CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

PRELIMINARY REMARKS,

OR

HISTORICAL ESSAY.

Some account of the Thirteen Colonies, and of the state of Political Parties at the commencement of the Revolution, may form a very proper Introduction to the Biographical Notices of some of those, who, born and educated Colonists, preferred to live and die in allegiance to the British Crown.

The thoughts and deductions, which I shall present, are essentially my own, and I shall address the reader directly and without reserve. Many things which are necessary to a right understanding of the revolutionary controversy, have been, as I conceive, wholly omitted, or only partially and obscurely stated. It has been common, for example, to insist that questions of "Taxation," that points of "Abstract Liberty," produced the momentous struggle, which resulted in dismembering the British empire. To me, the documentary history, the state-papers of the period, teach nothing more clearly than this, namely, that almost every matter brought into discussion was *practical*, and in some form or other related to LABOR, to some branch of COMMON INDUSTRY. Our fathers did indeed, in their appeals to the people, embody their opposition to the Colonial System, or form of government, in one expressive term — "Taxation" — "Taxation without

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

Representation." But whoever has examined the acts of Parliament which were resisted, has found that nearly all of them inhibited Labor. There were no less than twenty-nine laws, which restricted and bound down Colonial industry. Neither of these laws touched so much as the "south-west side of a hair" of an "abstraction," and hardly one of them, until the passage of the "Stamp Act," imposed a direct "Tax." They were aimed at the North, and England lost the affection of the mercantile and maritime classes of the northern Colonies, full a generation before she alienated the South. They forbade the use of water-falls, the erecting of machinery, of looms and spindles, and the working of wood and iron; they set the king's arrow upon trees that rotted in the forest; they shut out markets for boards and fish, and seized sugar and molasses, and the vessels in which these articles were carried; and they defined the limitless ocean as but a narrow pathway to such of the lands that it embosoms as wore the British flag. To me, then, the great object of the Revolution was to release LABOR from these restrictions. *Free*-laborers — inexcusable in this — began with sacking houses, overturning public offices, and emptying tar-barrels and pillow-cases upon the heads of those who were employed to enforce these oppressive acts of Parliament; and when the skill and high intellect which were enlisted in their cause, and which vainly strove to moderate their excess, failed to obtain a peaceable redress of the wrongs of which they complained, and were driven either to abandon the end in view, or to combine and wield their strength, men of all avocations rallied upon the field, and embarked upon the sea, to retire from neither until the very framework of the Colonial system was torn away, and every branch of industry could be pursued without fines, penalties, and imprisonment.

Such are the opinions, at least, which I have formed on the questions upon which, among the mass of the people, the contest hinged; which finally united persons of every employment in life in an endeavor to get rid of prohibitions, that remonstrance could not repeal, or even humanize. For a

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

higher or holier purpose than this, men have never expended their money, or poured out their life-blood in battle!

Leaving here this course of general remark, I propose to take a view of the revolutionary controversy, and of the state of parties, in each Colony separately and in course. And first in Massachusetts' Colony of Maine. Of the immense domains, embracing almost the half of our continent, which, in 1620, King James conferred upon those gentlemen of his court who, in popular language, are known as the "Council of Plymouth," Maine formed a part. Among the most distinguished members of this Council was Sir Ferdinando Gorges; to whom, and to John Mason, the Council, two years after the date of their own patent, conveyed all the lands and "fishings" between the rivers Merrimack and Sagadahock. Subsequently, and rapidly, other grants covered the same soil, and angry and endless contentions followed. But Gorges, bent on leaving his name in our annals, obtained of Charles the First a grant for himself, individually, of the territory between the Piscataqua and Sagahadock, and thence from the sea one hundred and twenty miles northward. These were the ancient limits of the "Province of Maine." Having now a sort of double title, Gorges might reasonably hope that his rights were perfect, and that he might pursue his plans without interruption. But Massachusetts, on the one hand, insisted that her boundaries were narrowed by the grants to Mason and himself; while the Council, on the other, with inexcusable carelessness or dishonesty, continued to alienate the very soil which he held, both from themselves and their common master. Thus he was harassed his life long, and went to his grave old and worn out with perplexities and the political sufferings and losses of a most troubled period. He was a soldier, and a tried friend of the Stuarts in their times of need, of which their reigns were full, and was plundered and imprisoned in their wars.

Thus, then, Maine was not founded by a Puritan. But after the death of Gorges, his son deemed his possessions in America of little or no worth, and took no pains to retain

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

them, or to carry out his designs; and his grandson, to whom his rights descended, gave to Massachusetts a full assignment and release for the insignificant consideration of twelve hundred and fifty pounds sterling; a sum less than one sixteenth of the amount which had been actually expended. By this purchase, however, Massachusetts acquired only a part of Maine as now constituted. France made pretensions to all that part lying east of the Penobscot, and the Duke of York to the part between the Penobscot and the Kennebec: nor was it until the reign of William and Mary, that disputes about boundaries were merged, and the St. Croix and Piscataqua became the acknowledged charter frontiers.

Soon after the bargain was made with Gorges's heir, Massachusetts lost her own charter; and it was not among the least of the causes of Charles's anger against her, that she had thwarted his design of procuring Maine for his natural son, the Duke of Monmouth. The newly acquired Province was thought valuable only for its forests of pine, and for the fisheries of its coasts. But Massachusetts had objects beyond cutting down trees and casting fishing lines. Her "presumption" in crossing the path of royalty has often been condemned. But the citizens of Maine cannot too often commend the indomitable spirit which she evinced in her struggle to root out Gorges and the Cavaliers or Monarchists of his planting, and to put in their place the humbler but purer Roundheads or Puritans of her own kindred. Had she faltered, when dukes and lords signed parchments that conveyed away soil which she claimed; had she not sought to push her sovereignty over men and territories not originally her own; had she not broken down French seigniories and English feoffdoms, Maine, east of Gorges' eastern boundary, might have continued a part of the British empire to this hour. This opinion is given considerately, and not to round out a period. And whoever will consult the diplomacy of 1783, will learn that, *even as it was*, the British Commissioners contended that the Kennebec should divide the thirteen states from the colonies which had remained true to the crown.

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

Yet fishing and lumbering continued to be the two great branches of industry in Maine, until the Revolution. The new charter, procured of William and Mary, confirmed Massachusetts in her acquisitions east of the Piscataqua; but it contained several restrictions which bore hard upon both of these interests. The most prominent I shall briefly notice, because they had a direct influence in the formation of political parties. And first, that instrument provided, that all pine trees, of the diameter of twenty-four inches at more than a foot from the ground, on lands not granted to private persons, should be reserved for masts for the royal navy; and that, for cutting down any such tree without special leave, the offender should forfeit one hundred pounds sterling. This stipulation was the source of ceaseless disquiet, and it introduced, to guard the forests from depredation, an officer called the "Surveyor General of the King's Woods." Between this functionary, who enjoyed a high salary, considerable perquisites, and great power, and the lumberers, there was no love. The officials of the day, who were now of royal appointment, and not, as under the *first* charter, elected by the people, generally ranged themselves on the side of the surveyors, their deputies and menials; while the House of Representatives, as commonly, opposed their doings, and countenanced the popular clamors against them. Nor were the controversies, caused by the efforts of the surveyors to preserve spars for the royal navy, confined to the halls of legislation in Massachusetts. For, besides these, and the frequent quarrels in the woods and at the saw-mills, the disputes between the parties were carried to the Board of Trade in England. There seemed, indeed, in the judgment of several of the colonial governors, no way for them to please their royal master more, than by discoursing about the care which should be exercised over the "mast-trees," and about the severity with which the statute-book should provide against "trespassers." In a word, prerogative and the popular sentiment never agreed. Discussions about the forests of Maine, again and again ended in wrangles. Friendships were broken up, and enmities created for life. This is emphatically true of

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

Shute's administration, when Cooke, the Counsellor of Sagadahock, and the champion of the "fierce democracy"—as his father had been before him—involved the whole government of Massachusetts in disputes, which, in the end, drove the Governor home to England. And so, subsequently, a forged letter, probably written by "trespassers" or their friends to Sir Charles Wager, first lord of the Admiralty, charging Governor Belcher with conniving with depredators, though seemingly aiding the king's surveyor,—that "Irish dog of a Dunbar,"—did its intended work. Shirley, Belcher's successor, when he pressed upon the House the necessity of farther enactments to protect the masts and spars for the royal navy, and to punish those who obstructed or annoyed the royal agents, was tartly told in substance, by that body: "Our laws are sufficient; *we* have done our duty in passing them; let the crown officers do *their* duty in enforcing them." Hutchinson, for a like call upon the House, was in like manner reminded, in terms hardly more civil, that there were already charter and statute penalties for "trespassers," a surveyor general and deputies, and courts of law; and that, provided with these, he must look to the pines "twenty-four inches in diameter, upwards of twelve inches from the ground," for himself. The means for dealing with offenders, it must be confessed, were ample; the crown could try them in the Court of Admiralty, where there was no jury: upon conviction for a *common* trespass, a fine of £100 could be imposed; and for the additional misdeed of plundering the interdicted trees under a painted or disguised face, twenty lashes could be laid on the culprit's back; while, more than all, convictions could be had on *probable* guilt, unless the accused would, on oath, declare his innocence.

But there was no such thing as executing these laws, when it was the popular impression, that the woods were "the gifts as well as the growth of nature;" and that the king's right to them was merely "nominal," at the most. The provision of the charter was both unwise and unjust. To reserve to the crown a thousand times as many trees as it could ever require,

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

and to allow all to decay that were not actually used, was absurd. Men of the most limited capacity saw and felt this; and to wean them from a power which insisted, in spite of all remonstrance, in enforcing the absurdity, was an easy task. And we can readily imagine, what indeed is true, that the woodmen of Maine, when rid, by the Revolution, of the presence of surveyor generals and their deputies, exulted as heartily as did the peasants of France, when the outbreak there abolished forest laws somewhat dissimilar, but equally obnoxious.

Again. The action of Parliament with regard to taxing lumber, admitting it free, or even encouraging its exportation, by bounties, was eagerly watched. The mother country pursued all of these courses at different times, and gave dissatisfaction, or created discontent, among the getters and dealers in the article, as changes occurred in her policy; just as she does now, with those Colonial possessions which yet remain to her. The "mast-ships" at the North, like the "tobacco-ships" at the South, were the common, and oftentimes the only, means for crossing the ocean; and royal governors and other high personages were occasionally compelled to embark in them. In these clumsy, ill-shapen vessels, also went ladies and lovers to visit friends in that distant land, which some Americans yet call "home." Merchandise, fashions, and the last novel had a slow voyage back; but men and maidens were models of patience, and the arrival of the eleven weeks "mast-er" gave as much joy when all was safe, as does the eleven days steamer now. In port, while loading, the "mast-ships" were objects of interest, and their decks and cabins the scenes of hilarity and mirth. We read of illuminations, and firings of cannon, of frolics and feasts.

The mast-trade was confined to England; and the transportation of spars thither, and of the sawed and shaved woods required by the planter, to islands in the West Indies possessed by the British crown, were about the only *lawful* modes of exporting lumber for a long period. By the statute book, the "king's mark" was as much to be dreaded by the mariner and

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

the owner of the vessel, as by the "logger" and the "millman." But the revenue officers caused less fear than the surveyors of the woods, until fleets and armies were employed to aid them; when the interdicted trade with the French and Spanish islands, which had been carried on by a sort of prescriptive right, was nearly, if not entirely, broken up. No enactments of the mother country operated to keep down Northern industry so effectually, poorly as they were obeyed, as the navigation and trade laws; and on none did they bear more severely than on that portion of the people, whose position or necessities left them no choice of employments. There were some, nor were they few, who were obliged to plunder the forests, and to work up trees into marketable shapes, or starve. Included with these inhabitants of Maine, were those who lived upon the coasts — the mariners, and the fishermen. The interests of all these classes were identical; and to them the maritime policy of the government of England was cruel in the extreme; since it robbed unremitting toil of half of its reward. Lumber and fish were inseparable companions in every adventure to the islands in the Caribbean sea. Enterprises to get either were hazardous, at the best; and, as practical men can readily perceive, all who engaged in obtaining them, were obliged then, as they are now, to seek *different* markets; so that to shut *some* marts, when access to *all*, would barely remunerate the adventurers, was, in effect, to close the whole. These employments were, as they still are, among the most difficult and severe in the whole round of human pursuits; and attempts to alleviate the burdens of parliamentary legislation upon both were made in Massachusetts, long before a whisper of discontent was elsewhere uttered in America. The discussions in that Colony, in behalf of her citizens at home and of those in Maine, who were engaged in getting and transporting the products of the forest and of the sea, though commenced without reference to separation from the mother country, took fast hold of the public mind. When, then, Otis at length spoke out, thousands who never heard or read his reasonings, and might not have felt their force, if they had, were

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

ready, at the first call, to clear the woods, and docks, and warehouses, and decks of vessels of the "swarms of officers" who "harassed" them, and "eat out their substance."

The troubles which I have now enumerated, the disputes which grew out of the question, whether, as the territories purchased of Gorges had never reverted to the crown, the surveyor general's duty did, in fact, require him to mark and protect the mast-trees within its limits, and especially the charter inhibition of grants east of the Kennebec without the king's consent, kept out settlers, held titles in suspense, and were sufficient not only to alienate the affections of the people from the British crown, but to confine them to a narrow belt of country.

Thus, as far down as 1719, no man of the Saxon race had a habitation from Georgetown to Annapolis. Fifteen years later, there were no more than nine thousand persons of European origin between the Piscataqua and the St. Croix, and thence northerly to the dividing and disputed "highlands," where royalty last contended for the soil of Maine. In truth, not a grant was made beyond the Penobscot before the year 1762; and Machias, though the oldest town on the French claim, was not alienated prior to 1770, and had no corporate existence until after the close of the Revolution.

The general state of the Colony, as the controversy came to a crisis, may be summed up thus. The whole number of inhabitants was about equal to the present population of the cities of Portland and Bangor. The Supreme Court held one term at Falmouth — now Portland — and one at York, annually. There were ten representatives to the General Court, none of whom lived east of Brunswick or the Androscoggin river. The number of clergymen was thirty-four. The six counsellors or barristers at law, were William Cushing, James Sullivan, David Sewall, Theophilus Bradbury, Caleb Emery, and David Wyer; all of whom were Whigs, except the last. Of incorporated towns, there were twenty-five. The only custom-house was at Falmouth. The patronage of the crown was confined to the officers of the revenue, to a corps of civil

© in this web service Cambridge University Press www.cambridge.org

CAMBRIDGE

Cambridge University Press
978-1-108-04517-9 - The American Loyalists: Or, Biographical Sketches of Adherents to the British Crown in the War of the Revolution
Lorenzo Sabine
Excerpt
More information

functionaries by no means numerous, to a surveyor of the king's forests and his deputies.

As may be supposed, the body of the people were Whigs. Still, Maine had a considerable number of Loyalists or Tories. To afford them a place of refuge and protection, was the principal object, as I have been led to conclude, of establishing a military post at the mouth of the Penobscot. The descendants of Loyalists who found shelter in the garrison at Castine, represent that it was thronged with adherents of the crown and their families; and after the disgraceful discomfiture of Saltonstall and Lovell, they were left in undisturbed quiet during the remainder of the war. The names of all the Tories of Maine, who were proscribed and banished under the act of Massachusetts, as well as many others, will be found in their proper connexions.

It has been a matter of some dispute, as to when, where, and by whom, the great drama of the Revolution was opened upon the sea, and it may not be amiss to state, that the honor belongs, beyond all reasonable doubt, to the "loggers" and "sawyers" of the ancient "Mechisses," now Machias, Maine. Soon after the affair at Lexington, these prompt and hardy Whigs captured in their own waters the king's armed schooner, the "Margranetto," mounting four guns and fourteen swivels. They were themselves armed with such weapons as were within reach, among which were tools of their calling. The action was bloody; and about twenty of their own and the vanquished party were killed and wounded. They received the thanks of the Provincial Congress, and commissions to cruise and capture under their authority.

The patriotic spirit evinced by the same classes, may be further illustrated by the fact, that the inhabitants of some towns, though destitute of money, voted quantities of shingles and clap-boards in town-meeting, for the purchase of stocks of ammunition. And in conclusion, it may be remarked, that, as Falmouth was the seat of the "mast-trade," so its destruction in the autumn of 1775, grew out of matters directly connected with its chief business.

© in this web service Cambridge University Press www.cambridge.org