

NEW JERSEY IN THE AMERICAN REVOLUTION

for the sole and express Purpose of raising a Revenue: This is a Taxation upon them, from which they conceive they ought to be protected, by that acknowledged Principles of the Constitution, that Freemen cannot be legally taxed but by themselves, or by their Representatives; and that they are represented in Parliament, they not only cannot allow, but are convinced, that from their local Circumstances they never can be.

Very far is it from our Intention, to deny our Subordination to that august Body, or our Dependance on the Kingdom of Great-Britain; in these Connections, and in the Settlement of our Liberties, under the auspicious Influence of your royal House, we know that our Happiness consists; and therefore, to confine those Connections, and to strengthen this Settlement, is at once our Interest, Duty, and Delight: Nor do we apprehend, that it lies within our Power, by any Means more effectually to promote these great Purposes, than by zealously striving to preserve in perfect Vigour, those sacred Rights and Liberties, under the inspiring Sanction of which, inconceivable Difficulties and Dangers opposing, this Colony has been rescued from the rudest State of Nature, converted into a populous, flourishing and valuable Territory; and has contributed in a very considerable Degree, to the Welfare of Great-Britain.

Most Gracious Sovereign,

The incessant Exertion of your truly royal cares, to procure your People a Prosperity equal to your Love of them, encourages us with all Humility to pray, that your Majesty's Clemency will be graciously pleased to take into Consideration our unhappy Circumstances; and to afford us such Relief, as your Majesty's Wisdom shall judge to be most proper.

By order of the House
CORTLANDT SKINNER Speaker

5 Governor William Franklin to Lord Hillsborough

[*NJA*, 10:69-70.]

William Franklin (1730-1813), natural son of the famous Benjamin Franklin, served as governor of New Jersey from 1763 to 1776. Wills Hill, the Earl of Hillsborough, became the first secretary of the newly created American Department charged with superintending the affairs of the colonies early in 1768. Franklin is writing in response to Hillsborough's charge that he had flagrantly disobeyed orders in not preventing (by dissolution if necessary) the assembly from considering the Massachusetts circular letter of February 11 that called for united protest against the Townshend duties. The governor pointed out in the course of a lengthy rebuttal, of which this text is an excerpt, that he did not

II TAXES AND TROOPS

receive Hillsborough's instructions on the matter until the legislative session had concluded, that he had no prior knowledge of the assembly's action, that the conduct of the New Jersey house was in keeping with that of the other provincial assemblies, and that the secretary of state was either badly misinformed about or ignorant of American affairs. The protest movement was a tremendous strain on William Franklin. As governor he was obliged to enforce the law and uphold royal authority, but he personally disapproved of many imperial measures (such as the Stamp Act) and genuinely desired to promote the welfare of New Jersey. Faced with serving two rival masters—the crown and the colony—Franklin could never fully satisfy both.

Burlington New Jersey Novr. 23d 1768

My Lord,

... My Motive in giving your Lordship so particular an account of the Transactions of the Assemblies of New York and Pennsylvania, is not to palliate or justify the Conduct of the Assembly of New Jersey, but merely to shew that they have not been singular on the occasion, and that even the Colonies which his Majesty thought had set them an Example to the contrary, had acted in a manner nearly similar. Indeed I think it my Duty to assure your Lordship, while I am on this Subject, that it is my firm Opinion, That there is scarce an Assembly man in America, but what either believes that the Parliament has not a Right to impose Taxes for the Purposes of a Revenue in America, or thinks that it is contrary to Justice, Equity and Sound Policy to exercise that Right, under the present Circumstances of the Colonies, supposing it ever so unquestionable.

The Disputes between Great Britain and her Colonies on this Head are of the utmost Importance to the British Interest, and tho' they have now subsisted for several years seem not the nearer being settled. The Parliament, it is true, did by an Act passed in the 6th year of his present Majesty, declare that they had full Power & Authority to make Laws binding upon the Colonies in all Cases, whatever;¹ and this Act, tho' it was far from satisfying the Minds of the Colonists as to the Point of Right, yet they in general quietly acquiesc'd in it, upon a Supposition that the Parliament would be contented with having made that Declaration of their Power, and never attempt to exercise it more in raising a Revenue within the Colonies. But when an Act passed last year "for granting certain Duties in the Colonies & Plantations in America,"² it immediately rekindled the Flame that had subsided from the Time of the Stamp Act, and has occasioned as general Dissatisfaction and Uneasiness as ever prevailed among any People. A Military Force has been sent over, which I believe, will have the good Effect to prevent such scandalous Riots, and Attacks on the Officers of Government, as had before prevail'd in the Town of Boston, and probably be a Means of hind[e]ring (for some Time at least) any public Opposition being given to the Execution of Acts of Parliament.³ But this does not remove the principal Difficulty. Mens Minds are sour'd, a sullen Discontent prevails, and, in my Opinion, no Force on Earth is sufficient to make the Assemblies acknowledge, by any Acts of theirs, that the Parliament has a Right to impose Taxes on America. And tho' the People may, for a while, avoid publicly opposing Duties and Taxes laid on them by Great Britain, yet I apprehend that, as long as this Temper continues, they

NEW JERSEY IN THE AMERICAN REVOLUTION

will do all in their Power, in their private Capacities, to prevent the consumption of British Manufactures in the Colonies, that the Mother Country may thereby lose more in her Commerce than she can possibly gain by way of Revenue. . . .

I have the Honor to be, with the greatest Respect,
My Lord, Your Lordship's
most obedient & most humble Servant
WM. FRANKLIN

1. The Declaratory Act of 1766.
2. The Townshend duties.
3. On October 1, 1768, two regiments of infantry with artillery arrived in Boston to aid civil authorities in quelling the growing disorders.

6 Residents of Gloucester County to Robert Friend Price and John Hinchman

[New Jersey Miscellaneous Manuscripts, 336, Frank L. Stewart Collection,
Glassboro State College Learning Resource Center.]

The tendency for constituents to "instruct" their elected representatives on imperial affairs indicates the intensity of popular opposition to the Townshend duties and the degree to which the people looked to the legislature for leadership in protesting the exactions. (The assembly did not act on this appeal; it was not a petition to the house but "instructions" to legislators.) Such action on the part of residents of Gloucester County is especially revealing because of the predominance of Quakers in the area, a group that theoretically shunned active involvement in secular contentions. Robert Friend Price of Gloucester Town was the foremost political figure in the county prior to the Revolution. Besides representing Gloucester in the assembly from 1761 to 1776, he held the posts of justice of the peace, high sheriff, and judge of the county court of oyer and terminer. Although he was conspicuous in the extralegal protest movement prior to 1776, he balked at independence and charted a neutral political course with the onset of the Revolution. John Hinchman, like Price, was a wealthy landowner and a member of the Society of Friends. A member of the Council of Proprietors of West Jersey, he likewise served as high sheriff, justice of the peace, judge of the county court of quarter sessions, and assemblyman from 1769 to the Revolution. He, too, was initially active in the popular movement, but became a Loyalist in the spring of 1776.