniture, knives, guns, and kitchen utensils from England. In addition, England's survival as a nation depended on her navy, and the colonies were a constant source of both the timber for her ships and the men who could sail them. Since each nation's wealth in those days was measured in the amounts of gold and silver it possessed, England had yet another reason for establishing and ruling a vast colonial empire: the colonists would supply their British masters with gold and silver simply by selling their raw materials and buying England's manufactured products. The difference between what the colonists could pay through their sales of raw materials, and what they owed because of the purchase of manufactured goods, is called the *balance of trade*. Since the colonists bought more than they sold, their balance of trade was said to be unfavorable. The difference would have to be made up in such precious metals as gold and silver. By thus supplying Britain with this gold and silver, to make up for their unfavorable balance of trade, the American colonists were fulfilling the British mercantilists' fondest dreams.

England was not content with allowing trade to develop in whatever manner their colonies found convenient or best for their own interests. Instead, England passed special laws to govern the flow of goods across the Atlantic. England placed restrictions on colonial exports, imports, and manufacturing. At the same time, she encouraged the production of certain naval products in the colonies, and permitted American as well as British ships to transport goods between mother England and colonial America. These laws, of course, irritated the colonists who were adversely affected by them. But, whether the colonists were seriously hurt by these laws is an open question which the reader is invited to explore. The question is important because, in this economic relation between crown and colony, one may find the real causes of the American Revolution.

Enumerated Goods—Restrictions on Exports

When the first Englishmen settled in Jamestown, Virginia, and in Plymouth, Massachusetts, England did little to direct their trade. As the colonies grew more prosperous, however, England began to enforce her mercantile ideas. A series of laws were passed in the 1660s known as the **Navigation Acts**. They were designed to make the American colonies dependent on the manufactured products of England. The colonists, of course, were expected to buy more from England than they sold to her and pay the difference in gold and silver. Therefore, the British forbade all non-English ships from trading with the colonies. Because ships made in the colonies were considered British, they too were restricted to trade between homeland and mother country.

In addition to these regulations, England also *enumerated*, or listed, special products that could be sold only to British merchants. Included in this list of enumerated goods were products most generally considered essential to England's wealth and power: sugar, tobacco, cotton, indigo, and later rice, molasses, naval stores (tar, pitch, etc.), furs and iron. English merchants were allowed to sell these goods to whomever they chose as long as they were first taken to England or Scotland where a tariff would be charged. Thus, if a Virginian planter wished to sell his tobacco, he could only sell it to an English merchant. The Englishman then had to take it to England, pay taxes on it there, and only then could he sell the tobacco in France or any other country.

Staples Act: Restrictions on Imports

In 1663 Parliament passed the Staples Act, which forbade the colonists from buying any products grown or manufactured in Africa, Europe, or Asia. Unlike the enumerated list of export restrictions, the Staples Act prohibited the importing of almost every article that was either not produced in England or was not shipped there first. Thus, if a colonist wished to buy French silks, Dutch linens, or Indian tea, he would buy these goods from an English importer. The Englishman in this example would have bought these goods from France, India, or Holland. Neither the Englishman nor the colonial merchant was allowed to bring these products directly to the colonies. Instead, all had to pay for the added expense and inconvenience of all non-English products taking a far longer route to the colonies which included the loading and unloading, storing, and taxing of all the goods involved. The exceptions to the provisions of this bothersome Staples Act, like wine from the Madeira Islands, were few and relatively unimportant.

Restrictions on Manufacturing

According to mercantile theory, colonies were to supply their mother nation with raw materials and buy their manufactured goods. Therefore, colonies should not have been encouraged to develop their own industries. England, however, made few attempts to restrict colonial manufacturing. She merely prevented the colonists from shipping certain products from one colony to another. For example, colonists were not permitted to sell either wooden goods or beaver hats to other colonies. After 1750, a far more serious restriction was placed on the manufacturer of such iron goods as rifles, axes, and pots.

Bounties

Not all aspects of mercantilism were bad for the colonies. Since England needed certain products to maintain her navy, she offered special payments to producers of naval stores. Thus, bounties were paid for tar, pitch, resin, turpentine, hemp, lumber, and indigo. Between 1761 and 1776, these special bounties cost England £120,000.

The Effects of Mercantile Laws on the Colonies

England's mercantile laws certainly made life more difficult for the colonists. "A colonist cannot make button, horseshoe, nor a hob nail," one outspoken Bostonian complained, "but some sooty iron-manufacturer or respectable button maker of Britain shall bawl...that he is most terribly cheated and robbed by the rascally Americans." Nevertheless, the best way to examine just how seriously the colonial laws hurt the colonies, we need to take a careful look at each of the three major groupings of colonies, New England, Middle, and Southern.

The New England Colonies Under Mercantilism

Because of the difficulty of earning a living from the rocky soil found in New England, the Puritans of Connecticut, Massachusetts, and the surrounding states lived by their wits. They learned to build ships that carried about one-third of all the trade between England and her colonies. They founded a thriving fishing industry, and manufactured shoes, candles, coaches, and leather goods. These they sold in Europe with no interference from England. Their famous triangle trade with Africa and the West Indies was also carried out without British restrictions. Rum was manufactured from molasses in the Rhode Island distilleries and taken to Africa where it was bartered for slaves. The slaves were then taken to the West Indies and exchanged for molasses, gold, and silver. These precious metals allowed the New England merchants to make up for their unfavorable trade balance with England. The molasses was made into rum and the brutal triangle trade was continued. Where their trade was hindered by British regulations, the resourceful New Englanders simply resorted to smuggling illegal cargoes under the noses of British officials. Because England more or less winked at this lawbreaking, Boston quickly became the Empire's largest single port outside of Great Britain itself.

The Middle Colonies Under Mercantilism

Mercantile restrictions hardly interfered with the economy of the Middle colonies, which included New York, New Jersey, Delaware, and Pennsylvania. Flour, cereals, and lumber, their main articles of trade with Europe, never appeared on the list of enumerated items. Only the Molasses Act of 1733, which placed a tax on that item, could have hurt the economy of the Middle colonies. But they, like their neighbors in the North, generally avoided paying this tax. However, a small but thriving iron industry in Pennsylvania was hurt by the Iron Act of 1750, which prohibited the export of iron ware.

The Southern Colonies Under Mercantilism

The Southern colonies were England's prize possessions. Unlike their brothers in New England, Southerners never developed industries that competed with Great Britain. Instead, they produced such staples as rice, tobacco, cotton, naval stores, and indigo for British consumption. The planters in Maryland and Virginia in particular were hurt by the enumeration of tobacco. Of 96,000 hogsheads of tobacco sent each year to England from these colonies, 82,000 were re-shipped to Europe. The yearly cost in extra duties and labor amounted to £185,000. Meanwhile, the South's dependence on British manufacturers put it at a severe trade disadvantage. To escape this dependency on British merchants, some planters like George Washington began planting wheat rather than tobacco. Another Virginian considered himself a 'piece of property attached to certain banking houses in London.' The planters blamed their constant debt to British money lenders on mercantile policies. Eighty years after the Revolution, however, they found themselves similarly in debt to Northern bankers, and this time blamed their condition on the government in Washington rather than the one in London.

Conclusion

A final evaluation of the effects of British mercantilism on her American colonies must take into consideration the benefits of living in the British Empire, as well as the costs. The benefits included first and foremost the protection given colonial ships that sailed the world under the British flag, and the protection received from her mighty army. Secondly, the benefits can be measured by the bounties paid for producing necessary products. Against these assurances, the colonists need to weigh the added cost of

all her imports resulting from the Staples Act even though consistent smuggling certainly reduced this price. Finally, the colonists would need to assess the restrictions on their exports, either under the enumerated list, or under the laws regulating export of iron, beaver hats, and woolen goods. A careful analysis of all these factors could provide some tentative answers and also help in judging the role these economic issues played in causing the American Revolution.

Suggested Student Exercises:

1. Define or identify and briefly showing the importance to the chapter of each of the following:

- | | | |
|-------------------------------|-------------------------------|---------------------------------------|
| a. mercantilism | e. 4 kinds of mercantile laws | i. 3 kinds of colonies |
| b. exports & imports | f. Navigation Acts | j. triangular trade |
| c. favorable balance of trade | g. enumerated goods | k. smuggling |
| d. balance of payments | h. "British ships" | l. benefits of being British subjects |

2. Using the following list (on the next page), giving the value of exports to and imports from England, complete the three exercises below:

- Give the balance of trade in 1710, 1740, and 1770.
- Give the value of exports in current dollars (assuming (1£ = \$200 for those years).
- Construct a bar graph, using the sample sheet on last page of this chapter, showing trends in exports, imports, or trade balances between 1700 and 1774. The chart should be judged on accuracy, neatness, and information provided. (Note: a trend is a movement in a certain direction).

To make a good bar graph

1. Study statistics to find a trend	3. Label axis	5. Complete bars
2. Make a scale of measurement	4. Locate points	6. Label & title

Value of Exports to England and Imports from England

<u>YEAR</u>	<u>EXPORTS</u>	<u>IMPORTS</u>	<u>BALANCE OF TRADE</u>
1700	£395,000*	£344,300	+ £54,700
1710	£249,800	£293,700	
1720	£468,200	£319,700	
1730	£572,600	£536,900	+ £5,700
1740	£718,400	£813,400	
1750	£814,800	£1,313,100	
1760	£761,100	£2,611,800	– £1,850,700
1770	£1,015,500	£1,925,600	
1774	£1,373,846	£2,596	

**P
O
U
N
D
S**

Chapter 5

The French and Indian War

The English came to the New World and established farms and towns along the Atlantic coastline. They cleared away the trees and chased the Native Americans deeper into the woods. By 1750, British settlements were scattered along the seaboard from Maine to Georgia, and more adventurous colonists began looking for land further west by the Ohio River and into Western Pennsylvania.

The French landed along the St. Lawrence River in Canada. But unlike the English, many Frenchmen became trappers and traders. They befriended the Native Americans, traded with them and intermarried. By 1750 the French, too, were pushing down into the Ohio River and into western Pennsylvania.

Perhaps it was only a matter of time before the French and English settlers would fight over the same lands. France and England had been bitter rivals for generations. They competed for power in Europe, America, the Mediterranean, Asia, and Africa. Their religious convictions and methods of government differed widely. The French were Catholic and the British were Protestants. The French kept tight control over their colonies; the English allowed a great deal of self-government. The rivalries between the mother countries were felt along the frontiers in America and three wars, fought between England and France, had already spread to their American colonies. These wars are listed below:

EUROPE		NORTH AMERICA	
<u>Dates:</u>	<u>European Name</u>	<u>Dates:</u>	<u>American Name</u>
1688-97	War of the League of Augsburg	1689-97	King William's War
1701-13	War of the Spanish Succession	1702-13	Queen Anne's War
1740-48	War of the Austrian Succession	1744-48	King George's War
1756-63	Seven Years War	1754-63	French and Indian War

As you can see, the final conflict was known in North America as the French and Indian War. Unlike the previous three wars, the French and Indian War started in the colonies and spread to Europe. This chapter tells how this final colonial war in North America began and asks who started it, the American colonists or the English.

Instructions for George Washington

A close examination of the origins of the French and Indian War may start with a careful study of the activities of a very important American, George Washington. The man who commanded the American troops during the Revolution was closely connected with the events that triggered the French and Indian War. Like many Virginia planters, Washington had a passion for acquiring more land and was particularly interested in the fertile territory now located in the western sections of Pennsylvania but claimed by Virginia. He joined several wealthy and influential friends and acquaintances in forming the

Ohio Company with the expressed purpose of obtaining this land. In 1749 the Ohio Company secured a grant of 200,000 acres from the King of England because the King wanted the land settled and developed. This grant to Washington and his friends put England in direct conflict with France because the French King had claimed the same area along the Ohio and in western Pennsylvania. To enforce his claims, he instructed French agents to build forts along the Ohio River.

Robert Dinwiddie, one of George Washington's partners in the Ohio Company, was the acting governor of Virginia. Dinwiddie was encouraged by the British government to force the French out of the area. Washington, now 21 years old, and a colonel in the Virginia militia, volunteered for the mission. His orders from Dinwiddie were as follows:

As the French forces on the Ohio intend down as far as Logstown early in the Spring, I think it is for His Majesty's Service and the Protection of the Settlements on this Dom'n to do all in our Power to prevent their building any Forts or making any Settlem'ts on that river. I therefore, with advice of the Council, think proper to send immediately out 200 men to protect those already sent by the Ohio Company to build a Fort and to resist any attempts on them.⁸

George Washington's Journal

Like many men of his time, George Washington recorded important events of his life in a diary. The journal printed below fell into French hands during the ill-fated western expedition. Originally published in France to prove England's aggression, the diary was translated back into English and appears here, greatly abridged. The original was never recovered.

The selections excerpted below start with Washington's descriptions of his orders and end abruptly, shortly before his capture by the French. The most important event recorded in these memoirs is the capture of the French expedition, which sparked the war that would leave England in possession of Canada.



May 24th. At two o'clock, we arrived at the Meadows, where we saw a trader, who told us he had seen two Frenchmen the night before, and that he knew there was a strong detachment on the march...therefore I placed troops behind two natural entrenchments, and had our wagons put there also.

May 27th. About eight in the evening I received a message from Half-King who informed me, that as he was coming to join us, he had seen along the road, the tracks of two men, which he had followed, till he was brought thereby to a low, obscure place; that he was of the opinion the whole party of the French was hidden there. That very moment I sent out forty men...to attack them together. We had advanced pretty near to them, as we thought, when they discovered us; I ordered my

company to fire...the greater part of the action lasted a quarter of an hour before the enemy were routed. We killed Mr. de Jumonville, the Commander of the party, as also nine others; we wounded

⁸Virginia Historical Society, *The Official Records of Robert Dinwiddie*, Richmond, 1883, pp. 48-49

*one and made twenty-one prisoners....The Indians scalped the dead and took away the greater part of their arms, after which we marched down with the prisoners under guard to the Indian camp....They informed me that they had been sent with a summons to order me to retire. A plausible pretense to discover our camp and to obtain knowledge of our forces and our situation. Instead of coming as an Ambassador, publicly and in an open manner, they came secretly and sought the most hidden retreats more suitable for deserters than for Ambassadors.**

May 30th. Detached Lieutenant West, and Mr. Spiltdorph, to take the prisoners to Winchester with a guard of twenty men. Began to erect a fort with small palisades, fearing that when the French should hear the news of that defeat we might be attacked by considerable forces.⁹

On the site of this palisade, Fort Necessity, Washington's forces were attacked on July 3, 1754. Fighting raged all day, with the French taking advantage of trees and the hills over-looking the defenders. Unable to make an adequate defense, the outnumbered Washington accepted liberal surrender terms. He began his long retreat back to Virginia on July 4th, his soldiers carrying the sick and wounded on their backs. Thoroughly defeated, left without wagons or ammunition, and surrounded by hostile Native Americans, this must have been the darkest hour of Washington's long career. He left the French in control of all land west of the Alleghenies and had failed miserably in his attempt to "repel" them.

Who Started the War: England or the Colonists?

The French and Indian War began with Washington's clash with the French in the Ohio territory. In order to regain the territory Washington lost, the British sent General Braddock all the way from England to capture Fort Duquesne (now Pittsburgh). But Braddock failed to heed warnings from his Indian allies that the French lay in wait for him, and was badly defeated, losing his life and several hundred of his soldiers. Emboldened by their success, Native Americans allied with the French attacked along the frontier, and hardly a settlement survived west of the Alleghenies. Fighting began in Europe two years later. England formed an alliance with Frederick the Great of Prussia to attack Austria. With the Prussians fighting her enemies in Europe, England was free to attack France's possessions in North America. The British captured both Quebec and Montreal (with hardly any help from the colonists) in 1759 and 1760; she was able to win convincing victories in the Caribbean (despite colonists illegal trade with the French) and in India.

When the fighting finally ended, England stood victorious and deeply in debt. The War, the English believed, had been fought in large measure to benefit her American colonies so they reasoned the colonists should help pay for the future cost of their own defense. The colonists disagreed, and this controversy led directly to the American Revolution.

* This fifteen-minute engagement was the Lexington Green of the French and Indian War. For his hand in this incident, Washington was condemned in France as violator of the law of nations; the dead Jumonville was hailed as a martyr and celebrated in heroic verse.

⁹ John C. Fitzpatrick ed., *The Diaries of George Washington, 1748-1799*, Houghton Mifflin: Boston, 1925.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|--|------------------------|---------------------------|
| a. 3 differences between French & British colonies | d. Robert Dinwiddie | h. Fort Necessity |
| b. 4 wars | e. Washington's orders | i. General Braddock |
| c. Ohio Company | f. Half-King | j. British victories |
| | g. "sent out 40 men" | k. colonial contributions |
| | | l. victory and debt |

Writing an Essay

Once proper preparation is made, the process of writing an essay is relatively easy. First, one must collect all relevant information; second, form a hypothesis; third, organize the information; and, fourth develop your ideas into paragraphs that include an introduction (with foreshadowing), a thesis, the supporting evidence for the thesis, and a conclusion.

2. Write a short paper, choosing one of the following thesis statements you to support:

- a. The French and Indian War was started by England and fought for her benefit.
- b. The French and Indian War was started by the colonists and fought for their benefit.
- c. The colonists were (or were not) morally obligated to help support England's war against the French.

Be sure to write an introductory paragraph for your essay that clearly states a thesis and major supporting generalizations and concludes with a paragraph that summarizes your arguments.

Chapter 6

The Problems that England Faced after the French and Indian War

In 1759, thirty-one-year-old General James Wolfe led a small but determined band of British soldiers up the steep cliff before the French capital of Canada, and captured the city of Quebec. This daring victory climaxed the triumph of British soldiers in North America. It was followed by equally stunning victories in Europe, the West Indies, and Asia. By 1763, the French were thoroughly defeated and ready to discuss terms at the peace table.



As he lay dying, James Wolfe received word that the French had surrendered

As a result of the peace treaty, France surrendered her claims to Canada and most of India, but kept her "sugar islands." England now could claim all of America north of Florida and east of the Mississippi, the West Indies (including Haiti), as well as India.

The colonies rejoiced at this victory and the advantageous peace treaty that seemed to promise that all the lands east of the Mississippi were now open to them. However, despite the rejoicing on both sides of the Atlantic, three major problems confronted the British following their notable victories.

The newly acquired territories were inviting to settlers, speculators, traders, and trappers. But who would occupy and govern them? Nine years of warfare had exhausted the British treasury and saddled England with huge debt. How would it be paid, and by whom? Finally, the war, combined with lax enforcement, had encouraged widespread smuggling to avoid British trade laws. What should be done about the mercantile regulations?

This chapter examines these problems, challenges readers to find sensible solutions, and asks them to evaluate the solutions proposed by the British government.

Problem 1: Western Lands

In the Ohio River Valley, Chief Pontiac realized that the defeat of his French allies meant his ancestral lands would soon be overrun by English settlers. Resolving to fight the intruders while he still might win, Pontiac gathered the tribes of the Ohio Valley under his leadership and attacked the British forts in the West. Soon every English outpost but Duquesne (now Pittsburgh) and Detroit fell. Hundreds of pioneers were killed, and many of the survivors were forced to abandon their homesteads.

Pontiac's warriors were finally defeated, but not by colonial soldiers. British redcoats were dispatched to crush the Native American fighters who wished to expel all foreigners from their homelands. The conclusion officials in London drew from this episode was that the colonists could or would not defend themselves. This conclusion was reinforced by the failure of colonists to supply men, supplies, or revenues to help the British war effort during the French and Indian War. Fearing renewed fighting with

the Native Americans, the French, and the Spanish, British field commanders suggested permanent garrisons along the Ohio River Valley, the Great Lakes, and the Mississippi.

English policy makers also began to plan for the development of the Ohio Valley and other Western territories. They were faced with several problems. First, there were conflicting claims over the Ohio area between Pennsylvania and Virginia. Second, decisions had to be made whether and what lands had to be set aside for sale, for farming, and for hunting and trapping. Third, the competing claims of colonial speculators (such as George Washington's Ohio Company) and British land agents had to be resolved. Finally, the claims of Native Americans, some of whom had signed treaties with England in exchange for their war-time cooperation, had to be resolved.

Possible Solutions:

1. Station several regiments of British troops in the colonies to defend the West against the French and the Native Americans.
2. Temporarily close Western lands until sound plans for their future could be drawn up.
3. Allow settlers to move west at their own risk without defending them against the Native Americans.

Problem 2: Trade Regulations

While the colonists were expected to obey the mercantile laws regulating their trade with England and the rest of the world, they in fact frequently avoided both the laws and the tariffs required at colonial ports. During the war with France, colonial shippers coolly smuggled goods past British men-of-war supposedly blockading enemy ports in the French West Indies. Indeed, smuggling had become a way of life for many American merchants. Several colonial fortunes, including that of John Hancock, were earned at the expense of British trade regulations. So widespread was the smuggling, the British customs service in America collected less than £2,000 per year although it cost four times that amount to run the service. The British estimated that goods worth some £700,000 each year were imported illegally by colonists who avoided paying the required duties. If these gross violations continued, the British reasoned, England would be denied the major benefits that her colonies were supposed to bring her.

One of the great difficulties in preventing smuggling seemed to rest with the British customs service. Its officials were usually inefficient, corrupt, or both. They often took care of themselves by accepting bribes rather than collecting the revenues due the King. Even in the rare case that smugglers were caught, however, they frequently escaped punishment. The problem, in part, was that the accused would be made to stand trial before a jury of their peers who did not believe that smuggling was a crime.

Possible Solutions:

1. Pass strong laws to enforce existing trade regulations, i.e. eliminate jury trial for people accused of smuggling and eliminate the need for search warrants.
2. Repeal all trade regulations.
3. Allow smuggling to continue.

Problem 3: Finances

Officials in London estimated that 10,000 British soldiers would be needed to defend the American colonists from Native Americans and a possible French attempt to re-establish their base in Canada. The cost of maintaining such a large army would be £300,000 per year. The British thought the colonists should help pay for the cost of their own protection.

Furthermore, the French and Indian War had cost the British treasury £70,000,000 and doubled their national debt to £140,000,000. Compared to this staggering sum, the colonists' debts were extremely light, as was their tax burden. Not counting the mercantile regulations, the colonists paid only about 1/20th of the taxes that were paid by the British. Attempts to raise taxes in Great Britain had resulted in the famous cider riots. The British had already reimbursed the colonists with £275,000, for their share of the costs of the French and Indian War. Now, taxpayers in England thought it was about time that their counterparts in the New World should ante-up.

The colonists saw no reason for paying England to fight a war to keep them in the British Empire. They had never paid direct taxes to England, and had no intention of paying for a war they claimed they hadn't started and didn't need, especially since they had no say in the government which might be asking them to pay what it thought was their "fair share."

Possible solutions

1. Increase taxes on people living in England.
2. Put taxes on articles of everyday use on people living in the colonies.
3. Have colonists pay the same taxes as people living in England.

Grenville Takes Charge

With the ending of the French and Indian War, finally, the British were free to address themselves to the most pressing problems of the Empire. Some of the problems, of course, were raised by the war itself. But, most of them had been of long standing, and the war had only called attention to them. The new British Prime Minister, George Grenville, was a no-nonsense businessman eager to restore England's finances. Historians have accused him of being more concerned with balancing a budget than saving an Empire, but the problems he faced were real enough.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|-----------------------------|-------------------------|------------------------------------|
| a. James Wolfe and Quebec | d. competing claims | h. problem of trade regulations |
| b. Chief Pontiac | e. British debt | i. colonists' and British standard |
| c. problem of western lands | f. problem of finances | of living |
| | g. Americans' smuggling | |

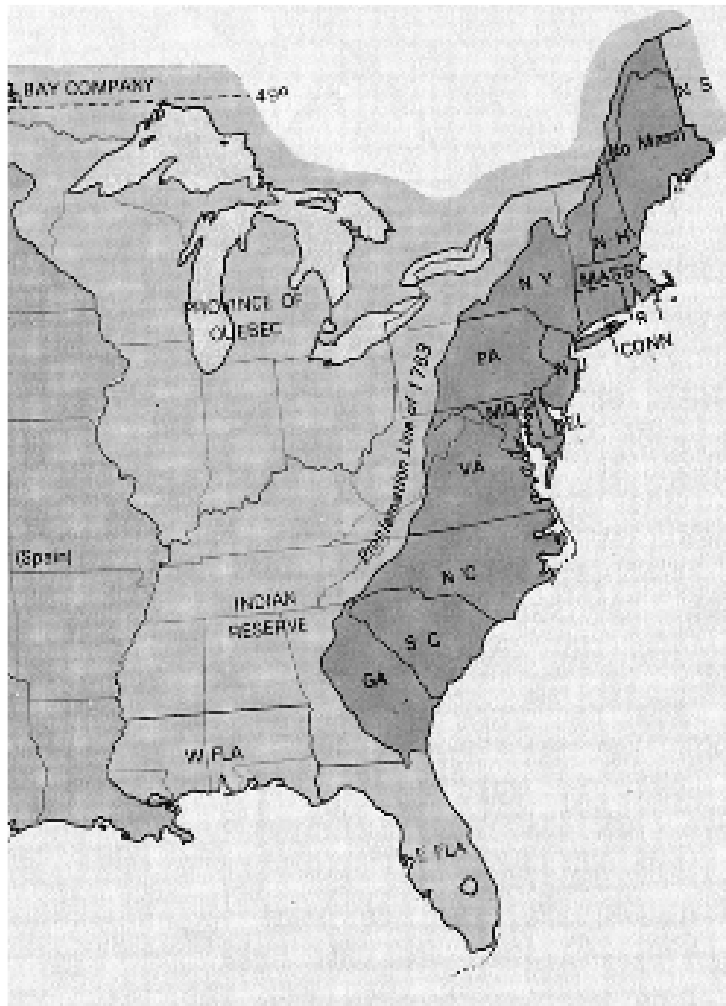
2. As your teacher directs, select one or two of the three major problems facing Grenville and decide on a fair solution to the problem by selecting one of the possible solutions listed after the problem. (Do not make up any other solution.) Then state the value assumption underlying your decision. For example, you may wish to pass strong laws to enforce trade regulations because you believe adherence to the law is the most important value. Then write a short paragraph connecting your decision to your value.

3. Form groups with other students who have proposed solutions to the same problem. Discuss your solution with these students and prepare to share your decision with the entire class.

Epilogue: Solutions to the Problems of Empire

Facing the same problems you were asked to consider, Parliament and the Crown made the following decisions:

Western Lands



Colonies in 1763 showing lands set aside for Native Americans

1. **The Proclamation of 1763** prohibited American colonists from settling west of the ridge running across the Appalachian Mountains or from purchasing lands in that area. All colonists who had already crossed this divide and settled in Ohio, Kentucky and other regions in the west were ordered to return and all land sales in that area were canceled.

Only Native Americans would be permitted to live in these regions until the British decided on a permanent solution.

2. The British decided to station 10,000 soldiers in North America to protect the colonists from attacks by Spain, France, or Native American tribes. The annual cost was estimated at £300,000.

3. The **Quartering Act** of 1765 provided that colonists help support troops stationed in America by supplying living quarters, candles, and rum.

Trade Regulations

1. The **Writs of Assistance**, 1761, gave customs agents the right to search for smuggled goods in private homes and other places without first securing a search warrant.
2. The **Sugar Act**, 1764, reduced the tax on molasses from 6 to 3 pence per gallon because the British hoped to make smuggling less profitable and thereby collect more money.
3. With the expansion of the jurisdiction of Admiralty (military) courts to include cases involving trade regulations, colonist accused of smuggling could be tried before a judge rather than a jury. The judge was entitled to 5 per cent of the ship's cargo, if the accused was convicted.
4. The British navy was ordered to aid the customs officials in their efforts to enforce trade regulations.

Taxation

1. The **Sugar Act**, 1764, lowered tax on molasses, but stated for the first time that the purpose of the tax was to raise revenue rather than regulate trade.
2. The **Stamp Act**, 1765, patterned after a similar law in England placed taxes on legal documents, newspapers, dice, and playing cards. Designed to raise about £100,000 annually, about 1/3 the cost of stationing troops in America.

Do you think these decisions on the whole were statesmen-like solutions to the problems faced by the British, or were they narrow and self-serving, with no serious concessions to colonial interests?

Chapter 7

The Stamp Act and Virtual Representation

Convinced that the colonies were not paying a fair share of the costs for their defense and protection, parliament took a fateful step in March 1765 and passed a tax on the colonies. Unlike former taxes, this one was not intended to regulate trade, but to raise money. This act required that colonists buy stamps that were to be attached to newspapers, legal documents, and items such as dice, playing cards and goods scheduled for export. The British had been paying similar taxes for 100 years. Parliament expected to collect £100,000 from this tax. Since this amount was only about one-third

of the cost of defending the colonies, Parliament thought the tax both reasonable and just. The colonies, however, had never paid direct taxes to England and feared this law established a dangerous precedent.

The colonists argued that they were not represented in Parliament and that they should therefore not be taxed. The colonists felt that once they paid one tax, England would impose an over-whelming financial burden on them.

The British refused to accept the colonists' arguments. The colonies paid about 1/20th of the taxes paid by the people



living in England. The colonists on the average were wealthier than the British and thus could afford to pay higher taxes. Furthermore, many Englishmen could not vote because they did not meet the British property requirements and because of peculiarities of English law entire cities in England (such as Manchester and Leeds) sent no representatives whatsoever to Parliament. In England every member of Parliament was supposed to represent not only his own district, but the entire nation. This was called 'virtual representation.' Why, the British asked, if virtual representation was good enough for the people living in Manchester, shouldn't it serve for the people living in Boston?

The colonists completely rejected the argument of virtual representation and opposed the tax on Stamps. But they could not suggest another way for England to raise more money. This chapter presents the arguments both for and against the Stamp Act and asks the readers to form their own opinions. In this very important issue which led to the Revolution—who had the best arguments, the British or the colonists?

The Stamp Act

The Stamp Act, passed in March 1765, was scheduled to take effect the following November. It stated that stamps of certain values had to be bought and attached to a large number of items used in daily life. The list included the following:

Stamp Act Charges

For any declaration or pleading in Court	3 pence
For a university, college, or other degree	2 pounds
For any claim or pleading in admiralty court	1 shilling
For a listen to practice law in Court	10 pounds
For a bill of lading to be signed for goods exported	4 pence
For a pack of playing cards	1 shilling
For every pair of dice	2 shillings
For every newspaper or pamphlet printed	1/2 pence *

* The reader may wish to note, that 1 pound in money of that day was equivalent to about \$200 today. 20 shillings were equal to a pound, so a shilling would be equal to about \$10.00; 12 pence were equal to a shilling, so a pence would be about 80 cents

The British Case for the Act

Here, in edited form, is the argument for the Stamp Act, as it was written by Soame Jenyns, a member of Parliament:

The major argument used by the colonists which, like a carter pin, holds their entire case together, is that no Englishman is or can be taxed without his consent. I will prove this argument wrong and thereby collapse their whole case. When the colonists say that no one can be taxed without their consent, they must mean one of three things:

1. He can not be taxed without his consent as an individual; or
2. He can not be taxed without the consent of the people he chooses to represent him; or
3. He cannot be taxed unless the majority of the people who are elected to represent him, agree to the tax. I will show that all three of these arguments or ideas are false.

First, it is obviously not true that no Englishman can be taxed unless he, as an individual agrees. This is really the very reverse of the truth, for what man in his right mind wants to be taxed? Certainly, no Englishman wants to pay taxes.

Second, that no Englishman can be taxed except by the consent of the people who represent him. To prove this false, we must only look at the cider riots in England of this past year where English farmers revolted against paying taxes imposed by their representatives in Parliament.

Third, the argument that no Englishman can be taxed unless the majority of people elected by him agree, is also false. Every Englishman is taxed, but only one in twenty can vote. Those under twenty-one are taxed, and they don't vote. Englishmen who don't own property are taxed and they don't vote. Manchester, Birmingham, and many of our most prosperous towns send no members to Parliament, but are they not Englishmen? And don't they pay taxes?

It has been said that those in England who do not vote are represented by people like them who actually do vote. A merchant in Manchester is represented by merchants in London who vote. The men without property in England are represented by the men with property who vote.

Thomas Ladenburg, copyright, 1974, 1998, 2001, 2007 t.ladenburg@verizon.net

The Colonists' Case against the Act

Here, in edited form, is the argument against the Act. It was written by Daniel Dulany a lawyer' from Maryland:

The English argue that they can tax us because they tax other Englishmen who cannot send representatives to Parliament. I shall prove that argument is false. The virtual representation argument is like a spider web - it will catch the weak, but not the strong.

The Englishmen who are taxed but do not vote in Parliament may become voters. A man in England who has no property may acquire property. An Englishman who cannot vote because he lives in Birmingham or in Manchester, can move to London. Furthermore the Englishman who can not vote is not that different from the Englishman who can vote

But there is no close connection between the Englishmen who live in England and those who live in the colonies. England is an island, 3,000 miles from the colonies, a continent. Not a single voter in England might be affected by a tax that he chooses to put on the colonies. Once he has learned that he can shift the burden of some of his taxes onto the colonies, he can shift the burden of all of his taxes onto them. He can therefore make the colonies pay the entire cost of the English government, without affecting any friend, relative, or neighbor.

Much is made of the argument that the colonies enjoy the protection of the British navy and the British army. But, aren't we already paying for this through unfavorable mercantilist laws? We are not protesting these laws. We are merely saying that we already pay a good deal to England by restrictions on our trade, manufacturing, and shipping. These are indirect taxes that we are paying. But we cannot allow England to lay a direct tax on us.

England may have protected us during the French and Indian War, but they fought the war for their own good, not ours. It was they who sought land in order to get more gold and silver. Why should we pay for the kind of protection that we did not even want.

British Case	Colonists' Case
<p>This is known as the principle of <i>virtual representation</i>. If virtual representation works for England, why can it not work for the colonists?</p> <p>If the idea of virtual representation can travel 300 miles between Birmingham and London, why can it not travel the 3,000 miles between London and Boston? If the principles of virtual representation works for Manchester and Birmingham, why can't it work for New York and Philadelphia? <i>Why should the colonies demand rights that other Englishmen don't have?</i> Aren't the colonists Englishmen? Don't they enjoy the protection of the British navy and army? Didn't the Empire just fight an expensive war mainly for the purpose of defending the colonies? Shouldn't the colonies pay for their protection just like other Englishmen?¹⁰</p>	<p>Finally, we do not find the argument that we are asking for rights that Englishmen don't have very convincing. If they do not have the right of not being taxed without representation, they should have that right. We are not only asking for rights of other Englishmen. <i>We are asking for God-given, inalienable rights.</i> We are insisting on the right to protect our property from unfair taxation.¹¹</p> <p>NO TAXATION WITHOUT REPRESENTATION!</p>

Suggested Student Exercises:

- Define or identify and briefly show the importance to the chapter of each of the following:
 - Stamp Act charges
 - compare taxes
 - who votes
 - virtual representation
 - mercantile laws
 - can Englishmen represent colonists?
 - protection
 - "no taxation without ----" means?
- Analyze the virtual representation argument, citing both the arguments for and against it. Does the argument survive close inspection? Explain.
- Is there a valid response to the British argument that the colonists, like all Englishmen, benefited from living within the Empire and should pay taxes to support it?
- Does it seem that the colonists were sincere when claiming they were asking for inalienable, God-given rights, or does it seem they were forced into this argument because Jenyns and others had shown they were asking for rights as Englishmen that the British did not have?
- Prepare to debate the issues raised in this chapter.

¹⁰Adopted from Soame Jenyns, *The Objections to the Taxation Considered*, quoted in Clarence L. Ver Steeg and Richard Hofstadter, ed., *Great Issues in American History, From Revolution to Settlement*, Random House, New York, 1969, pp. 407-10.

¹¹Adopted from, Daniel Dulany, *Considerations*, quoted in Clarence L. Ver Steeg and Richard Hofstadter, ed., *Great Issues in American History, From Revolution to Settlement*, Random House, New York, 1969, pp. 41--13

Chapter 8

The Stamp Act and Methods of Protest

Despite the many arguments made against it, the Stamp Act was passed and scheduled to be enforced on November 1, 1765. The colonists found ever more vigorous and violent ways to protest the Act. In Virginia, a tall backwoods lawyer, Patrick Henry, made a fiery speech and pushed five resolutions through the Virginia Assembly. In Boston, an angry mob inspired by Sam Adams and the Sons of Liberty destroyed property belonging to a man rumored to be a Stamp agent and to Lt. Governor Thomas Hutchinson. In New York, delegates from nine colonies, sitting as the Stamp Act Congress, petitioned the King and Parliament for repeal. In Philadelphia, New York, and other seaport towns, merchants pledged not to buy or sell British goods until the hated stamp tax was repealed.

This storm of resistance and protest eventually had the desired effect. Stamp agents hastily resigned their Commissions and not a single stamp was ever sold in the colonies. Meanwhile, British merchants petitioned Parliament to repeal the Stamp Act. In 1766, the law was repealed but replaced with the Declaratory Act, which stated that Parliament had the right to make laws binding on the colonies "in all cases whatsoever."

The methods used to protest the Stamp Act raised issues concerning the use of illegal and violent protest, which are considered in this chapter.

May: Patrick Henry and the Virginia Resolutions

Patrick Henry had been a member of Virginia's House of Burgess (Assembly) for exactly nine days as the May session was drawing to a close. Only 31 of the 116 members remained; many had already gone home to look after their crops. But, on May 29, 1765, George Johnston of Fairfax County rose to suggest that the Burgess consider the Stamp Act. Patrick Henry leaped to his feet and seconded the motion. Older delegates were shocked. Consider the Stamp Act? How dare Virginia consider a law that Parliament had already passed. George Wyeth reminded the Burgess that "it is our duty to humbly and silently accept the decisions of Parliament." Henry, however, thought otherwise:



Patrick Henry

Gentlemen, the Stamp Act has been forced upon us by a "sick" king.

I understand in Williamsburg, it is considered ill-mannered to refer to King George's fits of insanity in plain words – and his weak minister, George Grenville. The act is, in my humble opinion, illegal, unconstitutional and unjust.

With that, Henry offered the stunned delegates seven resolutions:

1. *Resolved: That the first settlers to this county brought with them all the privileges and rights that have at any time been enjoyed by the people of Great Britain.*
2. *Resolved: That these privileges and rights have been guaranteed by two royal charters.*
3. *Resolved: That the right of self-taxation is a distinguishing characteristic of British freedom.*
4. *Resolved: That the Virginia Assembly has always had the sole power of self-government and self-taxation and that these rights have always been recognized by the kings and people of Great Britain.*
5. *Resolved: That the Assembly of this colony has the sole right and power to tax Virginians, and any attempt to surrender this power will destroy British as well as American freedom.*
6. *Resolved: That the inhabitants of this colony are not bound to obey any law except those passed by their General Assembly,*
7. *Resolved: That any person who speaks otherwise shall be deemed an enemy of the colony.*

Thomas Jefferson, who observed the scene from the entrance hall, described what followed as a "most bloody" debate. The conservative leaders of the Burgess rose one by one to denounce Henry's radical resolutions. How dare he place Virginia's law-making power above that of the British Parliament? In the heat of making his reply, some say Patrick Henry warned, "Caesar has his Brutus; Charles the First, his Cromwell and George the Third..."

As the shouts of "Treason!" "Treason!" all but drowned out his speech, Patrick Henry waited before finishing, "...may profit by their example. If this be treason, make the most of it."¹²

Five of Henry's seven resolutions passed the House of Burgess, the last by just one vote. All seven, however, were reprinted by most colonial papers. Thus Virginia's actions were given the appearance of an even more radical challenge to England's authority than they were.

August: Riots in Massachusetts

Inspired by Patrick Henry and the Virginia Resolutions, Boston patriots under the leadership of John Hancock and Sam Adams, organized the Loyal Nine and, later, the Sons of Liberty. This latter group took protest to the streets. Two of the objects of their anger were Andrew Oliver, a British agent appointed to sell the hated stamps, and Lt. Governor Thomas Hutchinson.

The destruction caused by the group led Governor Francis Bernard to rush the following report to London:

* Historians today doubt that the last exchange took place but the story has circulated for hundreds of years.

¹²Nardi Reed Campin, *Patrick Henry, the Firebrand of the Revolution*, Little, Brown and Company, Boston, 1961.



It now grew dark when the Mob which had been gathering all the afternoon, came down to Council Chamber and passed on. From thence they went to a new Building lately erected by Mr. Oliver to let out for shops and not quite finished. This they called the Stamp Office and pulled it down to the ground in two minutes. Then they attacked Mr. Oliver's house. The mob broke down the whole fence of the garden and beat in all the doors and windows. As soon as they got possession of the house they searched for Mr. Oliver, declaring they would kill him. After the destruction of Mr. Oliver's house, the principle people of the Town publicly avowed and justified the act. The mob was highly elated and private resentments against persons in high office were executed under the mask of public cause. On August 26, the mob attacked Governor Hutchinson's house with inestimable fury.

They went to work on the House with a rage scarce to be found by the most savage people. Everything moveable was destroyed in the most minute manner except for such things of value carried off. The House they resolved to level to the ground. Though due to the thickness of the walls they were prevented from completing their purpose. The next day the streets were found scattered with money, rings, etc., which had been dropped in carrying off. The whole loss in this house is reckoned at 3,000 pounds sterling.¹³

October: The Stamp Act Congress

Even before word of Henry's resolutions reached Boston, the Massachusetts House of Representatives voted to ask the assemblies of the various colonies to send delegates to attend a general congress in New York City. The purpose of this Congress would be to protest the Stamp Act. Nine colonies eventually sent delegates (one colony refused and three could not be represented because governors would not convene the Assemblies to elect delegates). The Stamp Act Congress met in October, 1765, and after much scribbling and debate agreed upon 14 resolutions, including the following:

That his Majesty's subjects in these colonies owe the same Allegiance to the Crown of Great Britain, that is owing from his English subjects, and all due Subordination to Parliament.

That it is the Right of Englishmen that no taxes be imposed upon them but with their own consent, given personally, or by their representatives.

That the People of these Colonies cannot be represented in the House of Commons in Great Britain.

*That it is the duty of these Colonies to try to obtain the Repeal of the Stamp Act.*¹⁴

¹³John Braeman, *The Road to Independence*, Capricorn Books, New York, 1973, pp. 94-95. (edited)

¹⁴*Ibid.*, pp. 76-78.

November: Boycott of British Goods

In New York, Philadelphia, Boston, and other seaport towns, merchants made agreements to stop doing business with or pay debts to English businessmen until the Stamp Act was repealed. In New York an agreement was made the day before the Stamp Act was to go into effect. Signed by some 200 merchants, it stated:

*We, the underwritten, retailers of goods, do hereby promise and oblige ourselves not to buy any goods, wares, or merchandises of any person or persons whatsoever that shall be shipped from Great Britain after the first day of January next unless the Stamp Act shall be repealed as witness our hands.*¹⁵

March: Repeal of the Stamp Act

Violence, petitions, resolutions, and boycotts finally caused Parliament to reconsider the Stamp Act. After a long and heated debate, the Act was repealed. But repeal was accompanied by a law known as the Declaratory Act, which stated:

*The colonies and plantations in America are and of right ought to be, subordinate to, and dependent upon the imperial crown and Parliament of Great Britain; and the King and Parliament had, and of right ought to have, full power and authority to make laws of sufficient force to bind the colonies and people of America in all cases.*¹⁶

¹⁵Ibid., pp. 102.

¹⁶Ibid., pp. 121-22.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|------------------------|--|---------------------|
| a. 4 forms of protest | e. Andrew Oliver and Governor Hutchinson | h. boycott |
| b. 3 Virginia Resolves | f. Stamp Act Congress | i. London merchants |
| c. King threatened | g. 2 resolves of above | j. Declaratory Act |
| d. Sons of Liberty | | |

Deciding Whether an Action is Justified

When deciding whether an act of political protest is justified one should consider several of the following:

- The purpose or ends of the action: are the ends just?
- The alternatives to the action: could the same ends be reached with less provocative means?
- The method or means of protest: do the ends justify the means?
- The effect of the action: was the end obtained? Is the situation better as a result?

It is a matter of personal judgment how important each of these considerations should be. It is important, however, that one develop a consistent philosophy incorporating ends, means, alternatives, and effects.

2. Arrange the following actions in order from least to most justified. State reason for each selection:

- Patrick Henry calling George III a sick king and denouncing all who disagree with his solutions as enemies of Virginia.
- Representatives from nine colonies petitioning the King and Parliament to repeal the Stamp Act.
- A mob in Boston destroying property and threatening the lives of Andrew Oliver and Thomas Hutchinson.
- Merchants in New York refusing to buy British goods or paying debts to English merchants until the Stamp Act was repealed.
- Tar and feathering merchants who sold British goods despite the boycott.

3. Using the criteria given above—ends, alternatives, means, and effects decide whether use of violence in Boston was justified.

Chapter 9

The Boston Massacre

School boys threw rock-filled snowballs at them; respectable citizens openly tormented them; employers denied them honest jobs; inn keepers refused to serve them; and the best people in town avoided their company. The men who suffered these abuses were the British soldiers stationed in the colonies. Two regiments had been sent to Boston to keep order after the Stamp Act riots. Some were housed in Faneuil Hall; others camped on the Boston Commons. Colonists, who had long feared the presence of a standing army, hated these soldiers and regarded them as an occupying army sent to take their away freedom.

The British troops were not always innocent victims of the abusive colonists. Soldiering was one of Europe's least respected professions, and people with education or opportunity either became officers or avoided the service altogether. Ill-mannered and illiterate, the soldiers spent so much time drinking, British officers worried that they would lose their army completely to "demon rum." The soldiers challenged decent citizens in the streets by day and brawled with Bostonians in taverns at night. For eighteen months they harassed and were harassed by the citizens of Boston. Perhaps it was only a matter of time before the hatred between soldiers and citizenry would explode into serious violence.

The violence occurred on a March evening in 1770 when a small detachment of troops fired into a mob, leaving eleven dead or wounded. This "Boston Massacre" raised two important issues: the right of citizens to challenge authority and the right of the government to maintain order. These are issues that citizens and governments have argued about for centuries and continue to argue today.

Incident at the Ropewalk

Fighting first erupted between town and troops on March 2nd, three days before the massacre itself. Following a common practice of off-duty soldiers, Private Patrick Walker was looking for work. His search brought him to John Gray's Ropewalk where available workers often picked up jobs at odd hours mending the miles of rope used by the many vessels docking in Boston. Rope maker William Green spotted Pvt. Walker and asked him whether he wanted to work.

"Yes, I do, faith," the soldier replied, and promptly was told he could empty the public toilet.

"Empty it yourself."

More words followed and getting the worst of the argument, Walker swung wildly at Green. Nicholas Ferriter, another employee, joined the battle and knocked the off-duty soldier on his backside. The sword he carried beneath his coat fell to the floor. Walker fled to get reinforcements and returned a few minutes later with Private William Warren and seven or eight other soldiers. A larger group of rope makers gathered to beat them back. Within 15 minutes nearly forty soldiers were on the scene. The battle resumed and both Sam Gray (a colonist) and Private Mat Kilroy (a soldier) distinguished themselves in the fighting. The engagement ended with the British again driven to cover, but smaller engagements occurred over the next two days. Three days later, Gray would be dead, felled by a British bullet, and privates Warren and Kilroy would be charged with murder.



A 20th century interpretation of the Boston Massacre.

The Battle over the Barber's Bill

Only a quarter moon lit Boston's streets on the chilly but pleasant evening of March 5, 1770. A solitary sentry, Private Hugh White, paced before the Customs House on King Street. Edward Garrick, a teenager apprenticed to a colonial wigmaker, approached the scene where he spied Lt. Goldfinch and accused him of owing money to his master. Knowing that he carried the receipt for his bill, Goldfinch ignored the accusation. Garrick continued the provocation, telling passers-by that Goldfinch was cheap and would not pay his bills. Private White came to defend his superior, calling Goldfinch a gentleman who paid what he owed. Garrick pressed his point.

"Let me see your face," White challenged.

Garrick replied that he was not afraid to show his face, and without another word, the soldier swung his musket down on the side of the lad's head.

Screaming in pain, Garrick ran away, but several of his friends remained on the scene, taunting the soldier. "Lobster, son of a bitch," they called him; "Damned rascally scoundrel lobster son of a bitch." Meanwhile the church bell began to toll the alarm for a fire. Men began shouting fire and poured into the street. The crowd around Hugh White increased to fifty, and the taunts were accompanied by snowballs. White, plainly frightened, retreated to the Custom's House steps and loaded his rifle. The crowd then picked up chunks of ice and threw them at the sentry.

Private White Gets Reinforcements

As more colonists poured out into the streets, Captain Preston selected seven men, including Privates Kilroy, Montgomery and Warren. With fixed bayonets but unloaded muskets, the small detachment pressed through the heavy throng of colonists surrounding the Custom's House. The crowd parted to let the soldiers by and closed in behind them. Upon reaching their destination, the soldiers loaded their rifles with double shot and formed a semi-circle around the Custom's House, protecting it and their own flank. Preston stood in front of his men, facing the crowd, which by this time numbered upward of 300. The mob pressed upon the soldiers, rapping muskets barrels with their clubs and hurling insults. Emboldened by the misconception that soldiers could not shoot unless ordered by a civilian, the crowd dared them to fire.

In the midst of this confusion, a club was thrown from somewhere within the crowd knocking Private Montgomery to the ground. Rising to his feet in pain and frustration, Montgomery raised his weapon and pulled the trigger. No one seemed to be hit. Richard Palmes, who hitherto had acted as peacemaker, swung his club, striking Montgomery in the arm. Palmes slipped as he aimed a blow at the Captain's head and struck him on the arm. Another colonist, attacking with a stick, was repelled with bayonet wounds in the biceps and in the chest.

The shot, however, had scared many of the colonists away and left the center of the British line fairly clear. For a brief moment there was a pause, lasting somewhere between six seconds and two minutes.

Death on King Street

During the pause after Montgomery's shot, Private Kilroy raised his musket, pointing it in the direction of Sam Gray and Edward Langford, both colonists.

"God damn you, don't fire," Langford yelled.

But Kilroy squeezed the trigger without appearing to aim and Gray, his hands in his pockets, fell dead at Langford's feet. John Hickling ran up and felt a hole in Gray's head as large as a fist. Two more shots rang out and Crispus Attucks, a 6'2" former slave, fell dead on the ground with two bullets in his massive chest. Then someone suggested moving in on the soldiers to stop their firing. More shots. Struck by two bullets, a sailor named James Caldwell died instantly. Patrick Carr and Samuel Maverick were seriously wounded. Five colonists were killed that night, and another six were wounded.

Governor Hutchinson Promises Justice

The muskets were reloaded and in firing position as the stunned colonists returned to recover their dead and wounded. Preston ordered his men not to fire, and further trouble was avoided that night. Later in the evening, a huge crowd listened as Governor Hutchinson, addressing them from the Town House balcony facing King Street, advised them to go home peacefully for "the law shall have its course; I will live and die by the law" As the governor returned to the council chamber, someone else took over the balcony and told the crowd to remain until the soldiers returned to their barracks. The men dispersed after the troops were finally marched back to their quarters, and it was widely assumed that the soldiers responsible would be brought to justice.¹⁷

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|-----------------------------------|--------------------------|-------------------------|
| a. British soldiers and colonists | d. Garrik and Hugh White | h. Kilroy fires |
| b. Ropewalk incident | e. crowd around soldiers | i. Sam Gray |
| c. Custom's House | f. Montgomery hit | j. number killed |
| | g. short pause | k. Hutchinson's promise |

Staging a Mock Trial

The following format (see next two pages) will help you stage a realistic mock trial of private Kilroy and the British soldiers accused of murdering five Bostonians. The trial of Private Kilroy et al is known as *Rex vs Weems*. Weems was head of the corporal's guard. Since Kilroy fired the first shot, the trial should focus on his guilt or innocence—*whether he and the others provoked the colonists or were provoked by them, and whether he and the others were in danger for their lives when they fired*. The defense will plead involuntary manslaughter; the prosecution will seek a verdict of voluntary manslaughter.

¹⁷ Account is based on Hiller D. Zobel, *The Boston Massacre*, W.W, Norton & Company, New York, 1970, pp. 182-204.

Prosecution	Defense
Charge: Voluntary manslaughter	Charge: Involuntary manslaughter
Lawyers:	Lawyers:
Samuel Quincy & Robert Paine	John Adams & Josiah Quincy
Witnesses:	Witnesses:
<ol style="list-style-type: none"> 1. Nicholas Ferriter: involved in Ropewalk incident 2. Edward Garrick: struck by Hugh White 3. Edward Langford: witnessed Sam Gray's death 4. Richard Palmes: present at Massacre (struck both Montgomery and Preston) 5. Paul Revere: witnessed massacre and made an engraving 	<ol style="list-style-type: none"> 1. Patrick Walker: involved in Ropewalk incident 2. Hugh White: struck the boy Edward Garrick 3. Hugh Montgomery: hit by a club on King Street 4. Matthew Kilroy: fired fatal shot, killing Gray 5. Hammond Green: witnessed every thing from 2nd floor window in Customs House.
Strategy:	Strategy:
At the November 1770 trial, the prosecution was permitted to bring in evidence of events preceding the massacre. The most effective strategy for the prosecution would be to prove that the soldiers acted in an offensive and provoking manner that caused the crowd's reaction. (The Ropewalk and Garrick incidents are examples of this.)	At the November 1770 trial, the defense was permitted to bring in evidence of events preceding the massacre. The most effective strategy for the defense would be to prove that the colonists had constantly provoked the soldiers and caused their reaction. (The Ropewalk and Garrick incidents are examples of this.)
The prosecution must also show that the British soldiers' lives were not in danger at the moment that Kilroy fired and killed Gray.	Defense must also prove that soldiers' lives were in danger at the moment that Kilroy fired and killed Gray.
Summary:	Summary:
<ol style="list-style-type: none"> 1. Soldiers provoked the crowd 2. Soldiers were in no danger when they fired 	<ol style="list-style-type: none"> 1. Crowd provoked the soldiers 2. Soldiers lives were in danger when they fired.

Lawyers

Before Trial

1. Divide case into two parts:
 - a. the relationship between soldiers and colonists before the Massacre;
 - b. what happened after Garrick was struck.
2. Be thoroughly familiar with facts of the case.
3. Have questions prepared for each witness in advance of the case, particularly for purposes of cross-examination.
4. Prepare an opening statement of not more than 250 words.

During Trial

1. Ask witness to identify himself and relate the events that he observed.
2. Ask witnesses questions to emphasize points you wish the jury to remember.
3. Since each witness may speak for but two and one-half minutes and be cross-examined for 2 minutes, be sure you are well prepared to use your time effectively.
4. Decide during trial which one witness you will not call to testify.

After trial

1. Write a statement pointing out what you have proved during the trial by summarizing the testimony of each witness. You may also use humor, play on emotions and generally indulge in tricks of oratory.

Witnesses

1. Write out your testimony on paper to be read at trial – but you must be thoroughly familiar with your case or suffer embarrassment during cross-examination.
2. Your testimony must be accurate, but may be slanted to favor your side.

Jurors

1. Read assignment before trial and write down what you think actually happened. Unless you have this frame of reference you will not be able to follow testimony of witnesses.
2. Take notes on statement of each witness. After witness is finished testifying, briefly jot down your impressions.
3. Review all notes the evening after the trial and write your verdict on the basis of which side most effectively communicated its case.
4. Render a verdict of voluntary manslaughter only if you believe the accused were guilty of a *deliberate* action, or involuntary manslaughter if you believe that the accused fired in self-defense.
5. Written 250 word verdict should cite all reasons and facts on which it was based.

Judges

1. Your teacher will usually be the best judge if this is one of the first trials you have conducted in the classroom. Later, one of you may wish to try taking on that role.
2. Generally over-rule objections unless you see blatant violations of standard courtroom practices.
3. Assign timekeeper. The trial should be completed within two class periods (80-100 minutes) so you will want to see that each of the 8 witnesses are allowed to consume no more than 8 minutes.
4. Allow lawyers' summary statements the day after the trial. Ask each juror to give his/her verdict along with the reasons, and allow questions that cause each juror to defend his or her position.
5. Allow any juror to change his/her mind even after having delivered their verdict.

Chapter 10

The Tea Party and the Intolerable Acts

Wild war hoops pierced the night air as a troop of 150 Boston men made-up to look like Native Americans paraded down the street. They were armed with knives, tomahawks and clubs. The mob wound its way toward the docks. Unopposed, they attacked three British ships carrying a cargo of tea valued at £18,000. Taking care not to damage the other goods on board, the "Native Americans" lifted all 342 chests of tea from the ships' hold, broke them open and emptied their contents into Boston Harbor. The ocean turned into a gigantic cup of tea as the disguised Bostonians retreated.

This act of destruction enraged King George and his ministers. Laws to punish the colonists were passed with hardly a dissenting voice in Parliament. Boston Harbor would be closed until the colonists paid for the tea. Local government in Massachusetts was suspended. British officials henceforth would be given trials in England rather than in America for crimes committed against colonists.

The colonists never paid for the tea and the American Revolution followed quickly on the heels of the laws designed to punish them. This chapter examines the issues underlying the tea party and these 'Intolerable Acts.'

The Tea Act

By 1773 England had all but given up its attempts to tax the colonists. The Stamp Act had been repealed in 1766 before a single stamp was purchased. The Townsend duties, a revenue tariff levied on glass, tea, paints, and certain other articles was repealed in 1770 following pressures similar to those responsible for the repeal of the Stamp Act. Parliament had maintained but one tax, a tax on tea, to demonstrate its right to tax the colonies.

To avoid paying the tax, patriotic colonists did not drink the tea imported from England. They either drank no tea at all, or they drank tea smuggled from Holland. The smuggled brew was cheaper because the East India Company was not permitted to sell directly to the colonies. Under provisions of the Navigation Acts, the Company was required to ship its goods to England where they were sold at auctions. American and British merchants bought the tea in England and then sent it to the colonies. With the tax, the extra handling charges, and the profits for several middle-men, the legal tea was much more expensive than the tea smuggled from Holland.

The boycott on its tea hurt the East India Company and brought it to the verge of bankruptcy while 7,000,000 pounds of tea lay rotting, unsold, in its warehouses. The British government was determined this large corporation would not be run out of business. The East India Company represented the bulk of England's investment in India. Besides, many members of Parliament had staked their family fortunes with the Company. To keep the India Company from bankruptcy, Parliament passed the Tea Act in 1773. This law in effect repealed part of the Navigation Acts and permitted the Company to ship its tea directly from India to the colonies. By thus avoiding the costly trip to England and the numerous middlemen, the Company could pay the tea tax and still undersell its illegal competitors in America. The Tea Act was thus designed to accomplish several purposes:

1. to save the East India Company.
2. to stop smuggling tea from Holland.
3. to accustom the colonies to paying their taxes.

Colonial Opposition

As in other cases, Parliament underestimated the opposition her rules and regulations. The Tea Act united merchant and middlemen opposed to the monopoly granted the East India Company with patriots who objected to the principle of paying any tax imposed by England. Patriots, calling themselves the Sons of Liberty, organized to spread opposition to the Tea Act. In Philadelphia, they denounced the act in a series of resolutions:

There can be no property in that which another can, of right, take from us without our consent; the claim of Parliament to tax America is a claim to levy taxes on us at pleasure.

The duty imposed by Parliament upon tea is a tax on Americans without their consent.

The purpose for which the tax is levied, namely, for the support of government, administration of justice, and defense of his Majesty's dominions in America, has a direct tendency to make our assemblies useless and to cause tyranny and slavery.

Opposition to this plan of governing America is absolutely necessary to maintain even the shadow of liberty in America and is a duty which every freeman owes to his country.

A committee should be immediately chosen to wait on the gentlemen appointed to receive and sell the tea and request them immediately to resign their appointment.¹⁸

The Tea Party

Faced with overwhelming resistance in every port city, the British never unloaded the tea in the Americas. In most cases the ships carrying tea were ordered back to England. However, this was not the case in Boston where Governor Thomas Hutchinson vowed to enforce the Tea Act. On November 27, 1773 the Dartmouth arrived in Boston Harbor with its controversial cargo. She remained peacefully at anchor for weeks while Hutchinson rejected all pleas to return the tea. A mass meeting was held on December 16th and after it became clear that the governor would not yield, the colonists took matters into their own hands. The account reprinted below describes how Sam Adams and 150 Massachusetts men disposed of the tea:

¹⁸Quoted in John Braeman, ed., *The Road to Independence*, Capricorn Books, New York, 1963, pp. 191-192 (with slight alterations.)



The Boston Tea Party

Just before the end of the protest meeting, a number of brave men, dressed as Indians, approached the door of the assembly, gave the war-whoop, which rang through the house and was answered by some in the galleries. The Indians as they were called, trooped to the wharf where the ships lay that had the tea on board and were followed by hundreds of people to see the event. They, the Indians, immediately boarded Captain Hall's ship, where they hoisted out the chests of tea, and, when upon deck, opened the chests and emptied the tea overboard. Having cleared this ship, they proceeded to Captain Bruce's and then to Captain Coffin's brig. Within three hours they broke up 342 chests, and emptied their contents into the dock. When the tide rose, it floated broken chests and the tea, from the south part of town to Dorchester Neck. There was the greatest care taken to prevent the tea from being stolen by the people. One or two being detected in trying to pocket a small quantity were very roughly handled. Such attention to private property was observed, that a small padlock belonging to the captain of one of the ships being broke, another was found and sent to him. The town was very quiet during the whole evening and the night following. Those persons who were from the country returned with a merry heart; and the next day joy appeared in almost every face, some because of the destruction of the tea, others because the quietness with which it was done. One of the Monday's papers says, that the masters and owners are well pleased that their ships are thus cleared of the tea.¹⁹

While crates of tea and even the ships in which they were carried were destroyed in New Jersey and Maryland, it was the Boston Tea Party that provoked England's anger with the results that are described below.

The Intolerable Acts

Even the colonists' friends in England were shocked by the destruction of £18,000 worth of property and saw it as a "wanton and unprovoked insult." The British could not understand why the colonists for the sake of some obscure principle, refused to buy tea cheaper than any sold in England. The issue, according to the British, was no longer taxation and representation. The issue was whether England possessed any

¹⁹op. cit. pp. 194-195 quoting *Massachusetts Gazette*, D. 23, 1773

authority in the colonies. In order to establish its authority and to punish both Massachusetts and Boston for their lawlessness, Parliament passed four separate laws known as the Intolerable or the Coercive Acts. Their key provisions are summarized below:

1. On June 1, 1774 the port of Boston will be closed to all shipping until payment is made for the destroyed tea.
2. The government of Massachusetts will be re-organized as follows:
 - a. Hence forth, the King will appoint the governor's council.
 - b. The governor and not the assembly will appoint all judges to the colony's courts.
 - c. Only one town meeting may be held each year and that for the sole purpose of electing officials to run the town.
 - d. Customs officers and other British officials accused of serious crimes will be brought to trial in England or in a colony other than where the alleged crime was committed.

To carry out these new laws, Thomas Hutchinson was replaced as governor of Massachusetts by General Thomas Gage. The colonists responded by arming and drilling local militia units to defend their rights should the need arise. With an outraged and self-righteous England on one side and a defiant and rebellious colony on the other, the stage was set for further escalation.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|--------------------|----------------------|------------------------|
| a. Townsend Duties | d. Tea Act | h. 3 Intolerable Acts |
| b. Tea tax | e. colonists' demand | i. arguments for above |
| c. East India Co. | f. Sam Adams | j. arguments against |
| | g. Tea Party | |

Writing an Essay

2. Your teacher will assign you to write an essay arguing why the Boston Tea Party or the Intolerable Acts were or were not justified. Be sure that your essay covers the following:

- The principle behind the action you are writing about.
- Whether alternative methods or means could have been used to achieve that purpose.
- Whether the action accomplished the desired result.

You may wish to argue that the Tea Party was justified because no one should pay taxes unless they are represented (principle), there were no alternatives to the Tea Act, and the desired end was accomplished. Or you may wish to argue that it is wrong to destroy someone else's property, there were less objectionable ways to protest the Tea Act, and the result of the Tea Party was a more oppressive set of laws.

You may wish to argue that the Intolerable Acts were justified because the colonists deserved to be punished (principle), they would not understand less harsh penalties, and the result was that they had been taught a lesson. Or you may wish to argue that it was wrong to punish a whole town for the acts of a few conspirators (principle), there were less objectionable ways of responding to the Tea Party, and the result of the Intolerable Acts was to drive the colonists to even greater opposition to British laws.*

Chapter 11

The Battle of Lexington

England had hoped to bring the colonists to their knees with the Intolerable Acts. She succeeded only in increasing their determination to defend themselves and excited an outpouring of sympathy for the oppressed New Englanders. In September of 1774, the first Continental Congress met in Philadelphia. The Congress called for a total boycott against British imports, began authorizing preparations for a "defensive" war, and addressed a series of declarations of rights and grievances to mother England.

With the Congress calling for united action, each colony began to arm itself. Everywhere guns were primed, ammunition was stored, and men were drilled. In Massachusetts the preparations were inspired and coordinated by Samuel Adams and John Hancock. Meanwhile General Thomas Gage, appointed to replace Governor Hutchinson, re-occupied Boston with his hated redcoats and waited for reinforcements to arrive from overseas. One of Gage's officers, Major John Pitcairn, called for "one active campaign and burning two or three of their towns to set everything to rights."

Early in the morning of April 19th Captain John Parker stood before his hastily gathered militia while Pitcairn was riding toward Lexington, Parker placed his men, about 70 in number, on the village green, a few yards away from the road to Concord. The British appeared in the morning mist and formed seemingly endless rows of soldiers. The major shouted for the colonists to disperse and the fate of America hung in the balance.

Then a shot was fired – or was it two? Without awaiting orders, the British regulars opened fire and the air rang with the screams of the injured and the moans of the dying. John Harrington dragged himself to the front porch of his house where he died in his wife's arms. Seven other militiamen were killed and ten were injured that April morning. Two British soldiers and the major's horse suffered slight wounds. Pitcairn finally regained control of his troops and marched them to Concord. At the same time, Samuel Adams was making his escape from Lexington. Hearing of the firing, he is said to have exclaimed, "Oh, what a glorious morning it is."

Who fired the first shot? Eyewitnesses on each side claimed it was the other side. The conflicting accounts presented in this chapter provide evidence for the reader to weigh and determine who was the aggressor at Lexington.

Two Commanders' Accounts

Six days after the battle, John Parker, commander of the colonial militia, gave the following report in sworn testimony:

Lexington, April 25, 1775

I, John Parker, of lawful age...declare, that on the nineteenth, in the morning, about one o'clock, being informed that there were a number of Regular Officers riding up and down the road, stopping and insulting people as they passed the road, and also was informed that a number of regular troops were on their march from Boston, in order to take the Provisions Stored at Concord, ordered our Militia to meet on the common in said Lexington, to consult what to do, and concluded not to be discovered, nor meddle or make with said Regular Troops if they should approach, unless they should insult us; and upon their sudden approach, I immediately ordered our Militia to disperse and not to

*fire. Immediately said Troops made their appearance, and rushed furiously, fired upon and killed eight of our party, without receiving any provocation therefore from us.*²⁰

Major Pitcairn told his version of the battle to President Stiles of Yale. Although the account was written down by Stiles, it represents Pitcairn's version of the event.

*His (Pitcairn's) account is this – that riding up to them he ordered them to disperse; which they not doing instantly, he turned about to order his troops so to draw out as to surround and disarm them. As he turned he saw a gun in a peasant's hand from behind a wall flash in the pan without going off; and instantly or very soon 2 or 3 guns went off by which he found his horse wounded. These guns he did not see, but believing they could not come from his own people, do and so asserted that they came from our people; and that thus they began the attack. The anger of the King's troops were such that a promiscuous, uncommanded, but general fire took place, which Pitcairn could not prevent; tho' he struck his staff or sword downwards with all earnestness as a signal to cease firing.*²¹

Accounts by Soldiers

A member of the colonial Militia testified as follows:

*I, Thomas Fessenden, of lawful age, testify and declared that being in a pasture near the meeting-house at said Lexington, on Wednesday last, at about half and hour before sunrise...I saw three officers on horseback advance to the front of said Regulars when one of them being within six rods of the said Militia, cried out, "Disperse, you rebels, immediately;" on which he brandished his sword over his head three times; meanwhile the second officer, who was about two rods behind him, fired a pistol pointed at said Militia, and the Regulars kept huzzaing till he had finished brandishing his sword, he pointed it down towards said Militia, and immediately on which the said Regulars fired a volley at the Militia and then I ran off, as fast as I could, while they continued firing till I got out of their reach. I further testify, that as soon as ever the officer cried "Disperse, you rebels," the said Company of Militia dispersed every way as fast as they could, and while they were dispersing the Regulars kept firing at them incessantly.*²²

The following account came from the personal diary of a British officer, Lieutenant John Barker:

We heard there were some hundreds of People collected together intending to oppose us and stop our going on; at 5 o'clock we arrived there, and saw a number of People, I believe between 200 and 300, formed in a Common in the middle of the Town; we still continued advancing, keeping prepared against an attack tho' without intending

²⁰ Quoted in Peter S. Bennett, *What Happened on Lexington Green?* Addison-Wesley Publishing Co., Menlo Park, Calif., 1970 pp. 13-14.

²¹ Quoted by Arthur Tourtellot in *The Treasury of American Heritage*, p. 109, from Harold Murdock, *Nineteenth of April, 1775: Concord and Lexington*.

²² Quoted in Peter Bennett, *op. cit.* p. 9

Chapter 12

By What Right



Thomas Hobbes

John Locke

In their struggle for freedom, the colonists raised some age-old questions: By what right does government rule? When may men break the law?

"Obedience to government," a Tory minister told his congregation, "is every man's duty." But the Reverend Jonathan Boucher was forced to preach his sermon with loaded pistols lying across his pulpit, and he fled to England in September 1775.

Thomas Jefferson wrote in the Declaration of Independence that when people are governed "under absolute Despotism, it is their right, it is their duty, to throw off such a Government."

Both Boucher and Jefferson spoke to the question of whether citizens owe obedience to government.

In an age when kings held near absolute power, people were told that their kings ruled by divine right. Disobedience to the king was therefore disobedience to God. During the seventeenth century, however, the English beheaded one King (King Charles I in 1649) and drove another (King James II in 1688) out of England. Philosophers quickly developed theories of government other than the divine right of kings to justify these actions.

In order to understand the sources of society's authority, philosophers tried to imagine what people were like before they were restrained by government, rules, or law. This theoretical condition was called the state of nature. In his portrait of the natural state, Jonathan Boucher adopted the opinions of a well-known English philosopher, Thomas Hobbes.

Hobbes believed that humankind was basically evil and that the state of nature was therefore one of perpetual war and conflict. Continually faced with the threat of violent death, people formed a government for protection. In the language of the philosophers, they made a social contract in which they pledged themselves to obey the ruler whose laws and authority would control their basic violence and passions. People would then owe obedience to the government that stood between them and the chaos of their natural state, and they did not have the right to overthrow that government.

Thomas Jefferson's view of the human species in their natural state closely paralleled that of another famous British philosopher, John Locke. Locke believed that people were born free and equal. They established a government, formed by a social contract, only to protect the rights that they already had in the state of nature. They had the right to break the contract if the government deprived them of the rights it was established to protect. Thus Locke's and Jefferson's philosophy permitted revolution.

Hobbes's and Locke's ideas have close parallels in modern life and are accepted by those who have never heard of either philosopher, the state of nature, or the social contract. Modern Hobbesians believe that people are basically evil and must be controlled by a strong government. They will favor harsh treatments for those who break society's rules and fear those who take the law into their own hands. The modern followers of Locke believe that people are basically good, and should be ruled by fair and mild governments. They will oppose harsh punishments, stress the need for reform and change in government and society, and permit a wide amount of protest.

The following statements are in the words of Thomas Hobbes and John Locke. They are presented in this way to help you understand how the thinking of these two famous philosophers differs on these important ideas.

Thomas Hobbes

John Locke

The State of Nature

In such condition there is no place for industry because the fruit there-of is uncertain, and continual fear of violent death; and the life of man, solitary, poor, nasty, brutish, and short.

We must consider what state all men are naturally in, and that is a state of perfect freedom to order their actions and dispose of their possessions as they think fit. A state also of equality, no one having more than another.

The Social Contract

Without the terror of some kind of power to cause them to be observed, justice, equity, modesty, and mercy are contrary to our natural passions. Covenants without the sword are but words, and of no strength. The only way for men to erect a common power is for men to confer all their strength on one man or one body of men that may reduce their wills to one will.

The great and chief end of man's uniting into commonwealths, and putting themselves under government, is the preservation of their property; to which in the state of nature there are many

The Right to Rebel

That they are subject to a King, cannot, without his leave, cast him off and return to the confusion of disunited multitude, nor transfer to another man or assembly of men.

When the legislative transgresses the rule of society, they forfeit the power the people put in them, and it devolves to the people, who resume their original liberty.²³

²³Quoted in A. Castell, *An Introduction to Modern Philosophy*, The MacMillan Company, New York, 1949), pp. 395-9, and in The Staff, Social Science I, *The People Shall Judge* (Chicago: University of Chicago Press, 1949) pp. 70, 92, 110-11, 174, 177 (language modified and revised)

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|--------------------|------------------------------------|--------------------------------|
| a. state of nature | e. Thomas Hobbes | g. John Locke |
| b. social contract | f. "solitary, poor, nasty, brutish | h. "to dispose of possessions" |
| c. right to rebel | & short" | |

2. With which philosopher, Hobbes or Locke, do you agree on the state of nature, social contract, and the right to rebel. Explain.

3. Make an argument for or against the colonists' rebellion using Hobbes or Locke's thinking to support your position.

Chapter 13

Declaring Independence

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these, are life, liberty, and the pursuit of happiness.

With these now famous words, Thomas Jefferson declared the colonies to be free and independent. Written fifteen months after the Battle of Lexington, the Declaration of Independence stated the causes for America's separation from England and expressed the philosophy of government on which this country was founded. The Declaration marked an important event in America's history and expressed ideals that were to influence the development of the United States as we know it today. This chapter will ask you to examine two aspects of this famous document.

Steps to American Independence

The embattled farmers who fought the British troops in Lexington and Concord did not plan to break away from England. Instead, they sought to protest the rights that they, as Englishmen, felt were legally theirs. Fifteen months after the initial battle, the colonists decided they could no longer expect to obtain their rights within the British Empire, and they declared their independence from it. Below are some of the key events that led to this decision.

April, 1775 - Campfires blaze around the city of Boston. Farmers from all over New England gather in a hastily formed army around the Massachusetts capital. The British army is now imprisoned within.

June, 1775 - General Gage ferries his soldiers from Boston to Charleston and orders a frontal attack on fortified positions at Breed's Hill. Commanded to hold their fire until "you see the whites of [the enemy's] eyes," the colonists inflicted 1,000 casualties on the British, and left the field of battle only after they ran out of ammunition. The engagement was mistakenly called The Battle of Bunker Hill.

May and June, 1775 - The Second Continental Congress convenes and appoints a Virginian, George Washington, to command the New England army. Washington arrives in Cambridge shortly after the Battle of Bunker Hill. His presence transfers the New England army into the American army.

June, 1775 - Congress, still divided on the question of war or peace, sends two petitions to England. In one it states America's right to resist the British. In the second, it appeals to the King to stop Parliament from enslaving the colonies. Parliament refuses to acknowledge the second petition and the King will not even read it.

January, 1776 - An unknown British Immigrant, Thomas Paine, publishes a pamphlet entitled, *Common Sense*. Paine calls on "ye that love mankind! Ye that dare oppose not only the tyranny but the tyrant, stand forth." He urges his fellow citizens to separate themselves from the evils of Europe to build a new society, "an asylum for mankind." 100,000 copies of this document are printed and for thousands of Americans a yearning for freedom is awakened.

1775-76 - The British land troops along the defenseless town of Falmouth, Maine and burn it to the ground. At the same time, Parliament passes the "Restraining Act" which cuts off all American trade

outside of the British Empire, and King George hires thousands of German soldiers (known as Hessians) to put down the rebellion.

March, 1776 - Shortly after the Battle of Lexington, Ethan Allen led his famous Green Mountain boys in a successful attack on Fort Ticonderoga, in upstate New York. The following winter, cannon from the fort are dragged some 300 miles through the snow to Boston. In March, George Washington mounts his artillery in strategic positions overlooking the old city. Faced by this unexpected move, the British commander realizes that he can no longer hold Boston. He leaves Boston on March 17th, a day still celebrated in Massachusetts as Evacuation Day.

June, 1776 - Thomas Jefferson, Ben Franklin, John Adams, and others are asked to write an explanation of the reasons to declare independence. Although a slave owner, Jefferson's original draft of the Declaration of Independence contains a denunciation of the slave trade. This item is struck out by Southern delegates who resent it as a criticism of their morals and way of life. Since unanimous approval is required to proceed with the business of declaring independence, Jefferson and others opposed to the slave trade give in. The exclusion of a denunciation of the slave trade and the status of African-Americans at the time of the Revolution, are important reasons for an on-going debate over the sincerity of the signers of the Declaration of Independence.



Signing the Declaration of Independence

The Ideals Stated in the Declaration

On July 4, 1776, Congress unanimously approves the Declaration of Independence. The Declaration contains a statement of principles following the ideas of the natural rights philosophy originally expressed by the British philosopher, John Locke. It clearly sets forth the purpose of government: to protect people's inalienable rights, and proclaims the revolutionary idea that mankind has the right to alter or abolish governments that fail to meet their obligations:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

The Declaration Denounces George III

The Declaration also contained a denunciation of King George III, the "tyrant" responsible for violating the rights that governments are established to protect. Included in the Declaration were the following accusations:

- *He has refused his assent to laws the most wholesome and necessary for the public good.*
- *He has dissolved representative houses repeatedly for opposing, with manly firmness, his invasion of the rights of people.*
- *He has kept among us, in time of peace, standing armies without the consent of our legislatures.*
- *He has affected to render the military independent of, and superior to, the civil power.*
- *He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws; giving his assent to their acts of pretended legislation.*
- *For quartering large bodies of armed troops among us.*
- *For protecting them by a mock trial from punishment, for any murders which they should commit on the inhabitants of these States.*
- *For cutting off our trade with all parts of the world;*
- *For depriving us, in many cases, of the benefits of trial by jury.*
- *For transporting us beyond the seas to be tried for pretended offenses.*
- *For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the powers of our governments.*
- *For suspending our own legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever.*
- *He had abdicated government here by declaring us out of his protection, and waging war against us.*
- *He has plundered our seas, ravaged our coasts, burnt our towns and destroyed the lives of our people.*
- *He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the head of a civilized nation.*
- *In every stage of these oppressions, we have petitioned for redress, in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.*

Independence is Declared

The Declaration of Independence contains a conclusion which follows logically from the idea that governments are established to protect the same rights which King George had systematically denied Americans.

We, therefore, the representatives of the United States of America in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, free and independent states: that they are absolved from all allegiance to the British Crown. And, for the support of this declaration, with a firm reliance on the protection of Devine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|---|--------------------------------------|------------------------------|
| a. Thomas Jefferson | d. inalienable rights | people can |
| b. Declaration on slave trade | e. purpose of government | e. 4 grievances against King |
| c. 3 parts of Declaration of Independence | f. when government fails to do above | George |
| | | f. therefore we declare that |
-

Understanding the Meaning of a Document

A great document, such as the Declaration of Independence, should be understood on a variety of different levels.

2. Summarize the events that led up to the writing of the Declaration.

3. Memorize the statement of ideals contained in the Declaration of Independence, beginning with "We hold these truths" and ending with "to alter or abolish it."

4. Explain the logic contained in the Declaration of Independence beginning with a statement about the purpose of government.

5. Decide which of the following statements comes closest to expressing your beliefs about the Declaration of Independence:

- a. The Declaration states the causes of the American Revolution and the ideals for which it was fought.
- b. The Declaration is a statement written by self-serving politicians and gives a false picture of the Revolution's causes.
- c. The Declaration presents a set of ideals that inspired the Revolution and should still inspire Americans today.
- d. The Declaration states hopelessly unworkable ideals.

Chapter 14

Historians and the American Revolution

Interpretations of the past are often influenced by the way people view their own times. Americans have seen their own Revolution and interpreted its causes differently in each generation. Immediately following the Revolution, Americans needed to find symbols that united them. Thus, the interpretations of the Revolution, popularized in thousands of July 4th speeches, were written into the history books. The revolutionaries were viewed as heroes who risked their lives and fortunes in a noble cause; the English were demonized as evil men who tried to crush colonial liberties.

The need for symbols of national unity continued. Even as the tensions between North and South divided the nation, each side claimed to follow the examples of their Revolutionary ancestors. After the Civil War, the need for unity again expressed itself in the glorification of the men who led the fight for independence. But, in the early part of the 20th century scholars began to view their historical past with a far more critical eye. Concerned by the social and economic problems of their own age they found evidence of economic and social factors influencing the debate between England and the colonies. "The struggle," Andrews Hacker wrote, "was not over high sounding political and constitutional concepts. It was over...the survival or collapse of English mercantile capitalism." Other historians emphasized the class struggle theme. They found evidence of class conflict in the colonies and saw that British policies favored a colonial elite. The Revolution, according to this view "became as much a war against the colonial aristocracy as a war for independence."

Economic and social interpretations of the Revolution were widely accepted during the Great Depression of the 1930s. During the late 40s and 50s, however, after America met the challenges of German Nazism and Russian Communism, historians began to take another look at colonial society and discovered evidence previously overlooked. Robert Brown concluded there was "no evidence of class conflict that was serious enough to justify revolution" and detailed studies of Virginia and Massachusetts concluded that most colonial Americans were middle class and ruled by democratic governments. The Revolution, this school of "consensus" historians argued, was essentially conservative rather than radical. It was fought to maintain liberties and privileges long enjoyed by the colonists and threatened by British policies.

In more recent years yet another major interpretation of the Revolution has been developed based on an interest in the power of ideas. Bernard Bailyn's pioneering research in the pamphlets and other writings of the Revolutionary era revealed that the colonists were almost obsessed by a fear of government power and ready to read in any of England's actions "nothing less than a deliberate assault...against liberty both in England and America." The colonial leaders were able to read evil intent into every act by Parliament or the King and thus found real or imagined reasons for initiating the war against England.

The following excerpts represent brief sampling of the major interpretations of the Revolution discussed in this chapter. Neither they nor the material provided in this unit could lead to any firm conclusions on the causes of the Revolution. They can, however stimulate serious and careful thinking about the cause of the Revolution and the nature of history.

The Heroic School—George Bancroft

The men of Boston, whose fathers came to the wilderness for freedom to say their prayers would not fear to take up arms against a preamble (set of laws) which implied their servitude....These men were more than of a noble blood, proving by their spirit that they were of a race Divine. They gave their life in testimony to the rights of mankind bequeathing to their country an assurance of the success in the mighty struggle which they began. They fulfilled their duty not from accidental impulse of the moment; their action was the slowly ripened fruit of Providence and of time. The light that led them on was combined of rays from the whole history of the race from the example of Him (Jesus) who laid down his life on the cross for the life of Humanity; from the religious creed which proclaimed the Divine presence in man.²⁴

An Economic Interpretation—Andrew Hacker

The events of 1763-75 can have no meaning unless we understand that the character of English imperial policy never really changed: that Pitt and his successors at White Hall were following exactly the same line that Cromwell had laid down more than a century before. The purpose of their general program was to protect the English capitalist interests which now were being jeopardized as a result of the intensification of colonial capitalist competition, and English statesmen yielded quickly when no fundamental principle was at stake, but became insistent only when one was being threatened. If in the raising of a colonial revenue lay the heart of the difficulty, how are we to account for the quick repeal of the Stamp Tax and the Townsend Acts and the lowering of the molasses duty? And, on the other hand, how are we to account for the tightening of enforcement on the Acts of Trade and Navigation at a dozen and one different points, the passage of the Currency Act, the placing of iron on the "enumerated" list, English seizure of control of the trade, and the attempt to give the East India Company a monopoly over the Colonial tea business?

The struggle was not over high-sounding political and constitutional concepts: over the power of taxation or even, in the final analysis, over natural rights. It was over colonial manufacturing, wild lands and furs, sugar, wine, tea, and currency, all of which meant, simply, the survival or collapse of English mercantile capitalism within the imperial-colonial framework of the mercantilist system.²⁵

The Class Struggle—Merill Jensen

The American Revolution was far more than a war between colonies and Great Britain; it was also a struggle between those who enjoyed political privileges and those who did not...Colonial radicalism did not become effective until after the French and Indian War. Then, fostered by economic depression and aided by the bungling policy of Great Britain and the desire of the local governing classes for independence within the empire, it became united in an effort to throw off its local and international bonds. The discontented were given an opportunity to express their discontent when the British government began to enforce restrictions upon the colonies after 1763. The colonial merchants used popular demonstrations to give points to their more orderly protests against such measures as the Stamp Act, and it was only a stop from such riots, incited and controlled by the merchants, to the organization of radical parties bent on the redress of local grievances which were of far more concern to the masses than the more remote and less obvious effects of British policy of more than ordinary ability, men who were able to create issues when none were furnished by Great Britain, and who seized on British acts as heaven-sent opportunities to attack the local aristocracy – too strongly entrenched to be

²⁴George Bancroft, *History of the United States of America from the Discovery of the Continent*, New York, 1890, Volume III, pp. 382-83.

²⁵Andrew Hacker, *The Triumph of American Capitalism*, quoted in Wahlke, ed. *The Causes of the American Revolution*, D.C. Heath, Lexington, MA, 1973, pp. 10-11.

overthrown on purely local issues – under the guise of a patriotic defense of American liberties. Thus, used as tools at first, the masses were soon united under capable leadership in what became as much a war against the colonial aristocracy as a war for independence.

The American Revolution thus marks the ascendancy of the radicals of the colonies, for the first time effectively united. True, this radical ascendancy was of brief duration, but while it lasted an attempt was made to write democratic ideals and theories of government into the laws and constitutions of the American states.²⁶

A Democratic Movement—Robert Brown

[After] the Tea Act and the Coercive Acts, there was no doubt whatever that the British intended to curtail colonial democracy as a necessary step toward recovery of British authority and the prevention of colonial independence. The result was the very thing the British had tried to prevent – American independence.

Obviously democracy played an important part in the events before 1776, not as a condition to be achieved but as a reality which interfered with British policies. If the British had been successful, there would undoubtedly have been much less democracy in Massachusetts – hence the interpretations that the Revolution was designed to preserve a social order rather than to change it. We search in vain for evidence of class conflict that was serious enough to justify revolution; we do not have to look far for copious quantities of proof that colonial society was democratic and that the colonists were attempting to prevent British innovations.²⁷

Ideology and Mutual Suspicions—Bernard Bailyn

The colonists believed they saw emerging from the welter of events during the decade after the Stamp Act a pattern – whose meaning was unmistakable. They saw in the measures taken by the British government and in the actions of officials in the colonies something for which their peculiar inheritance of thought had prepared them only too well, something they had long conceived to be a possibility in view of the known tendencies of history and of the present state of affairs in England. They saw about them, with increasing clarity, not merely mistaken, or even evil, policies violating the principles upon which freedom rested, but what appeared to be evidence of nothing less than a deliberate assault launched surreptitiously by plotters against liberty both in England and in America. The danger to America, it was believed, was in fact only the small, immediately visible part of the greater whole whose ultimate manifestation would be the destruction of the English constitution, with all the rights embedded in it.

The opponents of the Revolution – the administration itself – were as convinced as were the leaders of the Revolutionary movement that they were themselves the victims of conspiratorial designs. Officials in the colonies, and their superiors in England, were persuaded as the crisis deepened that they were confronted by an active conspiracy of intriguing men whose professions masked their true intentions. Thomas Hutchinson had little doubt that at the root of all the trouble in the colonies was the maneuvering of a secret, power-hungry cabal that professed loyalty to England while assiduously working to destroy the bonds of authority and force a rupture between England and her colonies. The beliefs and fears expressed on one side of the Revolutionary controversy were as sincere as those expressed on the other. The result was an escalation of distrust toward a disastrous deadlock: "The

²⁶Merrill Jensen, *The Articles of Confederation*, quoted in Edwin Rozwenc and Donald Schultz, *Conflict and Consensus in the American Revolution*, Boston, D.C. Heath Co., 1964, pp. 47, 49-50.

²⁷Robert Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780*, New York, Harper & Row, 1969, pp. 404-405.

*Americans," Burke said, "have made a discovery, or think they have made one, that we mean to oppress them: we have made a discovery, or think we have made one, that they intend to rise in rebellion against us. We know not how to advance; they know not how to retreat. Some party must give way."*²⁸

Suggested Student Exercises:

1. Define or identify and briefly show the importance to the chapter of each of the following:

- | | | |
|------------------------------------|---|----------------------------------|
| a. reasons interpretations change | d. "men of more than noble blood" | f. "redress of local grievances" |
| b. immediate and underlying causes | e. "manufacturing, wild lands and furs" | g. missing class conflict |
| c. 4 different interpretations | | h. "escalation of distrust" |

Determining the Causes of an Event

All events have causes rooted in the social, economic, political, or ideological context of their times. A good explanation of the Revolution will not only consider these factors, but will explain the numerous events leading up to the actual outbreak of the fighting. It should explain all of the major events and account for the actions of the participants.

2. Find the thesis or main point of each interpretation of the American Revolution:

- | | |
|----------------------------|-----------------------------------|
| a. Heroic school | d. Democratic Movement |
| b. Economic Interpretation | e. Ideology and Mutual Suspicions |
| c. Class Struggle | f. Your own |

3. Outline an argument using a single interpretation of the American Revolution and show how it can account for three of the following:

- a. the controversy over taxation and trade regulations
- b. colonial violence and British response
- c. the colonists' statements of their objections to England's policies
- d. the fallacies of at least one of the other interpretations

4. Develop and expand your outline into an essay of not less than 1,200 words. Be sure you include a thesis, foreshadow your main arguments, use logic and facts to support the arguments, and end with a conclusion that summarizes your paper.

²⁸Bernard Bailyn, *The Ideological Origins of the American Revolution*, Belknap Press, Cambridge, 1967, pp. 58-59, 85-93.