

Excerpt from
CONCEIVED IN LIBERTY
VOLUME III
by Murray Rothbard

Download entire collection at <http://www.mofirst.org/audio/index.php>

19

Passage of the Stamp Act

Upon introducing the American Revenue Act in Parliament in March 1764, George Grenville strongly hinted that a stamp tax on the colonies might become necessary. He asked for postponement of any such tax for a year, but still induced Parliament to resolve that it “may be proper” to levy the tax. By doing this, Grenville carefully paved the way for a stamp tax the following year, prepared the colonies for the severe blow, and put Parliament on record of its constitutional right to levy such a tax. In this way, he shrewdly brought Parliament’s strong sense of its own unchecked prerogatives into play while presumably allowing time to soften the blow for the colonies.

Grenville tried to cover his tracks and assume a mask of benevolence by hinting to, but never officially informing, the Americans that he was willing to listen to alternative modes for the colonists to raise the money themselves. But preparations for a stamp tax proceeded apace. We have already seen the leading role of Henry McCulloh in drafting a proposed stamp act in late 1763, and now Grenville assigned Thomas Whately, secretary of the treasury, the task of drawing up the bill. In this task, Whately was aided by McCulloh. Too, Grenville was particularly enchanted with the idea of a stamp tax; it would be uniform throughout the colonies, affecting not only merchants in seaport towns but farmers as well. Moreover, it would be in a sense self-executing, since instead of search and seizure for contraband goods, every document and paper would require a specially stamped paper the citizen would have to buy himself. As early as August 1764, the Earl of Halifax, the powerful secretary of state for the Southern Department, sent a circular letter to all the colonial governors announcing the parliamentary resolution for a potential stamp tax, and asking for a list of instrumentalities and transactions that

might require a stamp. On the basis of the replies, Whately prepared a detailed list of stamp duties, and the list was approved by the Treasury Board in mid-December. The die for a stamp tax had been cast. Most of the proposed rates were lower than those of the English stamp tax, since the rates could later be raised after the Americans had become accustomed to the tax. But the taxes on entry into college and to the bar were far higher than in England (the taxes for matriculation and college degrees were set at two pounds in America, but two shillings in England; for entry to the bar, ten pounds in America and six pounds in England). Whately's reason for setting such high rates in America was brutally frank: "It would be better indeed if they were raised . . . considerably in order to keep mean persons out of those situations in life which they disgrace."

While these preparations were secretly under way, the colonies did their best to explore Grenville's hint that he would forgo a stamp tax if the colonists were willing to raise an equivalent sum themselves. But when Grenville met with the colonial agents in mid-May 1764, he pushed aside the crucial question of how much he wanted the colonies to pay to England. Dismissing the possibility of self-taxation, he proposed instead that they simply give their advance approval to the stamp tax. So much for the sincerity of the Grenville offer! When Israel Mauduit, representing Massachusetts, gently asked how the colonies could possibly give advance approval to a bill they knew virtually nothing about, Grenville answered that the details were unimportant since the bill was to follow the model of the stamp tax in England. It was clear that Grenville was interested only in securing an advance blank check from the colonies, and not in soliciting any colonial criticism of his plan.

Yet the bemused colonial agents could not bring themselves to face the iniquity of George Grenville, and they clung to the hope that his hinted offer had been genuine. The Boston members of the Massachusetts Assembly asked Governor Bernard for a special session to forestall an English stamp tax by imposing one themselves. Bernard realized that no such alternative tax could be enacted until the Crown decided how much it wanted the colonies to pay—a disclosure it kept refusing to make. In fact, many of the colonies, including Franklin-Galloway-dominated Pennsylvania, signified a willingness to tax themselves any sum that might be requested. But the Crown, of course, never bothered to make such a request. Grenville's state of mind at this point has been acutely summed up by the Morgans:

It is evident . . . that Grenville was determined upon a stamp tax. Though he was willing to make magnanimous gestures, he had no intention of allowing the colonies to prevent passage of his measure. . . . They would not thwart him by levying a substitute tax themselves; by withholding the necessary information he made sure of that. Nor would he be troubled by the objections: thanks to his foresighted resolution he could safely predict Parliament's unsympathetic reaction here. Grenville must have felt com-

fortably satisfied with all his maneuvers. He made it useless for the colonies to attempt any action to avert the tax, and yet he had carried out his interview so smoothly, and expressed his affection for the colonies so convincingly, that the agents did not perceive . . . the hopelessness of their efforts.*

In addition to a few pathetic efforts to appease Grenville by offering to tax themselves, many colonies sent protests against any projected stamp tax along with their reactions to the Sugar Act. The Connecticut resolution of May–June 1764, selecting a committee of protest, singled out a stamp tax as the gravest threat on the horizon. The South Carolina House's instruction of protest, in August, against the American Revenue Act singled out a stamp tax for special hostility. And the Rhode Island legislature's protest of November was confined to "stamp duties and other internal taxes."

Colonial protests, general and specific, against a stamp tax came not only from official bodies but from private sources as well. Jared Ingersoll, an influential Tory lawyer from Connecticut and one of that province's agents to England, warned Whately in the summer of 1764 that the people were "filled with the most dreadful apprehension" over any stamp tax. Ingersoll warned of the great difficulty that would be met in collecting a tax that was "in the opinion of most of the people contrary to the foundation principles of their natural and constitutional rights and liberties." Even some of the wealthiest citizens, he added, threatened to emigrate in the event of such a tax. The other colonial agents joined in the advance agitation, but the protests only succeeded in hardening the Crown's determination to put the annoying colonies in their supposedly appointed place. The agitation also made it easier to appeal to Parliament's sensitivity to its own power and right to impose such a tax.

By early 1765 the year of grace was over, the colonists had presumably had time to absorb the shock, and the Crown was set to ram the hated stamp tax down the throats of the colonies. A last-minute attempt to head off the stamp bill occurred on February 2, at a conference between four official and unofficial colonial agents and George Grenville. The four agents—Charles Garth, MP, agent for South Carolina; Richard Jackson, now agent of Connecticut, Pennsylvania, and Massachusetts; Benjamin Franklin; and Ingersoll—made a final try at appeasement by offering a self-imposed tax by the colonies. Jackson voiced a common and perceptive colonial fear that the Crown would be able to use colonial funds to support its armed forces and the royal governors in America, and thus free the governors from the Assembly control so precious to the colonies. Grenville replied with the same hocus-pocus and double-talk of the year before, now revealed as patently insincere.

But Benjamin Franklin proved indomitable in his determination to toady

*Edmund S. and Helen M. Morgan, *The Stamp Act Crisis*, rev. ed. (New York: Collier Books, 1963), pp. 83–84.

to the Crown. Franklin had three alternative plans of his own devising to offer—each of which would have yielded to the principle of English taxation of the colonies, and each of which would also have aggrandized central imperial control at the expense of American home rule. One was a cute way to make a mockery of the principle of colonial self-taxation: to provide some colonial representation in Parliament. A second was to return to his imperialist and centralizing Albany Plan of 1754, which would have imposed a royally appointed American council to levy taxation on the colonies. A third plan—which Franklin strongly urged—called on Parliament to establish a single loan office in America to issue a common colonial paper currency, part of which would go to Britain as a hidden and therefore less provocative form of taxation on the colonies. In that way, centralization and imperial control in America could make giant strides; paper-money inflation would recover nicely from the hard blow of Parliament's rather restrictive Currency Act of the previous year; and Franklin, if luck went his way, would have a healthy share in the lucrative contract for printing the new paper issues. Indeed, Franklin persuaded his old friend, former governor Thomas Pownall of Massachusetts, to propose the plan and to present it jointly with him to Grenville. Pownall and Franklin also eagerly offered their services in the well-paying task of putting their grandiose scheme into operation.

Thomas Pownall incorporated Franklin's proposal into the second edition of his influential book, *The Administration of the Colonies*, originally published in 1764. In view of Pownall's close collaboration with Franklin, it is instructive to note the views expressed in Pownall's work on imperial-colonial relations. Pownall's crucial objective was to reimpose imperial control by making the governors and other Crown officials independent of the elected assemblies for their salaries. Without such independence, the officials' actions would remain subservient to the people of the colonies. The means to accomplish this end would be the levying of a British tax on the colonies, which tax could then be used to pay the salaries of the Crown officials. In that way, the American colonists themselves would be forced to pay for the subversion of their own rights by the British rulers. A neat trick indeed!*

But Grenville scorned evasions and halfway measures. Sure of victory in Parliament and anxious to smash signs of self-reliance in the colonies, Grenville finally introduced a stamp bill into Parliament on February 6, 1765.

Opposition to the bill in the Commons was mobilized by the hard-core Whigs. The Whigs did their best, but were demoralized by the recent death of their leader, the Duke of Devonshire, and by one of the periodic bouts of insanity of William Pitt, who held the narrow view that Parliament should

*On Pownall's goals and strategy, see Robert E. Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780* (Ithaca, N.Y.: Cornell University Press, 1955), pp. 201–3. On Franklin's plotting with Pownall, see Verner W. Crane, *Benjamin Franklin and a Rising People* (Boston: Little, Brown, 1954), p. 109.

not impose *internal* taxation on the colonies. The early opposition was led by Alderman William Beckford, from the City of London, who alone and courageously denied the right of Parliament to tax the colonies. The others were content, doubtless for strategic reasons if no other, to deny the equity and expediency of the tax. The most eloquent and famous speech was delivered by the old Wilkite Colonel Isaac Barré. Barré had advocated no tax, or if a tax, at least the opportunity for the colonies to tax themselves. He had been answered by the renegade Whig Charles Townshend, who loftily and arrogantly asked: "And now will those American children planted by our care, nourished by our indulgence until they are grown to a degree of strength and opulence, and protected by our arms, will they grudge to contribute their mite to relieve us from the heavy . . . burden. . . ?"

Barré now rose and spontaneously gave a superb and prophetic rebuttal, one soon to resound throughout the American colonies:

They planted by *your* care? No! Your oppression planted 'em in America. They fled from your tyranny to a then uncultivated and inhospitable country—where they exposed themselves to almost all the hardships to which human nature is liable . . . actuated by principles of true English liberty, they met all these hardships with pleasure, compared with those they suffered in their own country, from the hands of those who should have been their friends.

They nourished by *your* indulgence? They grew by your neglect of 'em: as soon as you began to care about 'em, that was exercised in sending persons to rule over 'em, in one department and another . . . sent to spy out their liberty, to misrepresent their actions and to prey upon 'em; men whose behavior on many occasions has caused the blood of those sons of liberty to recoil within them. . . .

They protected by *your* arms? They have nobly taken up arms in your defense, have exerted a valour amidst their constant and labourious industry for the defense of a country, whose frontier, while drenched in blood, its interior parts have yielded all its little savings to your emolument. And believe me, remember I this day told you so, that same spirit of freedom which actuated that people at first, will accompany them still. . . . The people I believe are as truly loyal as any subjects the King has, but a people jealous of their liberties and who will vindicate them, if ever they should be violated—but the subject is too delicate and I will say no more.

Beckford and Barré moved to block consideration of the bill, but were defeated by a vote of 245–49. The bill itself came to debate in mid-February, as several Whigs tried desperately to present petitions against the stamp tax. Rose Fuller, a West Indies merchant, presented a petition of London merchants reflecting their alarm at drastic action that might be taken by their American debtors; Charles Garth, agent for South Carolina, worked up a petition that he induced a few South Carolinians to sign; Richard Jackson pre-

sented a Connecticut petition, but Parliament refused to hear any of them on the ground that the petitions questioned Parliament's authority. No one dared to introduce the New York petition, which was deemed "dangerous" and "inflammatory"; but the petition of Virginia's agent was submitted by a leading Whig, Sir William Meredith. Virginia's right to petition was defended by General Henry Seymour Conway, a Wilkite and the Whig leader in Commons, who had been one of the main Pelham innocents "massacred" at the end of 1762. Conway was the brother of the influential Lord Hertford and related to the Walpole family. Conway recalled that the colonies had been asked by Grenville to submit their proposals, and then he proceeded to deny the right of Parliament to tax the colonies at all. But Parliament, led by the renegade Whig Charles Yorke, rejected the Virginia petition by a large majority.

The rest was mere formality. The stamp bill easily passed Commons on February 27, the House of Lords on March 8, and became the law of the land on November 1.

The Stamp Act imposed a comprehensive schedule of taxes on all manner of colonial legal and commercial documents and transactions. These included court actions, wills, contracts, licenses, leases, deeds and land grants, mortgages, insurance policies, ship clearings from ports, pamphlets, newspapers, dice, and playing cards. The highest tax was ten pounds for a license to practice law. Also extremely high was the tax of two shillings apiece for all newspaper advertisements—often amounting to a huge 200 percent tax. In addition, a steep tax of one-half penny was levied on each copy of the newspaper itself. All payments had to be made in English sterling or its equivalent, valued at the very high rate of five shillings sixpence per ounce of silver.

Almost every transaction of the colonies requiring the use of paper now had to carry an official treasury stamp. Or rather, all transactions must be conducted on officially stamped paper, which had to be purchased by the user from officially appointed distributors selected by the Crown's Board of Stamp Commissioners. The corollary effect of this was to give the board a monopoly of the sale of all paper in the colonies.

The Stamp Act thus had a devastating impact on virtually the entire economic and social life of the colony; in short, on nearly everyone. No tax could have been better calculated to inflame nearly *everyone* in the colonies regardless of location or social position. The particularly heavy taxes on the legal and the newspaper professions, as well as the taxes on tavern licenses, were certain to mobilize the intense opposition of the most articulate opinion-molding groups in the colonies. Even Benjamin Franklin was alarmed, being sure that the new taxes would destroy half the circulation and advertising of the American newspapers. There were other ominous provisions in the act. For one thing, no newspaper or pamphlet could be published without bearing the name of the printer or author, obviously in order to intimidate critics of gov-

ernment by forcing them to publicize their names. In another area, the Stamp Act imposed taxes on documents in ecclesiastical courts. The specter of an ecclesiastical court presided over by an Anglican bishop was thus conjured up to arouse the colonies.

The penalties were severe. Unstamped evidence was inadmissible in any court. Violations could be tried in the colonial admiralty courts without trial by jury—and especially subject to prosecution were officials or lawyers not using stamps, and any sales of unstamped pamphlets or newspapers. In contrast, government officials sued for enforcing the Stamp Act could automatically collect triple damages from their victims! The vice admiralty courts, hitherto largely the concern of merchants, were now hated by all groups in America. Whereas the Navigation and Sugar acts could conceivably if tortuously be interpreted as dealing with the sea and therefore relating to admiralty courts, the stamp tax obviously could not. Thus, constitutional and economic questions, violations of political (and perhaps religious) rights, and economic prosperity, all merged in the Stamp Act into one comprehensive and massive assault on the liberty, property, and well-being of the colonists in America. Great Britain had smashed at America with a mailed fist. The die was cast. The colonists were faced with a fateful choice: abject submission or open resistance.

20

Initial Reaction to the Stamp Act

The time for mere protest had passed. The colonists were faced with a hard choice among a few stark alternatives. They could meekly submit and pay the stamp tax; but this, it soon developed, few Americans were prepared to do. Or, they could refuse to pay; but such refusal in turn could take two sharply contrasting paths. The conservative path was to keep within the law by simply ceasing to transact any business involving paper documents. But such a reaction, while “moderate” in the sense of remaining within the law, could only ruin the colony by bringing all trade and virtually all economic life to a halt. The only *practical* path was the radical one of outright defiance: to continue to carry on business, legal, and social life while ignoring the stamp law. Such a course was in effect mass civil disobedience; and civil disobedience to the broad scope of the stamp tax was tantamount to—revolution.

The colonies had some precious months before the law was to go into effect—time to work out their tactics and strategy, time to plan their reactions to the tax itself. The Stamp Act was passed in early March and received the inevitable signature of the king near the end of the month. The news reached America in April. The colonists had less than seven months to decide what to do.

All the conditions now existed in America for precipitating a revolutionary-crisis situation; in the midst of the rapidly accumulating, vast tinderbox of constitutional, economic, political, and even religious grievances, **nothing could have been better calculated than a stamp tax to unify the bulk of the colonists against the British government** and to spur the intense opposition of the opinion-molding groups in society. But now that the culminating blow had been struck, the final ingredient tossed in, one condition alone was still lacking: articulate leadership. This emphatically did *not* mean that leaders

were needed to *create* a revolutionary temper in the minds of the people. Contrary to the absurd conspiracy view of revolution, this is not the way that revolutions are or ever can be made. Ultimately, revolutions are mass phenomena, and cannot succeed without the support—indeed the active and enthusiastic support—of the great majority of the population. True, an existing government can indefinitely peg along in command of only the “support” of the passive resignation of the majority of its subjects. But the existing government *is already* in command of the power apparatus in society. In contrast, a revolution, an upheaval *against* the wielders of power, must command the active support of the great majority. Otherwise it will not even make a respectable showing, much less take and keep the reins of government. But the masses will not move, will not erupt, if they lack aggressive leaders to articulate their grievances and to point the path for them to follow. The leaders supply the necessary theoretical justification and analysis of the revolution’s short- and long-term goals. Unaided by leaders, the masses tend to accept each act of tyranny, not out of willing agreement, but from failure to realize that successful opposition can be mounted against the status quo. The articulation by the leaders is the final necessary spark that ignites the tinderbox of revolution.

At first, the general reaction was, naturally enough, a kind of numb despair and grudging resignation. In the beginning the colonists simply assumed that they would have to pay the stamp tax; open defiance seemed hopeless and out of the question. Only one or two scattered incidents broke the general colonial reaction of stunned silence. Many newspaper printers sullenly sent each other wooden shoes “as a proper badge of the slavery the Stamp Act must reduce all printers in America to.” The first thing to break the “silent consternation” was an article in the liberal *Providence Gazette* of May 11 under the pen name of “A Plain Yeoman.” The *Gazette* was the organ of retiring Governor Stephen Hopkins and it has indeed been intimated that the Plain Yeoman was none other than Hopkins himself.

The Plain Yeoman carried the theory of the protesting Americans to a far higher pitch, which was to resound and take hold in later years. After denouncing the parliamentary invasion of the American right to be free of English taxation, and castigating parliamentary refusal to hear American protests, the author went straight to the British charge that Americans were seeking independence. Here Plain Yeoman expounded the new theory that the colonies were indeed not dependents of Britain or the British Parliament; instead, America and Britain were only equal common subjects of the king. “I know of no *dependence* in relation, only that we are all the common subjects of the same King. . . .” The implication (though not yet openly asserted) was that Parliament had no right to impose any *legislation*—not merely taxation—upon the colonies.* The independence of not being taxed without consent

* A previous statement of this position appeared—also in the *Providence Gazette*—during the Sugar Act protest of the preceding August.

was to be maintained as part of the "birthright of all the King's free subjects without distinction."

The Plain Yeoman also leveled a brilliant blast against the argument of the Tories that various precedents already existed for parliamentary taxation of the colonists. He attacked the common legal notion that a precedent clearly establishes a point "whether the *precedent* be footed on justice and reason or on whim and arbitrariness." And here he quoted, as Hopkins was wont to quote, from the witty and perceptive *aperçus* of Dean Jonathan Swift: "It is a maxim among these men [lawyers], that whatever has been done before, may legally be done again, and therefore they take special care to record all the decisions formerly made, even those which have, through ignorance or corruption, contradicted the rules of common justice, and the general reason of mankind. These, under the name of *precedents*, they produce as authorities, and thereby endeavour to justify the most iniquitous opinions. . . ."

The ringing article of the Plain Yeoman drew some attention in the colonies and was reprinted in such papers as the *Maryland Gazette*, but it remained for a brief time an isolated expression. Meanwhile, a leader was about to arise in Virginia who was destined to blow the whole explosive situation apart.

21

Patrick Henry Intervenes

Like other colonists, Virginians had no notion at first of how to meet the new situation; and by assuming that they simply *must*, they began to bear the new burdens with pacific resignation. The protests of the previous year had been unsuccessful; what was there now to do but submit? The powerful House of Burgesses, the elected lower house of the legislature, felt it could do nothing, and one by one the burgesses drifted back home as the House occupied itself with minor business. By the third week in May, only about a third of the burgesses remained, and a merchant of Falmouth, Virginia, reported that talk about the Stamp Act had "subsided much." Into this sleepy situation stepped a new member just admitted to the House, the brilliant young lawyer and orator Patrick Henry, Virginia's champion against the Anglican establishment in the Parsons' Cause battle. Admitted to the House on May 20, Henry quickly mobilized the young members against the naturally conservative and staid elder statesmen of Virginia's planter oligarchy.

In nine short days, Henry drafted and introduced five resolutions of vigorous protest against the Stamp Act. A furious debate ensued over the resolutions. The conservative and timid ruling planter oligarchy of the burgesses led by Speaker John Robinson, former Speaker Peyton Randolph, Judge John Randolph, Judge Wythe, Colonel Richard Bland, Edmund Pendleton, and Robert Carter Nicholas, furiously opposed the resolutions. Against them was arrayed a lesser group of landowners, to be sure, whose main distinction was relative youth and daring. Leading the Henry group were young Robert Munford and John Fleming. It was not that the older leadership in any sense favored the Stamp Act; it had led the protest of the year before and would not be particularly opposed to the revolutionary movement in later years. If

there was any "class struggle" involved here, it was largely a struggle of the "classes" of youth versus age, of daring versus a natural conservatism.

The highlight of the debates was a fiery speech by Patrick Henry, who impressed young Thomas Jefferson as appearing "to me to speak as Homer wrote." Henry cited the principles of English liberty and self-taxation as the fortress of freedom. Finally, Henry darkly and courageously laid down this famous warning: "Tarquin and Caesar each had his Brutus, Charles the First his Cromwell," and, as for George III, "he did not doubt that some good American would stand up, in favor of his country." Speaker Robinson indignantly exploded that this was "treason," as indeed it was to anyone who deemed the British king a proper sovereign thus "betrayed." Robinson also denounced the other members of the House for not stopping Henry's treasonable remarks earlier. Henry, seeing that tactically he had gone too far, apologized, protested his loyalty to the king, and attributed the error to his passionate interest in "his country's dying liberty." When other burgesses then moved to accept Henry's apology, Robinson finally dropped his clear threat to proceed against the young representative.

Although the five resolutions—the "Virginia Resolves"—were voted upon separately by the burgesses, they actually formed a coherent and related whole. The first two of Henry's resolutions merely asserted the rights of every Virginian to the time-honored liberties and privileges of Britons. The third resolution declared the vital principle of self-taxation by the colonists as essential to the British constitution. The fourth resolution pressed the colony's right to be governed solely by laws passed by their own consent and approved by the royal governor; in short, it denied the right of Great Britain to govern the colony's internal matters. All of these resolves were passed by the House of Burgesses on May 30 by a vote of 20 to 17. The fifth resolution was more sharply edged but was actually implied in the third. It resolved that therefore 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" (emphasis added). Any attempt to place that power elsewhere "has a manifest tendency to destroy British as well as American freedom. A bitter debate raged around this final, action resolution, which passed by the narrowest of margins, 20 to 19, with Speaker Robinson anxiously ready to vote nay should the vote be a tie.

The Henry radicals then offered two culminating resolutions. The sixth flatly declared that Virginians were therefore not obliged to obey laws not enacted by their Assembly—an evident call for civil disobedience to the stamp tax—whereas the seventh went so far as to label anyone maintaining the right of Parliament to tax the colonies a traitor and an enemy to the colony of Virginia. If the far milder fifth resolve could pass by only one vote, it is no surprise that these two were handily defeated.

At this point, Patrick Henry, thinking that the five resolves were safely

passed, made the grave tactical error of leaving for home. Taking advantage of Henry's departure, the old guard, on the next and final day of the session, moved to rescind all of the resolves and did manage to expunge the vital fifth resolution.

The conservatives had been able to defeat the sixth and seventh resolves and to expunge the fifth from the record of the House of Burgesses, but they were not able to keep any of them from the minds and hearts of the American people. News of the seven Virginia Resolves spread like wildfire through the colonies, providing the needed spark that aroused them from their stolid resignation to active resistance to the hated Stamp Act. By mid-June copies of the Resolves were being passed around in Philadelphia. From there they were sent to friends in Newport, and on June 24 the *Newport Mercury* became the first newspaper to publish these rousing and exciting resolutions. The other colonial papers quickly picked up the news from the *Mercury* and reprinted the Resolves.

Virginia's stirring example to the other colonies was not just the mild first four resolutions, but the entire seven, including the dramatic and fiery last three. The colonists, taking their cue from the *Newport Mercury* and all the other newspaper accounts, were under the firm impression that *all seven* resolutions had been passed by the House of Burgesses. This misunderstanding came about by a supreme irony: Joseph Royle, the reactionary editor of Virginia's only newspaper, the *Virginia Gazette*, was so offended by even the mild first four resolutions that he refused to print any of them. As a result, the papers in the other colonies could only receive their information unofficially, and Henry and his radicals, in a masterstroke of tactics, took care to feed all seven resolutions to the press as if they all had passed the House. As the Morgans have phrased it: "Henry and his friends, having failed to secure passage of their most radical items in the House of Burgesses, were able to get them passed unanimously in the newspapers. . . ."*

The Virginia Resolves, aided by the Henrician codicils, were important less for themselves—that is, as protests by a colonial assembly—than as a clarion call to the American people. For in the final analysis, the colonial assemblies, protest all they might, could do nothing to defeat the stamp tax. And this would have been true even if the assemblies had taken the unlikely step of moving not to enforce the tax and moving to withhold the salaries of the judges who did so. For the enforcement officials were mostly royal officials, beyond the power of assemblies; especially out of reach were admiralty judges and customs officers. To be defeated now, the stamp tax would therefore have to be *nullified* by the direct action of the American people—by mass civil disobedience. The tax, in short, could not be actually resisted in the assemblies; it could only be resisted and nullified *in the streets*. Assembly resolves would be important now only as a call to revolutionary mass action.

*Edmund S. and Helen M. Morgan, *The Stamp Act Crisis*, p. 132.

22

Sam Adams Rallies Boston

The vital question, then, was what the reaction of the *people* of the several colonies would be to Patrick Henry's trumpet call. A preponderance of the people were clearly delighted. Most of the colonists found out about the Virginia Resolves by early July. By mid-August, Governor Francis Bernard of Massachusetts was warning the Crown that "two or three months ago I thought that this people would submit to the Stamp Act without actual opposition. . . . But the publishing of the Virginia Resolves proved an alarm bell to the disaffected." And the British general Thomas Gage, stationed in New York, called the Resolves, "The signal for a general outcry over the Continent."

But if most of the people were awakened and stirred by Henry and Virginia, who would lead them? For the masses cannot act without some form of organization and articulate leadership.

No help, of course, could be expected from the arch Tory and opportunist, Benjamin Franklin. Franklin, predictably, adjusted meekly and easily to the Stamp Act: "We might as well have hindered the sun setting . . . let us make as good a night of it as we can." Franklin proceeded to make a good night of it indeed. Having happily filled the colonial post office with his relatives, he advised his fellow colonial agents to get themselves or their friends appointed as stamp masters, the Crown officers in charge of distributing the stamps in the colonies. Acting on this advice, Jared Ingersoll, Connecticut's agent in London, accepted the post of Connecticut stamp master, and Franklin was able to get his henchman, John Hughes, appointed stamp master in Pennsylvania. Franklin's reaction, on reading the Virginia Resolves, is therefore not at all surprising. Denouncing the rashness of the Virginia leaders and the

madness of the populace, Franklin advised Hughes to act as a faithful and loyal servitor of the Crown in enforcing the stamp tax. And Franklin's friend and ally in dominating Pennsylvania politics, Joseph Galloway, wrote many newspaper articles in favor of the Stamp Act.

If no help was to be expected from such Tories as Franklin in rallying popular opposition to the Stamp Act, what of the popular liberal leaders? A grave problem was the defection of erstwhile and future radical-liberal leaders. Thus, stunned and temporarily alienated by the bold courage of Henry's Resolves, Alexander McDougall and John Morin Scott of New York, generally radical leaders of that colony, pronounced the Resolves to be treasonable.

But the major blow to the libertarian cause came in Massachusetts. There James Otis, Jr., long-time leader of the Boston liberals and sparkplug of American protest, began to defect from the liberal cause. Otis showed increasing signs of deviousness and instability, and perhaps of the insanity that was to plague him in later years. It is true that as early as June 8, when Massachusetts received word of the Stamp Act, Otis proposed that the Massachusetts Assembly send a circular letter to the other colonial assemblies inviting them to a general congress to be held in New York in October to ask Britain for relief. But, on the other hand, in May Governor Bernard had happily reported to the Crown that Otis "now repents in sackcloth and ashes" for writing *The Rights of the Colonies*, and that a new pamphlet of Otis's humbly begs Britain's pardon for his former stand.

Furthermore, Otis's call for a Stamp Act Congress was all well and good; but it would, after all, be another if larger Assembly ineffectually petitioning Parliament for relief. The important thing was the popular reaction to the Virginia Resolves, and here Otis showed his change of heart by denouncing them as treasonable. And while Otis erratically continued to denounce the British in anonymous contributions to the radical *Boston Gazette*, his public statements lauded the power of Parliament and went so far as to ask for British troops to put down the rebellious Americans. If salvation was to come, it would not be from James Otis or from a Stamp Act Congress.

Massachusetts and especially Boston had for years now been the great center of libertarian resistance to the depredations of Great Britain. But now its old spokesman, James Otis, was no longer fit to lead the liberal cause. Oxenbridge Thacher, who had written Massachusetts' original principled protest against the Sugar Act before being watered down by Hutchinson, exclaimed when he heard of the Virginia Resolves, "They are men!" And Thacher or a friend immediately wrote in the *Boston Gazette* a fervent defense of the Resolves against conservative Massachusetts critics:

The people of Virginia have spoke very sensibly, and the frozen politicians [of Massachusetts] . . . say they have spoke treason . . . pray gentlemen, is it treason for the deputies of the people to assert their liberties, or to give them away? . . . We have been told . . . that it is not prudence for us to

assert our rights in plain and manly terms. Nay, we have been told the word RIGHTS must not be once named among us! Cursed prudence of interested designing politicians!

But Oxenbridge Thacher lay on his death bed. Was there then no one to rouse the people, no one to lead the Boston masses into the streets to serve as the spearhead and vanguard of an American revolution against the Stamp Act? Yes, there was one man. If Otis was a dependable radical leader no more and if Thacher lay dying, there was still the magnificent Sam Adams.

Adams saw clearly that the real fight against the stamp tax would have to take place in the streets. He saw that the locus of pressure and unrest must be the appointed royal officials, the enforcers of the Stamp Act; in particular, that popular pressure should focus on the stamp distributors, the royal appointees who were in charge of selling the stamped paper and who were happily preparing to assume their lucrative posts.

In the early summer of 1765, Sam Adams gathered together a group of Bostonians to lead and direct the people of Boston in the streets. The group was called the Loyal Nine. Like the membership of Adams' Caucus Club, which comprised a cross section of the town's occupations from shipyard workers to wealthy merchants, the Loyal Nine was a diverse group. It included two distillers, Thomas Chase and the wealthy John Avery; Benjamin Edes, printer of the *Boston Gazette*, the liberals' party organ; small businessmen—artisans like the braziers Stephen Cleverly and John Smith, the jeweler George Trott; and Henry Bass, a cousin of Adams. The headquarters of the group was Chase's distillery at Hanover Square.

Adams rapidly worked out a remarkably efficient structure for the radical movement. The vulnerable public leaders of the fight—legislators, ministers, and others—were not directly identified with the popular mobs. The effective liaison and direction were maintained through the Loyal Nine led by Adams, even though he was not an official member. The Bostonian populace was unified into an effective force, with the various groups, from wealthy merchants to the bully boys of the taverns, playing complementary roles in the struggle. For the mass base of the popular mobs, Adams was able to utilize the gangs of the North End and of the South End of Boston. Every year on Guy Fawkes Day, or Pope's Day, November 5, Boston's celebration of the defeat of the Catholic Gunpowder Plot of 1605 was traditionally climaxed by a quasi-friendly but violent clash between citizens of the North End and the South End. In time, each section had developed a gang for this purpose and trained its members in paramilitary fashion to a finely honed edge. Every year, also, the quasi-friendly fighting became a bit bloodier. Particularly effective was the South End gang, which had been victorious in the 1764 brouhaha. The gang was headed by the shoemaker Ebenezer Mackintosh, whose South End forces totaled two thousand men.

Adams was able to press Mackintosh and the South End into action as his mass base, and by August 14 the radical liberals, smoothly organized by Adams, were ready to strike. Adams was ready to give the signal for the first mob action against the Stamp Act, a deed that set the pattern and furnished the inspiration not only for further riots against the stamps, but for all the riots down to the American Revolution.

Adams realized that the focus of attack must be the stamp master. On the morning of August 14, a Boston mob, directed by Adams and the Loyal Nine, hung an effigy of Andrew Oliver on a tree—dubbed the Liberty Tree—in Newbury Street. Oliver, a brother-in-law of the Tory lieutenant governor, Thomas Hutchinson, had been appointed stamp distributor in Massachusetts. Alongside Oliver hung in effigy the symbol of the hated Lord Bute—a large boot with an image of the devil crawling out of it.

The affair was a challenge flung at the royal government. Some of the shrewder members of the Council advised Governor Bernard to dismiss the whole episode as ostensibly a silly prank, but Bernard, furious at the hard-hitting attacks in the *Boston Gazette*, decided to accept the challenge. He was also advised to do so by Lieutenant Governor Hutchinson, an able theoretician and the chief beneficiary of the Tory cause in Massachusetts. As chief justice, Hutchinson ordered the sheriff to cut the effigy down, and the Council washed its hands of responsibility by turning the problem over to the sheriff.

There was a considerable slip, however, 'twixt order and execution. The sheriff, to his amazement and dismay, found that the effigy could be cut down only by risking the officers' lives at the hands of the populace.

The effigy was, so to speak, the opening gun of the struggle; the radicals now decided to hammer the point home. By evening, a large crowd had gathered at the Liberty Tree. They cut down the effigy and, bearing it up, began to march in a mock funeral procession. The mob included wealthy merchants, many disguised in the work clothes of a laborer, and was led by Ebenezer Mackintosh at the head of his South Enders. First the mob went to the Council building, where they made their presence felt, and where they shouted the stirring slogan "Liberty, Property and No Stamps!" The slogan was evidently patterned after the "Liberty, Property and No Excise" of the cider tax rebellion in the west of England two years before. After impressing the Council, the mob proceeded to serious business. Andrew Oliver had just finished constructing a building at his dock, and it seemed plausible that from here he would distribute the stamped paper. There, at the Kilby Street dock, the mob quickly razed the menacing building completely to the ground. From there the disciplined crowd moved on to Oliver's home, where they put on an impressive show for that worthy by beheading Oliver's effigy. The graphic lesson did not escape the stamp master's understanding—especially as it was promptly followed by a shower of stones. From there the mob climbed a

nearby hill, and ritualistically stamped Oliver's effigy and burned it in a huge bonfire.

At that point, the more gentlemanly members of the crowd, lacking taste for more violence, quietly went home. Ebenezer Mackintosh was left to do what had to be done next. Mackintosh and the crowd now returned to Oliver's home and smashed into the house, calling loudly for Oliver and threatening to kill him on the spot. Finding that Oliver had fled to the military post on the island of Castle William, the mob did the best it could by destroying the interior of his home.

Governor Bernard ordered the militia to beat the drums to sound an alarm, only to find, to his consternation, that the drummers were all in the mob. Hastily, Bernard, realizing that discretion was the better part of valor, also skipped town to the safety of Castle William.

Thomas Hutchinson, the Tory *ultra*, was made of sterner stuff. He walked with the sheriff to the Oliver home to order the mob to disperse. Seeing them, one of the mob's leaders shouted: "The governor and the sheriff! To your arms, my boys!" A hail of stones fell upon the august officials as they hurried away.

August 14! Here was a day to live in song and story! The first revolutionary blow had been struck by the colonists against the tyranny of the British Grand Design. For many years, August 14 was celebrated throughout America as "the happy day, on which Liberty arose from a long slumber." Or, as Sam Adams thundered: "The people shouted; and their shout was heard to the distant end of this Continent."

The next day, the liberal leaders pressed their advantage, and continued the work that the mob had begun so skillfully. They visited Oliver and informed him that the previous night was just a sample of what he could expect unless he resigned his office immediately. Here, then, was the main point of the mob action: revolutionary pressure on all stamp masters to resign their offices, and thus make impossible the distribution of any stamped paper and hence any enforcement of the stamp tax. Oliver promised to ask the Crown for permission to resign, and meanwhile to take no action to enforce the stamp tax.

This reply satisfied the radical leadership and the Loyal Nine, but the radical masses sensibly wanted to make very sure: to dot the *i*'s and cross the *t*'s. In short, they demanded nothing less than Oliver's immediate resignation. On the evening of the 15th, the mob built another large bonfire and threatened to raze Oliver's house to the ground. The leaders were able to dissuade them, and the rank and file contented themselves with surrounding the house of Thomas Hutchinson. They called for his presence, but in vain. Hutchinson had fled. He knew that this time the mob meant business.

Adams and the Loyal Nine were jubilant. Their mass pressure had forced the stamp master to resign, and his example was a standing warning to anyone with the temerity to take his place. When one Tory declared that *he*

would not have been as spineless as Oliver, the Loyal Nine taught him an instructive lesson by publicly fixing the date when *his* house would be destroyed. The Tory quickly came to his senses and retracted his statement.

The leaders now saw that mass action need not stop with the intimidation of Oliver; that more could be and needed to be done. In particular, they saw that it was necessary to cow not only the stamp master but also the whole clique of Tory officials appointed by the Crown. *They* were the enemy and not simply an isolated stamp distributor. Particularly, the suspicion grew, with good reason, that Thomas Hutchinson had secretly favored the stamp tax, and that he was their most dangerous enemy within Massachusetts.

The leaders also saw the sweep of public opinion on their side; few people criticized the events of the 14th, and the leading Congregational ministers of Massachusetts—liberals all—blessed the mob action and virtually called for more. Especially ardent in favoring resistance to the stamp tax were the Reverend Andrew Eliot, the Reverend Charles Chauncy, the Reverend Samuel Cooper, and, doubly especially, the great libertarian Reverend Jonathan Mayhew. These men were friends of the secular leaders of the people—Adams, Otis, the wealthy Boston merchant John Hancock, the brilliant young lawyer from Braintree, John Adams, etc. Mayhew was particularly ardent in attacking arbitrary power, in battling the Stamp Act, and in championing the right of resistance by the people. He warned menacingly that the Stamp Act could not be enforced in Massachusetts without bloodshed, and he emphasized that there were "sixty thousand fighting men in this colony alone."

On the night of August 26, the radicals struck again, escalating their revolutionary blows. The mob gathered in full force around a bonfire in King Street, blowing on whistles and horns, and shouting enthusiastically for "Liberty and Property!" Then, revealing striking discipline and coordination, the mob, under the generalship of Ebenezer Mackintosh, split into several sections—each with its assigned tasks. One group went to the home of William Story, deputy register of the admiralty court. Story, suspected of writing reports to England denouncing the Boston merchants, received treatment befitting his actions and status. The mob destroyed his papers, including his public papers that would list the violators of customs regulations, and wrecked his home and office. Another group went after another key enemy, Benjamin Hallowell, the controller of the customs, who had angered the Boston merchants by rigorous enforcement of the trade laws. Hallowell's house was also wrecked and his papers (containing written records relevant to enforcement of the British regulations) carried away.

Mackintosh now united two sectors of the mob, and marched on to the *pièce de résistance* of the evening: the home of Thomas Hutchinson. Before the 26th, several opportunities had been given to Hutchinson by the liberals to deny his complicity in passing the Stamp Act. But Hutchinson stood on his offended dignity and repeatedly refused to make the denial. Even on the day

of the 26th, Hutchinson was given a final opportunity to deny the charge, but he refused to do so. The people could only interpret the lieutenant governor's lofty silence as assent; so they proceeded to wreck his house with a zeal and thoroughness surpassing their ardent work of the night of August 14.

The attack on the home of Thomas Hutchinson served to polarize the political conflict in Massachusetts. It was one thing to use the mob to put the fear of God into the stamp distributor and the customs collector; no one, after all, could sympathize with these bureaucrats but their own families. But an attack upon Hutchinson was a different story. Hutchinson was the nucleus and the leader of the small but powerful clique of oligarchs who were privileged by the royal government. An attack against him could only be interpreted as an attack upon the clique as a whole. The struggle against Great Britain had now become, as a corollary, a domestic struggle as well. And this was not surprising, since the domestic ruling clique governed as a creature of the Crown.

The government grew emboldened by the protests of the Hutchinson cabal at the treatment to his home, and was fooled by the tactical camouflage of Adams and the Boston Town Meeting in publicly repudiating the riot at Hutchinson's. The Council therefore boldly ordered the arrest of Mackintosh—only to find that Adams, backed by the leading merchants of the city, promptly demanded Mackintosh's immediate and unconditional release. If not, they warned, no one would stand guard in the whole town of Boston, and the customhouse would be pulled to the ground. The disillusioned rulers saw that Adams and the liberals were still fully in control of the town of Boston and of the hearts of its people. Ebenezer Mackintosh was set free and rewarded by the people of Boston with a town office.*

No revolution advances in uniform, straight-line fashion; instead it always proceeds in zigs and zags. Adams and his allies saw clearly that it was now in order to slow down the movement. After all, the point had been beautifully made. Mass action had virtually forced the stamp master to resign, and intimidated any potential successor; it had intimidated the royal officers, Governor Bernard having been forced to flee to Castle William, where he was governor in name only; Mackintosh had been freed, and the whole process had placed *de facto* power in the hands of Adams and his allies. There was at this point no need for violent actions. All that needed to be done was to wait in readiness for the fateful day, November 1, when the Stamp Act would go into effect. A minor crisis occurred at the end of September, when Governor Ber-

*The "class-struggle" view that the Boston riots were lower-class outbursts directed against "the rich" is rebutted by the multiclass nature of the liberal movement. Wealthy merchants backed and even participated in the mob violence, which was directed only against *those particular* men of property engaged in enforcing British policy. The latter, not the "rich" or "the merchants," virtually constituted the ruling oligarchy of the colony. See Brown, *Middle-Class Democracy*, pp. 214ff.

nard received the stamped papers from England and housed them in Castle William. The Loyal Nine threatened to storm the castle and destroy the papers, but the group was mollified when the governor assured it that he had no power whatever to distribute the stamped papers.

Adams spent the intervening weeks constructively: perfecting his organization and strengthening his apparatus. The Loyal Nine expanded its organization into the Sons of Liberty, a name proudly taken from the great speech of Colonel Isaac Barré, which had warmly referred to the Americans by this noble name. The Sons of Liberty consisted of a cross section of the occupations of the town, from poor laborers to wealthy merchants. For its mass base, Adams induced the North End and the South End to channel their rambunctious energies into more constructive deeds, and united them to the Sons. For Guy Fawkes Day 1765, coming at a strategic time for the stamp tax, Adams prepared to hold a "Union Feast" celebrating the newfound unity of the two sections. Mackintosh was given a cadre of 150 militarily trained men to lead his mobs. The Sons of Liberty busied themselves by drawing up a list of Tory oligarchs whose homes might be sacked should the need arise.

Governor Bernard now placed his hopes on the Assembly, convening at the end of September. Remembering the Sugar Act agitation, Bernard believed that the rural farmers would again prove a conservative force. But he found, to his astonishment, that the stamp tax had truly radicalized and unified the whole colony. He wrote home that the rural people seemed even more violent than the annoying Bostonians: "They talk of revolting from Great Britain in the most familiar manner, and declare that . . . the British forces . . . never will subdue the inland." Furthermore, Oxenbridge Thacher had died, and Bernard now found his nemesis Sam Adams in the House as leader of the liberal forces. To Bernard's urging of the General Court to enforce the Stamp Act as the law of the supreme Parliament, the House replied firmly that only the Massachusetts Assembly had the right to tax and to make internal laws for the American colonies.

By mid-October, Governor Bernard was wailing to the Crown that Massachusetts was in a state of outright rebellion: the militia refused to obey his orders; "the real authority of the government is at an end; some of the principal ringleaders in the late riots, walk the streets with impunity; no officers dare attack them; nor Attorney General prosecute them; and no judges sit upon them."

If Patrick Henry had sounded the clarion call for resistance, Sam Adams, the Loyal Nine, and the Sons of Liberty had now blazed the path for action. August 14 raised the standard for mass rebellion against the enforcers of the Stamp Act.

23

Rhode Island Responds

The question now arose: Would Boston remain isolated and hence fall victim to English might? Would Massachusetts be vulnerable as the only colony to take the issue to the streets and rebel against British power? Or would the bulk of the American colonies follow and press on to victory?

The question was soon answered. As soon as the inspiring news of August 14 was heard, Rhode Island, always libertarian, always indomitable, leaped to follow Boston's example. Rhode Island, enjoying a flourishing and extensive trade, had been spared the burdens of an executive oligarchy chosen by Britain. Its governors were popularly elected and were fully as hostile to British tyranny as the populace. Aside from a few royal appointees, such as the customs collector and naval officers, the wrath of Rhode Islanders was directed against the ultra-Tory Newport Junto, which had petitioned for an end to Rhode Island's charter as a home-rule colony.

Agitation began in earnest on August 24, when William Goddard published a special "extraordinary" issue of the *Providence Gazette*. It was an all-resistance issue. On the masthead were inscribed two mottoes: "Vox Populi, Vox Dei" and "Where the Spirit of the LORD is, there is LIBERTY." Articles filled the issue attacking the British regulations, stamp masters, and Jared Ingersoll (the Connecticut stamp master), and praising the Boston rebels. The issue also reprinted the hard-hitting resolves of the Providence Town Meeting, which denied Parliament's right to tax the colonies, and urged indemnification of all Rhode Island officials refusing to obey the Stamp Act. Moreover, the mob actions in Boston, as well as in New London and Norwich, Connecticut, were described in loving detail. Two days later, the *Newport Mercury* acquainted its readers with the mob actions in Boston and Connecticut.

On August 27, the people of Rhode Island followed in the footsteps of Boston: Massachusetts was no longer isolated. Leading the action were three prominent merchants of Newport: the educated William Ellery, Robert Crook, and Samuel Vernon. On the morning of the 27th, a mob of Newporters marched through the streets carrying three effigies with halters around their necks, and finally hanging them upon the gallows in front of the town courthouse. Guarding the scaffold were the three leading merchants of Newport, carrying clubs. The three marked men hanging in effigy were carefully selected, all members of the Newport Junto: Augustus Johnston, appointed stamp distributor for Rhode Island; Martin Howard, Jr.; and Dr. Thomas Moffat. Their effigies were appropriately and suggestively strung together. Hung with the effigies was a copy of a song beginning with the warning verse:

He who for a Post or Base sordid Pelf,
His Country betrays, makes a Rope for himself.
Of this an Example for you we Bring
In these Infamous Rogues, Who in Effigy Swing.

The three marked men quickly took the hint: Moffat fled town, and Howard and Johnston fled to the safety of the British ship *Cygnets* in the harbor, where they were joined by the hated customs collector John Robinson. For Robinson knew, as he put it, "the disposition of the people towards all King's officers." The crowd then cut down the effigies and burned them in a bonfire.

Nothing more was done that night, and the Tories returned to a supposed calm. But the next day news of the second great Boston riot reached the Newporters, who determined not to lag in the libertarian cause. That evening, a group of men headed by Samuel Crandall buffeted Robinson a bit on the street. When the group was then arrogantly chastised by Martin Howard, he thereby provided the needed spark for provoking the Newporters into direct action. A mob quickly gathered and gave Howard's house the treatment that their Boston confreres had meted out to Hutchinson's.

The mob had tasted action. They proceeded to the houses of their other mortal enemies. Dr. Moffat's house was razed. Each house, in turn, of the British and Tory leaders was visited, and each of the men was eagerly sought by the mob. But all of them had escaped to the *Cygnets*. Augustus Johnston wanted to stand fast, but thought better of it and fled when informed that the crowd would present him with a choice of resigning his post or being lynched on the spot. Johnston's house was visited, and only spared when his friends assured the mob that the absent stamp distributor would resign his office the next day.

The revolutionary upsurge of August 28 proved brilliantly effective. His friends and family threatened as well as himself, Johnston kept his pledge

and resigned his post the next day. Howard and Moffat decided to leave the dust of Newport behind them and sail back to England without even returning to shore.

Thus, by August 29, the people of Newport had succeeded in forcing the stamp distributor to resign and the two leaders of the Newport Junto to leave the colony. But some of the mob now threatened to get out of hand. John Webber, a young Englishman recently arrived in Rhode Island, had actually led the mob the night before, and he now wanted more action. Webber began to insult the very merchants who had induced him to lead the previous night's riot. Apprehensive of potential blind violence by Webber and some of the mob, the other leaders turned Webber over to the *Cygnets* as a kind of sacrificial offering.

This betrayal of their former comrade to the British was a grave tactical as well as moral error by Ellery, Vernon, and others, who were soon to form the Newport Sons of Liberty. Webber's followers among the mob gathered quickly and threatened immediate destruction of the houses of the betrayers if Webber were not released. Faced with the prospect of a dose of their own medicine, Ellery, Vernon, and the others capitulated, and told the naval officers that Webber was not guilty of leading the riots. The triumphant Webber, back ashore, resumed his bravado and continued to threaten destruction of the houses of the Sons of Liberty leaders.

The Sons of Liberty leadership was now thoroughly frightened of a mob commanded by the aimless, hotheaded Webber. They offered bribes to Webber but to no avail. A threat of armed self-defense by the leaders got the mob to disperse that night, but the next day Webber returned to the attack, threatening plunder and destruction. Finally, none other than Augustus Johnston saved the day by courageously seizing Webber and carting him off to jail. The mob surprisingly did not react, and for a while Newport was safe from the wanton destruction threatened by John Webber.

The stamp distributor had resigned, but the hated and inflexibly dictatorial John Robinson still remained, although aboard the *Cygnets*. The morning after the riot, Samuel Crandall sent a message to Robinson offering him something like the old pre-1764 arrangement of annual bribes to the customs officials for allowing the merchants freedom of trade. Crandall also demanded the return from Halifax of the sloop *Polly* and her cargo of molasses, seized the previous spring by Robinson and his aides. In return for Robinson's agreement he would also be guaranteed protection ashore from the wrath of the people.

Robinson reacted in characteristic fashion: by ordering the arrest of Crandall and offering \$100 reward for information leading to the arrest and conviction of any other rioters. The people of Newport would not be intimidated: the sheriff returned the warrant for arrest, stating that such was impossible to execute except at the risk of his life in the current popular climate; and no one appeared to serve as paid informer upon his colleagues.

Robinson now appealed to Governor Samuel Ward to guarantee his protection ashore and to arrest Crandall. But Ward, in obvious sympathy with the rebels, had left town during the rioting and now kept suavely assuring Robinson that all was calm, that no one was in danger, and that Crandall was a peaceful citizen. However, the merchants of Newport found themselves presented with a grave problem that was soon, in different form, to plague all the colonies when the stamp tax came into force. For if Robinson remained on the ship with the customhouse closed, no ship leaving port could have official clearance papers. And without clearance papers, any ship was subject to seizure on the high seas by the British fleet. The British navy, dedicated to the Crown and unchecked on the seas by the American populace, loomed as the preeminent menace to mercantile trade. Within a week, therefore, Ward provided Robinson with a bodyguard and the customhouse opened once more.

The port might be open, but as November 1 approached, John Webber remained in jail, a constant potential of trouble to the citizens of Newport. The sheriff, indeed, was repeatedly threatened with harm if Webber were not released. On November 1, the Sons of Liberty organized a peaceful demonstration against the Stamp Act, taking care to avoid any mob violence that might be channeled into a movement to free John Webber. A mock "grand funeral of Freedom" was organized that day, with Old Freedom arising triumphantly from its coffin. When no rescue party came, Webber, now two months in jail, tried to commit suicide in his cell. This attempt touched off a rather feeble effort to rescue Webber, resulting in but two of his followers being arrested. The Webber threat was over, but from that time on, the Sons of Liberty made sure of tight control over any direct mass action in Newport.

The town of Providence was inspired by the rebellious actions of Newport, and on August 29–30 a crowd hung and burned an effigy of Augustus Johnston. However, with the British officials and Tory Junto both in Newport, Providence was on the fringes of the struggle, and could by such action only demonstrate its solidarity with its sister city.

24

Response in New York

The people of Massachusetts and Rhode Island had now set the example. The other colonies were not slow to follow. Neither was the lesson lost on the appointed stamp distributors in the remaining colonies. As early as August 26, New York's stamp master, James McEvers, threatened with the same fate as Oliver, hastily resigned his post before mob action surfaced. On September 2, the frightened William Coxe, stamp distributor for New Jersey, hastily resigned his post even though he had received no threats from the populace. In Maryland, stamp master Zachariah Hood refused to resign even after a mob razed his house on September 2, an act that followed the whipping, pillorying, hanging, and burning of his effigy. The people of Maryland saw that more drastic measures were necessary; they set upon Hood and forced him to flee for his life to New York City. There he was driven from an inn by New York radicals, but found congenial refuge at Fort George, run by Lieutenant Governor Cadwallader Colden. Hood had not yet resigned but he was no longer a present danger to Marylanders.

New York might be free of its stamp distributor, but the potential menace of the stamped paper remained. The paper arrived from England toward the end of October, but it found the people of New York ready to meet it, headed by the Sons of Liberty of New York, formed a few days before. The Sons organized a crowd of some two thousand New Yorkers to prevent the landing of the stamped paper. But the implacable Tory Cadwallader Colden arranged for a British warship to stand watch while the paper was unloaded at night at his fortress on Fort George. That night, October 26, the following warnings were posted throughout New York City:

Pro Patria

The first Man that either distributes or makes use of

Stampd Paper

Let him take Care of his House, Person and Effects.

Vox Populi

We Dare.

The evening before the Stamp Act was to take effect, a public meeting warned that the Stamp Act would be disobeyed. A crowd paraded through the city shouting "Liberty!" and threatening to bury alive Major Thomas James. James, commander of the troops at Fort George, had boasted that he "would cram the stamps down the [New Yorkers'] throats with the end of his sword."

The following night, November 1, a mob of about two thousand New Yorkers, many of them former soldiers and privateersmen as well as seamen, carpenters, and rural folk, marched to the house of the hated Colden, carrying and then hanging and burning effigies of Colden and of the devil. The crowd, defying efforts of the mayor and Council to disperse it, broke into Colden's coach house and paraded around the coach, later hanging the two effigies on a public gibbet and then burning them along with the coach and other Colden carriages. The mob then broke into Major James' home, smashed the interior, and leveled the house.

The people had not yet attacked Fort George to seize the stamps. At this point conservative opponents of the stamp tax bitterly tried to dissuade the people from such a bold course. Led by Robert R. Livingston and James Duane, the conservatives gained the concession from Colden that he would not issue the stamps. But the radical-liberal leaders were not to be put off by this tactical retreat: the stamped papers themselves must be destroyed! Armed New Yorkers passed into the city to support an attack on the fort, and posters signed by such Sons of Liberty names as "Sons of Neptune"—an organization of seamen—and "Free Sons of New York" threatened an all-out assault on the fort on the night of November 5 unless the stamped papers were surrendered. Under this threat, Governor Colden, on the advice of the British general Thomas Gage and the New York Council, finally capitulated and turned the paper over to the municipal authorities. In mid-November, a second shipment of stamps was again turned over to the municipal corporation.

The Sons of Liberty, the indomitable leaders of the radical resistance in New York City, were unsurprisingly led by wealthy merchants and lawyers, and rested on a mass base of artisans, small businessmen, and laborers. Its original leaders had been the liberal lawyers William Livingston and John Morin Scott, but they were soon replaced by better and more radical organizers, who were also wealthy merchants: Isaac Sears, a privateer; John Lamb, a manufacturer of mathematical instruments; and Joseph Allicocke.

Response in Virginia

In some of the colonies, the stamp distributors had not yet arrived at the time of their appointment. Here the task of the colonists was to await their arrival with vigilance. Thus, George Meserve, appointed stamp master for New Hampshire, faced as he sailed into Boston Harbor a hornets' nest of trouble. He found there a letter from the leading citizens of Portsmouth warning him of grave danger should he attempt to set foot in New Hampshire before resigning his commission. More immediately, he found a Boston mob that prevented his ship from landing for two days until they were convinced no stamped paper was aboard.

It did not take Meserve long to size up the situation. He publicly announced his resignation before going ashore, and was feted and cheered by the Bostonians in return. But in New Hampshire, Meserve found less willingness to forgive and forget. He lived in fear of popular retaliation until he agreed to hand over his royal commission to be burned publicly by his neighbors.

George Mercer, a leading Virginia planter and former aide of George Washington, happily received his colony's stamp appointment in England without realizing the temper of the province. Mercer arrived in Virginia on October 30, shortly before the deadline, to find Virginia in an uproar. In the Northern Neck, Mercer had been burned in effigy; upcountry threats abounded of marching in to destroy the stamped paper; and two country justices had already resigned in protest against the Stamp Act. Mercer's old friend George Washington, though opposed to the stamp tax as unworkable, was cool to the resistance, calling it "ill-judged," but this had no effect in stemming the tide.

When Mercer arrived at Williamsburg, a crowd, which included almost all the leading merchants and "gentlemen of property" in the colony, met him on the street and demanded his immediate resignation. When Mercer, asking for time to think until November 1, was greeted warmly by Governor Fauquier, Speaker Robinson, and the Virginia Council, the crowd rumbled and demanded an immediate decision: "Friday is too late . . . the law goes into effect then. . . . Let us rush in!" Under this severe pressure, Mercer reluctantly agreed to give his decision by the next day, October 31.

Despite the urging of Governor Fauquier to stand his ground, George Mercer reevaluated his position, and by the next morning he assured the large throng that he had not approved the Stamp Act and that he would never directly or indirectly help to enforce it. The gladdened mob feted Mercer, and bore him in triumph around the streets of Williamsburg.

Response in Connecticut

Jared Ingersoll, a high Tory of Connecticut, proved not as easy to convince as his fellow stamp masters. Ingersoll, as Connecticut's agent in London, had learned to move amiably in high Tory circles there. He had become a close friend of Benjamin Franklin, Richard Jackson, John Temple, surveyor general of the New England customs, and Thomas Whately, secretary to George Grenville and the author of the final draft of the Stamp Act.

News of Ingersoll's appointment as stamp distributor did not at first arouse much wrath, but by the time he arrived at New Haven in early August the popular temper was beginning to rise. The attacks began with an article in the *Connecticut Gazette* of August 9, by Naphtali Daggett, professor of divinity at Yale, who denounced Ingersoll as a traitor, and trenchantly ridiculed the idea that "since 'tis decreed [the country] must fall, who can blame me for taking a part in the plunder?" Throughout the colony in Lebanon, Norwich, Windham, and New London, Ingersoll was hung in effigy during the latter part of August; and the last three counties launched a movement to force Ingersoll's resignation. Armed companies in Windham, Norwich, and New London in eastern Connecticut, threatened to march on New Haven against him. A troop of five hundred easterners armed with staves, and including militia officers, formed themselves into the Sons of Liberty and marched westward to meet Ingersoll at Wethersfield on September 19. Ingersoll argued and ranted, but severe threats of lynching finally changed his mind, and he was forced to confirm his resignation in front of the Connecticut Assembly.

As a rationalist Old Light Presbyterian in a colony of growing adherence to a now diluted evangelical New Light cause, Ingersoll dealt his religious group

a severe blow by becoming a stamp master. The blow was compounded by the conservatism of most of the Connecticut Old Lights on resistance to the hated Stamp Act. With the notable exception of the Reverend Ebenezer Devotion, Old Light minister in Windham, most of the resisters and Sons of Liberty in Connecticut were New Lights. Furthermore, Governor Thomas Fitch, an Old Lighter, though elected by the people of Connecticut, announced his intention to enforce the stamp tax, and thus put paid to the Old Light cause in the colony. Only four members of the Connecticut Council supported Fitch in this most unpopular stand.

Response in Pennsylvania

John Hughes, Franklin's lieutenant in Pennsylvania, also resisted resignation from the post of stamp distributor in Pennsylvania and Delaware. In early September, the people of Pennsylvania began to insist on Hughes' resignation. Hughes lamented to Franklin that "the spirit or flame of rebellion" is now at "a high pitch" in America, a spirit that he termed "a sort of frenzy or madness." Hughes' determination not to resign was stiffened by Franklin's admonition from his privileged sanctuary in England to carry out his office "whatever may be the madness of the populace [or] their blind leaders." The favor of the colonial people must always be sacrificed in any clash with the authority of Great Britain.

The pressure against Hughes had not yet reached a peak, since the stamped papers had not arrived in the colonies. In the meanwhile, the Pennsylvania Assembly, dominated by conservative Quakers and their Tory allies from the increasingly overrepresented eastern counties, decided by only one vote on September 10 to send delegates to the intercolonial Stamp Act Congress called by the Massachusetts Assembly. Hughes, of course, led the fight against the move.

The pressure of the people continued to mount, however, and on September 16 the radical-liberals, led by Samuel Smith and aided by the New York Son of Liberty John Lamb, determined to reduce Hughes' house to ashes. But in Philadelphia the principal Tory leaders, Hughes and Joseph Galloway, were able to organize a gang of seven to eight hundred to guard the house. The gang consisted largely of Galloway's mass base in the city, the clubs of Philadelphian tradesmen known as the White Oaks and the Hearts of Oak. The governor and the municipal officials, like the proprietary, sympathetic to

the resistance and more particularly hostile to the pro-royal Franklin party, remained neutral in the struggle and prudently left town. Confronted with Galloway's gang, the popular mob contented itself with burning John Hughes in effigy.

For the next three weeks, Hughes was ill and *hors de combat*, but the conflict came to a climax on October 5 with the arrival of the stamped paper and of Hughes' official commission. The people could wait no longer. The radical leaders met at the coffeehouse of the printer William Bradford, and summoned the people by tolling all the church bells and beating muffled drums throughout the city. A great crowd collected at the State House, particularly including Presbyterians. William Allen, Jr., son of the chief justice of the colony, headed the crowd. The governor and mayor took care to be absent from the scene. Only the Quaker alderman Benjamin Shoemaker attempted, vainly, to order the crowd to disperse. The crowd deputed seven of the prominent citizens of Philadelphia to demand Hughes' resignation, with a threat of the extreme penalty should he refuse. The seven included Bradford, attorney James Tilghman, and merchants Robert Morris, Charles Thomson, Archibald McCall, John Cox, and William Richards. The stubborn Hughes resisted the demand even when learning of the threats of Virginia and Maryland mobs to kill him should he ever set foot there. Finally, the rather timid delegation agreed to a face-saving modification for Hughes. Hughes agreed only to defer executing the Stamp Act in Pennsylvania or Delaware until it was executed in the neighboring colonies. Still full of ginger, Hughes continued to harangue his enemies about their supposedly grievous crimes. He persisted in attacking the governor for not enforcing the tax, and the Presbyterians of the colony (recently united under New Light control) as rebels "as averse to Kings, as they were in the days of Cromwell, and some begin to cry out, *no King but King Jesus*."

Response in the Carolinas and Georgia

In North Carolina and Georgia, no stamp distributors had been appointed by November 1. In Georgia, radicals had to content themselves with demonstrating with nameless effigies. The appointment of George Angus was announced to the Georgians on November 7, but Angus, alone of all the colonial distributors, was a native Englishman, and had not yet set sail for America. The people of Georgia could only keep vigil to mete out similar treatment as in the other colonies; meanwhile, the Stamp Act was not being enforced there.

In North Carolina, Henry McCulloh had naturally been the original appointee, but he prudently declined. The appointment then went to Dr. William Houston, who only heard the news by mid-November. When Houston arrived at Wilmington on November 16 to claim his commission, he was confronted with a determined crowd headed by the mayor and forced to resign immediately.

South Carolina provided a notable example of radical resistance to the Stamp Act. Its leader was the great statesman Christopher Gadsden of Charleston, a leader in the House and one of the wealthiest merchants in the colony. For his mass base, Gadsden, as in the case of Massachusetts and New York, relied on the small businessmen, the artisan-manufacturers of Charleston, the bulwark of the Sons of Liberty.

South Carolina's appointed stamp distributor, Caleb Lloyd, arrived at Charleston on October 18, along with the stamped paper. Immediately, lamented Governor William Bull, "The minds of men . . . were . . . universally poisoned with the principles which were imbibed and propagated from Boston and Rhode Island. . . ." The next day, the people erected a high gal-

lows at the center of Charleston; hanging there was an effigy of Lloyd, with a devil effigy at one side and the symbol of a boot at the other. Written on the display were various mottoes and warnings, including "Liberty and no Stamp Act" and "Whoever shall dare attempt to pull down these effigies, had better been born with a stone about his neck, and cast into the sea."

That evening the crowd took down the effigies, and two thousand people paraded them around town in a mock funeral procession. They arrived at the house of George Saxby, appointed inspector of stamps for the Carolinas and the Bermudas, and still on the high seas. The crowd searched the house but could find no telltale stamped papers, which had been placed at Fort Jackson. Over a hundred Sons of Liberty, however, stormed Fort Jackson and destroyed the papers. After burning the effigies and burying a coffin dubbed "American Liberty," the crowd proceeded to search the houses of Tories and British officers for more stamped paper.

Caleb Lloyd fled for his life to Fort Johnson, and there he was joined by Saxby a week later. In Charleston, threats to the British officers and posters asserting the natural rights of the colonists filled the town. Finally, on October 29, under threat of death, Saxby and Lloyd agreed to suspend execution of their offices until Britain decided whether to enforce or repeal the stamp tax as a result of colonial protests.

By November 1, then, the popular liberals of the colonies had done their work well: not one stamp master remained ready, willing, or able to enforce the Stamp Act. Virtually all had either resigned or publicly pledged not to support the act. Only two ambiguities in status remained, and these were cleared up quickly. At his refuge in Flushing, New York, Zachariah Hood, the Maryland stamp distributor, was visited on November 28 by an angry crowd of three hundred Sons of Liberty from New York City carrying banners inscribed with the slogan "Liberty, Property and No Stamps." Hood was persuaded to resign forthwith. The New York Liberty Boys were thanked for their effective work by the Sons of Liberty of Baltimore, who assured them that Hood had escaped "the just resentment of his injured countrymen."

George Angus finally arrived to assume his post in Georgia on January 4. Spirited to the home of Governor James Wright, Angus distributed some paper to the customs officers. But within two weeks, angry crowds persuaded Angus to flee the country. Plans for a march of some six hundred men on Savannah induced the governor to send the stamped paper back to England on a British warship.

Thus, the ambiguities of stamp distribution in Maryland and Georgia were quickly resolved. The New York Sons of Liberty also exercised due vigilance in pursuing current and potential stamp masters. In late November, the Sons of Liberty of New York forced the retirement of Peter DeLancey from his post as inspector and distributor of stamps in Canada and Nova Scotia. A few days later, James McEvers was forced to repeat his public resignation as stamp

distributor for New York. In early January, the Albany Liberty Boys warned prospective stamp distributors, and some four hundred of them pulled down the house of one such candidate, Henry Van Schaack. Van Schaack, seeing the handwriting on the wall, hurried to a Sons meeting the following day to promise never to accept the post of stamp master. He was duly cheered by the throng. And in Rhode Island, Augustus Johnston was again forced to resign as stamp distributor, at the end of December. When a little later the stamped papers arrived, the Sons of Liberty of Newport ceremonially burned the papers.

29

Official Protests

By November 1765 the stamp distributors and the stamped paper had been put out of action by the direct revolutionary mass action of the people, who increasingly formed themselves into Sons of Liberty in the separate colonies. Even if the various colonial assemblies had not been so timorous and conservative, there was little that they could have done. To nullify the Stamp Act, the first essential step was to put the stamp masters out of commission. This was a revolutionary act that the assemblies could hardly have done openly—especially since they were in most cases subject to the veto of a royal governor.

But one function the assemblies *could* perform: send off official protests to Britain asking for repeal of the noxious Stamp Act. Not much importance should be laid to these official resolves, which could only play a minor supplementary role in the great American struggle against the stamp tax.

The exception to the minor importance of official resolutions was, of course, Patrick Henry's Virginia Resolves, which, helped by the shrewd publication of the final resolutions, ignited the spark of the whole resistance struggle. The first colony to imitate Virginia's example of official protest was, not surprisingly, Rhode Island, where the Assembly adopted the call to disobedience that everyone *believed* the Virginia Assembly had passed. The resolution also denied Parliament's authority to tax the colonies at all, although it modified the disobedience clause to include only an internal tax such as the stamp tax. Moreover, the Rhode Island Assembly went further—directing all officers of the colony to proceed as if the stamp tax did not exist, the Assembly promising to indemnify them for any penalties incurred in following such a course. Rhode Island's courageous resolutions, passed in September, were touched off in mid-August by similar resolves of the Providence Town Meeting, followed

by several other towns, including Newport. The Rhode Island Resolves were largely drawn up by Henry Ward, secretary of the colony, and Moses Brown, a leading merchant of Providence. They represented a living embodiment of the unity on this question of the Ward and Hopkins factions in Rhode Island.

None of the other colonial assemblies, however, had the courage to go as far as little self-governing Rhode Island. None dared either to call for disobedience or to order officials to disregard the Stamp Act. Almost all the assemblies, however, issued resolves during the last third of 1765, denying the authority of Parliament to levy taxes (internal or external) upon the colonies, and most of them denied the authority of Parliament to extend the domain of the hated admiralty courts. Colonies such as Rhode Island, Connecticut, and Massachusetts, which had not in the previous year strongly challenged the parliamentary authority to tax, now took steps to correct their former hesitation. The only colonial assemblies that did not issue such resolves were Georgia, Delaware, New Hampshire, and North Carolina, and the last was not allowed to meet by edict of the royal governor.

The Stamp Act Congress

The major effort of official protest was the Stamp Act Congress, called in June by the Massachusetts House at the behest of James Otis and the Boston Town Meeting. The congress, which met in New York City on October 7, consisted of delegates from each of the colonial assemblies—with the exception of those of Virginia, North Carolina, and Georgia, whose governors prevented the assemblies from meeting, and of New Hampshire, which declined to attend. Delaware and New Jersey met the same obstruction from their governors, but their assemblymen defied the governor by meeting informally and selecting delegates anyway. All in all, twenty-seven delegates from nine colonies attended this early example of united intercolonial resistance.*

Massachusetts could have been expected to give the leadership to the congress, but its delegation consisted of trimmers and renegades to the colonial cause. Otis was in one of his conservative phases, having recently called for British troops to put down rebellion. Ruggles' and Partridge's election had been craftily engineered by Governor Bernard, and this manipulation paid off when Ruggles was chosen as chairman of the Stamp Act Congress. Ruggles had secretly agreed with Bernard to try to bend the congress to ask England for repeal solely on pragmatic economic grounds, and to recommend, in the meanwhile, passive submission to the Stamp Act.

*The delegates to the Stamp Act Congress were as follows: *Massachusetts*: James Otis, Jr., Timothy Ruggles, and Oliver Partridge; *Rhode Island*: Henry Ward and Metcalf Bowler; *Connecticut*: Eliphalet Dyer, William Samuel Johnson, and David Rowland; *New York*: Robert R. Livingston, Philip Livingston, William Bayard, John Cruger, and Leonard Lispenard; *New Jersey*: Robert Ogden, Joseph Gordon, and Hendrick Fisher; *Pennsylvania*: John Dickinson, George Bryan, and John Morton; *Delaware*: Thomas McKean and Caesar Rodney; *Maryland*: Edward Tilghman, Thomas Ringgold, and William Murdock; *South Carolina*: Christopher Gadsden, Thomas Lynch, and John Rutledge.

Fortunately for colonial liberty, Ruggles was not able to prevent and cripple the movement for colonial resistance. The first struggle in the congress was waged over a declaration of principles, which occupied the delegates for twelve days. Over the bulk of the principles there was general agreement: the right to be taxed only by one's own representatives; the impracticality of any American representation in Parliament; the inherent right of trial by jury; and the evils and invasions of rights committed by the Stamp Act. The big struggle was waged over the definition of the scope of Parliament's authority over the colonies. All the delegates privately admitted that Parliament had the authority to regulate colonial trade, but the radical-liberals—led by Christopher Gadsden and Thomas Lynch of South Carolina—strongly objected to any explicit admission of parliamentary authority. Such admission might leave a loophole for implied consent to such external parliamentary taxation as the Sugar Act.

The first draft of the congress's declaration, composed by Dickinson, pledged colonial obligation to "all acts of Parliament not inconsistent with the rights and liberties of the colonists." But Gadsden insisted throughout on taking a stand on "the broad and common ground of those natural and inherent rights" that all Americans possessed, not only as Englishmen but as *men*. A second Dickinson draft then changed "rights and liberties of the colonists" to "the principles of freedom" in an attempt to appease the radicals. But here too the radicals saw that such phrasing would commit the colonists to obey all parliamentary legislation that did not violate principles that remained highly vague. The final wording, then, only committed the Americans to "all due subordination" to Parliament, which of course conceded nothing to England since the word "due" remained undefined.

This solution was bitterly opposed by the ultraconservatives in the delegation, especially by Ruggles, Robert Ogden, speaker of the New Jersey Assembly, William Samuel Johnson of Connecticut, and Robert R. Livingston of New York. Ruggles and Ogden, indeed, went to the length of refusing to sign any of the proceedings of the Stamp Act Congress.

The next step for the congress was to draw up petitions of protest to England, based on its declaration. Gadsden and the radicals urged that no petition be sent to Parliament, as this would imply an admission of parliamentary authority. But the others would not go that far, and Gadsden could be happy in knowing that the main radical point—no explicit admission of parliamentary authority—had been carried. The petitions were drawn up and approved in only four days. By late October, the Stamp Act Congress had been concluded. Every one of the colonial assemblies, even those that had been absent, hastened to approve the actions of the congress, and Ruggles and Ogden were censured by their respective assemblies for not going along. Ogden, furthermore, was burned in effigy in almost every town in New Jersey, and was forced to resign his seat in the Assembly. Only the Virginia House of Bur-

gesses, prevented from meeting by the governor, could not meet to approve the congress's resolves; but it had made its position clear months before.

It must be noted, however, that the radicals were not able to generate a call for open resistance by the congress. Rhode Island remained alone in this courageous stand. Nor was Gadsden able to carry, in the congress's petition, a position grounded on natural human rights, rather than one confined to the mere rights of Britons. Of the colonial resolves, only the assemblies of Pennsylvania and Massachusetts expanded their groundwork to include these libertarian natural rights. Pennsylvania referred to "the Natural Rights of Mankind," which later helped form the groundwork of Pennsylvania's constitution.

By far the most eloquent statement of the natural-rights position was the Massachusetts Resolves of October 29. These logical and incisively libertarian resolutions were drawn up by Sam Adams, who had replaced Thacher in the Massachusetts Assembly. Squarely in the tradition of John Locke's *Essay on Civil Government*, Adams began by explicitly grounding British rights on "the law of God and Nature, and on the common rights of mankind." Therefore, Adams continued, the people of Massachusetts "are *unalienably* entitled to those essential rights in common with all men: and that no law of society can consistent with the law of God and Nature divest them of those rights." Crucial to these natural and inalienable rights was the right of property: "*Resolved*, that no man can justly take the property of another without his consent." And from this Adams presumed to derive the right of representation in levying taxes.

31

Ignoring the Stamp Tax

Immobilizing the distribution of stamps, supplemented by official protests to Britain, could only be the first step in the peoples' nullification of the Stamp Act. For once the act went into effect in November 1765, the colonists, devoid of stamped paper, faced a critical choice: either to carry on normal transactions as if the Stamp Act did not exist, or to stop all business so as not to violate the law. The latter, the conservative path, avoided any breaking of the law, but would have meant a suicidal stoppage of trade and of the courts that would have quickly brought the colonists to their knees. Many of the royal governors, gravely underestimating the fighting qualities of the resistance movement, confidently expected the latter result. They could not dream that the colonists would make open defiance of the Stamp Act a continuing way of life. Thus, as the enforcement date drew near, Governor Bernard smugly expected that famine would soon bring Massachusetts to a standstill. Jared Ingersoll calmly predicted that "the distresses which the want of the stamp papers will occasion will put the people . . . to desire . . . to introduce and distribute them." But having disposed of the stamp masters, the colonists were in no mood to submit meekly to economic suicide rather than defy the hated stamp tax.

For the work of nullifying the Stamp Act, ordinary business transactions within the colonies presented no problem. Contracts and exchanges could be made with the simple refusal of bothering about the Stamp Act's existence. The major problem in domestic business was faced by the newspapers, who were in an exposed position. As November approached, the press reluctantly prepared to close up in obedience to the stamp law, but their courage was buoyed by threats, especially in New York and Boston, to the person and

property of the printers should they dare thus surrender to the law. The pattern of press courage was set on November 1, with the bold appearance of the *New London Gazette* and the *Connecticut Gazette* without stamps. The great radical organs of liberty, the *Boston Gazette* and the *New York Gazette or Weekly Post-Boy*, swiftly followed suit. John Holt, editor of the New York paper, emblazoned on his newspaper the motto "LIBERTY, PROPERTY AND no STAMPS," which was soon picked up by other leading papers. Other northern newspapers continued to publish, first hedging with such partial disguises as changing their titles or leaving out the printers' names, but soon they resumed publication full blast.

Only in the South did the bulk of the press display cowardice by suspending operations rather than publishing unstamped. In some cases, courage returned and printing resumed: for example, the (Annapolis) *Maryland Gazette* and the (Williamsburg) *Virginia Gazette*. However, the publisher of the latter paper was not trusted by the liberals, who induced another printer to establish a rival *Virginia Gazette*, which corralled the coveted public printing contract from the House of Burgesses. Neither Charleston paper could be induced to reopen, so that the radicals of that city inaugurated a new unstamped newspaper there. In Wilmington, North Carolina, the radicals turned to violent methods of persuasion—a mob forced the publisher of the *North Carolina Gazette* to resume publication unstamped, "at the hazard of life, being maimed, or have his printing-office destroyed." The publisher, however, found himself whipsawed between two masters, the governor and Council finally removing him as public printer for "inflammatory expressions." The only southern paper that defied the Stamp Act from the start was the *Georgia Gazette*, which, however, was closed by pressure from the royal governor in late November.

Internal transactions and even the press thus successfully defied the stamp law. The real problem for the colonists was transactions necessarily involving government agencies, which could not easily sanction the continuance of illegal activities. The most vital question was foreign trade, on which many economic activities, especially in the port towns, depended absolutely. For merchants needed clearances from the royal customs officials to ship out of port; without such clearance they were liable to seizure on the high seas by the British navy, which did not have to worry about colonial opposition or rebellious activity on the Atlantic. Domestic transactions requiring government stamps presented a much lighter problem. Marriages, wills, and diplomas could be and were informally recorded, and criminal court procedures did not require stamped paper. Furthermore, a positive advantage accrued to the colonists: the closing of the hated admiralty courts, which were not supposed to function without stamps. Only the civil courts posed a problem for the colonies.

On the crucial question of foreign trade, which could make or break the resistance movement, the colonists could either greatly increase their smug-

gling operations or put pressure on the royal customs officials to grant the merchants clearance papers. Both methods were widely used.

The great trading center of Boston particularly had to face the port problem. The Assembly had first thought to make unstamped trade legal on the ground that no stamps existed, and guaranteeing to indemnify officers who might be penalized by Britain for such action. **But the Assembly shrewdly decided that such a stand would compromise the cause, for it would concede the legality of the Stamp Act if there were a stamp master in the colony.** Instead, the Massachusetts Assembly, unwilling to go so far as to encourage open resistance, left the whole matter to the Sons of Liberty, who were quite willing to assume the responsibility.

The first step was to gain time, and this the Boston merchants (as well as the merchants of all the colonies) did by putting every possible ship out to sea before the November 1 deadline. In the meanwhile, the royal officials—the governor, controller, collector of customs, advocate general of the admiralty court, attorney general, and surveyor general of the customs of New England—engaged in a complex farce-comedy of passing the buck in deciding on clearance policy for the port. Cutting through this confusion were the Sons of Liberty, which put intense pressure on the customs collectors and threatened to storm the customhouse with a mob by December 17. Then the radicals showed their power by again forcing a public resignation from stamp master Andrew Oliver. **A mob of two thousand such as pressured Oliver could not be ignored, and the customs officials promptly capitulated, agreeing to provide ship clearances without stamps.**

On the night of December 17, the Sons of Liberty celebrated their highly significant victory, and it was particularly fitting that the brilliant organizer of the radicals, Sam Adams, was feted as the guest of honor.

The earliest—and easiest—resolution of the problem came in Virginia, which had the good fortune of having a liberal and understanding surveyor general in Peter Randolph, of the eminent Virginia family. As early as November 2, Randolph advised all the customs collectors to clear all vessels without stamped paper. Governor Fauquier of Virginia was also intelligent about the issue, and quickly seconded Randolph's stand. The customs officials in Rhode Island promptly followed. The merchants of Philadelphia used an ingenious device of adding clearances to partially loaded cargo ships before November, to extend their time of grace through that month. Governor John Penn induced the collector to go along with the scheme. By early December, however, the Philadelphia harbor was filled with vessels and the customs officials faced squarely the problem of clearances. Writing to England, the Philadelphia collectors admitted their fear of the populace should they enforce the Stamp Act, and they soon began to issue ship clearances.

In a few days, the Philadelphia breakthrough was enormously widened by Charles Stewart, surveyor general of customs for the Eastern Middle District

(New York, New Jersey, Pennsylvania, and Delaware). Stewart authorized all the customs officials to issue ship clearances without stamps, and again gave the threat of popular force as his justification. New York customs officials were especially relieved; they had suffered the growing pressure of the populace, particularly of the seamen unemployed by the stoppage of trade.

New England's ports were in effect blasted open by the surrender of the Boston customs officials in mid-December. Duncan Stewart, collector at New London, Connecticut, was forced to give way a few days before Boston; New Haven, Connecticut, and Portsmouth, New Hampshire, followed a few days after. There was a little resistance by customs officials at Portsmouth, but this was arrested by a mob demonstration on December 26, and there was no clearance trouble after that.

Except for Virginia, the main customs difficulties were experienced in the South. Maryland did not finally issue clearances without stamps at the main port of Annapolis until the end of January. The courageous Peter Randolph tried his best to open up the Carolinas as he had Virginia, but he was foiled for a long time by the zeal of the governors and local customs officials. In South Carolina, Randolph joined with the Assembly, the merchants, the ship-owners, and the rest of the people to battle the stubborn Governor William Bull. Finally, the resigned stamp master Caleb Lloyd reaffirmed his resignation, and began to issue certificates of unavailability of stamps to attach to clearance papers. By mid-February, ships were sailing legally from South Carolina without stamps.

Meanwhile, North Carolina's reactionary governor, William Tryon, tried a particularly shrewd maneuver in attempting to induce submission to the Stamp Act. While blocking any meeting of the Assembly, Tryon convened a private meeting of fifty leading planters and other gentlemen of the colony, and tried to sell them on abandoning resistance. Assuring them that he personally strongly opposed the Stamp Act, Tryon urged them to submit to the tax and enjoy untrammelled trade, while he personally would appeal to Britain for special favors for North Carolina. As a further inducement, he promised to pay personally for the cost of the stamps required on papers issued by him.

The leading citizens, however, spurned this shrewd appeal to ease and short-run cupidity, and firmly refused the offer. North Carolina suffered from closed ports until February, when the customs officials finally gave in. The one exception was the port of Cape Fear in extreme southern North Carolina. There, a particularly reactionary set of royal officials cracked down rigorously to enforce the Stamp Act. Captain Jacob Lobb of the Royal Navy had had the gall, in early January, to seize several vessels coming into Cape Fear, because their clearance papers officially issued in other American ports were unstamped. When William Dry, collector at Brunswick, North Carolina, proposed to present the confiscated vessels at the Halifax Vice Admiralty Court, a group of citizens from Brunswick, New Hanover, and Bladen Counties gath-

ered at Wilmington on February 18 to form an association to prevent operation of the Stamp Act. The association quickly amassed a thousand men and marched on Brunswick, capturing control of the town and the port. Seizing the recalcitrant William Dry, the association searched for the ships' papers, and won from Dry and Captain Lobb the release of the three vessels and a promise to open the port from then on. On February 21, the citizens rounded up all the court and customs officials and forced them to swear an oath not to execute the Stamp Act. North Carolina at last was free of Stamp Act tyranny, and the happy citizens sailed back to Wilmington on the liberated ships.

Georgia, the southernmost of the rebellious colonies, also had its troubles. Georgia allowed ships to clear without stamps until the end of November, when Governor James Wright and the customs officials closed the ports. Governor Wright persisted in his dictatorial course despite the pleas of merchants and shippers. When George Angus distributed stamped paper during his brief term of office in January, the Savannah merchants earned the hatred and contempt of all other merchants and colonists for selling out to the stamp tax by applying for stamped paper. The rural people throughout Georgia, similarly outraged, gathered in arms six hundred strong on January 27, ready for an angry march on Savannah. For Governor Wright, too, discretion proved to be the better part of valor; on hearing news of the threatened march, Wright hurriedly shipped the papers onto a British vessel, where they were effectively out of circulation. Very shortly Savannah was operating without stamps. Thus, by the end of February, even the most recalcitrant officials in the South were all permitting open ports, while the northern ports had all been opened by the end of 1765.

If the customs officials could be successfully intimidated, what about the British naval officers beyond the reach of colonial harassment—at least while at sea? Generally, the colonists found that the British navy did not much bother to enforce the Stamp Act. Astute entrepreneurs in Philadelphia began to issue insurance policies to shippers against British seizure, at the low rate of two and one-half percent, thus indicating the lax state of enforcement. Moreover, American shippers soon began to find that they could land unmolested without stamped papers at English-run ports that themselves were obeying the stamp rules—including ports in Quebec, Nova Scotia, Florida, the West Indies, and even England itself! During the period of the temporary closing of American ports, illegal smuggling increased greatly, thereby generating further contempt for English authority. Indeed, the customs officials began to issue clearances partly out of fear that they would soon be ignored completely by the colonists. The Philadelphia officials wrote perceptively that “we must now submit to necessity, and do without them [the stamped papers], or else in a little time, people will learn to do without either them or us.”

Once in a while, a rigorist naval officer persisted in plaguing the colonists.

Captain Archibald Kennedy, for one, insisted on stopping all vessels leaving New York, even after the port was officially opened, and blocking the path of any whose clearance papers were unstamped. Since Kennedy allowed all entering ships to proceed, New York City soon accumulated a large population of discontented, unemployed seamen ready to rebel against the laws of trade.

One reason for the lax naval enforcement, ironically enough, was the forced closing of the admiralty courts for lack of stamps. Only the Halifax court was now open. With these courts closed, the naval officers were reluctant to detain ships for any length of time.

The civil courts were not opened so quickly, but then the need was not nearly as pressing as in the case of the ports. We have seen the positive advantage of the closed admiralty courts as well as the informal substitutes for domestic legal transactions. Moreover, as long as the civil courts remained closed, English merchants could not collect on the substantial sum of debts owed them by Americans. This blockage could only lead British merchants to put pressure on Parliament to repeal the Stamp Act. George Washington, Richard Henry Lee, and other Virginia tobacco planters, generally in heavy debt to English merchants, saw the importance of this method of creating pressure. As a result, the pressure to reopen the courts was far less than that to reopen the ports.

Pressure for reopening the courts came mainly from the Sons of Liberty and other radicals who wanted the opening to symbolize judicial repudiation of the Stamp Act. Thus, as soon as the ports were opened in Massachusetts, the Sons of Liberty went to work on the courts. The Massachusetts Council was openly warned:

Open your Courts and let Justice prevail
Open your Offices and let not Trade fail
For if these men in power will not act
We'll get some that will, in actual Fact.

This popular pressure was succeeded by arguments by leading lawyers of Boston. Young John Adams argued before the Council that the Stamp Act was "utterly void," for it violated colonial "rights as men and our privileges as Englishmen." When Parliament errs, declared Adams boldly, it need not be obeyed, and it had no right to impose taxes on the colonies. James Otis, Jr. this time backed the Adams' view. The Council worriedly passed the buck to the judges of the colony, attempting to wash its hands of the entire problem.

The Massachusetts Superior Court was not scheduled to convene until March, but two lower courts in Suffolk County, containing Boston, were supposed to meet in January. The Probate Court of Suffolk County was being held up by Thomas Hutchinson, judge of the court; Hutchinson was soon told that his only viable alternatives were "to do business without stamps, to

quit the country, to resign [the] office, or ——.” Keeping the stampless court closed, it was made clear, was not a healthy path for Hutchinson to choose. Faced with this threat, Hutchinson consented to have his more pliable brother, Foster, replace him as judge of the probate court, which promptly opened its doors, followed by the inferior court of the county.

Having secured the opening of their own county courts by mid-January, the Boston radicals put pressure on the Massachusetts Assembly to open the other courts in the province. The House passed a resolution to open all the courts of justice by the overwhelming vote of 81 to 5, but again the Mephistophelian Thomas Hutchinson blocked its passage in the Council. The radical *Boston Gazette*, spearheaded by Otis, denounced Hutchinson bitterly, but the Council, not wanting to take any positive stand, also blocked the proposal of Governor Bernard to arrest Otis for his seditious essay. Finally, the Council again passed the buck to the judges of the colony, who in turn passed it over to the lawyers to decide. Faced with such responsibility, the lawyers, including Otis, began to stall. After a token hearing of one case in the crucial superior court during March, the court adjourned without taking action, to await passively the now rumored imminent repeal of the Stamp Act.

Virginia displayed the same vacillation and hesitancy in opening its courts. Edmund Pendleton, a judge in Caroline County, and one of Virginia's most respected lawyers, urged keeping the courts open on the same hard-hitting grounds as the Boston libertarians. Justice Littleton Eyre of the Northampton County Court took the same stand. But other judges were far less courageous, and they dithered along without taking the decisive step. The Virginia lawyers, tough in talk and in theory, also balked at taking the public step of reopening the courts. As a result, the courts of Virginia, as in Massachusetts, largely remained closed, with the exception of Accomack County. In Accomack, on the eastern shore, the courts defiantly reopened, but few other lower courts joined in.

The story in most of the other colonies was much the same. In colony after colony the lawyers approved the high libertarian principle of keeping open in disregard of an invalid stamp tax, but timorously continued to delay putting their high ideals into practice. The judges likewise continued to stall until the thrilling news of repeal of the Stamp Act reached the colonies in early April, and took them all off the spot. This was conspicuously the case, for example, in Pennsylvania, New Jersey, and New York. In New Jersey and Pennsylvania, however, a few lower courts managed to remain open. In New York, an attempt by judges of the court of common pleas to reopen was harshly crushed by a threat of Governor Henry Moore to fire any judges who dared to open without stamps. The courts of South Carolina also dithered throughout the period, but by March justices of the Charleston Court of Common Pleas attempted to reopen. They were responding to pressures by merchants, traders, and their associated Sons of Liberty in Charleston, and backed by the

South Carolina Assembly. However, the judges were blocked in this effort by the court clerk Dougal Campbell and by Governor Bull.

Among the colonies, then, only four—New Hampshire, Maryland, Delaware, and Rhode Island—opened all of their courts before the repeal came through. Meeting in early February, the New Hampshire Superior Court overruled the obstructionism of its clerk, and the victory was promptly hailed by the Portsmouth Sons of Liberty. Some of Maryland's lower courts opened as early as November, but the superior court did not open until forced to do so in early April by repeated demands at a mass meeting at Annapolis of the Sons of Liberty from all over the colony. The courts of Delaware were opened in February under severe pressure from its grand jury, which refused to perform its task of making criminal indictments (which were not subject to the stamp tax) until the civil courts agreed to reopen.

Little Rhode Island was unique among the colonies. There all the courts remained open without interruption. In this colony, the backbones of the judges were fortified by the Assembly's pledge to indemnify all officials who ignored the Stamp Act, and all the courts continued happily to function. In one case before the superior court, the hated ex-stamp master Augustus Johnston refused to prosecute in his capacity as king's attorney. The court expressed its contempt for British rule by replacing Johnston as attorney general with Silas Downer, secretary of the Providence Sons of Liberty.

While most of the colonial civil courts, especially the superior courts, remained closed during the Stamp Act era, it is clear that legal and judicial shilly-shallying could not have continued forever. Mounting popular pressure undoubtedly would soon have forced a general reopening of the courts had not repeal intervened. However, it is likely, from their attitude, that the judges would have proceeded timorously on the practical ground that stamps were unavailable rather than have taken a stand on constitutional principle.

Government Replaced by the Sons of Liberty

The Stamp Act was, in effect nullified throughout the period of its *official* enforcement in the colonies. It was nullified by the official bodies of the colonies, but even more so by the direct action of the people in forcing the stamp masters to resign, in carrying on business and trade as usual in defiance of the Stamp Act, and in forcing the royal customs officials to allow ports to remain open to ships without stamps. Corollary to this process of revolutionary mass nullification of the Stamp Act was a highly significant phenomenon that increasingly occurred in the colonies: a withering away of the authority of all organs of government, and a virtual shift to a condition of quasi-anarchism.

The revolutionary situation rendered the royal executive impotent and the colonial assemblies ineffective. The judges did not usually meet, and when they did it was at the behest rather of the radical organizations of the people than of the legally constituted authority. In short, effective rule of the colonies passed from the organs of government to voluntary organizations: to the Sons of Liberty and their popular allies. Such a shift of rule and of majority obedience from state organs to voluntary organizations is certainly a hallmark of a situation of near anarchism. The conditions differed, however, from those of the earlier anarchism in late-seventeenth-century Pennsylvania in two ways: one, *local* governments in this case remained in existence; two, the anarchism was not, as before, totally pacifist and devoid of all institutions of *defensive* force against criminal invasions of person or property.

As in all revolutionary situations, the breakaway of popular allegiance to constituted government implied a breakdown of that government into voluntary *self-governing* actions by each individual. It was indeed voluntary cooperative action among the people without benefit of official sanction—or of com-

pulsory revenue from taxation—that brought rule to such private organizations as the Sons of Liberty. The philosophical meaning of this process has been brilliantly elucidated by the late-nineteenth-century libertarian constitutional lawyer from Boston, Lysander Spooner. Spooner's analysis, dealing with the American Revolution, in a sense applied far more aptly to the Stamp Act crisis, in which no new governmental forms intervened to alter the course or the meaning of that crisis. Spooner wrote:

The . . . Revolution was declared and accomplished by the people, acting separately as individuals, and exercising each his natural rights, and not by their governments in the exercise of their constitutional powers. . . .

Each declared, for himself, that his own will, pleasure, and discretion were the only authorities he had any occasion to consult, in determining whether he would any longer support the government under which he had always lived. And if this action of each individual were valid and rightful when he had so many other individuals to keep him company, it would have been, in the view of natural justice and right, equally valid and rightful, if he had taken the step alone. He had the same natural right to take up arms alone to defend his own property against a single tax-gatherer, that he had to take up arms in company with three million of others, to defend the property of all against an army of tax-gatherers.

Thus, the whole Revolution turned upon, asserted, and, in theory, established, the right of each and every man, at his discretion, to release himself from the support of the government under which he had lived. . . .*

From this spontaneous repudiation of the authority of the government under which the people lived, emerged voluntary organizations to lead the popular struggle, and throughout the colonies they took the name Sons of Liberty. The Sons directed strategy, led the pressure of the crowd when intimidation became necessary, and prepared also for armed defense should the British government try to enforce its laws with *force majeure*. For, as the governors saw their authority crumble, it became clear that the British government was now faced with a fundamental choice: to abandon enforcement of the stamp tax or to send an army to suppress colonial resistance. Open rebellion against the royal governors was very near, and they realized that they could not rely on the militia, which sided with the popular resistance. Seeing the Sons of Liberty in control of Boston, Governor Bernard was on the point of fleeing Massachusetts. Governor Penn revealed in mid-December that Pennsylvania was "not more than one degree from open rebellion." And New York's Governor Colden hardly dared stir outside Fort George. If Colden had refused to turn over the stamps to the crowd, open war would have broken out. The prudent British troops knew that if the Fort had fired on the people, the Sons of Liberty could have assembled an overwhelming force of fifty

*Lysander Spooner, *No Treason*, No. 1 (Boston: privately printed, 1867), pp. 12–13.

thousand men from New York and New Jersey alone. The royal governors, then, kept very quiet about the stamp tax. As Governor William Franklin of New Jersey wrote his father, Benjamin, "For any man to set himself up as an advocate of the Stamp Act in the colonies is a mere piece of quixotism." The governors were not disposed to being quixotic.

But what of the British? Would they use an army to enforce the tax? It was clear that the scattered army in America, not yet up to authorized strength, would have to be supplemented by a new army sent from England. But English threats of cramming the stamps down American throats made Americans aware that they must be prepared to face such a challenge. Accordingly, the Sons of Liberty held meetings throughout the colonies during the winter of 1765–66 to proclaim the defiance of the citizens.

The meetings of the Sons of Liberty proclaimed views that were far more revolutionary than those of the colonial assemblies. The lead was taken by the Sons of Liberty of Windham at New London, Connecticut. This meeting, "of a large assembly of the respectable populace" of New London on December 10, frankly proclaimed an uncompromisingly revolutionary natural-rights position, namely,

That every form of government rightfully founded, originates from the consent of the people. . . .

That whenever those bounds [on government, set by the people] are exceeded, the people have a right to reassume the exercise of that authority, which by nature they had, before they delegated it to individuals. . . .

That every tax imposed upon English subjects without consent, is against the natural rights and the bounds prescribed by the English constitution.

The meeting concluded that it is the duty of every colonist to oppose execution of these invalid acts, and if necessary "to reassume their natural rights, and the authority the laws of nature and of God have vested them with." The New London meeting threatened every officer neglecting the peoples' trust with the peoples' resentment, and hoped for no ministerial preaching of any doctrine of passive obedience.

Connecticut saw the earliest and most fiery public meetings held by the Sons of Liberty, which was quickly emerging from its initially secret status. A meeting at Pomfret soon followed, and the citizens of Wallingford on January 13 promised to oppose the Stamp Act "to the last extremity, even to take the field." Sons of Liberty in other colonies were soon inspired to follow suit and similar meetings ensued during early 1766 in Providence; New York City, Oyster Bay, and Huntington in New York; New Brunswick, New Jersey; Cecil County, Maryland; Leedstown and Norfolk, Virginia; and Wilmington, North Carolina—all pledging resistance to the uttermost and "with our lives and fortunes." The eminent liberal Congregationalist divine, the Reverend Charles Chauncy, thundered that regardless of cost the colonists will continue

the fight from the interior against any British army of repression until the invaders have been driven into the sea. "Daughters of Liberty" arose, who swore to marry no one who was not willing to resist the Stamp Act "to the last extremity." Marylanders swore to "fight to the last drop of their blood," and armed resistance was deemed inevitable even in Quaker Philadelphia.

Advanced strategists among the Sons of Liberty realized that revolutionary armed conflict against a British force would require coordination among the rebels in all the colonies. To this end, they moved toward a union of the various Sons of Liberty organizations. Mock funeral processions for liberty appeared on November 1, 1765, in Sons of Liberty demonstrations in Portsmouth, Newport, Baltimore, and Wilmington, perhaps by coordination. But the first formal step toward unity took place in a December 25 meeting at New London, Connecticut. There two delegates of the New York Sons met with the Connecticut Sons and ratified an agreement of mutual military aid against any British armed attack. They also pledged attempts to seek similar agreements from the Sons of Liberty in all of the colonies.

For the next few months, correspondence flew back and forth between Sons organizations throughout the colonies, pledging mutual assistance and proposing boycotts against any colony that might submit to the Stamp Act. Colonel John Durkee and Colonel Israel Putnam of the Connecticut militia promised the aid of ten thousand well-armed men should New York be attacked by the British. Massachusetts and New Hampshire were also able to command an armed force totaling forty thousand. The two New York agents, in the meanwhile, proceeded to Boston, where they procured the allegiance of the Boston Sons to the mutual aid association. Boston soon wrote to Portsmouth and all the towns in Massachusetts urging them to join the Sons of Liberty association. The Providence Sons of Liberty sent out circular letters to other Sons pledging aid to any other harassed colonies. The Providence Sons pledged three thousand men to the cause and eagerly approved a union of the various Sons organizations throughout the colonies.

In early February, the New York Sons appointed a committee headed by John Lamb to correspond with all other Sons of Liberty for mutual aid, and with a view to wielding united action against a possible British attack. The Lamb committee corresponded with Sons organizations as far away as South Carolina. The South Carolina Sons, furthermore, pledged five hundred men to assist Georgians if necessary to get rid of their stamped paper. Connecticut soon organized a unified colonywide Sons of Liberty in a convention at Hartford on March 25, which called for an intercolonial association. This was followed by unified colonywide Sons organizations in Maryland and New Jersey. The New Jersey organization of a unified Sons of Liberty was the most elaborate. Each town was to elect delegates to a county convention, which would in turn select delegates for a convention of the colony. On both county and provincial levels, the Sons appointed committees of correspondence.

Sons of Liberty organizations also expanded throughout New York, especially in Albany, Huntington (which appointed a correspondence committee), Oyster Bay, and Fishkill. By March, the New York City Sons were in command of a sizable armed militia. Local organizations were also stimulated in all the other colonies by active and urgent correspondence from the New York, Boston, and Connecticut Sons. Only in Pennsylvania were the Sons of Liberty relatively weak, with no correspondence committee established and no firm response to the growing intercolonial revolutionary movement. Governor Penn reported in late March that though attempts by the British to enforce the Stamp Act would probably meet with united armed resistance from all the Sons of Liberty, traveling agents of the Sons had met little response in Pennsylvania. The cause of this weakness was admittedly the strength of the Franklin-Galloway Tory faction in Philadelphia and environs.

From committees of correspondence and mutual associations of aid, the next obvious step was a unified central Sons of Liberty organization for all the colonies. The first concrete proposal for such a union came from the New York City Sons, which on April 2 urged a "Congress" of the Sons "to form a general plan to be pursued by the whole. . . ." But there was no chance to weld such a unity, for soon the happy news arrived of the repeal of the Stamp Act.

Britain's choice to repeal staved off what undoubtedly would have been an American revolution in 1766. It is idle to speculate on what the result of such a revolution would have been, but it is very likely that the colonies would have been more united against the universally hated Stamp Act than they would be a decade later. On the other hand, since the focus was on just a single tax grievance, it would be far easier, as events later proved, for Britain to end the revolutionary resistance by simply repealing the tax.

There's more to this story.

Download entire collection at <http://www.mofirst.org/audio/index.php>