

# DISORDERS IN MASSACHUSETTS

Thomas Hutchinson (1711–1780), Governor of Massachusetts Bay  
to Wills Hill, Earl of Hillsborough, Baron Harwich (1718–1793),  
Secretary of State for the Colonies (1768–1772)

30 March 1771

The disorders in the colonies do not seem to have been caused by the defects in the forms or constitutions of government. They have not prevailed in proportion as one has been under a more popular form of government than another. They must be attributed to a cause, common to all the colonies—a loose, false, and absurd notion of the nature of government, spread by designing, artful men, setting bounds to the supreme authority, and admitting parts of the community, and even individuals, to judge when those bounds are exceeded, and to obey or disobey accordingly. These principles prevailing, there can be no interior force exerted, and disorder and confusion must be the effect; and when there is no apprehension of force from the supreme authority the effect is the same in the distinct parts as in the whole. Under these circumstances measures for reforming the constitution of any people will probably be ineffectual, and tend to increase their disorders. The colonies were under these circumstances when he wrote his first private letter. There was a general opinion prevailing that they could distress the kingdom by withdrawing their commerce from it, and that there was not the least danger of any compulsory measures. In this colony there was room to hope for a change of circumstances, but it was uncertain, and probably at a distance. They had just felt the shock of that most fortunate stroke which freed the Castle from any dependence upon the people, and kept the harbour and town of Boston under the command of the King's ships; but the effects did not appear. He was striving for a just decision in the case of the soldiers, and not without hope, but far from being certain of success. There was a prospect of the dissolution of the confederacies against importation, though several of the colonies appeared to be more resolute. There was also an expectation of a rupture between Great Britain and France or Spain, or both, which would tend to show the people their dependence on the kingdom, and the reasonableness of their submission to the supreme authority. He was not insensible of the peculiar defects in the constitution of this province, and he has complained of the Council as being under undue influence, and casting their weight into that scale which had much too great proportion before; but was doubtful himself, and there were others doubtful also, whether, while the body of the people continued in the state they were then in, councilors appointed by the Crown would dare to undertake the trust; or, if they should do it, whether the people in general would not refuse to submit to their authority; and he feared the consequences of either would more than countervail the advantages to arise merely from an alteration in the constitution. To this must be attributed the want of determination which appeared in his private letters, and not to any unwillingness to trust his Lordship with his real sentiments.

The change in the temper of the people has been brought about sooner, and to a greater degree, than anybody could expect; and they seem now to be as well prepared to receive such a change in the constitution as at any future time; or, if it should be deferred, they will probably remain in tolerably good order until such time as may be judged convenient, provided something is done in the meantime to discover the resentment of the kingdom against their avowed principles and practices, which shall give them cause to imagine that further measures are to be taken with them. Such resentment has been everywhere expected. If omitted, they will go back to their former disorders. That wise step of changing the garrison at the Castle began their cure. In the height of this confusion, a citadel upon Fort Hill seemed also to be necessary. Now thinks the same end is answered without it. It may, however, be proper for the King to have the actual possession of the spot, either by erecting a warehouse or magazine, or by making some kind of enclosure to restrain encroachments, and yet not prevent the inhabitants from using the place to walk and air themselves in; as they now frequently do. There is a vote of the town for selling it. Will watch their motions, and if anything further is attempted, will take public notice of it. If no further advances are made for securing good behaviour, there certainly will be no receding. To depart suddenly from what has been done at the Castle, etc., would be very dangerous. Every act of Parliament carried into execution in the colonies tends to strengthen government there. A firm persuasion that Parliament is determined at all events to maintain the supreme authority is all they want; few or none are so weak as to question the power to do it. If acts were passed more or less to control them every session, they would soon be familiarized to them; their erroneous opinions would die away, and peace and order would revive. An act to enable the King to alter the bounds of the province by his commission, the charter notwithstanding, by making the province of Maine and country east of it a distinct and separate province, and to annex or not, as His Majesty should think fit, New Hampshire to the Massachusetts, or to separate the country east of Penobscot and annex it to Nova Scotia, might either be kept as a rod over them or, if executed immediately, would show a just resentment against the province for countenancing the intrusions in the eastern country, whereby

the King's timber is exposed to waste and havoc, and would be a striking instance of the power and authority of Parliament. Gives his reasons for thinking that the act would be executed. Suggests that whenever the charter and case of the province comes under consideration, instead of expressly declaring that the power of electing councilors by the Assembly shall determine, the King should be enabled by his royal order of declaration to determine it, and to appoint a council instead, as he shall think proper. The late act permitting the issue of bills of credit at New York was extremely well adapted to maintain the authority of Parliament.

Makes application in behalf of Captain Phillips, the late commanding officer, who is by far the greatest sufferer of any belonging to the late garrison.

Is taking every measure, consistent with the honour of government, to reconcile civil and military, Whigs and Tories. They begin to be sensible that it must be a very bad constitution indeed which is not preferable to the savage state they have been in for some years past.

29 October 1771

Mr. Henry Barnes, who lately arrived from England, has requested him, the Governor, to cover a letter from him to his Lordship, and to represent his sufferings and services in the cause of government. Has not been made acquainted with the contents of the letter. Mr. Barnes has certainly suffered greatly by refusing to comply with the scheme of non-importation, and by his endeavours to support the authority of the magistrate; but in his solicitations for compensation he shows more impatience than could be wished. Is willing to attribute it to a mind chafed with his troubles, and impressed with a strong sense of his merit, which he supposes to exceed that of many others who have received the favours of government. He complains of his, the Governor's, neglecting him, in not particularly recommending his case when he went to England. Though he did not ask it, he yet concluded it had been done in the course of public correspondence. He, the Governor, transmitted an account of the incendiary letters, and would have been more particular had he been requested. Thought that for his general character, which is very good, he depended on Sir Francis Barnard, who held him in esteem, and to whom he was more particularly known. If there were anything in the province in his, the Governor's, disposal worth accepting, would give it him, but there is not.

Makes his grateful acknowledgments to his Lordship for H.M.'s warrant to the Commissioners of the Customs for the payment of his salary. The fund on which the warrant is charged would rise to a very large sum if the illicit trade with Holland could be prevented.

The consumption of tea in America exceeds what anybody in England imagines. Some suppose five-sixths of the consumption in the last two years has been smuggled, and in Philadelphia and New York it is judged nine-tenths. The traders make such an extravagant profit that it will require more frequent seizures to discourage them than there is any reason to hope for. If the India Company had continued the sale of their teas at *2s 2d* to *2s 4d*, as they sold them two years ago, the Dutch trade would have been over by this time; but now that teas are *3s* and upwards in England, the illicit trader can afford to lose one chest in three, whereas not one in a hundred has been seized. The custom-house officers on shore have strong inducements to do their duty, being entitled to a proportion of one-third or more, but they are really afraid of the rage of the people. The sea officers have of late been more active, and Admiral Montague appears disposed to keep out his cruisers. Doubts, however, whether this trade will ever be discouraged in any other way than by reducing the price in England to the exporter very near the price it is at in Holland. For want of this, the revenue has lost, the last and present years, at least £60.000 sterling from the *3d* duty only. Believes the cruisers are capable of doing more. Suggests that a greater proportion is necessary for the particular officer who makes the seizure under a commission from the Customs than what he is now entitled to. Has discovered, when he has sworn some of the Navy officers to qualify them for their commissions from the Customs, a great indifference and disinclination to make themselves obnoxious to the people without any great advantage to themselves.

29 October 1771

In reply to his Lordship's private letter of 30 May, not received till he had closed his letter of 25 August. Now submits an estimate of the consumption of Bohea tea in America. The two towns of Boston and Charlestown consume a chest, or about 340 lbs., per day. The towns are not more than one-eighth, perhaps not more than one-tenth of the province. Suppose they consume only 300 chests in the year, and allow that they are one-eighth, it will make 2,400 chests for the whole province. This is much short, for in the country towns there is much more tea drunk in proportion than at Boston. This province is not one-eighth part of the colonies; and in other governments, New York especially, they consume tea in much greater proportion. If it be one-eighth, the whole continent consumes 19,200 chests, which at £4 per chest, the *3d* duty only, amounts to £76,800. But the computation is short in every part. In New York they import scarce any other than Dutch teas. In Rhode Island and Pennsylvania it is little better.

In this province the Dutch traders are increasing. Has frequent information of large quantities when too late; and sometimes such persons are concerned as he thought could not have been capable of countenancing perjury or fraud. Cannot help repeating that unless the East India Company bring the price of tea so near to the price in Holland as to make the profit of importing from thence not equal to the risk, there will scarce be any imported from England. The acting collector at Falmouth, in Casco Bay, acknowledged it to be true that the Acts of Trade were broken every day in his district, but said the officers on shore could not prevent it. He suggested that the only way to prevent it was to increase the number of small schooners, and to keep one or more constantly cruising in the bay, rigged and fitted like schooners. "We have not virtue enough to become obnoxious to the people merely from a sense of duty." It seems, therefore, best to have one officer only in each vessel with a commission from the Customs, and he to have the command, and to be entitled to all but the King's half of the forfeiture; which would give him a good chance of making a small fortune. There does not seem to be the same reason for sharing any part among the crew or other officers as in cases of prizes taken in war, where all their lives are exposed; for in the present case there is no danger of resistance to an armed vessel, seeing that all the smugglers are themselves unarmed and depend entirely on concealment.

G.B. Perrett, *A Constitution in the Making (1660–1714)* (1912):23–29.