

Steps to Revolution



*Colonial
Williamsburg*

Department of Education Outreach

STEPS TO REVOLUTION

INTRODUCTION

During the series of events leading up to the American Revolution, colonists vigorously debated important issues, such as loyalty, government responsibility, economic boycotts, and most of all, the right of the British government to levy taxes on the colonies. In this lesson, students will analyze this series of events.

OBJECTIVES

As a result of this lesson, students will be able to:

- Analyze and interpret historical documents
- List some events that led to the Revolutionary War
- Describe the issues that caused conflict between Virginians in the years before the Revolutionary War

MATERIALS

- Current events newspaper article involving taxes and opposing viewpoints (not included)
- Document Analysis Worksheet
- Toward a Revolution: An Annotated Time Line, 1750–1783 (background material)
- Document Summaries Graphic Organizer (at end of Primary Sources A–P)
- Primary Sources A–P:
 - A. The Stamp Act
 - B. Letters from the Virginia House of Burgesses
 - C. The Stamp Act Resolves
 - D. Official Report by Governor Francis Fauquier on the Stamp Act Riot
 - E. The Robinson Affair
 - F. The Chiswell Scandal
 - G. The Association of 1774
 - H. The Day of Fasting and Prayer
 - I. The Convention Association
 - J. *The Alternative of Williams-burg*
 - K. The Yorktown “Tea Party”
 - L. The Gunpowder Incident
 - M. Dunmore’s Proclamation
 - N. A Public Letter of Instructions
 - O. The Virginia Declaration of Rights
 - P. The Virginia Statute for Religious Freedom

SETTING THE STAGE

1. Provide students with an article from a recent newspaper that presents opposing viewpoints on the issue of taxes.
2. Ask students why the subject of taxes can trigger such emotional reactions. (Note: You could also ask students to take the article home and discuss it with their family members. Students could record their relatives' observations or responses and bring their records for the class to consider.)
3. Explain to students that the issue of taxes and the right to tax were two of the major disagreements that led to the Revolutionary War. The disagreements also led to debates over many other issues that confronted the colonists.
4. Inform students that they will examine a series of documents from the eighteenth century that examine the controversial issues raging in the American colonies.

STRATEGY

1. Give each student a copy of the Document Analysis Worksheet. Review the document with the class, ensuring that they understand what information they will seek.
2. Divide the class into nine groups. Give each group one of the Primary Source Documents. Have each group use the Document Analysis Worksheet to analyze its assigned document.
3. When all the groups have finished analyzing their documents, distribute the Document Summaries Graphic Organizer to each student.
4. Have each group report its findings to the class. While each group makes its report, other students use the Graphic Organizer to record their notes.
5. After students complete their document analyses, facilitate a class discussion in which students debate the relative importance of these documents, and how much the documents helped bring about, or prevent, war with Great Britain. Write students' major points on the board, and have students record these points in their notes.

EVALUATION/ASSESSMENT

Students may choose one of the following activities for extension or assessment:

1. Prepare a time line of events leading up to the Revolutionary War. This should include events referred to in this activity as well as other important dates that were pertinent in the move toward independence.

2. Write a letter to a friend in England stating why you are either for or against the colonies' independence from Great Britain.

DOCUMENT ANALYSIS WORKSHEET

1. **Type of primary document (check one):**

- Journal or diary entry
- Letter
- Newspaper
- Poster or broadside
- Print
- Bill or declaration

- Census
- Trade card
- Drawing or painting
- Legal document
- Contract
- Other _____

2. **Title of the document:**

3. **Where written:**

4. **Date of document:**

5. **Author(s):**

6. **Summarize the document's content:**

7. **What was its purpose? Why do you think the document was written?**

8. **What evidence in the document helps you know why it was written? Quote from the document:**

9. **List two things the author(s) stated that you think are important and why.**

Important

Why

a. _____

b. _____

10. **List two things that the document tells you about life at the time it was created:**

a. _____

b. _____

**TOWARD A REVOLUTION:
AN ANNOTATED TIME LINE, 1750–1783**

- 1750** The population of Britain’s North American colonies now numbers one million and is rapidly growing. About six million people live in England and Wales.
- 1752** Georgia, the last of the thirteen North American settlements founded by the English, becomes a royal colony. In this, as in other royal colonies, the king appoints a governor and council.
- 1754** A skirmish between French troops (supported by Indians) and American colonists on the western frontier begins the French and Indian War, also known as the Seven Years’ War, a worldwide contest for empire between Great Britain and France and their respective allies.
- September 1759** A British army led by General James Wolfe wins a decisive victory over the French by taking Quebec.
- October 1760** George III becomes King of England and ruler of the British Empire. He favors new political leaders and advisors who follow a stricter policy toward the colonies.
- February 1763** The Treaty of Paris ends the Seven Years’ War. France gives up most of its claims to North American territory. Britain gained Canada and all of French Louisiana east of the Mississippi.

NOTES:

The Seven Years’ War was only one episode in a century-long struggle between Great Britain and France for dominance in the Atlantic world. After a series of decisive British victories, the war ended in 1763 with the Treaty of Paris. By giving up its North American claims, France left Britain the supreme power on the North American continent.

The war with France further loosened Britain’s control over her North American colonies. With victory, however, Britain intended to tighten its colonial rule. Protecting the American colonies from the French and their Indian allies also plunged Great Britain deeply into debt. As a result, the British were determined to recoup some of the war’s cost by taxing the colonists. With a growing population, expanding economy, and freedom from French threat, however, the colonists increasingly resented British interference.

After 1750, the British and Americans disagreed frequently on their respective roles within the empire. The British viewed the colonies as inferior and dependent children. American colonists, however, increasingly saw Great Britain as an overprotective parent. These differing views set the stage for future conflict.

- April 1764** Parliament passes the Sugar Act to raise money from the colonies through import taxes and to strictly regulate trade. Part of its provisions violated traditional civil rights of accused smugglers by denying them jury trials. Unable to get cheap molasses, Boston merchants refuse to buy English luxury goods.
- March 1765** The Stamp Act, the first tax to affect all the colonies equally, becomes law.
- May 1765** Virginia's House of Burgesses adopts Patrick Henry's Stamp Act Resolves, protesting taxation without representation.
- The Quartering Act requires all the colonists to provide lodging for British troops.
- Aug 65- Feb 66** Angry mobs force some stamp distributors to resign while others do it voluntarily and many merchants and others agree not to import British goods.
- October 1765** Representatives of nine colonies meet in New York in what becomes known as the Stamp Act Congress. The delegates reject Parliament's right to tax the colonies.
- March 1766** Bowing to pressure from British merchants, Parliament repeals the unsuccessful Stamp Act, but reaffirms its supreme authority over the colonies.
- June 1767** The Townshend Acts impose duties on glass, tea, and other items imported into the colonies. Colonists react by adopting nonimportation agreements and refusing to buy British goods.
- May 1769** Virginia's House of Burgesses restates its exclusive right to tax Virginians and condemns British actions.
- March 1770** British soldiers, sent to support local British officials, fire into an angry Boston crowd and kill five people. This incident soon becomes known as the Boston Massacre.
- April 1770** Realizing that the Townshend Acts are discouraging the purchase of British goods, Parliament repeals all the taxes except that on tea, which cannot be grown in North America.

NOTES:

Although not always enforced, British trade regulations were always a fact of life in the American colonies. After 1763, Britain expected the colonies to help pay its huge war debt. Taxes, such as that on molasses under the Sugar Act, and other unpopular British actions met

with limited, local resistance. However, the Stamp Act of 1765—the first direct tax imposed on all the colonies—sparked riots and mob violence throughout the colonies. Americans were not represented in Parliament, but were nevertheless taxed by it. Opposition to the Stamp Act spread swiftly, accompanied by the rallying cry, “No taxation without representation!” Responding to pressure from British merchants, Parliament repealed the Stamp Act in 1766, but reaffirmed its right to tax the colonies.

After failing to raise money with the Stamp Act, Parliament passed the Townshend Acts in 1767, placing duties on glass, lead, paints, paper, and tea, which could legally be imported only from Great Britain. American colonists at once adopted nonimportation agreements to prevent the British from collecting these taxes. In the face of such resistance, Parliament repealed all duties in 1770, except that on tea.

After years of discord, no progress toward a compromise had been made between Britain and the American colonies. Each remained convinced of its own position and became more distrustful of the other. The colonists believed that they had twice defeated British tax schemes and were confident they could do so again. The duty on tea, however, signaled Britain’s intention to uphold its right to tax. Faced with continuing resistance, Parliament became more determined to use force, if necessary, to assert its authority.

- May 1773** The Tea Act gives the British East India Company a monopoly on sales. In protest, “Patriots” in New York and Philadelphia force ships to return to England without unloading their cargoes of tea.
- December 1773** Patriots dressed as Indians board ships in Boston harbor and destroy more than 300 chests of tea to prevent its unloading and sale. (This event became known only in the 1830s and 1840s as the “Boston tea party.”)
- March 1774** As punishment for the destruction of the tea, Parliament passes the Boston Port Act, closing the harbor to all seaborne trade.
- May 1774** Virginia’s House of Burgesses supports Boston by declaring a day of fasting and prayer. Virginia calls for a unified colonial response through a boycott of British goods.
- September 1774** The First Continental Congress meets in Philadelphia. In October they adopt the “Declaration of Rights and Grievances” and declare that Americans are entitled to the rights of “life, liberty, and property.” It forms the Continental Association, an agreement calling on the colonies to stop all imports from Britain, and providing for local committees to enforce its provisions.
- November 1774** Yorktown residents board the ship *Virginia* and dump chests of tea into the York River to prevent their sale.

Throughout the colonies, local leaders prepare military resistance and develop new political institutions to replace British authority, such as county committees that later become known as Committees of Safety.

NOTES:

The continuing struggle between Britain and its American colonies had expanded beyond the issue of taxation to include the very basis of British control over colonial affairs. By 1773, the conflict centered on tea, an ordinary beverage that became a symbol of both oppression and resistance.

By 1770, tea was the only item that still carried an import tax. In 1773, Parliament passed the Tea Act, lowering the tax to encourage its acceptance, but giving the British East India Company a monopoly on its sale. Outraged colonists saw this as one more attempt to rob them of their liberty and responded by preventing the unloading of tea cargoes, and finally by dumping tea into Boston harbor. An angered Parliament passed the Coercive Acts to force the colonists to submit to British authority. These acts became known in the colonies as the “Intolerable Acts.”

The events that followed the passage of the Tea Act marked the turning point in relations between Britain and the colonies. Parliament’s harsh response to the destruction of the tea in Boston served to unify all thirteen colonies. There was a feeling of desperation in America, as none of the traditional ways of obtaining justice seemed to work.

Citing the need for a unified defense of their rights, twelve colonies sent delegates to a Continental Congress (the first of that name) in September 1774 to forge a common plan of action. As they worked to develop new governing institutions, political leaders were kept informed of news from other colonies through an effective system of correspondence. Widely read political pamphlets motivated Americans to take a stand and prepare to defend themselves. Armed struggle appeared inevitable.

February 1775 Parliament declares Massachusetts in a state of rebellion.

April 1775 British General Gage is authorized to use force to subdue Massachusetts.

British troops, attempting to capture colonial military supplies at Concord, exchange gunfire with Massachusetts “minutemen” (so called because of their willingness to be ready to fight at a minute’s notice) at Lexington and Concord.

Lord Dunmore, the royal governor of Virginia, seizes the colony’s store of gunpowder at Williamsburg.

May 1775 Ethan Allen and the Green Mountain Boys capture British-held Fort Ticonderoga, New York, and its heavy artillery.

The Second Continental Congress meets in Philadelphia.

June 1775 The British win a fight against colonists at Bunker and Breed's Hills in Boston, but suffer heavy losses.

George Washington is appointed commander-in-chief of the defense forces, soon to be known as the Continental forces. Congress enacts Articles of War.

NOTES:

By the spring of 1775, Massachusetts was a powder keg. Parliament had declared the colony to be in rebellion, and King George III and his ministers were urging General Thomas Gage, the British military governor, to take action, even if it meant war. On April 19, Gage "lit the fuse" by ordering 800 British troops from Boston to seize colonial military supplies stored at Concord. When the British reached Lexington, they dispersed a small band of "minutemen," leaving eight dead. Marching on to Concord, the troops met stronger resistance and turned back toward Boston. What began as an orderly withdrawal, however, soon turned into a nightmare, as the Americans fired on them from behind trees, fences, and buildings. By day's end, all of Massachusetts was in open rebellion, and British troops found themselves under siege.

In the late 1760s, when the British began sending soldiers to New York and Boston, many colonists had suspected that these troops might be used against them. They began preparations to defend themselves. In April 1775, their fears were confirmed by news of the fighting at Lexington. The lives lost on both sides during the bloody British assault on Breed's and Bunker Hills in June made a peaceful compromise more and more unlikely.

In Philadelphia, the Second Continental Congress voted to organize an American army, and designated George Washington as its commander. Even as they authorized military resistance, the delegates made one last attempt for reconciliation, sending the Olive Branch Petition to the King in July. George III, however, refused to read it, and declared the Americans rebels. By early 1776, popular opinion in the colonies was moving increasingly toward independence, partly influenced by Thomas Paine's hugely popular pamphlet, *Common Sense*.

December 1775 An American assault on Quebec, led by Generals Richard Montgomery and Benedict Arnold, is repulsed and Canada remains under British control.

May 1776 France begins secretly sending money and military supplies to Britain's rebellious North American colonies.

June 1776 The Fifth Virginia Convention passes George Mason's Declaration of Rights, the first bill of rights to be adopted in America.

July 4, 1776 The Second Continental Congress approves the final version of the Declaration of Independence.

- 1776–1782** The American war of independence is fought throughout the colonies.
- October 1781** British General Cornwallis surrenders at Yorktown. As a result of the American victory, Britain begins peace talks with its former colonies.
- September 1783** The Treaty of Paris is signed, whereby Britain recognizes the United States as an independent nation. European powers agree that the new nation will possess the land between the Florida and Canadian borders, stretching west to the Mississippi River.
- September 1787** The Constitutional Convention that had been meeting in Philadelphia since May requests that the states ratify a new Constitution.

NOTES:

Eight years passed between the opening shots of the American Revolution on Lexington green and the signing of a peace treaty between the United States and Great Britain. The Revolutionary War was a long, hard-fought struggle for which the new American states were ill prepared. At the start of the war there was no significant manufacturing in America to provide arms, ammunition, or equipment for the army. The individual states were suspicious of each other and resisted any move to make the Continental Congress into a strong central government. Consequently, the new nation did not have a unified financial structure, which made supporting an army in the field extremely difficult.

Without the assistance of European nations, the cause of American independence would have been lost. French, Spanish, and Dutch money (often in the form of loans) bought essential military materials. The formal alliance with France in 1778 brought more than financial support. In July 1778, French troops arrived in America to help fight for American independence. It was a critical time.

In 1780, the British captured the port of Charleston, South Carolina. General Cornwallis marched his army through South and North Carolina. In the summer of 1781, Cornwallis marched into Virginia. Seeing an opportunity, the combined American and French armies marched south and, in October 1781, trapped and captured Cornwallis's army at Yorktown, Virginia.

The 1783 Treaty of Paris recognized the independent, sovereign status of the United States of America, but the revolution was not yet over. In 1787, a convention in Philadelphia proposed a new Constitution to replace the Articles of Confederation. In 1789—twenty-four years after the Stamp Act Crisis and fourteen years after Lexington and Concord—American citizens elected the first United States Congress and the first President.

PRIMARY SOURCE A: THE STAMP ACT

Background Information

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

(Report of Speech in the House of Lords, 1770)

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

(Boston Town Meeting to its Assembly Representatives, 1770)

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

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

It was this—the overwhelming evidence; as they saw it, that they were faced with conspirators against liberty determined at all costs to gain ends which their words dissembled—that was

signaled to the colonists after 1763, and it was this above all else that in the end propelled them into Revolution.

Bernard Bailyn, *The Ideological Origins of the American Revolution*. Cambridge, MA and London: the Belknap Press (Harvard University), 1967.

THE STAMP ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And there shall be also paid in the said colonies and plantations, a duty of six pence for every twenty shillings, in any sum not exceeding fifty pounds sterling money which shall be given, paid, contracted, or agreed for, with or in relation to any clerk or apprentice, which shall be put or placed to or with any master or mistress to learn any profession, trade, or employment.

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

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

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

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

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

VII That nothing in this act contained shall extend to charge the probate of any will or letters of administration to the effects of any common seaman or soldier, who shall die in his Majesty's service; a certificate being produced from the commanding officer of the ship or vessel, or troop or company in which such seaman or soldier served at the time of his death, and oath, or if by a quaker a solemn affirmation, made of the truth thereof, before the proper judge or officer by whom such probate or administration ought to be granted; which oath or affirmation such judge

or officer is hereby authorized and required to administer, and for which no fee or reward shall be taken.

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

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

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

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

XII. And be it further enacted by the authority aforesaid, That the said several duties shall be under the management of the commissioners, for the time being, of the duties charged on stamped vellum, parchment, and paper, in Great Britain: and the said commissioners are hereby empowered and required to employ such officers under them, for that purpose, as they shall think proper; and to use such stamps and marks, to denote the stamp duties hereby charged, as they shall think fit; and to repair, renew, or alter the same, from time to time, as there shall be occasion; and to do all other acts, matters, and things, necessary to be done, for putting this act in execution with relation to the duties hereby charged.

XIII. That the commissioners for managing the said duties, for the time being, shall and may appoint a fit person or persons to attend in every court or public office within the said colonies and plantations, to take notice of the vellum, parchment, or paper, upon which any of the matters or things hereby charged with a duty shall be ingrossed, written, or printed, and of the stamps or marks thereupon, and of all other matters and things tending to secure the said duties; and that

the judges in the several courts, and all other persons to whom it may appertain, shall, at the request of any such officer, make such offers, and do such other matters and things, for the better securing of the said duties, as shall be lawfully or reasonably desired in that behalf; and every commissioner and other officer, before he proceeds to the execution of any part of this act, shall take an oath in the words, or to the effect following (that is to say)

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

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

XIV. And be it further enacted by the authority aforesaid, That the said commissioners, and all officers to be employed or entrusted by or under them as aforesaid, shall, from time to time, in and for the better execution of the several places and trusts, observe such rules, methods, and orders, as they respectively shall, from time to time receive from the high treasurer of Great Britain, or the commissioners of the treasury, or any three or more of such commissioners of the treasury, or any three or more of such commissioners for the time being; and that the said commissioners for managing the stamp duties shall take especial care, that the several parts of the said colonies and plantations shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped or marked with the said respective duties.

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

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

XVII. Provided nevertheless, and be it further enacted by the authority aforesaid, That if any vellum, parchment, or paper, containing any deed, instrument, or other matter or thing, shall not be duly stamped in pursuance of this act, at the time of the signing, sealing, or other execution, or the entry or inrollment thereof, any person interested therein, or any person on his or her behalf, upon producing the same to any one of the chief distributors of stamp vellum, parchment, and paper, and paying to him the sum of ten pounds for every such deed, instrument, matter, or thing, and also double the amount of the duties payable in respect thereof, shall be intitled to receive from such distributor, vellum, parchment, or paper, stamped pursuant to this act, to the amount of the money so paid; a certificate being first written upon every such piece of vellum, parchment, or paper, expressing the name and place of abode of the person by or on whose behalf such payment is made, the general purport of such deed, instrument, matter, or things, the names of the parties therein, and of the witnesses (if any) thereto, and the date thereof, which certificate shall be signed by the said distributor; and the vellum, parchment, or paper, shall be then annexed to such deed, instrument, matter, or thing, by or in the presence of such distributor, who shall impress a seal upon wax, to be affixed on the part where such annexation shall be made, in the presence of a magistrate, who shall attest such signature and sealing; and the deed, instrument, or other matter or thing, from thenceforth shall and may, with the vellum, parchment, or paper, so annexed, be admitted and allowed in evidence in any court whatsoever, and shall be as valid and effectual as if the proper stamps had been impressed thereon at the time of the signing, sealing, or other execution, or entry or inrollment thereof; and the said distributor shall, once in every six months, or oftener if required by the commissioners for managing the stamp duties, send to such commissioners true copies of all such certificates, and an account of the number of pieces of vellum, parchment, and paper, so annexed, and of the respective duties impressed upon every such piece.

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

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

XX. And it is hereby declared, That upon any prosecution or prosecutions for such felony, the dye, tool, or other instrument made use of in counterfeiting or forging any such seal, stamp,

mark, type, device, or label, together with the vellum, parchment, paper, cards, dice, or other matter, or thing having such counterfeit impression, shall immediately after the trial or conviction of the party or parties accused, be broke, defaced, or destroyed, in open court.

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

XXII. That from and after the said first day of November, one thousand seven hundred and sixty five, if any counsellor, clerk, officer, attorney, or other person, to whom it shall appertain, or who shall be employed or intrusted, in the said colonies or plantations, to enter or file any matter or thing in respect whereof any duty shall be payable by virtue of this act, shall neglect to enter, file, or record the same, as by law the same ought to be entered, filed, or recorded, within the space of four months after he shall have received any money for or in respect of the same, or shall have promised or undertaken so to do; or shall neglect to enter, file, or record, any such matter or thing, before any subsequent, further or other proceeding, matter, or thing, in the same suit, shall be had, entered, filed, or recorded; that then every such counsellor, clerk, officer, attorney, or other person so neglecting or offending, in each of the cases aforesaid, shall forfeit the sum of fifty pounds for every such offence.

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

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

XXV. That every officer of every court, and every justice of the peace or other person within the said colonies and plantations, who shall issue any writ or process upon which a duty is by this

act payable, shall, at the issuing thereof, set down upon such writ or process the day and year of his issuing the same, which shall be entered upon a remembrance, or in a book to be kept for that purpose, setting forth the abstract of such writ or process; upon pain to forfeit the sum of ten pounds for every such offence.

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

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

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

XXIX. And whereas it may be uncertain how many printed copies of the said printed news papers or pamphlets, to be contained in one sheet or in a lesser piece of paper, may be sold; and to the intent the duties hereby granted thereupon may not be lessened by printing a less number than may be sold, out of a fear of a loss thereby in printing more such copies than will be sold; it is hereby provided, and be it further enacted by the authority aforesaid, That the proper officer or officers appointed for managing the said stamp duties, shall and may cancel, or cause to be cancelled, all the stamps upon the copies of any impression of any news paper or pamphlet contained in one sheet, or any lesser piece of paper, which shall really and truly remain unsold,

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

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

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

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

XXXIII. That from and after the said first day of November, one thousand seven hundred and sixty five, the full sum or sums of money, or other valuable consideration received, or in any wise directly or indirectly given, paid, agreed, or contracted, for, with, or in relation to any clerk or apprentice, within any of the said colonies or plantations, shall be truly inserted, or written in words at length, in some indenture or other writing which shall contain the covenants, articles, contracts, or agreements, relating to the service of such clerk or apprentice; and shall bear date upon the day of the signing, sealing, or other execution of the same, upon pain that every master

or mistress to or with whom, or to whose use, any sum of money, or other valuable consideration whatsoever, shall be given, paid, secured, or contracted, for or in respect of any such clerk or apprentice, which shall not be truly and fully so inserted and specified in some such indenture, or other writing, shall, for every such offence, forfeit double the sum, or double the amount of any other valuable consideration so given, paid, agreed, secured, or contracted for; to be sued for and recovered at any time, during the term specified in the indenture or writing for the service of such clerk or apprentice, or within one year after the determination thereof; and that all such indentures, or other writings, shall be brought, within the space of three months, to the proper officer or officers, appointed by the said commissioners for collecting the said duties within the respective colony or plantation; and the duty hereby charged for the sums, or other valuable consideration inserted therein, shall be paid by the master or mistress or such clerk or apprentice to the said officer or officers, who shall give receipts for such duty on the back of such indentures or other writings; and in case the duty shall not be paid within the time before limited, such master or mistress shall forfeit double the amount of such duty.

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

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

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

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

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

XXXVII. And, for the better securing the said duty on playing cards and dice; be it further enacted by the authority aforesaid, That from and after the said first day of November, one thousand seven hundred and sixty five, no playing cards or dice shall be sold, exposed to sale, or used in play, within the said colonies or plantations, unless the paper and thread inclosing, or which shall have inclosed, the same, shall be or shall have been respectively sealed and stamped, or marked, and unless of the cards of each pack or parcel of cards, so sold, shall be also marked or stamped on the spotted or painted side thereof with such mark or marks as shall have been provided in pursuance of this act, upon pain that every person who shall sell, expose to sale, any such cards or dice, which shall not have been so respectively sealed, marked, or stamped, as hereby is respectively required, shall forfeit for every pack or parcel of cards, and every one of such dice so sold or exposed to sale, the sum of ten pounds.

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

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

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

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

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

XLIII. Provided nevertheless, and be it enacted by the authority aforesaid, That if any person licenced to sell spirituous liquors or wines, shall die or remove from the house or place wherein such spirituous liquors or wine shall, by virtue of such licence, be sold, it shall and may be lawful for the executors, administrators, or assigns of such person so dying or removing, who shall be possessed of such house or place, or for any occupier of such house or place, to sell spirituous liquors or wine therein during the residue of the term for which such licence shall have been granted, without any new licence to be had or obtained in that behalf; any thing to the contrary thereof in any wise notwithstanding.

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

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

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

XLVII. And it is hereby further enacted by the authority aforesaid, That every person who shall at any one time buy of any chief distributor within any of the said colonies or plantations, vellum, parchment, or paper, the duties whereof shall amount to five pounds sterling money of

Great Britain, or upwards, shall be allowed after the rate of four pounds *per centum*, upon the prompt payment of the said duties to such chief distributor.

XLVIII. And be it further enacted by the authority aforesaid, That all publick clerks or officers within the said colonies or plantations, who shall from time to time have in their custody any publick books, or other matters or things hereby charged with a stamp duty, shall, at any seasonable time or times, permit any officer or officers thereunto authorized by the said commissioners for managing the stamp duties, to inspect and view all such publick books, matters, and things, and to take thereof such notes and memorandums as shall be necessary for the purpose of ascertaining or securing the said duties, without fee or reward; upon pain that every such clerk or other officer who shall refuse, shall for ever such refusal or neglect, forfeit the sum of twenty pounds.

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

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

answered, paid, or accounted for, by such person or persons, whereby he or they shall sustain any damage or prejudice; in every such case, every such officer shall be liable to pay treble the value of all and every sum and sums of money so diverted or misapplied; and shall also be liable to pay treble damages to the party grieved, by returning him insuper.

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

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

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

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

LV. And whereas, it is proper that some provision should be made for payment of the necessary expences which have been, and shall be incurred in relation to this act, and the execution thereof; and of the orders and rules to be established under the authority of the same, before the said duties shall take effect, or the monies arising thereby shall be sufficient to discharge such expences; be it therefore enacted by the authority aforesaid, That his Majesty may, and he is hereby empowered by any warrant or warrants under his royal sign manual, at any time or times before the twentieth day of April, one thousand seven hundred and sixty six, to cause to be issued and paid out of any of the surpluses, excesses, overplus monies, and other revenues composing the fund commonly called The sinking fund (except such monies of the said sinking fund as are appropriated to any particular use or uses, by any former act or acts of parliament in that behalf) such sum and sums of money as shall be necessary to defray the said expences; and

the monies so issued, shall be reimbursed, by payment into the exchequer of the like sum or sums out of the first monies which shall arise by virtue of this act; which monies, upon the payment thereof into the exchequer, shall be carried to the account, and made part of the said fund.

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

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

LVIII. And it is hereby further enacted and declared by the authority aforesaid, That all sums of money granted and imposed by this act as rates or duties, and also all sums of money imposed as forfeitures or penalties, and all sums of money required to be paid, and all other monies herein mentioned, shall be deemed and taken to be sterling money of Great Britain, and shall be collected, recovered, and paid to the amount of the value which such nominal sums bear in Great Britain; and that such monies shall and may be received and taken, according to the proportion and value of five shillings and six pence the ounce in silver; and that all the forfeitures and penalties hereby inflicted, and which shall be incurred, in the said colonies and plantations, shall and may be prosecuted, sued for, and recovered, in any court of record, or in any court of admiralty, in the respective colony or plantation, or place, (which courts of admiralty or vice admiralty are hereby respectively authorized and required to proceed, hear, and determine the same,) at the election of the informer or prosecutor; and that from and after the twenty ninth day of September, one thousand seven hundred and sixty five, in all cases, where any suit or prosecution shall be commenced and determined for any penalty or forfeiture inflicted by this

act, or by the said act made in the fourth year of his present Majesty's reign, or by any other act of parliament relating to the trade or revenues of the said colonies or plantations, in any court of admiralty in the respective colony or plantation where the offence shall be committed, either party, who shall think himself aggrieved by such determination, may appeal from such determination to any court of vice admiralty appointed or to be appointed, and which shall have jurisdiction within such colony, plantation, or place, (which court of vice admiralty is hereby authorized and required to proceed, hear, and determine such appeal) any law, custom, or usage, to the contrary notwithstanding; and the forfeitures and penalties hereby inflicted, which shall be incurred in any other part of his Majesty's dominions, shall and may be prosecuted, sued for, and recovered, with full costs of suit, in any court of record within the kingdom, territory, or place, where the offence shall be committed, in such and the same manner as any debt or damage, to the amount of such forfeiture or penalty, can or may be sued for and recovered.

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

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

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

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

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

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

PRIMARY SOURCE B: LETTERS FROM THE VIRGINIA HOUSE OF BURGESSES

Background Information

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

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

The course of events in London was closely followed and reported by Edward Montague, an English lawyer. In 1759 he had been appointed agent to represent Virginia's interests in the mother country, by the same act that created a joint standing committee to correspond with him and direct his efforts.

(William Waller Hening, *The Statutes at Large: Being a Collection of the Laws of Virginia, from the First Session of the Legislature, in the Year 1619* [13 vols., Richmond, etx., 1809-23; facsimile reprint, Charlottesville, 1969]. VII, 276-77, 375-77.)

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

Randolph on 7 November laid before the Burgesses the most recent correspondence with Montague. The result of the ensuing discussion was that a week later the speaker appointed Randolph, Richard Henry Lee, Landon Carter, George Wythe, Edmund Pendleton, Benjamin Harrison, Archibald Cary, and John Fleming a special committee to prepare an address to the king and a memorial and a remonstrance to the Lords and the Commons respectively. Randolph

introduced all three documents on 30 November. They appear to have been mainly the work of Carter. At least the crotchety colonial from Sabine Hall claimed them for his own and saw in himself the hero who gave “the first breath for Liberty in America.” In so claiming and seeing, he developed a great detestation for Patrick Henry, who, appearing on the stage at a more propitious time, stole the show. But whereas Henry made his entry with magnificent timing and could hold an audience in his palm, Carter was scarcely the sort to bring men to their feet. “His speeches,” Thomas Jefferson recalled years later, “like his writings, were dull, vapid, verbose, egotistical, smooth as the lullaby of the nurse, and commanding, like that, the repose only of the hearer.”

(Jack P. Greene., ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* [2 vols., Charlottesville, 1965], II, 1057, 1063, 1082-83; Paul Leicester Ford, Comp. and ed., *The Works of Thomas Jefferson* [12 vols., New York, 1904-5], XI, 413. n. 1.)

The House made no changes in the address, but a considerable number of amendments was made in the drafts of the memorial and representation—in Committee of the Whole House on 13 December, by the Council of State on 17 December, and by the House in formal session the next day. Then satisfied, Council and House adopted the documents by unanimous votes.

(Kennedy, ed., *Journals of the House of Burgesses, 1761–1765*, pp. 240, 254, 257, 279, 293, 299–302.)

The sole value of the address lies in the fact of its existence. That of the memorial and representation is to be found in the clarity with which the Virginia constitutional contention was expounded. Otherwise, these papers constituted exercises in futility. Not king, Lords, or Commons deigned so much as to receive, let alone scan them. By the date of the arrival in London, Grenville had long since determined to implement his resolution of March by pressing for the passage of a stamp act; and Parliament was irritated by the knowledge that the colonials had presumed to question its authority. But in the light of subsequent events, it was not the Burgesses who failed.

(Edmund S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* [Chapel Hill, 1953], pp. 53–64. Edmund S. Morgan, “The Postponement of the Stamp Act,” *William and Mary Quarterly*, 3d ser., VII [1950], 353–392.)

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 9–10.

LETTERS FROM THE VIRGINIA HOUSE OF BURGESSES

[18 December 1764]

To the King’s Most Excellent Majesty,
Most gracious Sovereign,

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

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

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

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

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

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

Your Memorialists conceive it to be a fundamental Principle of the British Constitution, without which Freedom can no where exist, that the People are not subject to any Taxes but such as are laid on them by their own consent, or by those who are legally appointed to represent them; Property must become too precarious for the Genius of a free People which can be taken from

them at the Will of others, who cannot know what Taxes such People can bear, or the easiest Mode of raising them; and who are not under that Restraint, which is the greatest Security against a burthensome Taxation, when the Representatives themselves must be affected by every Tax imposed on the People.

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

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

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

Your Memorialists cannot suggest to themselves any Reason why they should not still be trusted with the Property of their People, with whose Abilities, and the least burthensome Mode of taxing (with Deference to the superior Wisdom of Parliament) they must be best acquainted.

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

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

* * *

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

The Remonstrance of the Council and Burgesses of Virginia.

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

They conceive it is essential to British Liberty that Laws imposing Taxes on the People ought not to be made without the Consent of Representatives chosen by themselves; who, at the same Time that they are acquainted with the Circumstances of their constituents, sustain a Proportion of the Burthen laid on them. This Privilege, inherent in the Persons who discovered and settled these Regions, could not be renounced or forfeited by their Removal hither, not as Vagabonds or Fugitives, but licensed and encouraged by their Prince and animated with a laudable Desire of enlarging the British Dominion, and extending its Commerce; On the contrary, it was secured to them and their Descendants, with all other Rights and Immunities of British Subjects by a Royal Charter, which hath been invariably recognized and confirmed by his Majesty and his Predecessors in their Commissions to the several Governours, granting a Power, and prescribing a Form of Legislation; according to which, Laws for the Administration of Justice, and for the Welfare and good Government of the Colony, have been hitherto enacted by the Governour, Council, and General Assembly, and to them Requisitions and Applications for Supplies have been directed by the Crown. As an Instance of the Opinion which former Sovereigns entertained of these Rights and Privileges, we beg Leave to refer to three Acts of the General Assembly passed in the 32nd Year of the Reign of King Charles II (one of which is entitled An Act for raising a Publick Revenue for the better Support of the Government of his Majesty's Colony of Virginia, imposing several Duties for that Purpose) which they thought absolutely necessary, were prepared in England, and sent over by their then Governour, the Lord Culpeper, to be passed by the General Assembly, with a Full Power to give the Royal Assent thereto; and which were accordingly passed, after several Amendments were made to them here; Thus tender was his Majesty of the Rights of his American Subjects; and the Remonstrants do not discern by what Distinction they can be deprived of that sacred Birthright and most valuable Inheritance by their Fellow Subjects, not with what Propriety they can be taxed or affected in their Estates by the Parliament, wherein they are not, and indeed cannot, constitutionally be represented.

And if it were proper for the Parliament to impose Taxes on the Colonies at all, which the Remonstrants take Leave to think would be inconsistent with the fundamental Principles of the Constitution, the Exercise of that Power at this Time would be ruinous to Virginia, who exerted herself in the late War it is feared beyond her Strength, insomuch that to redeem the Money granted for the Exigence her people are taxed for several years to come; This, with the large Expenses incurred for defending the Frontiers against the restless Indians, who have infested her as much since the Peace as before, is so grievous that an Increase of the Burthen will be

intolerable; especially as the People are very greatly distressed already from the Scarcity of circulating Cash amongst them and from the little Value of their Staple at the British Markets.

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

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

(Kennedy, ed., *Journals of the House of Burgesses of Virginia, 1761–1765*. pp. 302–304.)

PRIMARY SOURCE C: THE STAMP ACT RESOLVES

Background Information

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

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

After Henry's death, there was discovered with his will a sealed document inscribed: "Inclosed are the resolutions of the Virginia Assembly in 1765, concerning the Stamp Act. Let my executors open this paper." When the executors did so, they found the copy of the resolutions, apparently in the hand of John Fleming, in 1765 a burgess for Cumberland County, and on the verso of the sheet a statement in Henry's own hand. Upon entering the General Assembly, Henry explained, he was "young, inexperienced, unacquainted with the forms of the House, and the members that composed it"—hardly the man, it would seem, to contest control with the established tidewater leadership. But finding that once the Stamp Act had been passed, no one appeared willing to challenge its constitutionality, he determined to do so himself, "and alone, unaided, and unassisted," he wrote the original resolutions "on a blank leaf of an old law-book.."

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

That notwithstanding, there ensued a "long and warm contest," with "threats" and "much abuse" cast upon Henry "by the party for submission." Many of that party had not hesitated to vote for the petitions of 18 December past. Now some of them argued that further agitation was useless. Others contended that the time to review the struggle lay in the future. But all were horrified by

the fifth resolution, which a young student observer from the College of William and Mary (his name was Thomas Jefferson), later recollected occasioned a “most bloody debate.” In that no remembered voice had ever heretofore been raised in the Burgesses to assert that the General Assembly possessed the “*only and sole exclusive* Right and Power” to lay a tax of any nature on the colony—well, the resolution was painfully revolutionary. Nevertheless, borne along by “torrents of sublime eloquence from Henry, backed by the solid reasoning of Johnston,” all five resolutions emerged from the committee and were passed by the House (the fifth by a majority of one) on 30 May. “My God,” Jefferson heard Peyton Randolph exclaim, “I would have given one hundred guineas for a single vote.”

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

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

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

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

Thus one may suppose that Henry and his allies at the time they committed their communications to the posts were confident that the entire package of resolutions would be adopted, and that Virginians would learn of what the Burgesses had wrought from friendly

gazettes published outside Virginia. Or one may suppose that the transcribers willfully undertook the creation of a myth, that of heroic legislators resolutely hurling defiance at tyranny across the sea. The lag in time between the probable date or dates of posting and the date of first publication is explicable when it is remembered that to print the resolutions without adverse comment could be construed as endorsing sedition. A loyalist publisher would hardly publicize them, and a radical one could not editorially decry them; but when the publisher of the *Newport Mercury* did risk printing them and escaped without reprisal, he breached the dam.

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

Even without the sixth and seventh, Henry saw in his resolutions the beginning of the Revolution and all that it portended. “Whether this will prove a blessing or a curse,” he wrote in a timeless message, “will depend upon the use our people make of the blessing which a gracious God hath bestowed on us. If they are wise, they will be great and happy. If they are of a contrary character, they will be miserable.”

Rovert Douthat Meade, *Patrick Henry* [2 vols., Philadelphia and New York, 1957–1969], vol. I, pp. 159, 169–182.

George F. Williston, *Patrick Henry and His World* [Garden City, NJ, 1969], pp. 119–129.

E.S. and H.M. Morgan, *Stamp Act Crisis*, pp. 88–98.

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 9–10.

THE STAMP ACT RESOLVES

[29-30 May 1765]

Resolved,

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

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

Resolved, That the Taxation of the People by themselves or by Persons chosen by themselves to represent them who can only know what Taxes the people are able to bear and the easiest Mode

of raising them and are equally directed by such Taxes Themselves of the distinguishing Characteristick of British Freedom and without which the ancient Constitution cannot subsist.

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

Resolved, Therefore that the General Assembly of this Colony have the only and sole exclusive Right and Power to lay Taxes and Impositions upon the Inhabitants of this Colony and that every Attempt to vest such Power in any Person or Persons whatsoever other than the General Assembly aforesaid has a manifest Tendency to destroy British as well as American Freedom.

(Patrick Henry Papers, the Colonial Williamsburg Foundation)

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 17–18.

The two resolutions not passed are as follows:

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

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

Jensen, Merrill, ed., *English Historical Documents: American Colonial Documents to 1776*. Oxford and New York: Oxford University Press, 1955, pp. 669–670.

**PRIMARY SOURCE D:
OFFICIAL REPORT BY GOVERNOR FRANCIS FAUQUIER
ON THE STAMP ACT RIOT**

To the Board of Trade

My Lords,

Wmsburgh, Novr. 3d 1765

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

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

Very unluckily Colonel Mercer arrived at the time this Town was the fullest of Strangers. On Wednesday the 30th October he came up to Town. I then thought proper to go the Coffee house (where I occasionally sometimes go) which is situated in that part of the Town which is call'd the Exchange tho' an open Street, where all money business is transacted. My particular Reason for going then was, that I might be an Eye witness of what did realy pass, and not receive it by Relation from others. The mercantile people were all assembled as usual, the first word I heard was "One and all." Upon which as at a word agreed on before between themselves, they all

quitted the place to find Colonel Mercer at his Fathers Lodgings where it was known he was. This concourse of people I should call a Mob, did I not know that it was chiefly if not altogether composed of Gentlemen of property in the Colony some of them at the Head of their Respective Counties, and the Merchants of the Country, whether English Scotch, or Virginians; for few absented themselves. They met Colonel Mercer on the way just at the Capitol, there they stop'd and demanded of him an Answer whether he would resign or act in his Office as Distributor of the Stamps. He said it was an affair of great moment to him, He must consult his Friends, and promised to give them an answer at 10 o'Clock on Friday morning at that place. This did not satisfy them, and they followed him to the Coffee house, in the porch of which I had seated my self with many of the Council and the Speaker who had posted himself between the Crowd and my self. We all received him with the greatest Marks of welcome; with which if one may be allowed to judge by their Countenances they were not well pleased, tho' they remained quiet and were silent. Now and then a Voice was heard from the Crowd, that Friday was too late, the act would take place, they would have an answer tomorrow. Several Messages were brought to Mr. Mercer by the leading Men of the Crowd, to whom he constantly answered he had already given an answer and he would have no other extorted from him. After some little time, a Cry was heard "let us rush in" upon this we, that were at the Top of the Steps knowing the advantage our Situation gave us to repell those who should attempt to mount them, advanced to the Edge of the Steps, of which number I was one. I immediately heard a Cry see the Governor take care of him, those who before were pushing up the Steps immediately fell back and left a small Space between me and them. If your Lordships will not accuse me of Vanity I would say that I believe this to be partly owing to the Respect they bore to my character, and partly to the Love they bore to my person. After much entreaty of some of his Friends Mr. Mercer was against his own Inclination prevailed upon to promise them an answer at the Capitol the next Evening at five. The Crowd did not yet disperse, it was growing dark and I did not think it safe to leave Mr. Mercer behind me, so I again advanced to the Edge of the Steps, and said aloud I believed no man there would do me any hurt, and turned to Mr. Mercer and told him if he would walk with me through the people I believed I could conduct him safe to my house, and we accordingly walked side by side through the thickest of the people who did not molest us; tho' there was some little murmurs. By my thus taking him under my protection I believe I saved him from being insulted at least. When we got home we had much discourse on the Subject. He asked me what he should do; in return I asked him whether he was afraid for his Life, if he was, it was too tender a point for me to advise him; if not, his honor and Interest both demanded he should hold the office; and if that should be his resolution he must not regard the reasonings of his Father and Brother two Lawyers attending the Court, who were both frightened out of their Senses for him. He left me that night in a state of uncertainty what part he should act.

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

On Friday the first instant the Judges of the General Court met according to their adjournment as usual. Proclamation was made, and the Lawyers not appearing at the Bar to do any Business excepting the Kings Attorney who was at his Place at the Table within the Bar; I waited some time and then ordered proclamation to be made again once in the Cryers place and once at the

Door. And upon no Suitors appearing, I call'd for Colonel Mercer and asked him in open Court, whether he could supply the court with proper Stamps that the Business might be carried on according to Law; he replied he could not, and gave the substance of the answer he had given the Evening before. I then asked the Clerk whether he could carry on the Business without them, he said he could not without subjecting himself to such penalties as he would not expose himself to. I then took the Opinions of my Brother Judges on the Bench seriatim whether we might not legally adjourn to the 10 of April next as there was no Business before us. I was asked by one of the Gentlemen whether I had received any particular Instructions or Directions how to act on this Occasion: I replied I had not. Then the Court was unanimous that we might adjourn to the next Court in Course which was accordingly done.

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

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

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

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

“Gentlemen.

I have been sworn in Council to use my best Endeavors to put in Execution an act pass'd in the last Session of Parliament of Great Brittain, directing what Stamps are to be used in your Offices in carrying on the Business thereof from the 1st

instant: that act therefore is to be your Guide and I have no advice to give you but that you act in Conformity thereto. Every Deviation from it must be at your peril.

Fran: Fauquier.”

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

Thus my Lords I have in a candid and undisguised Manner set the naked Truth before you: and submit my conduct through this whole affair to your Lordships Judgment. I must confess that I have never in the course of my Life been in a Situation which required so much Circumspection. I have often been at a Loss to form a Judgment for myself how to proceed; and have often been dissatisfied with my determinations; and should have been glad to your Lordships superior abilities to assist me in my conduct. If I shall be so fortunate as to have gone through this very difficult affair, with a tolerable Share of Prudence, I shall think my self happy indeed. but if my conduct should meet with the Disapprobation of my Royal Master or his Ministers; I must rely on your Lordships Candor, and beg Leave to represent to you that I was left to my self, without any Instructions or Directions from your right honourable Board to guide me through this wilderness. Your Lordships will I hope forgive me in saying that I even had not the common Notice of there being such an Act, as it has never been sent to me, by my Zeal to promote his Majesty’s Service never let me take this into Consideration. I am with the greatest Respect & Esteem My Lords Your Lordships most Obedient and devoted Servant

Fran: Fauquier

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

Reese, George, ed., *The Official Papers of Francis Fauquier Lieutenant Governor of Virginia 1758–1768, Vol. III, 1764-1768*. Charlottesville, VA: the University Press of Virginia, 1983, pp. 1290–1295.

PRIMARY SOURCE E: THE ROBINSON AFFAIR

Background Information

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

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

Robinson's Death

Williamsburg, May 16, 1766

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

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

Condition of Robinson's Estate

Williamsburg, June 13, 1766

THE subscribers having administered on the estate of JOHN ROBINSON, Esq; late Treasurer of this colony, hereby give notice to all persons indebted to him that they must make immediate payment, the affairs of the estate being so circumstanced as not to admit of delay or indulgence; and as the deceased Gentleman, in his lifetime, from a goodness of heart and benevolent disposition peculiar to himself, could not refuse the importunities of the distressed, but advanced large sums of money to assist and relieve his friends, and others in that situation that applied to him, and was always ready to advance his credit and fortune to assist such as really stood in need of it, his administrators now hope that all those that have received favours from him will, in honour and gratitude to the memory of so kind a friend and benefactor, pay immediately what they owe, without further trouble or application; and even cheerfully sell their own estates to

discharge it, rather than suffer the estate of their friend to be distressed for the payment of their debts: And should it be in the power of the administrators to indulge any of the persons indebted to the estate, they will only extend it to those that appear most forward and ready to pay them. All persons that have any demands against the estate are desired to make them known, that they may be adjusted. Any payments made to Mr. James Cocke, of Williamsburg, will be allowed.

Peyton Randolph
Edmund Pendleton Administrators
Peter Lyons

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

Freeholders

Williamsburg, October 30, 1766

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

SIR,

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

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

Secondly. We doubt not that the House of Burgesses will choose a person for their Speaker whose abilities and merit will sufficiently support his dignity, and we are of opinion that the House will find ways and means to make him a handsome compensation for his extraordinary trouble, without either imposing any burthen on the people, which need give just cause of complaint, or yet annexing the Treasury to the Chair by way of Salary.

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

every right and privilege which hath always been claimed by, and constantly yielded, to this ancient colony.

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

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

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

PRIMARY SOURCE F: THE CHISWELL SCANDAL

Background Information

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

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

The Chiswell Scandal

To the PRINTER

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

Virginia Gazette (Purdie and Dixon), June 20, 1766

Williamsburg, July 11.

To the PRINTER.

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

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

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

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

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

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

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

In either of these cases, I had been satisfied; but no answer appearing to those queries, I cannot forbear declaring that (not being disposed to hold my life by the indulgence of particulars) there ought to be a judicial inquiry into this matter. I say a judicial inquiry, for, abhorring tumults of every kind, I hope no body will dream of any other. I repeat it (for it cannot be said too often)

that an inquiry is necessary. To pass over, without attention, so new, so important a transaction, would be a proof of great deficiency of publick virtue, insomuch as to leave us but a melancholy prospect of futurity. Animated by the warmest love to my country, without pique or partiality against, or toward, any person concerned, I have presumed to deliver my sentiments on this matter by your Gazette. I persuade myself I have done my duty; and if all be happy to find those from whom we have expectations of redress, act as conscientiously. It is probable I may hereby bring on myself a load of hatred, that I may be severely treated by some persons; I expect it, and am contented; I have my own applause, and am sure of that of every honest Virginian.

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

Williamsburg July 3, 1766.

WHEREAS the admitting Colonel CHISWELL to bail is much censured by many people, I hear, and an anonymous publication in the Gazette before last shows the warm zeal of the author against it; for publick information, and to remove the bad impression it may make on some, for want of a true knowledge of the motives that prevailed on the Judges of the General Court to take that unusual step, I do hereby certify that it was not done without first having it under the hands of three eminent Lawyers of the Court that it was lawful for us to do it; nor, as to the expediency, was it done until two depositions were taken before us, by which it appeared that though it was a most unhappy drunken affair, and very culpable, yet there was no malice prepense, but a long intimate friendship between them; that the first assault was from the deceased, who threw a glass of wine in Colonel Chiswell's face, both much in liquor, which was returned with a bowl of punch, and so assaults on both sides were reiterated until Routledge took up a chair to knock Chiswell down, on which he sent his man for his sword; but when brought to him naked, he got his back to the wall, and stood on his defence, pointing it out, and calling several times to take Routledge out of the room; that accordingly one was carrying him out of the room, and at the same time two men seized Chiswell's sword arm, and held it so strongly that it was impossible for him to push forward; that Routledge broke from the man that was carrying him out, and rushed suddenly back, the candles being then out, and to all appearance rushed upon the sword that was pointed out. How this unhappy affair may appear upon the trial, I cannot say; but, upon the whole, we were induced to think, from the opinions and facts laid before us, that his case wasailable; and having that satisfaction as to the legality and propriety of it, we did, on four worthy Gentlemen entering into a recognisance with him before us, he in 2000£. and they in 1000£. each, admit him to bail.

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

JOHN BLAIR

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

Williamsburg, July 25

To J.B. Esquire

HONOURABLE SIR,

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

You cannot believe, Sir, that the intelligent publick, in a point of this interesting nature, will find its dissatisfaction removed by hearing your admission of Col. Chiswell to bail was in pursuance of the advice of three eminent lawyers. I am sorry you found three such advisers among the eminent professors of that science; but, whatever they advised, you should by no means have omitted to consider that, being selected by Col. Chiswell's friends, they were *ex parte*, and that no decisive judgment was to be expected from them. And, moreover, that the Sheriff had an absolute authority for conducting to prison the unfortunate Gentleman in question, viz. the authority of a legal warrant. Had he (the Sheriff) interrupted your deliberations, by ordering you to be aiding and assisting in the execution of that warrant, your Honours might, on your disobedience, have been severely fined. Surely, Sir, you will not imagine your triumvirate had (whatever it assumed) a Regal power; if it had not, you were, no less than others of his Majesty's subjects, bound to obey his legal commands, given by the mouth of his officer, and punishable for a neglect of that duty, when imposed. Hence, it would seem, the Sheriff, at the time you received his prisoner, was actually your superior; and that his prisoner was, if not by violence, at least by artifice, rescued from his custody.

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

As to the expediency of allowing the bail, you say that two depositions were taken! Sir, I esteem and revere you, and feel the most sensible anxiety in seeing, what I apprehend my duty, and those feelings so much at variance on this occasion; but here you constrain me to make a defence. The author of the unanswered queries knew well who were examined, and from that knowledge ventured to say no dispositions were taken; little imagining the mockery, he forbore to mention as unworthy notice, would have been seriously exposed as the basis of your conduct. In taking depositions both parties ought to be present, that the deponents may be counter-examined. In this case his Majesty was a party; but nobody, not even his Attorney General, appeared for him; So that he sustained an injury, from which the meanest of his subjects, in the most trivial civil dispute, is secure. Can we, besides, suppose Mr. Jesse Thomas and Mr. John Wayles capable of giving testimony with respect to a matter at the transaction of which neither was present? Could their declarations influence you so far as to give you entire satisfaction? It is

true they were present at the Examining Court, the first in execution of his office of Under Sheriff, the second as Attorney for the prisoner; but when once you admit hearsay testimony (when better is at hand) where will you stop? Would not the declarations of two persons, who had privately heard what Mess. Wayles and Thomas had to say, have been as conclusive, &c. ad infinitum? but the truth is, such testimonies are not admissible but in default of better; and to be rejected altogether, on any glaring variation between them. I believe, Sir, you must remember there was a great variation between the Sheriff and the Attorney.

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

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

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

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

What you say with respect to the dignity of your stations gives me fresh surprise! I begin to think myself an inhabitant of some other country than Virginia. Is there a dignity in this land which exempts any person whatever from a duty to satisfy, if possible, a people which conceives itself injured? Methinks I hear a general negative from every part of Virginia. Sir, you have, and well deserve, great dignity. You claim it from a long life, spent in the practice of virtue; from your benevolence, your humanity, your integrity. You have a right to, and possess, all the dignity which the finest and most truly amiable character can deserve; but nevertheless men of equal merit have (while you are not dispensing justice in the General Court) a right to an equal dignity with yourself. If these are few in number, it is to me a matter of sorrow. For my part, I disclaim an idea of dignity founded merely on the abject spirit of particulars, and regard the pretenders of such dignity with a degree of contempt proportioned to their arrogance. So haughty a sentiment as the above flows not naturally from your bosom, or from those excellent qualities for which you are conspicuous. You demonstrate this by showing a solicitude to satisfy your countrymen, and by your attempt to vindicate yourself to their good opinion.

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

I am, &c.

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

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

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

Williamsburg, October 17.

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

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

**PRIMARY SOURCE G:
THE ASSOCIATION OF 1774**

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

[May 27, 1774]

We his majesty's most dutiful and loyal subjects, the late representatives of the good people of this country, having been deprived by the sudden interposition of the executive part of this government from giving our countrymen the advice we wished to convey to them in a legislative capacity, find ourselves under the hard necessity of adopting this, the only method we have left, of pointing out to our countrymen such measures as in our opinion are best fitted to secure our dearest rights and liberty from destruction, by the heavy hand of power now lifted against North America: With much grief we find that our dutiful applications to Great Britain for security of our just, antient, and constitutional rights, have been not only disregarded, but that a determined system is formed and pressed for reducing the inhabitants of British America to slavery, by subjecting them to the payment of taxes, imposed without the consent of the people or their representatives; and that in pursuit of this system, we find an act of the British parliament, lately passed, for stopping the harbour and commerce of the town of Boston, in our sister colony of Massachusetts Bay, until the people there submit to the payment of such unconstitutional taxes, and which act most violently and arbitrarily deprives them of their property, in wharfs erected by private persons, at their own great and proper expence, which act is, in our opinion, a most dangerous attempt to destroy the constitutional liberty and rights of all North America. It is further our opinion, that as TEA, on its importation into America is charged with a duty, imposed by parliament for the purpose of raising a revenue, without the consent of the people, it ought not to be used by any person who wishes well to the constitutional rights and liberty of British America. And whereas the India company has ungenerously attempted the ruin of America, by sending many ships loaded with tea into the colonies, thereby intending to fix a precedent in favour of arbitrary taxation, we deem it highly proper and do accordingly recommend it strongly to our countrymen, not to purchase or use any kind of East Indian commodity whatsoever, except saltpetre and spices, until the grievances of America are redressed. We are further clearly of opinion, that an attack, made of one of our sister colonies, to compel submission to arbitrary taxes, is an attack made on all British America, and threatens ruin to the rights of all, unless the united wisdom of the whole be applied. And for this purpose it is recommended to the committee of correspondence, that they communicate, with their several corresponding committees, on the expediency of appointing deputies from the several colonies of British America, to meet in general congress at such place annually as shall be thought most convenient; there to deliberate on those general measures which the united interest of America may from time to time require.

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

The 27th day of May, 1774.

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

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

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

Kennedy, John Pendleton, ed., *Journals of the House of Burgesses of Virginia*, vol. 13: 1773–1776. Richmond: the Colonial Press, 1905.

PRIMARY SOURCE H: THE DAY OF FASTING AND PRAYER

Background Information

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

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

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

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

On the following morning the conferees waited on the colonial treasurer Robert Carter Nicholas, and requested that he introduce the resolution in the House. Their psychology was faultless. Widely known for his “grave & religious character,” Nicholas could scarcely decline. Nor, save

by risking an appearance of infidelity, could a fellow burgess very strenuously oppose him. Nicholas introduced the resolution the same day. Jefferson stated that it “passed without opposition” (Ford, *Works of Thomas Jefferson*, I, p. 11–12), but whereas he wrote years later, Nicholas, referring to the event not long after it occurred, declared that there was “not above one **Dissentient** appearing amongst near an Hundred Members.” This gives cause to believe that there were two dissentients, for though one burgess apparently was bold enough to speak against the resolution, Attorney General John Randolph, who also opposed it, remained silent.

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

Although on 24 May Clementina Rind was elected by the House to be “Printer to the Public in the room of her Husband William Rind, deceased” (Kennedy, *Journals of the House of Burgesses of Virginia, 1773–1776*, p. 125), in the capitalization of nouns the broadside is quite in the style of Purdie and Dixon. The present document was the possession of the “Hon. Edmund Pendleton,” a burgess for Caroline County, who wrote at the foot of the text: “This Occasioned the dissolution, E.P.”

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 93–94.

THE DAY OF FASTING AND PRAYER

T U E S D A Y, the 24th of May, 14 G E O. III. 1774.

This House being deeply impressed with Apprehension of the great Dangers to be derived to British *America*, from the hostile Invasion of the City of *Boston*, in our Sister Colony of *Massachusetts* Bay, whose Commerce and Harbour are on the 1st Day of *June* next, to be stopped by an armed Force, deem it highly necessary that the said first Day of *June* be set apart by the Members of this House as a Day of Fasting, Humiliation, and Prayer, devoutly to implore the Divine Interposition for averting the heavy Calamity, which threatens Destruction to our civil Rights, and the Evils of civil War; to give us one Heart and one Mind firmly to oppose, by all just and proper Means, every Injury to American Rights, and that the Minds of his Majesty and his Parliament may be inspired from above with Wisdom, Moderation, and Justice, to

remove from the loyal People of America all Cause of Danger from a continued Pursuit of Measures pregnant with their Ruin.

Ordered, therefore, that the Members of this House do attend their Places at the Hour of ten in the Forenoon, on the said 1st Day of *June* next, in Order to proceed with the Speaker and the Mace to the Church in this City for the Purposes aforesaid; and that the Reverend Mr. *Price* be appointed to read Prayers, and the Reverend Mr. *Gwatkin* to preach a Sermon suitable to the Occasion.

Ordered, that this order be forthwith printed and published.

Ordered, that the Reverend Mr. *Gwatkin* be desired to Preach before this House, at the Church in this City, upon *Wednesday*, the first day of *June* next; and that Mr. *Richard Henry Lee* do acquaint him therewith.

Ordered, that this House be called over upon this day Sevenight.

**PRIMARY SOURCE I:
THE CONVENTION ASSOCIATION**

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

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

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

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

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

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

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

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

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

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

7thly. Resolved, that the Merchants, and other Vendors of Goods and Merchandises within this Colony, ought not to take Advantage of the Scarcity of Goods that may be occasioned by this

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

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

9thly. Resolved, that if any Person or Persons shall export Tobacco, or any other Commodity, to Great Britain, after the 10th day of August 1775, contrary to this Association, we shall hold ourselves obliged to consider such Person or Persons as inimical to the Community, and as an Approver of American Grievances; and give it as our Opinion, that the Publick should be advertised of his Conduct, as in the 8th Article is desired.

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

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

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

Peyton Randolph,
 Richard Henry Lee,
 Edmund Pendleton,
 Isaac Smith,
 John Tabb,
 Joseph Cabell,
 Henry Bell,
 P. Carrington,
 B. Watkins,
 William Fleming,
 John Banister,
 Worlich Westwood,
 Meriwether Smith,
 Isaac Zane,
 Lewis Burwell,
 Woodson,
 Nathaniel Terry,
 J. Syme,
 William Norvell,
 Richard Hardy,
 George Brooke,
 William Aylett,
 Carter,
 Francis Peyton,
 Edmund Berkeley,
 Bennett Goode,
 Burwell Bassett,
 junior
 James Holt,
 Peter Presley Thornton,
 William Bibb,
 William Robinson,
 T. Blackburn,
 Edwin Gray,
 Mann Page, junior,
 Allen Cocke,
 Michael Blow,
 Richard Lee,
 junior,
 Champion Travis,

Ro. C. Nicholas,
 George Washington,
 Patrick Henry, junior,
 J. Walker,
 John Winn,
 Frederick Maclin,
 R. Rutherford,
 James Speed,
 Henry Pendleton,
 John Mayo,
 Francis Slaughter,
 James Edmondson,
 Thomas Marshall,
 George Rootes,
 Thomas M. Randolph,

Micajah Watkins,
 Richard Adams,
 John S. Wills,
 Joseph Jones,
 George Lyne,
 James Selden,

Thomas Walker
 James Montague,
 Lemeuel Riddick,
 B. Dandridge,

Adiel Milby,
 Rodham Kenner,
 John Morton,
 Christopher Wright,
 Robert Wormley Carter,
 Henry Taylor,
 John Alexander,
 Nicholas Faulcon, junior,
 William Harwood,
 Dudley Digges,

Joseph Hutchings.

Richard Bland,
 Benjamin Harrison,
 Southy Simson,
 Thomas Jefferson,
 William Cabell,
 Henry Tazewell,
 William Acrill,
 Archibald Cary,
 Henry Field, junior,
 Robert Bolling
 Henry King,
 W. Roane,
 James Scott, junior,
 Thomas Whiting,
 John

James Mercer,
 Samuel Du Val,
 John Day,
 William Fitzhugh,
 Carter Braxton,
 Charles

Thomas Pettus,
 Robert Burton,
 Benjamin Baker,
 Thomas Newton,

John Bowoin,
 Thomas Barbour,
 Peter Poythress,
 Henry Lee,
 Francis Lightfoot Lee,
 George Stubblefield,
 C. Carter,
 David Mason,
 William Langhorne,
 Thomas Nelson,

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

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 231–235.

**PRIMARY SOURCE J:
*THE ALTERNATIVE OF WILLIAMS-BURG***



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Background Information

The Alternative of Williams-burg

Maker: Attributed to Philip Dawe
Date: February 16, 1775

The print *The Alternative of Williams-burg* shows colonial protest against the Intolerable Acts. In August of 1774 the Williamsburg Resolutions were passed. Virginians were urged to sign a pledge of loyalty to the resolves of the Continental Congress and to stop the export of tobacco, the colony's major and most profitable crop, until all taxes on imported goods were repealed.

The print shows the Capitol courtyard in Williamsburg, Virginia. Liberty fighters have suspended a plank across two tobacco barrels to serve as a table upon which the pledge has been placed for signing. One of the barrels is labeled "Tobacco, a present for John Wilkes, Esqr. Lord Mayor of London," in appreciation for his support of colonial causes. Some of the colonists seem reluctant to sign the pledge, because stopping the export of tobacco would cause great financial loss. The alternative is obvious: behind the table, suspended from the gallows, are a sack of feathers and a barrel of tar.

Source: Joan D. Dolmetsch, *Rebellion and Reconciliation: Satirical Prints on the Revolution at Williamsburg* (Williamsburg, Va.: The Colonial Williamsburg Foundation, 1976), pp. 78–79.

**PRIMARY SOURCE K:
THE YORKTOWN “TEA PARTY”**

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

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

Hearing that the Members of the House of Burgesses in Williamsburg, at 8 o’Clock this Morning, had taken the Matter under their Consideration, we determined to wait the Result of their Deliberations. We accordingly waited till after twelve, but the Determinations from Williamsburg having not then come down, we repaired to the Ship, in Order to meet the Committee of York, which we supposed to be in the great Number we discerned on Board. On our Arrival, we found the Tea had met with its deserved Fate, for it had been committed to the Waves. We then returned, and after mature Deliberations came the following Resolutions:

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

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

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

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

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

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

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

Virginia Gazette (Purdie and Dixon), 24 November 1774

Assembly stood prorogued

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

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, p. 163.

York County Committee Narrative of the Yorktown Tea Party

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

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, p. 164.

York County Committee Condemnation of Tea Merchants and Ship Captain

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

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

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

Resolved, that John Norton, Esq; of London, must have known the Determination of this Colony with Respect to Tea, as the Ship Virginia did not sail from hence till after the late Assembly was

dissolved, and the Members of that Assembly, in Behalf of the Colony, immediately upon their Dissolution, entered into a solemn Association against that Article.

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

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

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

Signed by Order of the Committee.
William Russell, Clerk.

Virginia Gazette (Purdie and Dixon), 24 November 1774

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, p. 166.

Gloucester and York Committees Publick Declaration of Mr. John Prentis

Williamsburg, November 24, 1774.

It gives me much Concern to find that I have incurred the Displeasure of the York and Gloucester Committees, and thereby of the Publick in general, for my Omission in not countermanding the Order which I sent to Mr. [John] Norton for two Half Chests of Tea; and do with Truth declare, that I had not the least Intention to give Offence, nor did I mean an Opposition to any Measure for the publick Good. My Countrymen, therefore, it is earnestly hoped, will readily forgive me for an Act which may be interpreted so much to my Discredit; and I again make this publick Declaration, that I had not the least Design to act contrary to those Principles which ought to govern every Individual who has a just Regard for the Rights and Liberties of America.

John Prentis

Virginia Gazette (Purdie and Dixon), 24 November 1774.

PRIMARY SOURCE L: THE GUNPOWDER INCIDENT

Background Information

The day after the Convention adjourned Dunmore published the proclamation forbidding the election. For several days the schooner H.M.S. *Magdalen* under Lieutenant Henry Collins had been moored at Burwell's Landing on the James River four miles from Williamsburg, and local leaders knew that Dunmore had obtained the keys to the public magazine from the keeper. To forestall what the governor seemed to be contemplating, members of the city's volunteer company had been thinking of seizing the powder themselves. Then, before dawn on April 21, Collins and his men slipped into town and carried off fifteen half-barrels from the magazine. Soon drums beating the alarm brought the volunteers and most of the population to the market square.

Selby, John E. *The Revolution in Virginia, 1775–1783*. Williamsburg, VA: The Colonial Williamsburg Foundation, 1988, pp. 1–4.

Scribner, Robert L., ed., and William J. Van Schreeven, compiler. *Revolutionary Virginia: The Road to Independence, Vol. I, Forming Thunderclouds and the First Convention, 1763–1774*. Charlottesville, VA: University Press of Virginia, 1973, pp. 54–55.

To the governor's surprise the address of the delegation before him was milder than the uproar in town had led him to expect, although he still deemed their statement "one of the highest insults." The address pointed out that the powder belonged to the colony, not the crown, and demanded its immediate return in view of recent rumors of slave unrest. Clearly the city fathers intended to go no farther than they had to. They could not ignore the incident and wanted to be certain that Dunmore had not other moves in mind. On the other hand, Randolph and most other delegates had scheduled their departure soon for Congress. At Philadelphia they would have reliable news of the imperial government's answer to the petitions for redress of grievances that Congress had sent to Britain during its first session the fall before. More important, whatever happened, the response of delegates united in Congress would have greater effect than the rioting of a mob in Williamsburg.

Dunmore, too, did not want a showdown. He had expected his display of force to overawe the few rabble-rousers whom he considered to be behind the recent dissension. The extent of public reaction took him completely by surprise.

That evening another mob gathered upon the rumor that the *Magdalen's* men were coming again. Once more the city elders quieted the crowd. The next morning, his self-assurance regained, Dunmore flew into a violent rage in a chance encounter with an alderman and in a few words painted himself as more diabolical than the most suspicious had imagined. Incensed at the insolence shown him, he threatened to raise the slaves against the colonists and, swearing "I have once fought for the Virginians, and by God I will let them see that I can fight against them," ordered the arrest of William Finnie and George Nicholas, leaders of the volunteer company, before—Dunmore said—they could cause more trouble.

Five days later three horsemen, Mann Page, Jr., Lewis Willis, and Benjamin Grymes, Jr., dashed into town after a hectic twenty-four hour ride from Fredericksburg. Word of Dunmore's action had reached there just as the town's volunteers were mustering. Hugh Mercer and other officers immediately summoned neighboring companies to rendezvous on Saturday, April 29, for a march on Williamsburg and dispatched the riders to find out if Dunmore had restored the powder. Alarmed at their quest, Speaker Randolph sent them back after only a few hours' rest with assurances that the governor's explanation entirely satisfied Williamsburg leaders and a warning that "violent measures may produce effects, which God only knows the consequence of."

Throughout the colony reports of the magazine incident were like sparks falling on dry brush. Spontaneously county committees offered protection to Williamsburg, and volunteer companies set out on the road to the capital.

On April 29, over six hundred mounted men gathered at Fredericksburg with more at Bowling Green in Caroline County and contingents en route from as far away as Berkeley and Frederick counties. The evening before news arrived of the battles of Lexington and Concord in Massachusetts on April 19, when the military governor, General Thomas Gage, had sent troops to seize prominent New England leaders and stockpiles of arms. The similarity seemed too close to be coincidental. Nonetheless, the committee at length agreed to disband in deference to the Speaker but pledged "at a moment's warning" to defend "this or any sister colony, from unjust and wicked invasion." The troops unanimously ratified the decision, and word went to the others at Bowling Green and elsewhere to return home.

In Albemarle County volunteers voted to ignore the Fredericksburg decision and, after drumming out of their ranks two who wanted to disband, marched on. Patrick Henry put off his own departure for Philadelphia to revive the march on Williamsburg.

The Gunpowder Incident

Williamsburg, April 22

Extract of a letter from LIVERPOOL, dated February 25, 1775.

"On the 20th instant Lord North made a motion in the House which amazed every body; indeed it was very unexpected; The purport was, that you and the other provinces (Massachusetts excepted) should be permitted to raise the sums by your own Assemblies that may be required by Government, and, on their doing that, the duties complained of should cease.

The Magazine Incident

Last Thursday night Capt. Collins, with a party of men, belonging to the Magdalen armed schooner, by command of Lord Dunmore, came to this city, from Burwell's ferry, and privately removed out of the magazine, and carried on board the said schooner, about 10 barrels of gunpowder belonging to this colony. The inhabitants were alarmed with the intelligence early yesterday morning, the Common Hall assembled, and the following address was presented to the Governor. . .”

Virginia Gazette (Dixon and Hunter), 22 April 1775.

Municipal Common Hall to Governor Dunmore An Humble Address

My Lord,

We, his majesty's dutiful and loyal subjects, the mayor, recorder, alderman, and common council of the city of Williamsburg, in common-hall assembled, humbly beg leave to represent to your excellency that the inhabitants of this city were this morning exceedingly alarmed by a report that a large quantity of gunpowder was in the preceding night, while they were sleeping in their beds, removed from the public magazine in this city, and conveyed under an escort of marines on board one of his majesty's armed vessels lying at a ferry on James river.

We beg leave to represent to your excellency, that as this magazine was erected at the public expence of this colony, and appropriated to the safe keeping of such munition as should be there lodged from time to time, for the protection and security of the country, by arming thereout such of the militia as might be necessary in case of invasion or insurrection, they humbly conceive it to be the only proper repository to be resorted to in times of imminent danger.

We further beg to inform your excellency, that from various reports at present prevailing in different parts of the country, we have too much reason to believe that some wicked and designing persons have instilled the most diabolical notions into the heads of our slaves, and that, therefore, the utmost attention to our internal security is become the more necessary.

The circumstances of this city, my lord, we consider as peculiar and critical. The inhabitants, from the situation of the magazine in the middle of their city, have for a long tract of time been exposed to all those dangers which have happened in many countries from explosions and other accidents. They have, from time to time, thought it incumbent on them to guard the magazine. For their security, they have for some time past judged it necessary to keep strong patrols on foot. In their present circumstances, then, to have the chief and necessary means of their defence removed, cannot but be extremely alarming.

Considering ourselves as guardians of the city, we therefore humbly desire to be informed by your excellency upon what motives and for what particular purpose the powder has been carried

off in such a manner; and we earnestly entreat your excellency to order it to be immediately returned to the magazine.

Virginia Gazette (Pinkney), 20 April 1775.

Governor Dunmore to the Municipal Common Hall An Oral Reply

(His Excellency answered) That hearing of an insurrection in a neighbouring county, he had removed the powder from the magazine, where he did not think it secure, to a place where it would be in perfect security; and that, upon his word and honour, whenever it was wanted on any insurrection, it should be delivered in half an hour. That he had removed it in the night time to prevent any alarm; and that captain Collins (Henry Colins) had his express commands for the part he had acted. He was surprised to hear that the people were under arms on this occasion, and that he should not think it prudent to put powder into their hands in such a situation.

Virginia Gazette (Pinkney), 20 April 1775.

Lexington and Concord

Williamsburg, Saturday, April 29, 1775.

Late last night an express arrived from Philadelphia, with the following melancholy advices from the province of Connecticut, forwarded to the Committee of Correspondence in the city.

The blow (so much dreaded by our noble friend Lord Chatham) is now struck, a great deal of blood spilt, and much more, it is likely, than the present advices communicate. That great man, in his speech upon the necessity of withdrawing the troops from Boston (delivered in the House of Lords the 20th of January last) says: "Perhaps, even whilst I am now speaking, the decisive blow is struck, which may involve millions in the consequences, and, believe me, the very first drop of blood that is spilled will not be a wound easily skinned over; it will be irritable, vulnus, a wound of that rancorous festering kind, that, in all probability, will mortify the whole body."

Philadelphia, April 24, 1775.

An express arrived at five o'clock this evening, by which we have the following advices, viz.

Watertown, Wednesday morning, near 10 o'clock.

TO ALL FRIENDS OF AMERICAN LIBERTY.

Be it known, that this morning, before break of day, a brigade, consisting of about 1000 or 1200 men, landed at Phipps farm, at Cambridge, and marched to Lexington, where they found a

company of our colony militia in arms, upon whom they fired, without any provocation, and killed six men, and wounded four others. By an express from Boston, we find another brigade is now on its march from Boston, supposed to consist of 1000 men. The bearer, Rial Brisset is charged to alarm the country, quite to Connecticut; and all persons are desired to furnish him with fresh horses, as they may be needed. I have spoken with several, who have seen the dead and wounded. Pray let the Delegates from this colony to Connecticut see this; they know Col. Foster, one of the Delegates.

J. Palmer, one of the committee.

A true copy from the original, by order of the Committee of Correspondence of Worcester, April 1775.

Attested and forwarded by the committees of Brookline, Norwich, New London, Lyme, Saybrook, Killingsworth, E. Guilford, Brandford, Newhaven.

Fairfield, Saturday, April 22, 8 o'clock.

**PRIMARY SOURCE M:
DUNMORE'S PROCLAMATION**



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TRANSCRIPTION: DUNMORE'S PROCLAMATION

By His Excellency the Right Honorable JOHN Earl of DUNMORE, His Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A P R O C L A M A T I O N .

As I have ever entertained Hopes that an Accommodation might have taken Place between Great Britain and this colony, without being compelled, by my Duty, to this most disagreeable, but now absolutely necessary Step, rendered so by a Body of armed Men, unlawfully assembled, firing on his Majesty's Tenders, and the Formation of an Army, and that Army now on their March to attack his Majesty's Troops, and destroy the well-disposed Subjects of this Colony: To defeat such treasonable Purposes, and that all such Traitors, and their Abettors, may be brought to Justice, and that the Peace and good Order of this Colony may be again restored, which the ordinary Course of the civil Law is unable to effect, I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good Purposes can be obtained, I do, in Virtue of the Power and Authority to me given, by his Majesty, determine to execute Martial Law, and cause the same to be executed throughout this Colony; and to the End that Peace and good Order may the sooner be restored, I do require every Person capable of bearing Arms to report to his Majesty's STANDARD, or be looked upon as Traitors to his Majesty's Crown and Government, and thereby become liable to the Penalty the Law inflicts upon such Offences, such as Forfeiture of Life, Confiscation of Lands, &c. &c. And I do hereby further declare all indentured Servants, Negroes or others (appertaining to Rebels) free, that are able and willing to bear Arms, they joining his Majesty's Troops, as soon as may be, for the more speedily reducing

this Colony to a proper Sense of their Duty, to his Majesty's Crown and Dignity. I do farther order, and require, all his Majesty's liege Subjects, to retain their Quitrents, or any other Taxes due...

GIVEN UNDER MY Hand, on Board the Ship William, off Norfolk, the 7th Day of November, in the 16th Year of his Majesty's Reign.

DUNMORE

GOD SAVE THE KING.

[Source: original in the Tracy W. McGregor Library, University of Virginia, Charlottesville.]

**PRIMARY SOURCE N:
A PUBLIC LETTER OF INSTRUCTIONS**

Fifth Virginia Convention
Freeholders of James City County to
Delegates Robert Carter Nicholas and William Norvell:
A Public Letter of Instructions

Wednesday, 24 April 1776.

To ROBERT C. NICHOLAS and WILLIAM NORVELL, esquires.
GENTLEMEN,

In vain do we congratulate ourselves upon the impotency of the minister to divide us, if our union amounts to nothing more than an union in one common lethargy. War hath been brought into our houses, heightened by terrours and cruelties, which the justest cause wants even palliatives for; but faint advances toward peace, insidiously urged, have caught the ear of the credulous, and groundless hopes of accommodation deluded the timid, so that the true military system remains untouched in most essential points. As if our inexperience, poverty in warlike stores, and the infancy of our navy, were of trifling moment, we have ventured to neglect resources, in such difficulties, which Heaven hath placed within our attainment.

Alliances may be formed at an easy price, capable of supplying these disadvantages, but an independent state disdains to humble herself to an equality in treaty with another who cannot call her politicks her own; or to be explicit, she cannot enter a negotiation with those who denominate themselves rebels, by resistance, and confession of dependency.

Reason, drawn from justice, policy, and necessity, are every where at hand for a radical separation from Great Britain. From justice; for the blood of those who have fallen in our cause cries aloud, "It is time to part." From necessity; because she hath, of herself, repudiated us, by a rapid succession of insult, injury, robbery, murder, and a formal declaration of war. These are but a few, and some of the weakest arguments which the great volume of our oppression opens to every spirited American.

It cannot be a violation of our faith, now, to reject the terms of 1763. They are a qualified slavery at best, and were acceptable to us, not as the extent of our right, but the probable cause of peace; but since the day in which they were most humbly offered, as the end of animosities, an interval hath passed, marked with tyranny intolerable.

We, therefore, whose names are hereunto subscribed, do request and instruct you, our delegates (provided no just and honourable terms are offered by the king) to exert your utmost ability, in next Convention, towards dissolving the connexion between America and Great Britain, totally, finally, and irrevocably.

***The above instructions are signed by a majority of the freeholders living in the county, whose names may be seen.

Virginia Gazette (Purdie), 26 April 1776 supplement

Randolph, Edmond. *History of Virginia*. Arthur H. Shaffer, ed. Charlottesville, VA: the University Press of Virginia, 1970.

**Robert Carter Nicholas's Reaction to the Vote for Virginia Independence,
as described by Edmond Randolph:**

The vote was unanimous for independence, except in the instance of Robert Carter Nicholas, who demonstrated his title to popularity by despising it, when it demanded sacrifice of his judgement. He offered himself as a victim to conscience, being dubious of the competency of America in so arduous a contest. He alone had fortitude enough to yield to his fears on this awful occasion, although there was reason to believe that he was not singular in their conception. But immediately after he had absolved his obligation of duty, he declared that he would rise or fall with his country and proposed a plan for drawing forth all its energies in support of that very independence. May every man acting like him receive the like reward of an increase of popularity, which in the opinion of time serving parasites would be annihilated by such boldness.

PRIMARY SOURCE O: THE VIRGINIA DECLARATION OF RIGHTS, 1776

Background Information

The Declaration of Rights was drafted by George Mason, with a small but significant modification by the young James Madison. Mason was one of the wealthiest planters in Virginia, but was bitterly opposed to slavery, which he believed had been forced on Virginia by England. He was considerably older than Madison and a widely respected leader during the American Revolution.

Mason's draft spoke of "the fullest toleration in the exercise of religion," while Madison's successful amendment provided that "all men are equally entitled to the free exercise of religion, according to the dictates of conscience." The difference was a massive change in political and social thought, in that the free exercise of religion was not simply to be tolerated by authorities; it was a right.

The Declaration of Rights was adopted by the Virginia Constitutional Convention on June 12, 1776. The Virginia Declaration was widely copied by other colonies, and ultimately became the basis of the U.S. Bill of Rights. Even before that, within weeks of its adoption, Thomas Jefferson drew upon the Declaration of Rights in the opening paragraphs of the Declaration of Independence.

Mason attended the Constitutional Convention in 1787 and was active in the debates. He felt he could not support the new constitution, primarily (but not solely) because it lacked a "declaration of rights," and was one of the three delegates who refused to sign. He later opposed Madison at the Virginia ratification convention.

THE VIRGINIA DECLARATION OF RIGHTS

A DECLARATION OF RIGHTS made by the representatives of the good people of Virginia, assembled in full and free convention which rights do pertain to them and their posterity, as the basis and foundation of government.

Section 1. That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Section 2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them.

Section 3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most

effectually secured against the danger of maladministration. And that, when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

Section 4. That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which, nor being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.

Section 5. That the legislative and executive powers of the state should be separate and distinct from the judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burdens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all, or any part, of the former members, to be again eligible, or ineligible, as the laws shall direct.

Section 6. That elections of members to serve as representatives of the people, in assembly ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage and cannot be taxed or deprived of their property for public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assembled for the public good.

Section 7. That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights and ought not to be exercised.

Section 8. That in all capital or criminal prosecutions a man has a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of twelve men of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgment of his peers.

Section 9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Section 10. That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.

Section 11. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other and ought to be held sacred.

Section 12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

Section 13. That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

Section 14. That the people have a right to uniform government; and, therefore, that no government separate from or independent of the government of Virginia ought to be erected or established within the limits thereof.

Section 15. That no free government, or the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles.

Section 16. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love, and charity toward each other.

[Courtesy of the National Archives, http://www.archives.gov/national-archives-experience/charters/virginia_declaration_of_rights.html. Also available at the Avalon Project, Yale Law School, <http://www.yale.edu/lawweb/avalon/virginia.htm>. Accessed May 1, 2006.]

**PRIMARY SOURCE P:
THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM**

Well aware that the opinions and belief of men depend not on their own will but follow involuntarily the evidence proposed to their minds; that Almighty God has created the mind free, and manifested His supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, or burdens, or by civil incapacitations tend only to beget habits of hypocrisy and meanness and are a departure from the plan of the holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in His almighty power to do, but to extend it by its influence on reason along; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, has established and maintained false religions over the greatest part of the world and through all time; that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporal rewards which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind; that our civil rights have no dependence on our religious opinions any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument unless he profess or renounce this or that religious opinion is depriving him injuriously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right; that it tends also to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments those who will externally profess and conform to it; that though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that the opinions of men are not the object of civil government, nor under its jurisdiction; that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty, because he, being of course judge of that tendency, will make his opinions the rule of judgment and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough, for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order; and, finally that truth is great and will prevail if left to herself; that she is the proper and sufficient antagonist to error and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them.

We, the General Assembly of Virginia, do enact that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their

opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies constituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that, if any act shall be hereafter passed to repeal the present resolution or to narrow its operation, such act will be an infringement of natural right.

THOMAS JEFFERSON
JUNE, 1779

DOCUMENT SUMMARIES GRAPHIC ORGANIZER (page 1 of 3)

DOCUMENT	ISSUE(S) BEING DEBATED	POSITION TAKEN IN THE DOCUMENT
TAXATION AND THE STAMP ACT		
ADDRESS TO THE KING AND PARLIAMENT... IN OPPOSITION TO A PROPOSED STAMP ACT		
PATRICK HENRY'S STAMP ACT RESOLVES		

DOCUMENT SUMMARIES GRAPHIC ORGANIZER (page 2 of 3)

DOCUMENT	ISSUE(S) BEING DEBATED	POSITION TAKEN IN THE DOCUMENT
<p>OFFICIAL REPORT TO THE BOARD OF TRADE CONCERNING THE “STAMP ACT RIOT” BY FRANCIS FAUQUIER</p>		
<p>THE ROBINSON AFFAIR: VIRGINIA FREEHOLDERS IMPOSE THEIR WILL ON THEIR REPRESENT- ATIVES</p>		
<p>CHISWELL SCANDAL: DISENCHANT-MENT WITH CLASS PRIVILEGE</p>		

DOCUMENT SUMMARIES GRAPHIC ORGANIZER (page 3 of 3)

DOCUMENT	ISSUE(S) BEING DEBATED	POSITION TAKEN IN THE DOCUMENT
THE ASSOCIATION OF 1774		
A DAY OF FASTING AND PRAYER May 24, 1774		
A PUBLIC LETTER OF INSTRUCTIONS April 24, 1776		