

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 The Stamp Act had been repealed in 1766 before a single stamp was purchased. The Townsend duties, a revenue tariff levied on glass, tea, paints, and certain other articles was repealed in 1770 following pressures similar to those responsible for the repeal of the Stamp Act.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.

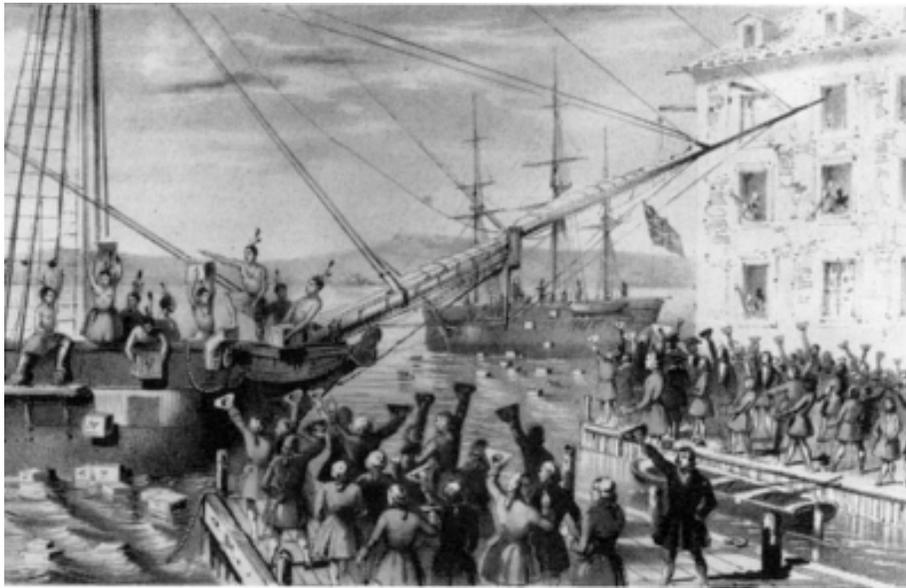
Opposition to this plan of governing America is absolutely necessary to maintain even the shadow of liberty in America and is a duty which every freeman owes to his country.

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:

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|--------------------|----------------------|------------------------|
| 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

