

NEW LIGHT ON THE BOSTON MASSACRE

BY RANDOLPH G. ADAMS

"I HAVE the honor to send by express to your Excellency, some very extraordinary events that have taken place here within these few days." Thus did the commanding officer of the British force stationed in Boston notify his commander in chief of the affair that happened in King street on the night of March 5, 1770. That commander in chief was Major General Thomas Gage, whose headquarters were at New York. To him every British detachment in America, from Canada to Florida, and from Massachusetts to Illinois, had to make reports. There is reason to say that General Gage was also much more than this, for the office of commander in chief had been developing into such a position that the incumbent might be called the principal representative of the British Empire in North America. The details of the "massacre" were relayed to Gage by the commander of the force, Lieutenant Colonel Dalrymple; by the officer in whose regiment was the squad of soldiers who fired the fatal shots, Lieutenant Colonel Carr; by the officer of the day, Captain Preston; and by the chief civil magistrate of the province, Lieutenant Governor Thomas Hutchinson.¹

The literature of the Boston massacre begins with the very effective efforts of the people of Boston, in town meeting assembled, to throw the blame for the whole affair upon the British. Even in 1770, the Americans exhibited their ability to get there first with the most columns of type. Besides the newspaper

¹C. E. Carter, *The correspondence of General Thomas Gage*, New Haven, 1931, I, introduction.

accounts,¹ there quickly appeared a book, from the press of Messrs. Edes and Gill, entitled *A short narrative of the horrid massacre in Boston*, which was promptly reprinted in two editions in London. This is, naturally, an *ex parte* statement by the Boston town meeting, and includes ninety-six depositions or affidavits by townspeople, ninety-four of which tend to show that the British soldiers were in the wrong. Of the other two, one is Dr. Church's preliminary post-mortem on Crispus Attucks, and the other, which tends to favor the British, is negated by a footnote explaining that the deponent was a paid hireling of the customs commissioners, and besides that, he was a notorious liar.²

So the first news of the massacre was given to the world in a somewhat one-sided fashion, and it was followed by a number of pamphlets and dispatches to London, which were to much the same effect.³ In December of 1770, after action of the civil court, there appeared a volume entitled *The trial of William Wemms, James Hartegan, William M'Cauley, Hugh White, Matthew Killroy, William Warren, John Carrol, and Hugh Montgomery . . . taken in short-hand by John Hodgson, and published by permission of the Court.*⁴

¹The *Boston Chronicle* and the *Massachusetts Gazette or the Boston weekly News-Letter* reported the massacre on the 8th; the *Boston-Gazette* and *Boston Evening Post* did not appear until the 12th. A broadside was also issued on the 12th, see Ford No. 1510.

²Edes & Gill ed., two issues, Sabin 80668-9; Philadelphia, Robert Bell ed., Sabin 80670 (does it exist—the new Philadelphia Union Catalogue reports no copy); London, Bingley ed., Sabin 80671; London, Dillely ed., Sabin 80672. All are 1770. There were twenty-six affidavits from people in Boston at the time which tend to exonerate the soldiers. These do not appear in any American edition of the *Narrative*. But they were added as an appendix to *A fair account of the late unhappy disturbance*, London, 1770, which calls attention to the fact that they were omitted from the *Narrative*, and numbers them beginning with "No. 97"—there having been 96 such affidavits in the *Narrative*. The manuscripts of these additional depositions are in the Gage Papers in the Clements Library, lacking Nos. 97, 98, 101, 104, 105, 112, 114, 121, 122, 123.

³The town meeting committee of Bowdoin, Pemberton and Warren prepared a petition to a score of prominent people in English public life. The copy, signed by all three, which went to the commander in chief of all the British armies, the Marquis of Granby, is in the Clements Library, dated Mar. 23, 1770; the signed copy which went to Lord Shelburne is in the Shelburne Papers in the Clements Library. Pamphlets included *Additional observations to a short narrative*, Boston, 1770; *A letter from the town of Boston*, Boston, 1770, reprints 54 of the depositions; and others.

⁴Boston ed., 1770, Sabin 32362; London ed., 1771, Sabin 96951; for later eds. in 1807 and 1824, see Sabin 96946 and note thereunder.

The result of that trial was a series of acquittals by which the British army was pretty well exonerated.

But the initial impression had been made, and first impressions are apt to be the most lasting. John Hancock and Joseph Warren were not the kind of men to neglect such an advantage, and so the anniversary of the massacre came to be the occasion for public orations, which kept alive resentment, and continued to inflame the passions of the people of Boston against the British until well after the Revolution itself was all over.¹ In 1849 another edition of the *Narrative*, with certain additions by Hancock, Samuel Adams and Warren was published, and in 1870, Joel Munsell of Albany got out the most complete reprint of both the *Narrative* and the *Trial*, with John Adams' account of the trial, which up to that time had never been published.

Thus the American version of the affair continued to be popular in this country until 1887, when the General Court of Massachusetts, in a burst of generous sentiment voted to erect a monument to the unfortunate victims of the massacre whom British brutality had left "wallowing in their gore" in King street, one hundred seventeen years before. Now we must remember that by 1887, although Massachusetts was still standing there, and still partial to her cod and bean diet, she was no longer the exclusive property of the Puritan. The Irishman and the negro had arrived. After all, an Irishman, Patrick Carr, and a mulatto, Crispus Attucks, had been among the victims of the massacre, and it was too much to expect that the Massachusetts legislature would fail to capitalize this century old affray in order to create sentiment in favor of home rule for Ireland, and of the abolition of the Jim Crow car in the south.

But if the soul of the Puritan was sore oppressed in

¹These addresses, all separately printed at the time, were conveniently gathered in *Orations delivered at the request of the inhabitants of the town of Boston to commemorate the evening of the fifth of March, 1770*, Boston, 1807.

the polling booths, it was still manifest in the hall of the Massachusetts Historical Society. At the May meeting in 1887, President Robert C. Winthrop called attention to the enactment of the legislature, providing for the erection of a monument to the "martyrs" of the Boston massacre. John H. Washburn then rose and expressed a feeling long harbored by the informed men of Massachusetts, that those who died in the Boston massacre were the victims of their own folly, and that the legislature was obviously more influenced by "negroes and the cheaper politicians than by educated men." This encouraged Andrew Peabody to state that the "so-called victims were the aggressors, and were killed by the soldiers in self-defence." Abner Goodell then warmed up and announced that a "monument to perpetuate the fame of rioters was preposterous," and Charles Deane regretted that "Thus the martyr's crown is placed upon the brow of the vulgar ruffian." The result was a resolution offered by William Everett, in which the Society decried the action of the General Court, and concluded

While greatly applauding the sentiment which erects memorials to the heroes and martyrs of our annals, the members of the Society believe that nothing but a misapprehension of the event styled the "Boston massacre" can lead to classifying these persons with those entitled to grateful recognition at public expense.

Although the opinion of "educated men" had no visible effect on the General Court of Massachusetts in this matter, yet it may be said that the tide of historical interpretation had turned.

Occasionally a new document was found, such as John Rowe's Diary or William Palfrey's letter, which the Massachusetts Historical Society published.¹ But the next serious assault on the traditional account came in 1893, when Paul Leicester Ford discussed the newly recovered Pelham-Copley correspondence in the *Atlantic Monthly* and raised doubts as to whether Paul

¹Mass. Hist. Soc., Proc., 2nd ser. III, 313-318.

Revere's name ought to be attached to the well-known print of the massacre. Henry Pelham's letter to Revere,¹ accusing the latter of plagiarism was published. It has always been impossible to reconcile Paul Revere's print with the facts brought out at the trial of the soldiers: Captain Preston, instead of waving his sword to encourage the shooting, was in fact trying to restrain his men. The soldiers, instead of being lined up in an orderly rank firing a concerted volley, were, in fact, fighting individually against a savage assault of pieces of ice, brickbats and cudgels. Even the sign "Butcher's Hall" over the custom house was propaganda. When after a lapse of years, no one appeared to defend Revere against the charge of plagiarism and inaccuracy, Miss Louise P. Kellogg of the Wisconsin Historical Society summed up Revere's sins in such manner as has not yet been answered. As to the artistic merit of the print, perhaps the less said the better.

Since the last disillusionment on the general subject came out of the west, it may not be inappropriate to produce some additional data which throw light upon the despair, amounting almost to a panic, which existed in the councils of the British in Boston after the massacre. Hutchinson, the two lieutenant colonels, and the captain all turned with their troubles to the commander in chief at New York. Parenthetically, it may be repeated that the documents and archives which constituted the papers of the British headquarters from 1763 to 1775 were kept in the mansion of the Gage family at Firle Place, Lewes, Sussex, from 1776 until 1930. They were uncovered by Professor Clarence E. Carter, of Ohio. The bulk and the more important part of Gage's papers was never turned into the War Office, and hence are not today in

¹Mass. Hist. Soc., *Proc.*, 1862-3, 480-87. A curious example of thought transference appears in the general index to this series. The letter here referred to is addressed to John Wilkes, in London. The indexer calls him "Mr. Booth." For the Pelham-Revere controversy see Mass. Hist. Soc., *Proc.*, 2nd ser. VIII, 227-8 and L. P. Kellogg, "The Paul Revere print of the Boston massacre," *Wisconsin Magazine of History*, I, 337-87.

Chancery Lane. The Gage collection, with its twelve original pine chests recrossed the Atlantic in 1930 and may now be examined in Ann Arbor. A good notion of their contents and possibilities may be gained from Professor Carter's two stout volumes, which while they print 1200 pages, in small type, of some of Gage's correspondence with London, can do no more than indicate the existence of the mass of the Gage papers.¹

From the Gage-Hutchinson correspondence, it appears that immediately after the massacre, the lieutenant governor frankly admitted he had no power over the military, and very little power over anything else. He could not order Dalrymple to remove the troops from Boston. When Gage, sensing the danger in the situation, offered to move the troops not merely to Castle William, but entirely out of the province, Hutchinson was quick to protest he wanted no such thing. He confessed that he was alone in the province that he had neither effect nor influence over the people he had been appointed to administer, and that he would be helpless if the troops left him. He reported to Gage on the efforts of the townspeople to bring the prisoners to a speedy trial, and emphasized the fact that the funerals of the dead mobsters had been elaborate and attended by thousands of outraged Bostonians. He told of the efforts to intimidate and overawe the judiciary, and of his success in getting the trials postponed. This delay was of real value, because when the trials did not come on by the end of the May term, 1770, it was possible to get reports through to London and receive instructions from there as well as from New York. By July Hutchinson was able to report that he had received express orders from His Majesty that in the event the soldiers were convicted, they should be reprieved immediately, pending a pardon from the King. Throughout the trying period,

¹C. E. Carter, "Notes on the Lord Gage collection of manuscripts," *Miss. Vall. Hist. Rev.*, XV, 511-19. The collection was bought en bloc for the William L. Clements Library at the University of Michigan.

from March until December, 1770, the lieutenant governor's position was pathetic, and Dalrymple said of him

I do not believe he will act either by advice or otherwise in any military affair, but will rather chuse to remain behind the Curtain, he has no earthly weight or power here, a proposal coming from him would be for that reason sure to miscarry . . .

Hutchinson was so afraid that his very communications with Gage should become known in Boston, that, upon occasion, he asked Gage to transcribe his dispatches in another hand and burn the originals.

Lieutenant Colonel Carr of the offending 29th regiment wrote but one letter to Gage in which he minimizes the whole affair as a "scuffle," and affirms his belief that Captain Preston did not give any orders to his men to fire, but that he did everything in his power to prevent the mischief.

The ranking officer, Lieutenant Colonel Dalrymple, maintained a long and worried correspondence with Gage through the whole of the ten months succeeding the massacre. Dalrymple's letters, while they do not exactly mark him as a graduate of Balliol College, are full and informative. He seemed hurt that since the regiments had been ordered to Massachusetts at the request of the government of that province, the people should be so rude to his men. If the province did not want the soldiers, they should be removed, but he could not act without the orders of the commander in chief, and besides that, Castle William was an utterly inadequate place for two regiments with their women and children. He never lost sight of the fact that he was responsible for a detachment of British soldiers and that it was his job to take care of them. He was outraged, as Gage was indignant, at the conduct of the American press, but that was not the first time, nor is it the last, that Britons have failed to comprehend the American thirst for publicity in whatever garbled or exaggerated form.

Dalrymple seems to have been convinced that there existed an organization in the colony which was bent on armed resistance to the King's troops, and that at the time of the massacre, thousands of armed men were already en route from Cambridge, Roxbury, Dedham, Dorchester and other nearby towns. He reported that his force consisted of but 600 men fit for duty as against at least 4000 Americans actually on the ground. When the removal of the regiments necessitated vacating the barracks in Boston, he was left in the embarrassing position of not knowing whether he should renew the leases on the quarters which the soldiers had occupied. This may seem like a trifle, but only to the historian who has never served in the army. It may be said with some justice that a detachment commander, when many days distant from the general headquarters, is always in danger of finding his best judgment reversed by a superior officer, whose lack of familiarity with a local situation leads him to interpret it in terms of the routine garrison requirements, instead of in the light of an emergency the seriousness of which he does not realize. Dalrymple's letters do not enable us to establish who fired the first shot, but they do give an insight into the mentality of the professional army man, and the multitude of problems which arise when someone, even accidentally, fires a gun at a mob. In such situations, it makes no difference where the right may lie, the consequences are apt to be far-reaching and disastrous. We need not agree with Daniel Webster that the severance of the British Empire dates from the Boston massacre, but there can be no doubt that the bloodshed was never forgotten, no matter how much the Americans may have been in the wrong.

Captain Preston's letters to Gage constitute the reports of an eye-witness. He says he went to the scene of the disturbance solely to prevent and not to cause, what occurred. There seems to be reason to doubt this. In his letter of August 6, 1770, written from the Boston jail, he explains his distressed con-

dition and how his witnesses are being spirited away or intimidated into silence.

In his first dispatch to Gage, two weeks after the massacre, Preston had evidently enclosed a copy of his own "narrative," which was so explicit in its criticism of the people of Boston that Gage tried to suppress it. Evidently he did not succeed in doing so, for a copy got to England and appeared in the *London Public Advertiser* for April 28, 1770. When that paper got back to Boston, the townspeople were further outraged, and tried to get Preston into another newspaper controversy. Gage commends Preston for avoiding this, and for his refusal to answer the further inquisitions of the citizens. It would seem that Gage still had misgivings as to Preston's guilt, for he counsels the Captain, even though he did order the soldiers to fire, to rely upon the right of self defense as his justification.

Gage had received instructions from Lord Hillsborough, in London, apprising him that it was the King's pleasure that the expenses of the Captain's trial be authorized from public funds. In October, Lords North and Hillsborough agreed that this should not appear on a public account, and therefore, Gage was advised, the King was paying the bills himself.

The published *Trial* begins with the indictment, which includes Preston as well as the seven enlisted men. But on the second page, Preston drops out of the record and never reappears. The truth is that Preston had a separate trial, which began on October 24th, and ended with his acquittal on October 30th, 1770. Since the report of Preston's trial was not taken down, it was never published. He himself explains this by saying there was only one man available who could take short-hand, and he had neither the room to work in the crowded court room, nor the strength, since he was worn out by taking depositions. Therefore Preston's letter to Gage, describing the trial, becomes a document of some interest.

In view of the fact that John Adams and Josiah Quincy have been given a good deal of credit for defending the accused soldiers, Preston's comment on Auchmuty as his most effective counsel is a matter of at least passing interest. Immediately after the verdict, efforts were made to bring new actions against the Captain, based on civil suits for damages on behalf of the deceased. But Colonel Dalrymple handled this by placing the Captain at once in Castle William, with the troops, where the process servers could not reach him. Preston then stood by to help manage the trial of the soldiers, and expend whatever was necessary in their behalf. Upon this point it is apparent that he did not intend to be economical.

Gage was naturally pleased at the vindication of Preston and was prepared to do everything possible to help the Captain against that type of public opinion which always materializes in England to smite the British officer who has, while acting in line of duty, become involved in a disaster for which he was in no way responsible. There is no nation more generous than Britain in rewarding the public services of the man who succeeds, but it sometimes seems as though there were no nation more cruel toward its own public servants, who through no fault of their own have got into trouble while performing their duty. Gage understood his countrymen well enough in this regard, and likewise had a notion of the strong opposition to the ministerial policy which had been developing in England ever since the Stamp Act. Preston was sure to find as many enemies in England as he had made for himself in America. Gage knew all this and proposed to help the Captain over the hard times ahead. He seems to have taken a leaf from the Yankee notebook when he advised Preston to gather up all the papers in the case, take them home and sell them to an English publisher.

On November 27th the second trial began, that of the enlisted men. It continued until December 5th, and

on the 6th, Preston reported to Gage the well known outcome,—that five of the soldiers were acquitted, while two were convicted of manslaughter, from the punishment for which they escaped by pleading their clergy.

The final document in Gage's files relating to the massacre is an itemized memorandum headed "Sums expended in the defence of Capt. Thos. Preston, Corpl. Willm. Wemyss, & 7 Private men."

While it is no doubt true that John Adams took Preston's case for a guinea retainer, it is worth noticing that the lawyers for the defense got ten guineas among them as retainers for the Captain's trial, and another ten guineas for that of soldiers. In addition, the "barristers," Adams, Quincy, Blowers, and Auchmuty had a chance to share a fee of £105.

In presenting these documents for publication, there is no intent to debunk history any further. In 1900, the late Samuel Abbott Green read a paper before the American Antiquarian Society, in which he veered back to the old interpretation of the event, and indicated his disapproval of the conduct of the Massachusetts Historical Society in 1887.¹ A more pertinent document however, is a letter written to the librarian of the Antiquarian Society, Samuel F. Haven, more than sixty years ago. It has nothing to do with the Boston Massacre. George Brinley, of Hartford, had just received one of Dr. Haven's latest works. In acknowledgment, he wrote to the author

I hesitated twice about opening it. Before I removed the wrappers, I said "Here is something more from the 'New School of History'" which would prove Captain Kidd a martyr,—that Cotton Mather rather liked witches and Quakers, that Putnam was a coward and Tom Paine a saint.²

Verily, we have a "new school of history" about every twenty years.

¹S. A. Green, "The Boston Massacre," *Proc. of the Amer. Antiq. Soc.*, XIV, 40-53. This is hardly a historical study; it is rather the philosophic comment of Dr. Green, at the age of 70, after a lifetime of reflection on all the sources of the story then available.

²George Brinley to S. F. Haven, May 24, 1869, in the Society's collections.

CORRESPONDENCE

BETWEEN THE BRITISH HEADQUARTERS AND THE CROWN REPRESENTATIVES IN BOSTON RELATIVE TO THE BOSTON MASSACRE, MARCH 6, 1770, TO DECEMBER 17, 1770.

NOTE: The letters, and parts of letters indicated but not printed here relate to three other topics: the removal of the regiments to Castle William, the gradual failure of the non-importation agreement, and the progress of political opinion in England. The omitted letters (titles and dates in italic) are listed to give some notion of the extent of Gage's correspondence in this period, as it will be a long time before all of Gage's papers are published.

HUTCHINSON TO GAGE

Boston 6 March 1770

SIR

I beg leave to refer you to Colonel Dalrymple for the particulars of a most unfortunate affair, which hapned the last Evening, so far as they relate to the Troops under his command. So far as they respect the Inhabitants and my own conduct, I must acquaint you that just before ten o'clock, the bells of the town were rung as is usual in case of fire, but I soon found there was another cause and one upon another came running to my house to inform me that, unless I went out immediately, the whole Town would be in arms and the most bloody scene would follow that had ever been known in America. I went immediately abroad, and met vast crowds of People running for their arms and prevailed on them to turn back and follow me to King street, promising them justice should be done. I found two persons killed a third mortally wounded since dead, a fourth dangerously wounded & a fifth, M^r Payne a Merchant of the Town, shot in his arm and the bone splintered as he stood at his door. The people were enraged to a very great degree and could not be pacified until I assured them immediate inquires should be made by the Civil Magistrate, which was done, and the body of them retired, about 100 only remaining until the examination was over which lasted till 3 or 4 o'Clock in the morning. I ordered a Council to be summoned to meet to day at 11 o'Clock. When I came to them I found the Select men and the Justices waiting

for me to represent that the Inhabitants had insisted upon a Town Meeting and that it would not be in their power to keep them under Restraint, if the Troops were not removed to the Barracks at the Castle. I told them this was not in my power. In a short time, I received a Message from the Town meeting, which I shall inclose The Committee consisted of the principal Inhabitants, several of them in plain terms declared, that they knew the people not only in this town but all the neighbouring towns were determined to unite and force the Troops out of the Town. I told them, that an attack upon the Kings Troops would be High Treason & every man concerned would forfeit his Life and Estate, but what I said had no Effect. Upon consulting the Council (Col^o Dalrymple & Col^o Carr being present) they expressed unanimously their desire, that the Regiments might be sent to the Castle. As the principal, if not all the quarrels, of the Inhabitants had been with the 29. Col^o Dalrymple so far yielded to their desire as to consent that the 29 should be quartered at the Castle and promised further that the 14 should be kept in the Barracks at Wheelwrights wharffe, and all occasions of difference with the Inhabitants prevented. This, the Committee of the Town were informed of and reported to the meeting but it proved not satisfactory and, in the afternoon a second Committee came to me in Council, Colonels Dalrymple & Carr and also Captain Caldwell of the Rose being then present, and laid before me another vote of the Town declaring they were not satisfied &c which vote I could not avoid asking the opinion of my Council upon. They, not only unanimously declared their opinion that it was absolutely necessary that the Troops should be in the Barracks at the Castle but most of them declared they had the greatest certainty that the Inhabitants of the Town and of the Towns of Charlestown & Cambridge Dedham Roxbury Dorchester &c would infallibly unite and, at all events, drive the Troops from the Town and that it would admit of no delay; they were sure the night which was coming on would be the most terrible that had ever been seen in America. Two of the Council from Charlestown & Dedham confirmed what had been said of the disposition of the people of those towns and every one, in the most earnest manner, pressed me to communicate their opinion

and advice in a formal way to Colonel Dalrymple and to pray him to cause both Regiments to remove to the Barracks at the Castle. I did not see how I could avoid complying with this unanimous advice of the Council, under the circumstances of the Town and Province, especially as I had opportunity of consulting so many Servants of the Crown, together with the Secretary, who are not of the Council and who all saw the matter in the same light that I did; and I am very certain that Col^d Dalrymple was influenced to a compliance with the measure from the representations made in Council of the desperate state of the people, and the desire they so strongly expressed, which he thought necessary to justify him in his compliance.

I shall immediately represent the state of this Affair to the Secretary of State. A vessel I am informed will sail for London in eight days

I have the honour to be very

respectfully

Sir Your most humble

& most obedient

Servant

THO HUTCHINSON

March 7. I am now informed that four persons are dead and a fifth lyes very dangerous and that several more were slightly wounded
His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson

Boston 6th March 1770

Received March 12th

Transmitting Minutes of his Council of said Date
answ^d

HUTCHINSON TO DALRYMPLE

Boston March 6 1770

SIR

I take the Liberty of inclosing to you a Vote Passed this day in Council occasioned by the unfortunate Affair of the last

Evening. I am sensible I have no power to order the Troops to the Castle but under the present circumstances of the Town and Province I cannot avoid in consequence of this unanimous advice of the Council desiring you to order them there which I must submit to you and have the honour to be

Sir Your most obedient
humble Servant
T H

Copy

Lieut Col^o Dalrymple

[Indorsed]: L^t Gov^r Hutchinson to

L^t Col^o Dalrymple

[Enclosure]:

At a Council held at the Council Chamber in Boston upon Tuesday the 6th day of March 1770.

Present

Honble Thomas Hutchinson Esq^o Lieu^t Governor

Samuel Danforth

James Russell

John Erving Esq^{rs}

Royall Tyler

Esq^{rs}

Thomas Hubbard

James Pitts

Harrison Gray

Samuel Dexter

The Town having been put into great disorder and confusion the last Evening by means of the Kings Troops firing upon the Inhabitants whereby three or four of them have been killed and divers others wounded, His Honor the Lieu^t Governor ordered a Council to be notified: The Council being met his Honor opened to them the Occasion, whereupon they advised him to send notice to Lieu^t Col^o Dalrymple the Commanding Officer of the Troops and to Lieu^t Col^o Carr of the 29th Regiment that the Lieutenant Governor & Council were now assembled on this unhappy occasion and would be glad they would attend in Council while the matter was under discussion and afford them such lights as were in their power respecting the affair under consideration:— The Commanding Officers of the two Regiments attended accordingly when in their presence divers Gentlemen of the Council informed his Honor the Lieu^t Governor that the people of this and some of the neighbouring Towns were so exasperated and incensed on account of the inhumane and barborous destruction of a num-

ber of the Inhabitants by the Troops that they apprehend imminent danger of further Bloodshed unless the Troops were forthwith removed from the Body of the Town which in their opinion was the only method to prevent it.

While these matters were under debate in Council a Committee from the Town of Boston then assembled in Town meeting waited on his Honor the Lieu^t Governor most fervently praying that his power and influence may be exerted for the immediate removal of the Troops as nothing less could rationally be expected to restore the peace of the Town and prevent blood and Carnage. No question was put to the Council, but the several Gentlemen of the Council present expressed their sense of the necessity of the immediate removal of the Troops from the Town and after they had conferred with Col^o Dalrymple and Col^o Carr upon the subject, his Honor gave the following answer to the Committee of the Town, the same having been first read to the Council viz. Gentlemen

“I am extremely sorry for the unhappy differences between the Inhabitants and the Troops and especially for the action of the last Evening and I have exerted myself upon the occasion that a due enquiry be made and that the Law may have its course. I have in Council consulted with the Commanding Officers of the two Regiments which are in the Town: They have their Orders from the General at New York, It is not in my power to countermand his Orders. The Council have desired that the Regiments may be removed to the Castle. From the particular concern which the 29th Regiment has had in these differences Col^o Dalrymple who is the Commanding Officer of the Troops has signified to me that that Regiment shall be placed in the Barracks at the Castle until he can send to the General and receive his further Orders concerning both the Regiments and he has given me assurance that the Main Guard shall be removed and the 14th Regiment shall be so disposed and laid under such restraints that all future differences may be prevented.”

The Council was then adjourned to the afternoon and being met his Honor received a second Message from the Town by a Committee appointed for the purpose in the words following viz^t:

"Voted That a Committee be appointed to wait on his Honor the Lieutenant Governor and acquaint him that it is the opinion of this Meeting consisting of near three thousand people that his Honor's Reply is by no means satisfactory and that nothing will satisfy the Town, less than a total and immediate removal of the Troops."

His Honor the Lieu^t Governor laid before the Board the foregoing Message of the Town presented to him this afternoon and then addressed them as follows viz^t

Gentlemen of the Council I lay before you a Vote of the Town of Boston which I have just now received from them and I now ask your advice what you judge necessary to be done upon it.

The Council thereupon expressed themselves to be unanimously of opinion that it was absolutely necessary for his Majesty's Service, the good Order of the Town and the peace of the Province that the Troops should be immediately removed out of the Town of Boston: and thereupon advised his Honor to communicate this advice of the Council to Col^o Dalrymple and to pray that he would Order the Troops down to Castle William.

A true copy examined by me
A OLIVER Sec

[Indorsed]: Minutes of a Council
held at Boston 6th March
1770.

Transmitted in Lieu^t Gov^r
Hutchinson's Letter of
the above Date

CARR TO GAGE

Boston 7th March 1770

SIR

As Colo: Dalrymple this moment sent me word, that there is an Express going off to your Excellency I take the Opportunity to Acquaint you of an Unhappy Affair that Happend here on Monday Night last.

About half after Nine that Night a Number of Towns people Armd with Clubs & Other Weapens, came and Attacked the Sentry Posted at the Custom House, (Which is now at the House M^r Loyd the Contractor lived in in King street Near the Main Guard) upon Which the fire Bells Rang. (Which is a Call for the Mob.) Which Made Cap^t Preston Who was Cap^t of the Day run to the Main Guard to see what was the Matter, and found the Mobb. Attacking the Sentry at the Custom house very Violently, upon Which He got the Guard under Arms & went with a party of men to Relieve the Sentry. Which party of Men were also Attacked Near the S^d Sentry Some of them nocked down, others got wounded and Cap^t Preston also struck several times, during this Scuffle some of this Party fired on the Mobb, Without any orders from Him and Killd three Men on the Spot and wounded others, this Obliged the Mobb in some Measure to Desperse, and then they Brought the Sentry off to His Guard. Upon Which the Governour and Counsel Met, and Demanded Captⁿ Preston and several of the Men to be deliverd up to them, which was accordingly done, & He and a Corp^l & Six Men were sent to Goal for the same, two or three people have Sworn that they Heard Cap^t Preston order the Men to fire, and some of Sworn that they Heard Him say they Should not fire. and one Gentleman that was by will Swear that He heard a Porter that was Standing on the Custom house Steps Cry out fire Several times.

Captain Preston is well known to be as Cool and destinct an Officer as any of His rank in the Service, and I am well Convinced that he did not give any orders to the Men to fire, and that He did every thing in His power to prevent Mischief.

I have not at present time to say more. But Shall Collect every Circumstance of the Matter, and acquaint your Excellency therewith.

I am

With Great Esteem and Respect
Your Excellencys Most Obedient
Hum^b Serv^t
MAURICE CARR L^t Col:

Gen^l Gage

[Indorsed]: Lieu^t Col^o Carr 29th Reg^t

Boston March 7th 1770

Received March 12th

answered

[Addressed]: To

His Excellency

The Hon^e Gen^l Gage .

Commander in Chief of His Majesty's Forces
in North America &c^a &c^a &c^a

New York

DALRYMPLE TO GAGE

Boston March 7th 1770

I have the honor to send by express to your Excellency, some very extraordinary events that have taken place here within these few days.

The endeavours of the people ever since our arrival have been used, to produce some considerable disturbance with the troops lately more than ever, and it has been commonly said that they were determined to get them removed.

On the night of the 5th past the fire bell was rung, not that there was really a fire, but that it served as a signal for the assembling of the mob, they assembled, the beacon was ordered to be lighted, to call in their country confederates, they proceeded in large bodies, to some of the Barracks where much abuse strokes, & bad language passed, from thence they went to King's street, and surrounded the Sentry posted at the Customs house, whom they seemed resolved to destroy.

This being reported to the Captain of the day, (Preston) he went down with eight men to extricate the Sentry. on his appearance his party was attacked, and himself severly hurt in the arm.

The Sentry being severly presst fired, as did some others, severals were killed, the Captain gave no order, on this the bells rung, the inhabitants armed, and moved out resolved to begin an attack. The troops passed the night under arms.

Examinations were taken and Captain Preston and the

party committed. This is I believe a true and fair detail, having often mentioned the enjurious treatment the troops have sustained, I shall only now add, that lately the abuse has encreased beyond beleif.

During the night expresses were sent out to the Countrey, and the people assembled early in town, their purposes were as they said to proceed to extremeties.

About eleven o Clock I was summoned to the Council, the proceedings there the Lieu^t Governor will better enform you of, many open confessions of the proposed ensurrection, or rebellion were made, and many efforts used to perswade me to do the only thing conceived to be effectual to prevent it, the removal of the troops.

I answered that if such apprehensions were well founded, the greater was the necessity of keeping them here and having neither power nor enclination to do it I absolutely refused.

After much persuasion I consented to take the liberty of sending the 29th regiment to the Castle, untill your pleasure should be known, thinking it might serve some usefull purposes, and that by a change of that regiment a better prospect of tranquility might arise, the effect this had will be seen by the answer from the town meeting, I then refused to do any thing more in the affair, but let it take its course, I was again desired to attend the Council in the evening.

After much speaking the Council had a vote put, which you will also receive from the Lieut Governor; it was carried, and he in consequence thereof as Governor of this province, and by the advice of his Council, desired, and required me to remove the troops to the Castle without loss of time, a power which he did not seem to think himself possessed of in the morning.

In this delicate situation was I placed, told if I remained contrary to the Governors orders all should be at my peril, yet unwilling to leave the place without your consent, I made an effort to procure time tho in vain, not being of a rank sufficient to refuse obedience to the Civil Governors powers I was obliged to submit.

I shall in consequence move the 29th with all conveniency, you know the Castle is a place hardly capable of containing one regiment, therefor two will be an extream inconvenient

number, this I urged, but it availed nothing. Nothing attended with expence shall be gone into untill I have the honor of a letter from you, my situation has been very uneasy, being subservient to the Civil authority prevented me from doing what I could have wished. The Lieutenant Governor was I believe very unwilling to enterfere in the business of the troops, his motives he will fully explain he is without friends, and I may add power, He will be better able to explain the ententions of the people than I can, a vast body was assembled, and if the had done what they threatned, very disagreeable things must have hapned.

I shall remain in expectation of your orders, for my government, and I must beg the Lieu^t Governor may know your wishes, that we may act on the same principles, authority here there is none but what is vested in the people.

The Regiments shall shift as they can, for the time.

I have the honor to be your Excellency's
 most humble, and
 most obedient Sev^t
 W DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple
 14th Regt.
 Boston March 7th 1770.
 Received March 12th
 answ^d.

DALRYMPLE TO GAGE

Boston March 8th 1770

In the last letter forwarded by express to your Excellency, I did not fully enform you of every circumstance attending the difficulties here, not being able to assure myself that the messenger would not be entercepted. I have now a safe opportunity and shall state the situation of things here according to my best enformation.

It has been for some time under consideration how to get the troops removed, in order to open their further veiws with more ease, and an attempt on the Main Guard was resolved, in order that the consequences being fatal to some the rest

of the people might be irritated and the more easily induced to proceed to extremities.

The leading men of the Militia were prepared for the matter, and on the concerted signal were to march into town with thier men. The arms in Faniel hall were in the hands of the people as were the town Artilery.

It is very difficult to compute the numbers really arrived, they were short of four thousand, as they appeared to me, the Governor makes mention of larger numbers being on thier march.

I proposed to the Governor on this occasion to raise a re-doubt on Fort hill to remove the 29th regiment to our Baracks and to thereby secure ourselves, applying to the Kings ship for two small guns.

He objected to this, holding two weak Regiments a force not sufficient, and thought securing the Castle the only proper and material thing to be done I offered to do that by a detachment, at the same time to adhere to the other part of the plan, but he held it improper and imprudent.

He has communicated to me that part of his letter to you relative to the situation of affairs here, and by what I can observe he does not make them worse than they really are.

I urged to the Governor that the removal of the forces, would affect the Officers of the Revenue, for who's protection they were in some measure sent, he is of opinion that any in-conveniency of that kind is litle compared to a Rebellion, in the weak state we are in; in truth we have not more than Six hundred fit for duty, and tho that is a force of some consequence, yet one would on an occasion of this sort would rather have more than sufficient

I am now Sir to mention that I shal proceed very slowly in the removal of the troops to the Castle, tho much urged, by the people, before it is accomplished your answer may arrive, if you are pleased to direct it an attempt may be made to reinstate matters when the popular fury has subsided, but I am alone have no civil aid or countenance nor can the Governor act being left by every one, he must therefor act the part he does.

If you have any orders for Halifax, there will be two men

of War Sloops here immediatly, at present we have only a twenty gun Ship, and she quite unriggd.

The Gentlemen who brings this, can enform your Excellency more particularly of the State of this town he having been an eye witness.

Your Excellency will easily see my delicate situation, and will I hope give me early directions, a letter by the way of Rhode Island will possibly reach me as early as any other way.

I have the honor to be

Your Excellencys

Most humble, &
Most obedient Ser^t

W. DALRYMPLE

P.S I must again recommend to your serious consideration the unfortunate case of Captain Preston, surely nothing can be more severe than such usage, only for executing his duty.

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t

Boston March 8th 1770

Received March 13th

Ans.^d

DALRYMPLE TO GAGE

Boston March 12th 1770

Since the last letter I had the honor of writing to your Excellency, nothing has hapned that adds to the former confusions, I have endeavoured to keep the troops constantly alert, we have never left our Barracks since.

We have not provisions for more than twenty days no part of the new deposit being made, and if any unfavourable accounts are received from Europe, I doubt if we will be able to obtain any supply.

Your Excellency well knows our situation, with two shatered regiments, devided in all parts of this town, without any plan of Strength to make a stand on, what can be expected from us.

The twenty ninth regiment will be all at the Castle this night, I have used my efforts so successfully, that no further dispute hapned between them and the towns people.

By the succeeding post a narrative of this whole affair shall be sent, and I doubt not but it will fully appear that the attack of the kings troops was a concerted measure, that it only failed by being too early carried into execution.

A vessel sailing for England tomorrow, I shall send home copies of the narrative, they may prevent opinions being formed prejudicial to truth.

I have nothing further to add, the malevolence of the people begins to subside relative to Captain Preston, and I hope it will continue so to do.

I wait with earnestness for your orders, & am with the greatest respect

Sir

Your most humble
& most obedient Ser^t
W. DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t
Boston March 12th 1770
Received March 19th
Answered

GAGE TO DALRYMPLE

Copy/
SIR,

New York March 12th 1770

I am just favored with your's of the 7th Inst, and much concerned at the accident that has happened at Boston upon the Unhappy Differences that Subsisted, between the Inhabitants and the Soldiers. But I entirely approve of your having complied with the requisition of the Lieut Governor and his Council to remove the Troops, when the Arguments you used to keep them in the Town were rejected.

The Barracks at Castle William must no doubt be greatly crowded with two Regiments in them, but there is no help for it at Present, and their time of staying there, will be Short. I inclose you a Copy of my Letter to the Lieut Governor, which will inform you of my Intentions concerning the Troops. In the meantime, I would beg you to incurr as little Expence as

possible for the accomodation of the Regiments, and Colonel Robertson will write to M^r Goldthwaite to follow your Directions.

Be so good to Collect the most impartial Accounts of this unhappy affair from the Beginning; which I think you would do well in having printed at Home, setting forth the precautions you had taken, to prevent the Soldiers under your Command, from Molesting, or quarrelling with the Inhabitants, and the Provocations given by the People, to Urge them to a Rupture with them.

You will observe what I have said to the Lieut Governor, concerning the officer & men Committed to Prison, and it is needless to beg you to use all means, to see that due and impartial Justice is done them.

I will add no more at present, than that I am with great Regard,

Sir,

&ca

P: S: Enquiry should be made into the Conduct of the Soldiers, previous to the last affair, and if any are found to have Acted in any manner deserving Punishment, they should be Confined

Lieut Colo Dalrymple

14th Reg^t

[Indorsed]: Copy/ To L^t Colo: Dalrymple 14th Reg^t at Boston
New York 12th March 1770

Gage to Dalrymple, March 12, 1770

GAGE TO HUTCHINSON

Copy/ New York 12th March 1770
SIR,

I am just favored with your Letter of the 6th Inst: with a Copy of the Proceedings of a Council held at Boston on that Day, upon the Subject of a Quarrell that had happened, between the Inhabitants of Boston & some of the Soldiers. I am truly concerned at the fatal Consequences that have fol-

lowed those unhappy differences, and wish by the mutual Endeavors of the Civil & Military Officers, that all Bickering's between them had been properly adjusted, before they came to such Extremitys.

As the Troops were Sent to Boston for the Support of Government, and to assist the Civil Magistrates in the due Execution of the Laws, and instead of answering the Ends proposed, it has become the desire of Government, that the Troops should be removed out of the Town, the better to preserve Tranquility; I can't but approve of L^t Colo^l Dalrymple's conduct in removing them, upon the Requisition you made him to that purpose, and as I do not see, that they can be of any use at Castle William, I would propose to you to remove them out of the Province, and to remove one of them as Soon as Possible for, the Castle Barracks will not contain them both. I should be glad of your answer to this by first Opportunity, that I may know your Opinion, and what you would propose as best to be done for the King's Service, and that I may determine how to proceed.

You will undoubtedly have this Affair traced from its beginning, to it's unfortunate issue of which you will permit me to ask the most impartial Account, that in any part where the Soldiers may have been in fault, they may be punished as they deserve. And with Respect to the Officer & men Sent to Goal, for Firing on the People on the last Riot in the Night; if it shall Appear that the Soldiers have fired Wantonly without legal orders for so doing, the Laws must no doubt have their due course. But if it shall appear that they were dangerously attacked, and obliged to defend themselves, and fired only in self Defence to preserve their own Lives; I trust you will do every thing in your Power, to prevent their falling a Sacrifice to the Resentment of Faction, against all principles of Justice, and by the perversion of the Laws of their Country.

I have the Honor to be, with great Regard,

Sir,

&ca

Hon^{ble} L^t Governor Hutchinson at Boston

[Indorsed]: Copy/ To L^t Gov^r Hutchinson at Boston

New York 12th March 1770

GAGE TO DALRYMPLE

Copy/
SIR,New York March 14th 1770.

I was yesterday visited by a Young Man from Boston, who delivered me your Letter of the 8th Ins^t, And I find by it that the Troops were not then removed to the Castle. It would appear extraordinary to those at a Distance, from the disagreeable Scene in which you have been engaged, that the Government and Officers of the Crown, for whose support the Troops were sent to Boston, should apply for the Removal of them to a Place where they can give no support at all. As for myself, I can see no Reason to remove them out of the Town, I mean the whole of them, tho' at the same Time am of opinion, it would be right and proper to remove the 29th Regiment, and that the People might be satisfied with that Measure, and the giving up the Officer and Men, who had any Concern in the Firing upon the People, to be dealt with according to Law.

It is not easy to guess what an enraged Multitude, during their Fury and Madness might Attempt, but when their Heat and Rage has subsided, and they have had time to cool, there is little Danger of their attacking with Deliberation an armed and regular Body, able to defend themselves. And I could wish the Lieutenant Governor and Officers of the Crown may see things in this Light, and the Risk they run of future Troubles, should all the Troops be withdrawn to the Castle, from whence they could give no Assistance in Case of Need.

You will do well if this arrives in time to delay as much as possible the sending the 14th to the Castle; and urge every Argument against it, and at the same time, take every proper Measure to conciliate the Minds of the People, by shewing your willingness to a Reconciliation; and a desire to restore Harmony, and a good Understanding between them and the Military; by removing the 29th Regiment, to the Castle, which is the only Object that can with Justice and Reason give them any Offence.

If Notwithstanding, all the Officers of Government should persist, that it is highly Necessary and proper for the good of the King's Service, that all the Troops without Distinction,

should be removed from the Town of Boston, and require you to remove them accordingly, I would in that Case desire you would remove them. But as the Castle Barracks will not contain two Regiments, you will endeavor to prevail on Government to provide the 14th with proper Quarters in some other Place.

This is all I can say at present, but to Assure you that I shall do every thing in my Power for the Service of Captain Preston, and shall be glad of the most impartial and Authentick Accounts you can procure of his Conduct in particular, as well as of the Men in general concerned in this unhappy Affair. You know what exaggerated Accounts may be expected from People possessed with such remarkable Talents for Misrepresentation; It will therefore be very proper to have a true State of the Case prepared, for Publication.

I am with great Regard.

Sir,

&ca

Lieut^t: Colonel Dalrymple 14th Reg^t:

[Indorsed]: Copy/ To Lieu^t: Colonel Dalrymple 14th Regiment,
Boston

New York March 14th 1770

HUTCHINSON TO GAGE

Boston 18th March 1770

SIR

It adds greatly to the Distress I am under in my administration, that you should misapprehend the share I took in the Removal of the Troops and consider any thing I did in the light of a Requisition. Upon first seeing Col^o: Dalrymple I told him I had no authority and would give no Order for the Removal of the Troops. After the Council had represented to him the desperate state the people were in, without any sort of interposition on my part, he offered to remove the 29. Regiment and to keep the 14^h in their Barracks.

* * * *

You are pleased to propose to me to remove them out of the Province. I dare by no means take such a step unless it was in

consequence of express orders from you upon its appearing to you that the King's Service requires it and I cannot help representing to you, though I pray it may be in the most confidential manner, that in matters of dispute between the Kingdom and the Colonies or which are consequential upon them government is at an end and in the hands of the people. I am absolutely alone, no single person of my Council or any other person in authority affording me the least support and if the people are disposed to any measure nothing more is necessary than for the multitude to assemble, for nobody dares oppose them or call them to account. I could not justifie, at such a time, moving to send the Kings Troops out of the Province.

* * * *

The killing and wounding so many people either passengers in the streets or meer spectators, for I have heard but of one of them who was an assailant, had the effect which some of our people who are called Patriots have long wished for and I find more people, the first night, had actually taken to their Arms than I imagined in the time of it. I am informed that Col^o Dalrymple is furnished with evidence of the whole affair between the Troops and the Inhabitants which I shall desire him to transmit to you. Five of the people are dead. Two or three more it is feared cannot recover. Every funeral brings thousands of people together and inflames them against the Troops. The people are trying to precipitate the Trials & some irregular steps have been taken to awe the Judges. I am doing & shall continue to do every thing in my power to prevent the unhappy persons falling a sacrifice to the Resentment of Faction but greatly fear whether in the state we now are they can have a Jury without bias & strong prejudice.

* * * *

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson Boston March 18th 1770

Received March 25th

Transmitting Copy of a Letter from s^d L^t Gov^r
to L^t Col^o Dalrymple
answered

DALYRMPLE TO GAGE

Boston March 19th 1770

The return of the express brought me the honor of your Excellency's letter, and by the post I received another relative to Colonel Evelyn's appointments, your directions thereon shall be punctually obeyed.

Your approbation of my conduct does me true honor, and affords me real satisfaction.

In obedience to your wishes I was with the Lieu^t Governor last evening, I introduced the business of mentioning the difficulties I was under occasioned by the many buildings hired by the Crown in this town now empty by the removal of the troops, the which I thought ought to be paid off, with all expedition they being now of no further utility, and as they are hired by the month, many of them might be got off our hands at an easy rate. I further added that the situation of the troops at the Castle was such that something immediate must be done for them, else sickness must be expected they being extremely crowded.

He did not open himself to me at all, nor did he say any thing of the contents of your letter, which I own was to me surprizing, but seemed willing to gain some time. By this post he writes to you.

I shall get the Barracks and houses lately occupied by the troops put in condition to be given up according to our agreements, and as I shall be obliged to hire them for another month unless I hear from you soon, I beg an express may be sent me if you chuse to give them up, the month expires with most of them about the 7th of April.

I cannot possibly see the advantage of keeping these buildings in our hands, troops in this town contrary to the sense of all the Magistracy, seems only to offer themselves to abuse neglect & ruin.

I need not paint to your Excellency the miserable condition of the regiments at the Castle, they are vastly crowded indeed, but as it will be but of a short continuation it matters not, half the Officers are without quarters there.

I must on the part of the 14th regiment become a suitor to you, they hope encase of a removal that they may be con-

sidered, their ambition has ever been to merit the favor of their superiours.

Nothing can be more effectual to prevent further disputes with the inhabitants than the situation of the 29th their intercourse is necessarily all at an end, no complaint was made of them after the affair of the 5th at least no just complaint, and at the Castle no further altercation can ever hapen.

I have sent to England States of the affairs here, as well as of Captain Preston's case, you will pardon my doing so by any other channel than yours, when you consider that the first impression is always the strongest in such cases, an opportunity offered and I presumed to use it.

I wish you may have the same idea conveyed to you by the Governors letters as by mine, tho I doubt the contrary as he does not seem inclined to speak very plain on the subject.

Vessels may be had here very reasonable to convey any troops elsewhere, in the present ferment marching thro the contrey would not be eligible.

I must now Sir beg your orders, and they shall be obeyed with punctuality, no expence shall be made that may be possibly avoided.

If Colonel Robinson thinks it right the Barrack furniture may be sent to Halifax.

I have nothing further to trouble you with, but remain with the greatest respect

Your Excellency's
Most humble
& most obedient Ser^t
W DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple
Boston March 19th 1770
Received March 25th

GAGE TO DALRYMPLE

Copy/ New York March 19th 1770
SIR,

I am this moment favored with your Letter of the 12th Inst:, by which I am glad to find no more Extraordinary

Events have happened at Boston, and that the Justice of Captain Preston's Conduct begins to appear, and to have weight; notwithstanding the Efforts of Faction & Malevolence.

From the Contents of the Lieut Governor's Letter, and your first of the 7th March, I judged all the Troops would have been removed, by the Time the Express arrived here, and therefore I could only approve or disapprove of your conduct, in Consequence of the Requisition made to you by the Civil Power to remove the Troops. And I wish you may receive my answer to your Second Letter of the 8th of March, before the 14th begins to move; that every Argument against such a measure may be used before the Regiment removes out of the Town. And perhaps my Letter to the Lieut. Governor proposing to remove the Troops out of the Province, deeming them useless at the Castle Barracks, may have some Weight, towards keeping the 14th in the Town.

The Diabolical Account given of the late unhappy Affair in the Boston Papers, particularly that of Edes and Gill, is too preposterous and absurd to gain credit with any that are not prejudiced, and I am glad you are preparing a true and impartial Narrative of the Affair.

I am, with great Regard,

Sir

&ca

Lieut Colo Dalrymple

14th Reg^t

[Indorsed]: Copy/ To Lt Colo Dalrymple 14th Reg^t at Boston
New York 19th March 1770

PRESTON TO GAGE

Boston March 19th 1770

SIR

Col: Dalrymple haveing informed me, that you desire to have a state of the Unfortunate Affair, that happend on Monday the 5th inst, I herewith inclose, & hope my long & close confinement, will effectually engage you with all your interest & influence, to joyn my friends in petitioning for His Majestys pardon.

As the strongest ties of humanity & the tenderest regards for my fellow Creatures, together with a strict attention to my duty, are the causes of my present distress, I can't suppose but they will merit your attention, who possess them in so eminent a degree.

I went to the fatal place purely from that motive, to passify the Mob if possible, to support the Sentry in his material trust, & restrain the Soldiers by my presence, from committing the mischiefs that happened; but the Mob were violent & the Soldiers insulted & struck were stimulated to execute the tragical scene that happened to my surprise & astonishment.

I am Sir your most obedient & very humble Serv^t:

THO^s PRESTON

[Indorsed]: Cap^t Preston 29th Reg^t:

March 19th 1770

Received March 25th

Inclosing Case of Captain Preston
answered

GAGE TO PRESTON

Copy
SIR,

New York March 26th 1770

I have received your Letter of the 19th Inst: with a State of the Unfortunate Affair that happened at Boston on the 5th of this Month. I am truly concerned at the unmerited Distress in which you have been involved, from the motives of Duty, and the most human intentions. I have seen no accounts of that Affair, except what has been given by People possessed of the vilest Talents of Misrepresentation, and the blackest Malevolence, Malice and Falsehood, who have not done you Justice, and Compassionated your Case.

You may be assured that every motive would induce me to do all that is in my Power for your Service, and that I shall by first Opportunity leave nothing undone, that I judge can contribute to procure you the justice you deserve.

I am,

Sir,

&ca

Capt Preston

29th Reg^t

[Indorsed]: Copy/ To Captain Preston

29th Regiment Boston

New York 26th March 1770

GAGE TO DALRYMPLE

Copy/

New York March 26th 1770

SIR,

I find by your Letter of the 19th Instant that both Regiments are actualy at the Castle, so no more need be said on that Subject of removing them from Town. The Lieutenant Governor has wrote to me, I made some Mistake as to Words in the Application to you on that head. But it is the same in my Opinion whether the Civil Government required, Prayed, or desired you to remove the Troops when the Reason given for it was to prevent a general Insurrection of the Province.

The Packet is hourly expected with the January and February Mails, when it is supposed some particular Orders and Instructions will be sent to your Government, till then the Troops will remain where they are. I do not however conceive from former Experience, that any thing very Material will arrive that will require two Regiments to be kept at the Castle, one I believe will be sufficient to guard that Place, and even unnecessary to leave any Troops there for a length of time. I shall immediately after the Packet arrives, send you Orders to embark the 29th Reg^t; unless the Contents of the Dispatches she shall bring, give me Reason to Act otherwise. After what has happened I can't avoid sending that Corps the first out of the Province; but I hope no Reasons will offer to prevent my Ordering the 14th to follow them some time afterwards.

The Houses hired for Quarters in the Town should be given up as soon as possible, for there is no Probability that the Troops will be ordered back again.

You undoubtedly did very right in sending Accounts home of Captain Preston's Case, and of the whole Transaction of the Night of the 5th Instant, and I hope to see a fair Publication of

it in the Papers. Captain Preston has sent me his Case but such a one as I can't get Printed here; because it appears too plainly to be wrote by himself; and he takes up the Affair from the first Arrival of the Troops at Boston, and censures the Conduct of the Magistrates from the beginning. Some State of the Case should be printed here where there are Numbers who condemn the People of Boston. We see a Publication of Captain Preston's in the Papers, thanking the People for laying aside all Prejudice &ca, I can't be a proper Judge at this Distance, but I wish he may not have been too premature in that Measure; And if illegal Proceedings are hereafter made use of against him, they will Justify themselves by his own Words.

I am with great Regard.

Sir,
&ca

Lieu^t: Colonel Dalrymple 14th Reg^t:
[Indorsed]: Copy/ To Lieu^t: Colonel Dalrymple 14th Regiment
Boston
New York March 26th 1770

GAGE TO HUTCHINSON

Copy/ New York March 26th 1770
SIR,

* * * * *

All I have been able to gather concerning the late unhappy Affair, that bears the least Resemblance to Truth is, that there was a Quarrell between two Soldiers and some Towns People, about 8 o'Clock at Night, and the latter rang the Fire Bell; upon which the People Assembled, and went in Bodys to several of the Barracks, where bad Language and a few strokes passed. That the mob afterwards passed the main Guard using provoking Speeches, and went to attack the Centry at the Custom House; to which place, a Party was sent to protect the Centry, and the Custom House. That the Party was attacked, and severely pressed, and fired in their own defence, without any orders from Capt: Preston to fire, who used all his Endeavors to prevent their Firing. However this Affair may have

happened it is much to be feared the Prisoners will not be tryed by a fair and Unprejudiced Jury, and that the very People who assaulted them will be brought as Evidences against them.

I have the Honor to be with great Regard.

Sir

&ca

Hon^{ble} L^t Gov^r Hutchinson

[Indorsed]: Copy/ To Hon^{ble} Lieu^t Gov^r Hutchinson Boston
New York March 26th 1770

DALRYMPLE TO GAGE

Boston March 27 1770

By the irregularity of the arrival of the post your Excellency's letters dated March 14th and 19th are only this moment arrived.

I had laboured the points recommended in the first with the utmost zeal, tho in vain, no partial satisfaction would be received, and tho some time was used in moving the troops, no abatement in the tempers of the people appeared, such as to enable me to hope that the alteration first proposed would be satisfactory.

I was willing to have given time to hear from you, and had the season been a common one, there was time enough, not that I think it would have produced any change, the badness of the roads prevented the possibility, and the Solicitations of the people to accelarate the movement were very pressing.

It is in vain to expect any quarters or any other provision for the troops, the assembly will do nothing of the kind, the Lieut Governor tells me he could not even propose it to them, the expence must be the Kings while they continue in the province, no aid will be obtained from the provincial funds, nor will the Commissary advance a Shilling I do not indeed know any place where troops can be kept Castle William excepted, I have already enformed your Excellency of the distressed state of its present Garrison.

I do not mention these difficulties to encrease your troubles, they must be got over as well as possible, and I shall exert my best endeavours to obviate them as far as may be.

I remain in expectation of receiving your commands, almost half the Officers live as they can having no quarters at the Castle, an inconveniency they must endure untill something is determined Should the troops be continued in the Castle, my prescence can be of little utility after things are settled, I shall then hope for your permission to be absent from the Regiment.

By my last you will fully be made sensible of the expence attending the Barracks now empty, and I hope you will be pleased to direct me thereon.

By the Lieut Governors letter you will easily judge of his present disposition, I do not believe he will act either by advice or otherwise in any military affair, but will rather chuse to remain behind the Curtain, he has no earthly weight or power here, a proposal coming from him would be for that reason sure to miscarry, in such a state what good can troops do, the Civil Magistrate declares against them totally, and the Kings representative affirms that in that Capacity he never will employ them, and adds that he does not consider his acting now as Chief Justice legal.

I do not assert these facts either from dislike or ill nature, I value the man, but it is my duty to state truths to you, in order that a real estimate of the utility of troops being stationed here may be formed.

Many violency's have appeared in the papers and otherwise to prejudice the cause of Captain Preston, I hope they may prove of no effect, I cannot say with certainty when his trial will come on

I have nothing further to trouble you with, the return of the post will I make nodoubt bring me some orders for my direction in the affairs of this place, whatever you order shall be done with exactness. I have the honor to be your Excellency's

Most humble
& most obedient Ser^t

W DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple
14th Reg^t
Boston March 27th 1770.
Received April 1st
answered

COUNCIL TO WM. BOLLAN

Boston March 27th 1770

SIR

* * * * *

The principal thing which we think necessary you should be informed of at this time, is the horrid Massacre which happened in Boston on the Evening of the 5th instant, when eleven of his Majesty's Subjects were killed and wounded by a Party of Soldiers of the 29. Reg^t—their Leadeer being Cap^t Preston.

The Soldiers in general, and particularly of that Regiment have behaved with great Insolence and have committed many abuses upon the Inhabitants of the Town, for which it were to be wished that their Punishment had been adequate to their deserts.

But the affair which more immediately was introductory to the said Massacre was a quarrell between some Soldiers of the 29th Regiment and certain Ropemakers at the Rope-walk of one M^r Gray. In the contest the Soldiers were worsted: and this reflecting, as they thought, on the honour of the Regiment there was a Combination among them to take vengeance on the Town indiscriminately. Of such a Combination there is satisfactory proof; and in consequence thereof there was on the Evening of the 5 instant a great number of abuses committed by the Soldiers on the Inhabitants in various parts of the Town, and being carried to such Excess by one party a Bell at the head of Kingstreet was rung as for Fire, which brought the neighbouring Inhabitants into the Street; and as King Street was the last Scene of that Party's exploits, a number of People collected there: about which time the Centry at the Custom House on pretence of having been insulted knocked at the Door of said House, and speaking with somebody that came out, there went from thence two persons to the Main Guard (opposite to the Court House) and procured Cap^t Preston with a party of Soldiers to go to the Centry. Cap^t Preston thereupon went from the Guard House with a Party of seven or eight Men who passed roughly through the people, and pushed some with their Bayonets 'till they were posted near the Custom House.

This was resented by some of the People by throwing a few Snow Balls. Soon after which the said Party fired, not all together, but in succession, by which means eleven persons were killed and wounded as abovementioned.

There are Depositions which mention that several Guns were fired from the Custom House, and this matter is now enquiring into— Soon after the firing the main body of the 29th Regiment appeared in arms in King Street, and were drawn up between the Court House and Main Guard, and in such posture as put the Inhabitants in fear of a further Massacre, but by the good hand of Providence it was prevented.

The foregoing is a short and general account of this unhappy affair agreeable to the best intelligence we have hitherto been able to obtain; The particulars of it are contained in a Narrative just Printed with Depositions annexed to it; one of which will be sent to you by a Committee of the Town.

There is great reason to apprehend that there have been Depositions taken in this affair by the procurement of the disturbers of the peace and union which ought to subsist between Great Britain and the Colonies—Depositions intended to make the faulty cause of that massacre and to make it believed that the Custom House was then in danger of being Pillaged. But if any such Depositions have been sent home, they are altogether without foundation, there not being the least ground, so far as we can learn even to suspect that any such design had been formed.

The Council desire you, and you are hereby instructed to use your best endeavours to procure Copies of such Depositions (if such there be) and transmit them as soon as may be, and in the mean time to ward off any ill impressions that otherwise might be made thereby to the disadvantage of the Town in particular and the Province in general.

* * * * *

William Bollan Esq

[Indorsed]: Copy/ Letter from the Council of Boston to M^r Bollan NB: This Letter said to be drawn up by M^r Bowdoin tho not of the council Transmitted in Lieu^t Gov^r Hutchinson's Letter of The 1st of April 1770.

HUTCHINSON TO GAGE

Boston 1 April 1770

SIR

* * * * *

The Representation which has been made to you of the late Affair is, I have reason to think, a very just one. The only Bell I heard was after the people were killed, but I have, since, no doubt a Bell, at the other end of the Town, had been rung an hour or two before. That the party which went to protect the Centinel was assaulted all agree; but there is a great contrariety in the Evidence as to the degree of violence in the Assault, one side saying it was only with Snow balls & the other with Brickbats & clubs or sticks. There are several Witnesses who are very positive they heard Capt. Preston give orders to fire, others, who were as near, swear that the men fired without orders, upon the provocation they received. I have taken every measure that was likely to succeed to keep off the Trial and shall continue to do so that people may have time to cool. The Grand Jury have joined with the Captain and Soldiers four persons viz., M^r Manwaring an Officer of the Customs at Gachepe two servants of the Board here and one M^r Munroe said to be an acquaintance of Manwaring, as Accessories for firing out of the Custom house all upon the Evidence of a french Boy of about 14 years of age a servant to Manwaring notwithstanding that upon the information of this same Boy a Warrant had been issued by a popular Justice and Manwaring apprehended & dismissed upon the detection of the villainy of the Boy. All four have lain near a week in Gaol. Upon a petition to be admitted to Bail the Court are to determine upon it tomorrow and I suppose cannot refuse it. The Grand Jury I am well informed took pains also to find some sort of evidence to bring the Commissioners of the Customs in as conspiring with the army to massacre, as they term it, the Inhabitants. Thus, when the people are infatuated, this excellent part of the English Constitution, a Guard to the Lives of the Innocent, is improved to bring them into danger. I am sure, just now, the most innocent are the least secure.

* * * * *

THO HUTCHINSON

I will cover the copy of a Letter sent by the Council to their Agent It was drawn by M^r Bowdoin tho' not of the Council without any Act or Order of Council and given by him to M^r Erving his father in law & so offered for acceptance. Give me leave to ask your favour in forwarding the inclosed by first packet or other conveyance.

His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson Boston April 1st 1770

Received April 7th

Inclosing a Copy of a Letter from the Council to
M^r Bollan
answered

DALRYMPLE TO GAGE

Boston April 2^d 1770

I had the honor of receiving your Ex^{cy}s letters by the last post, the enclosed was delivered immediatly

I cannot I own see the merit of the distinction in the words as mentioned in the Lieut Governors letter, the evil to be avioded was the true reason for acting as we did, he is hourly more sensible of the ill consequences that would have attended an opposite conduct. Soldiers here have but two things to do, either to suffer themselves to be abused at the pleasure of every person, untill their lives are in danger, or by resisting and defending themselves run almost a certainty of suffering by the law.

I send you some Affidavits that may serve to shew in how far we are agressors or otherwise, I could send many more if necessary. I shall be able to pay off the houses in their turns, and to do everything that is wanting, if the money due for the Rents comes to hand.

I shall pay particular attention to the arrival of the Mails and as they will probably alter the numbers of troops kept at Castle William greatly no expence to be avoided has, or shall be, made. Untill things are very differently circumstanced in this province, both as to its government & constitution, a

Military force in it can only subject his Majesty's troops to ridicule & oppression, the Magistrates for who's assistance they were entended, considering them as burthens rather than in any other light.

I know nothing further of the trial then when I wrote last, if it comes on while the present ferment prevails, those concerned are in the greatest danger, peoples passions are not yet abated, and much art is used to give them life & continuation.

An endeavour has been made to connect the people of the Revenue in the late unhappy affair, some of the enferiour officers are sent to prison, but the thing will I am told reflect disgrace where it is justly due.

I shall at all times do every thing for the best of the Service, and therefor your instructions shall meet the most attentive obedience.

I hope you will write to the L^t Governor and enforce the necessity of postponing the trial, if it comes on soon they are lost, if not reprived, to do which, would cause more clamor than the other.

I never saw the Advertisement you take notice of untill it appeared in the papers, nothing could be more injudicious, or rash, who was the adviser of it I know not

Your goodness will encline you to give me a litle relaxation when the service will allow it, I shall therefor say no more of it

How you will dispose of the Regiment you mention I know not, as the prejudices here against them are very strong, and diligence has been used to spread them all over the Continent, I wish their caution, & order, may be able to counteract the reports, tho I have doubts of it

I have the honor to be

Your Excellency's

Most humble
& most faithfull Ser^t

W DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th

Reg^t

Boston April 2^d 1770

Received April 7th

answered

GAGE TO DALRYMPLE

Copy/
SIRNew York April 9th 1770

I am to acknowledge your two Letters of the 27th March, & one of the first Instant. Experience has fully shewn us the inutility of quartering Troops in Boston, either for the support of Government, or the Preservation of the publick Tranquility. And yet the Officers of Government choose to have them near, I believe as a dernier resort, to protect their Persons in a Retreat, if the People should Attempt to drive them away a Circumstance which may happen, & which they appear to have Apprehended. I see no other reason for keeping Troops in the Province unless other Maxims are pursued, than have been Adopted hitherto: And till measures are Changed, neither Law or Government can possibly prevail in Boston.

I thank you for the Depositions, which serve to prove the Premeditated design in the People to attack the Soldiers; tho' I dare believe, considering that Oaths are more easily procured at Boston, than the Old Baily, that the Malevolent & Malicious Spirit which prevails, will procure Witnesses enough to Swear to every thing that will Answer their Purposes. You will See a Letter in one of the New York Papers, wrote from Boston which gives some Account of the late Riot at Boston, but I Suppose none of the Printers there dare publish it. I was glad to see some true Representation of the Affair committed to the inspection of the World, which believe me was become highly necessary. And I hope care is taken to have an Authentick Narrative of the whole published in England, for I find all Endeavors are used to poison the minds of the People at Home. The Ministry may be undeceived, but that will not be sufficient. It is now become usual to open the Eyes of the People thro' the Channel of the Press.

The Packet is still out, and we are daily looking for her. The news by a Ship from Lisbon to Philadelphia, you will see in the Papers. The Chancellor removed & his Successor Dead. many Changes & Occurrences reported. You mention a Narrative, it was not inclosed.

I am, with great Regard,

Sir,
&ca

P: S: Colonel Robertson has been spoke to concerning the Rents due for the Houses, and he will write on the Subject by this Post.

L: Colo: Dalrymple

14th Reg^t

[Indorsed]: Copy/ To L^t Colo Dalrymple 14th Reg^t at Boston
New York 9th April 1770

GAGE TO HUTCHINSON

Copy/
SIR,

New York April 9th 1770.

I am concerned to find by your favor of the 1st Instant, that the Spirit of Malevolence and Malice is still in force, and considering the Pains that is taken not to let it Subside, it is not to be wondered at. In this Situation of People's Minds heated by the Violence of Faction, and urged by a Thirst for Revenge, there seems very little Probability that the Prisoners can have a fair and impartial Tryal. The only thing which appears most proper at this Distance, is to postpone their Tryals as long as possible, in the Hopes that People will cool by Degrees, and be more cautious of Oaths when they give their Evidences. If you are of this Opinion I am certain you will use every legal means in your Power to put their Tryals off as long as it is possible; and I believe the longer they are postponed, the better it will be for the Cause of Truth and Justice.

I thank you for the Copy of the Letter to M^r Bollan, filled as usual with gross Misrepresentations, and I presume a Copy is transmitted to the King's Ministers.

* * * * *

Hon:^{ble} Lieu:^t Gov:^r Hutchinson

[Indorsed]: Copy/ To Hon:^{ble} Lieutenant Governor Hutchinson
Boston

New York April 9th 1770

HUTCHINSON TO GAGE

Boston 13 April 1770

SIR

* * * * *

I have assurance from the Court that they will continue the Trial of Captain Preston and the Soldiers until the last week in May, and I doubt not they intend it. Great pains is taking to intimidate the Judges & compel them to bring it on sooner. I have the honour to be with great respect

S^r your most humble & most obedient
servant

THO HUTCHINSON

His Excellency General Gage
[Indorsed]: Lieu^t Gov^r Hutchinson
Boston April 13th 1770.
Received April 18th

DALRYMPLE TO GAGE

Boston April 15th 1770

I had the honor of your Excellency's letter dated the 9th of this month, the apprehensions of the officers of the Crown here are certainly such as you mention, and they may not be entirely destitute of foundation

The letter that appeared in the York paper, was perfectly well calculated to effect the purpose of clearing up the point in question, more said would have only served to stamp it with the epithet of a party matter, less would not have conveyed the truth.

It is in vain to contest here by the force of evidence, I am told that to the scandal of human nature some most shamefull and apparent perjuries have appeared, and if anything more is wanted I make no question that there are still others to be found ready to give assistance in the same way. The supposed ministerial change gives great pleasure to the people here, they doubt not that all their grivances will be redressed, I must own that any thing is preferable to a dispute managed as that between Britain & the Colonies has been.

* * * * *

W DALRYMPLE

[Indorsed]: Lieu^t Colonel Dal-
rymple 14th Reg^t
Boston April 15th 1770
Received April 21st
answered

Dalrymple to Gage, April 20, 1770

Hutchinson to Gage, April 22, 1770

DALRYMPLE TO GAGE

Boston April 23^d 1770

I do myself the honor to send you a Copy of the Narrative, by some mistake it did not come to your hand earlier. I am afraid it may not be well drawn up, as I am little used to such matters, it is however strictly true, nothing set down in malice, many more aggravating circumstances might have been added, but the air of moderation seemed to me the most becoming in such representations.

* * * *

W DALRYMPLE

[Indorsed]: Lieut Col^o Dalrymple 14th Reg^t
Boston April 23^d 1770.
Received April 29th
Answered

Gage to Hutchinson, April 23, 1770

Gage to Dalrymple, April 23, 1770

DALRYMPLE TO GAGE

Boston April 24th 1770

Since the last letter I had the honor of writing to your Excellency a ship is arrived, she left London March the 12th Lieut Urquhart & Ensign Dun of the 14th reg^t came in her, the last in the room of Ensign Leigh.

On the 5th of March the American affairs came on, George Onslow moved for leave to bring in a bill to repeal the three

Articles, the tea was not mentioned, it was carried without a deviation. The consequences of the partial Repeal here, seem to be very bad the people are vastly more dissatisfied than before, and I am much mistaken if it be not found an unlucky measure.

Pownal spoke with great heat, and charged the troops with every disorder that has arose in this part of the World, Col, Mackay stood up and retorted on Pownal, charging the factious disposition to the encouragement received from Members of that house, and particularly from Pownal.

* * * *

W DALRYMPLE

[Indorsed]: Lieu^t: Coll: Dalrymple 14th Reg^t Boston
 24th April 1770
 Received May 2^d
 answered

Hutchinson to Gage, April 25, 1770

Gage to Hutchinson, April 28, 1770

GAGE TO DALRYMPLE

Copy/
 SIR,

New York April 28th 1770

* * * *

You will of Course detain all Officers or Men who may be wanted as Evidences at the ensuing Tryals of Captain Preston and the Soldiers. I have transmitted home the best Account I could of that Affair, collected from Passages of Letters, And such other Materials that I could procure. Shewing withal the little Chance the Prisoners had to escape, whether culpable or not, unless Government interfered and delayed Executions, till a thorough Information was obtained of the true Conduct of the Captain and Soldiers, to enable them to Judge, how far they are Objects of the Royal Mercy. I have done all I could, but unfortunately my Letters go home very late, And I must repeat my Sollicitations to postpone the Tryals as long as

possible; to effect which I am assured the Lieutenant Governor will do all that lyes in his Power.

I understood from your first Letters on this Unhappy Subject, that you had transmitted home a Narrative thereof, as well as an Account of all that followed, which occasioned the Removal of the Troops, to the Barracks at Castle William. You don't say to whom you transmitted those Accounts, but I am to hope they are to some Public Office, and that some Measures will be resolved on before my Letters get home.

Captain Preston's own Account I rather wish kept here than sent home. He had no Business to defend the Custom House, unless legally called upon. I suppose his Motive for sending the Party was, to relieve the Centry who was attacked, and bring him back to the Guard to prevent Mischief. Other Motives were no doubt good, honest and Military, but they may not be good in Law, where a Military Man Acts by his own Authority Solely.

I am with great Regard.

Sir,
&ca

Lieu^t: Colonel Dalrymple, 14th Reg^t:
[Indorsed]: Copy/ To Lieu^t: Colonel Dalrymple 14th Regiment
Boston,
New York April 28th 1770.

Hutchinson to Gage, April 29, 1770

GAGE TO HUTCHINSON

Copy/
SIR,

New York April 30th 1770.

The Fate of Richardson which you mention in your Favor of the 22^d Ins^t., shews what is to be expected on the Trials of Cap^t: Preston and the Soldiers of the 29th Reg^t.. In my Account of the unhappy Transactions of the 5th of March, I have not omitted to state the Situation of the Town and temper of the People, the efforts to inflame them to a Thirst of Revenge, and the Endeavours used to overawe the Judges. That these Circumstances rendered it next to impossible that those un-

fortunate People could have a fair and impartial Tryal, or any Chance for their Lives, whether culpable or not, unless government should interfere to postpone Executions, till Reports were made to the King; that His Majesty might be able to Judge how far they are real objects of the Royal Mercy. But my Letters unfortunately go home late, and the Tryals will come on before any orders can be received relative to them, unless they can be postponed to a longer Term. The Cause of Justice demands Delay, but I am not able to Judge how far the Law will admit of it, and therefore I may act improperly in entreating you as far as consistent with your Duty and Powers to get the Tryals delayed as long as it shall be possible.

* * * *

THO^s GAGE

Hon^{ble} Lieu^t Gov^r Hutchinson

[Indorsed]: Copy/ To the Hon^{ble} Lieutenant Governor Hutchinson

at Boston New York April 30th 1770.

GAGE TO DALRYMPLE

Copy/
SIR,

New York April 30th 1770

* * * *

I thank you for the Narrative, the Substance of it, I have transmitted home in part. I have related the Situation of the Troops previous to the 5th of March, and added the transactions of that night to the Firing of the Soldiers upon the Mob, and the Commitment of the former to Prison &^{ca}. As for the Resolves of the Council and Town Meetings, and Removal of the Troops to Castle William, I have referred to the Lieu^t Governor's Dispatches and yours.

* * * *

L^t Col^o Dalrymple

[Indorsed]: Copy/ To Lieu^t Col^o Dalrymple 14th R^t at Boston
New York April 30th 1770

Dalrymple to Gage, May 4, 1770

DALRYMPLE TO GAGE

Boston May 5th 1770

* * * *

[removal of 29th regt.]

All who can be of use in the ensuing trial shall be detained, the postponing of this affair is the only eligible measure, party zeal has entirely got the better of reason, and I believe it may be added justice, procrastination is our only course, as things are now situated.

I presumed to write to Lord's Hillsborough, & Barrington, as well as to General Harvey, on the unhappy affair of the 5th of March. I sent each a Copy of the Narrative, I also wrote to my private friends, you are good enough to excuse this liberty, to prevent unjust impressions is certainly prudent.

In my own private situation much blame must be expected, and I trust to your candour for my defence, if any thing enjurious to my reputation should appear, I beg your permission to do myself justice on the spot where such enjuries may be offered, no person has had a more difficult part to act, the applause, or disapprobation, will I trust be proportionate.

I agree perfectly with you on the propriety of keeping Captain Preston's state of his case to ourselves, the doing ones duty well here is dangerous, and will be thought illegal.

* * * *

W DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t Boston May 5th 1770.

Received May 13th answered

Gage to Hutchinson, May 7, 1770

HUTCHINSON TO GAGE

Boston 9 May 1770

SIR

* * * *

I have much at heart the case of the Officer & Soldiers and shall do every thing in my power to prevent the Injustice you

fear; but all I can do is to improve every circumstance when it happens, to secure this principal point, for there is no foreseeing what will happen when every thing depends upon the humour of the people. I have no great hopes of continuing the Trial but will not cease endeavouring to do it.

* * * * *

THO HUTCHINSON

His Excellency General Gage
 [Indorsed]: Lieu^t Gov^r Hutchinson
 Boston May 9th 1770
 Received May 17th
 answered

Hutchinson to Gage, May 13, 1770

Gage to Hutchinson, May 21, 1770

Dalrymple to Gage, May 25, 1770

Gage to Dalrymple, May 27, 1770

HUTCHINSON TO GAGE

Boston 1^t June 1770

SIR

I have given constant attention to the case of Captain Preston and the Soldiers & by taking the advantage of a number of accidental occurrences have procured without any Tumult a continuance of the Trial to the next Term, which begins the last Tuesday in August, before which time I hope for some express orders from the Ministry. I never could be reconciled to the Trial's being brought on this Term, but the Temper of the people was such that it was necessary to keep them in expectation of it until they were somewhat cooled and could be diverted by some other Subject for their attention. The Court took the opportunity of the time for the Election of Councillors, when the minds of the people had been much engaged in a jovial celebration of the Festival at Boston in opposition to me for carrying the General Court to Cambridge,

and adjourned without day. I expect some inflammatory Remarks in the News papers and, it may be, from the Pulpits but I hope it will end there. We have no later news than the 7^h of April. I have the honour to be

Sir Your most humble & most
Obedient Servant

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson Boston June 1st 1770

Received June 10th

answered

Dalrymple to Gage, June 4, 1770

Dalrymple to Gage, June 7, 1770

Gage to Hutchinson, June 13, 1770

GAGE TO DALRYMPLE

Copy/

New York June 17th 1770

SIR,

* * * *

No News but what you will see in Print, and most of that false. I would here mention, that it is absolutely Necessary every thing relating to the unhappy affair of the 5th of March, should appear as full as it is possible upon Captain Preston's Tryal. Not only what happened on the said Night, should be circumstantialy made to appear, but also every Insult and Attack made upon the Troops, previous thereto, with the Pains taken by the Military to prevent Quarrells between the Soldiers and Inhabitants. The Treatment the Troops have met with at different times from the Magistrates, and the Encouragement the Magistrates have given the Mob to commit Riots, and insult the Troops, should likewise be proved and introduced if it is possible. If such things cannot be introduced at the Tryal, Affidavits should however be procured of these several Circumstances, and printed with the Tryal, which ought to be taken down for the purpose. All these

together, if its found Adviseable after the Tryal, might be Published in one Pamphlet. Every Military Man will certainly contribute towards the Expencc of such Proceeding, for it concerns every Body. But what I say, about introducing every Circumstance that the Court will permit at the Tryal, is absolutely necessary, for the Sake of Captain Preston and the Soldiers. And for Reasons, which I am not now permitted to give you. Preston's foolish Advertisement is printed with the rest, so you see they have already made their use of that unadvised Step. Pray think seriously of all I have said, and put all hands to work.

* * * *

Lieu^t: Colonel Dalrymple 14th Reg^t
[Indorsed]: Copy/ To Lieu^t: Colonel Dalrymple 14th Regiment
Boston
New York June 17th 1770

Hutchinson to Gage, June 19, 1770

DALRYMPLE TO GAGE

Boston June 19th 1770

By the return of the Express I do myself the honor of writing you a few lines

I am honored with letters from Lords Hillsborough & Barrington, they are very favourably worded, and I make no doubt that every proper countenance will be afforded Captain Preston.

* * * *

W. DALRYMPLE

[Indorsed]: Lieu^t: Col^o: Dalrymple 14th Reg^t
Boston June 19th 1770.
Received June 24th
answered

Hutchinson to Gage, June 21, 1770

HUTCHINSON TO GAGE

Boston 22 June 1770

SIR

I ever supposed it would be necessary for me, at all events if Capt. Preston & the Soldiers should be found Guilty and Sentence be passed to grant a Reprieve until His Majesty's pleasure should be known. I am now under stronger Obligation to do it than before having received His Majesty's express commands so to do. I am much less concerned from an apprehension of the rage of the people against me than I am from the danger in our present dissolute state of Government, of the people's taking upon themselves to put the Sentence into execution. I do not believe I have one Magistrate who would be willing to run any risque in endeavouring to prevent it. If Troops were in the Town I don't know that a Magistrate would employ them on such an occasion but I think they might notwithstanding be the means of preventing it. What measures will be taken in England is to me very uncertain. It is incumbent on me to mention my apprehensions to you, but I do it in the most confidential manner lest their being known might suggest to some what, perhaps otherwise they would not have thought of, but as there will be probably ten or twelve weeks time before the Trial will come on I shall be glad of your opinion upon any steps which can be taken to guard against so fatal an Event.

* * * *

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson Boston June 22^d 1770Received 1st July. answered

HUTCHINSON TO GAGE

Boston 23 June 1770

SIR

After I had wrote to you yesterday I received, towards evening, at my house in the Country a Message from Col^o Dalrymple at the Castle with a Letter he had received from

Cap^t Preston expressing his great fears that the people were so enraged as to force the Gaol that night and make him a sacrifice, several of his friends having informed him this was their intention. I sent immediately proper Orders to the Sheriff & I directed to every precaution I could think of but, being extremely uneasy, I went to Town. I found the people were enraged upon reading Capt. Preston's Narrative which I wish had not been published in England. I sat up until midnight and until the Scouts which had been sent to different quarters made return that all was quiet and I find that where Capt. Prestons fears have come to the knowledge of the Liberty People they have generally remarked that what ever danger there may be after Trial it would be the height of madness to think of any such thing before. I shall however continue all the caution I have in my power. I am very respectfully

Sir Your most Obed Humble
 Servant

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieut^t Gov^r Hutchinson Boston June 23^d 1770

Received 1st July answered

Dalrymple to Gage, June 24, 1770

Gage to Hutchinson, July 1, 1770

Gage to Dalrymple, July 1, 1770

Dalrymple to Gage, July 2, 1770

Gage to Dalrymple, July 9, 1770

DALRYMPLE TO GAGE

Boston July 9th 1770

* * * *

The Boston express is returned the account of their embassy and its success I will give you as the Sons of Liberty report of it.

The Bearer of it one Gardiner on his arrival was examined

before the Privy Council, & before a Committee of Parliament, the grievances of the Town of Boston were made to appear such as could not be endured, the oppressions committed upon the inhabitants were held such as were never before heard of, and in short the Soldiery were plainly the aggressors.

Letters are arrived from Pownall Bollam, Mr^s Macauley &&&, the first in his letter to the Select men tells them that he has authority of the highest kind, to enform them that orders are dispatched to America to remove all Naval & military force from amongst them, pray god it may be true.

* * * *

I shall only add that this Gardiner who's testimony has produced such miracles is supposed to have been one of the most active leaders in the riot of the 5th of march, therefor his detail of the matter must have been truly candid.

* * * *

W. DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t Boston July 9th 1770

Received July 15th
answered

Hutchinson to Gage, July 9, 1770

BOSTON COMMITTEE TO PRESTON

Wednesday A: M: July 11th 1770

S^r:

In the Interview we as a Committee of the Town of Boston had with you yesterday, you may remember, we told you we were dispos'd to consider you as a man of too much honor to be the author of the publication in the public advertiser printed in London April 28th call'd the Case of Capt. Tho^s Preston and, the Letter to the public in the public Gazette of y^e 12th March last; as those papers directly militate with each other. The Letter we refer to is as follows

Mess^{rs} Edes & Gill Boston Goal Monday 12th March 1770

Permit me thro' the Channell of your paper, to return my thanks in the most publick manner to the Inhabitants in general of this Town—who throwing aside all party & prejudice, have with the utmost humanity & freedom stept forth advocates for Truth, in defence of my injur'd innocence, in the late unhappy affair that happen'd on Monday night last: and to assure them, that I shall ever have the highest sense of the Justice they have done me, which will be ever gratefully remember'd by their much obliged & most obedient Humble

Servant THO^s PRESTON

In the course of our Conversation you inform'd us, that the State of the Case publish'd in the Advertiser was very different from what you first wrote; that your Acc^t of that unhappy affair was put into several hands here at different times, and alter'd by the persons to whose Judgment you submitted it; and, that it now appears in the public advertiser different from the paper which you last saw, & which you finally determin'd to send home as the State of your Case; but you declin'd pointing out the particular alterations w^{ch} have been made, because you suppos'd those alterations were made by your Friends, with design to serve you; & you were apprehensive that by particularizing the passages alter'd, you might give some offence.

We are very sensible of the delicacy of your situation; & would by no means urge you to any thing w^{ch} might lessen the number or influence of your friends; but as we know, that a conspiracy has long been form'd against the rights & liberties of the people & more especially of this Town; & as we have the fullest proof of the most gross misrepresentations having been sent home to his Majesty & the Ministry, we cannot avoid requesting you in behalf of the Town to explain, as far as you are able, some parts of that case publish'd in the advertiser, & as we shall forbear touching upon any thing w^{ch} has an immediate connection with your conduct in that affair, we think you cannot, consistent with your honour, suffer a paper publish'd in your name, containing such injurious charges against a Community, to pass unnotic'd, when an Explanation is desir'd by the persons affected.

The Case, as it is call'd, sets forth, that "the Inhabitants have ever us'd all means in their power to weaken the Regiments, & to bring them into contempt; by promoting & aiding desertions, & with impunity, even where there has been the clearest evidence of the fact." We desire if it is in your power, you would point out one Instance, where there has been clear proof of any person's having aided or promoted the Desertion of any Soldier from the Regiments in this Town. It is asserted "that upon the arrival of the 64th & 65th Regiments the Ardor seem'd to abate, but upon their being order'd away, it began to revive." for our parts, we observ'd no such abatement or revival, & we cannot but wish to be inform'd how it became known to the author of the Case. But the most cruel charge which Malice & Guile could form against an innocent Community is contain'd "in the following paragraph, The Insolence, as well as utter hatred of the Inhabitants to the Troops, increas'd daily; in somuch that Monday & Tuesday, y^e 5th & 6th Ins^t were privately agreed on for a general engagement, in consequence of which several of the Militia came from the Country, arm'd to join their Friends, menacing to destroy any who should oppose them. This plan has since been discover'd."

Is it possible, for you, Sir, or any person on Earth, to produce the least shadow of proof to support this barbarous accusation? if it is, we beg it may no longer be conceal'd from us. and we hope, if this is not one of those alterations above mention'd, you will inform us how it appears that such a plan was ever form'd, or even tho't of. This cannot but be judg'd highly reasonable, as it is of the greatest importance to the public; & can have no Effect on your private concern. if it is one of those alterations, we should be very glad to know whom we may apply to as the author.

We think the State of the Case is in many other respects very exceptionable; but shall omit taking notice of any thing further at this time, as we would do nothing w^{ch} might be detrimental to you; nor should we have troubled you at all in your present disagreeable circumstances, had we known any other method of coming to the knowledge of our accusers.

If we receive no answer to this by to morrow 10, °Clock, we

shall conclude you have nothing to offer in defence of the passages referr'd to in the paper circulated, as the Case of Capt. Thomas Preston.

We are S^r your most
Humble Servants.

THOMAS CUSHING
RI DANA
SAMUEL ADAMS
JOHN HANCOCK
W^m PHILLIPS
W MOLINEUX
EBENEZER STORER

Cap^t Thomas Preston

To this no answer was sent

(Copy)

[Indorsed]: Copy of a Letter to Cap^t Preston from People who call themselves the Committee of the Town of Boston.

July 11th 1770.

Gage to Hutchinson, July 15, 1770

GAGE TO DALRYMPLE

Copy/
SIR,

New York July 15th 1770

I thank you for your Letter of the 9th Instant, and am much of Opinion, if M^r Pownall has assured the People of Boston that Orders are dispatched to America to remove all Military Force from amongst them, that he has decieved them. Nothing was determined, you may be assured, when Pownall wrote, for the Ministry would resolve nothing, till the Affair had been brought before the Parliament. That they might be inclined, in the perplexed Situation of Government, to do what you Suggest, is very probable, and we hear that the Bostonians had sent over a Number of Depositions which were arrived, without any thing to contradict them.

* * * *

Lieutenant Colonel Dalrymple 14th Reg^t

[Indorsed:] Copy/ To Lieu^t: Colonel Dalrymple 14th Regiment
Boston

New York 15th July 1770

ANONYMOUS TO PRESTON

Boston 20th July 1770

SIR/

I am well inform'd that M^r: Strong who is an Englishman & writes in the Custom house, can be of great service to you as an Evidence, he was a Witness to the whole affray that happen'd on the 5th of March, and according to his relation of it, it appears very much in your favour; I have rec^d this intelligence from a Friend to whom M^r: Strong communicated the particulars.

I likewise think myself oblig'd to inform you, that the popular prejudice is much against you, I have been told by many that his Majesty's pardon will avail you nothing, & by way of precedent they mention the affair of Porteous.

From these circumstances I am led to believe there will be no protection for you without the aid of a Military force. What I have now communicated to you is done with a full reliance on your honour, that the Authors name will never be mention'd, if it should the consequences would be nothing less than his total ruin. As an Englishman & a friend to Justice, I will faithfully transmit to you such intelligence as may appear to be of service in your cause, & in case you should be inclin'd to have a more minute detail of matters of fact, I am ready at any time to gratify you in this respect.

I am Sir your most humble Serv^t

To Cap^t: Tho^s: Preston

(A Copy)

[Indorsed]: Copy/ Letter to Cap^t: Preston 29th Reg^t: Boston
July 20th 1770. NB: Anonymous.

Dalrymple to Gage, July 23, 1770

HUTCHINSON TO GAGE

Boston 29. July 1770

SIR

By Thursdays post from Philadelphia M^r Bowdoin, who is Chairman of what is called the Town's Committee, received a letter from M^r Trecothick which, he says, he wrote at the special desire of the Duke of Richmond to advise the Town, in case Capt Preston and the Soldiers should be convicted, to intercede for a respite that they might be recommended to the King for mercy and, M^r Trecothick adds, that it is the opinion of the Opposition that this would be a very likely measure to do the Town service and to remove the Imputation of thirsting after the Blood of the Troops. That there is a letter to this purpose is certain and I have pretty good authority to believe it is exactly as I have related.

If these people had any degree of ingenuity or discretion they would follow this advice, but they have none. The letter however may have a good effect. It may keep them under restraint as they will be more inexcusable after this recommendation if any Outrage should be committed. Although it does not occur to me that any thing can be done by you in consequence of this intelligence yet I think it proper to communicate it. I have the honour to be

Sir Your most humble
& most obedient servant
THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t Gov^r Hutchinson Boston July 29th 1770.Received Aug^t 5th acknowledged

GAGE TO DALRYMPLE

Copy/

New York August 5th 1770

SIR,

I am informed, as well by other Advices, as your favor of the 23^d Ultimo, that all Enquiry into the Affairs of North America, has been postponed for this Sessions, and possibly

for the next also. It is in vain to argue upon it, but perhaps the Packet expected, may assign some Reasons for such Proceeding.

As you have sent home Affidavits in support of the Narrative you transmitted concerning the Transactions of the 5th of last March, I dont see that more could have been done. Truth can never Swear against Perjury; for She must be outsworn; I observe from your News Papers, that an Account of the above Transactions is printed with a Number of Affidavits annexed; And suppose some of the Copys will be sent to this Place from Boston.

It is to be hoped that Captain Preston and the Soldiers will have the best Advice to be procured, If there is any doubt either of the abilities or good Intentions of their Council; Lawyers should be procured from some of the other Provinces. They ought not to be too secure because they are conscious of their Innocence, but consider, that every Endeavor that hatred and Malice can devise, will be exerted to convict them at their Tryal; And they must expect to struggle with the blackest Perjury. No Evidence therefore or the smallest Circumstance should be omitted, that can in any shape tend to acquit them.

In a former Letter you told me you understood, that two of the Judges had resigned. I have not heard that Event confirmed, which would indeed be a very Material one, in many respects, to convince the World, of what you are long convinced of.

I am with great Regard,

Sir,
&ca.

Lieu^t: Colonel Dalrymple
[Indorsed]: Copy/

To

Lieu^t: Colonel Dalrymple
14th Regiment
Boston

New York August 6th 1770

PRESTON TO GAGE

Boston Goal Aug^t 6th 1770

SIR

The kind reception you have given my letters, has encourag'd me to trouble you with this, being uncertain how far it is in your power to assist me.

I hop'd that time would mitigate my troubles & the madness of the people, but on the contrary it increas's every day, & indeed they are so bad here, that you whose heart is diametrically opposite can have no conception of their wickedness, unless you extend your ideas much further than common into the gloom'y recess's of the human breast.

They proposed at a town meeting to deny me the use of Pen Ink, & Paper. They sent home a most false account of the affair of the 5th March, & have since made additions to it. They have sent off some of my principal Evidences, & are daily spiriting away more, & have so threaten'd others that they are affraid to appear at the tryal. They have publish'd reports & pretended letters of his Majestys having sent me a pardon, that so they may quiet the Conscience of the Jury, who therefore may the sooner find me guilty as they are told nothing bad will happen. They have privately resolv'd, that pardon shall not be of any use (should it be come, which it really is not) as they have determin'd I shall meet with Porteus's fate, & if found guilty, taken out & hangd directly, as several letters on that head have acquainted me, a copy of one I here with send you. They have receiv'd letters from Alderman Trecothick to M^r Bowdoin here, at the desire of the Duke of Richmond, recommending to apply to the Lieu^t Governour for a respite, & afterwards to the King for a pardon for me, in case of being found guilty, as a conciliating measure between the two Countrys, but this letter they have secreted. They have also publish'd all the Affidavits taken against me, to inflame the minds of the people far & near, & prejudice them at my tryal. The Committee came to me to question me about my case, & next day sent me a letter, a copy of which I beg leave also to inclose you.

I shall leave you to animadvert on the foregoing, & believe it will not be very difficult to determine what will be my fate,

if Troops do not arrive here before my tryal; but should this be the last letter, as it is very probable I shall trouble you with, I beg you would believe me to be truly grateful for your friendly attention to my unhappy situation, and that I am with the greatest sincerity

Sir your much obliged and
most obedient humble Servant

THO^o PRESTON

To

Gen^l Gage

[Indorsed]: Cap^t Preston 29th Reg^t

Boston Goal Aug^t 6th 1770

Received Aug^t 12th

Inclosing Copy of an anonymous letter to him
Cap^t Preston.

Copy of a Letter from a committee of the Town
of Boston dated July 11th 1770

Answered

Dalrymple to Gage, Aug. 9, 1770

DALRYMPLE TO GAGE

Boston August 12th 1770

I had the honor of your Excellency's letter dated the 5 ultimo; with this you will receive a letter wrote to me by M^r Murray.

I lost no time in laying it before the Lieut Governor, he being the person principally to be consulted in the affair the letter treats of, he judges the proposal rather to be ill timed, and more the effect of a seeming zeal than a real desire to render service to the parties enterested, he thinks M^r Murray wishes to establish to himself some degree of merit by the offer, which he must know is such as cannot be accepted.

I lay the matter before you and if the road pursued in this matter be a wrong one, you will please to enstruct me how to proceed in a manner more to your satisfaction. If matters take a turn by which the lives of the persons to be tried are in

apparent danger and a repetition of the same proposal is made, I do not then suppose that the Lieut Governor will call the aid of the military, and I think without his interposition, the proposal of the single Justice would not be a sufficient authority to act upon. I must beg the direction of your better and more mature judgement on this point, it would give me true pain to think I had omitted any thing that could contribute to the preservation of the persons who have already suffered so much.

The best lawyers to be obtained here are engaged for Captain Preston, and I hope they will do their duty, but when I consider the spirit prevalent here, as well as the unfavourable ideas universally held to the prejudice of the kings servants, I cannot hope that their exertions will be proportionate to the goodness of the cause. Lawyers from other provinces would probably do much better for their Client, not being residents here they might exert their abilities without apprehension of future enjuries; but where are any to be had; M^r Auchmuty the Judge of the admirality is engaged to appear, but I am much mistaken if he will not disapoint Captain Preston, when the Crown Lawyers fall off, the opinion of the others may be easily collected.

The behaviour of the people at the late town meetings, the publishing the Narrative & affidavits sent home are plain indications that every art will be used to enflame mens minds, and if there appears calmness, justice, or moderation, at the trial I am greatly mistaken. Public report mentioned the resignation of the two Judges as a certainty, it is very likely that the thing is not to take place untill the approach of the Sessions, if the temper of the times be such as may afford a reasonable hope of business being conducted with propriety the event may not happen, if not, the vaccancies on the Bench may afford a specious reason for postponing the trials to a longer day. I know that two have positively declared that they will never sit as Judges under the circumstances of entimidation from the mob, the which they experienced last March.

* * * * *

W. DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple
 14th Reg^t
 Boston August 12th
 Received Aug^t 19th
 Inclosing a Letter to him from
 M^r Justice Murray.
 answ^d

MURRAY TO DALRYMPLE

After the pains taken by the Rev^d Doct^r Chauncey and others to prejudice the People of Boston against Cap^t Preston, there is too much room to suspect that the Captain will pass his time but badly at and after his Trial. I am so well convinced of his Innocence and at the same time so Zealous for the Peace and Credit of the Town, that I should be extremely sorry to hear of any Violence being committed on him contrary to law. In order to prevent any Act of that Sort, I shall be ready, as a Civil Magistrate, to escorte two hundred men of your Regiment from the Castle to Town when the Trial is to come or sooner when ever there is notice of danger to him from the Mob. The party may remain with me during the Time necessary in Smiths Sugar house Barrack, where a Sentry from the Top of the House can hear or see a Signal from the Goal.

No Mortal knows of this Proposal, nor does it seem to me necessary that any should now know it, except you, Sir, and Gen^l Gage and Cap^t Preston if you please for his Peace of Mind.

I have the honour to be with much Respect

Sir

Your most obedient Servant

JA MURRAY

Milton July 27th 1770

[Indorsed]: M^r Murray Justice of the
 Peace in Boston, to L^t
 Col^o Dalrymple 14th Reg^t
 Milton 27th July 1770—

Gage to Hutchinson, Aug. 12, 1770

GAGE TO PRESTON

Copy/
SIR,New York August 12th 1770

I have received your Letter of the 6th Ins^t with the two Papers inclosed. You did very right to give no Answer to the Letter from the Committee, as you may be certain both their visit to you first, and their Letter afterwards had no other Meaning than to entrap you. At the Beginning of this unhappy Affair you was unwarily drawn in to publish an Advertisement, advised to it no doubt as a measure proper to ingratiate yourself with the People. The Intent of it was seen thro' at this Distance, and you have now found the Use they have made of it.

It is my Advice that you give no Answer whatever by word or writing to any Questions that are asked. Be Confident in your Innocence and the Justice of your Cause; Had you even ordered the Men to fire, you only obeyed the Laws of Nature in defending your own Life, and the Soldiers have done no more. Let Nothing be neglected at your Tryal, and let it appear there how your Evidences have been threatened and sent off. I have wrote much to L^t Colonel Dalrymple on these Matters who no doubt communicates every thing that relates to you.

The People may talk and threaten but I am satisfied they dare not put such Threats you apprehend in Execution. You may be assured that I have done, and shall continue to do every thing in my Power for your Service, and I think, if there is any sufficient Reason to suspect any Designs of Violence on the Part of the People, that the Lieu^t Governor will certainly order the 14th Regiment into the town.

The Purport of M^r Trecothick's Letter to M^r Bowdoin is pretty well known, it will be seen shortly if they follow his Advice.

I am,
Sir
&ca

Captain Preston
29th Reg^t Boston

[Indorsed]: Copy/ To Captain Preston
29th Regiment, at Boston
NYork August 12th 1770

GAGE TO DALRYMPLE

New York August 13th 1770

SIR,

I inclose a Letter for Captain Preston in answer to one he wrote me. He seems alarmed, and poor man I fear not without Reason. He judged right in giving no Answer to the Letter wrote him by the Committee, and I advise him strongly never to answer any Questions asked him either by word of mouth or writing, for they only mean to entrap him. He will shew you my Letter, and I have said to you every thing I cou'd think of that appeared to me of any Use in this Affair. You will soon be able to judge by their Proceedings how far they mean to follow M^r. Trecothick's Advice, in his Letter to M^r. Bowdoin. They will endeavor to impose upon Captⁿ. Preston, by an Appearance of good and humane Intentions towards him in Case of Condemnation; which in his distressed Situation might have weight enough to induce him to act in a Manner correspondent to their Designs, and he should guard against it. You may tell him privately that he is respited by the King in Case of Condemnation, and the Soldiers should be told the same, that they may not thro' Fear, and Hopes of Protection be cajoled by the People to perjure themselves, or make Declarations contrary to Truth and Fact. It is more than probable that Endeavors may be used to draw them into Declarations of the kind, that they may correspond with the Relations they the Ringleaders at Boston, have given the world of this Affair. You can not therefore be too much on your Guard against them. The King has respited the Captain and the Soldiers in Case of Condemnation, but you will not make it known only in Confidence where I have mentioned. I have not got the Affidavits from the Jersys, but they are making out, and the Magistrates who are taking of them say, they could

not concieve there was on Earth so bad a People as those of Boston.

* * * * *

Lieu^t: Col^o: Dalrymple 14th Reg^t
[Indorsed]: Copy/ To
Lieu^t: Col^o: Dalrymple.
14th Regiment,
at
Boston
NYork August 13th 1770

GAGE TO DALRYMPLE

New York August 19th 1770

SIR

* * * * *

After all it has been and still is my firm Opinion, that they will not dare, notwithstanding their Threats, to offer any Violence to Captain Preston or the Soldiers. And that they know better, than to commit any Disturbance in Court during the Tryal. Every thing of that kind must make greatly against them, and would be a lucky Circumstance for the Prisoners, Should their Evidence be insulted and Menaced in the Court, in such a manner as to occasion Complaint from the Judges.

I imagine the Prisoners chief Defence lyes in proving that the People were in search of them, which indicates pre-meditated Mischief, that they were grossly insulted and attacked without Provocation, and to support the Degree of Violence in the Attack to have been such, as to endanger their Lives. Whether the Captain gave Orders to fire or not, seems a Circumstance something Stronger in his particular favour, and nothing more. These are the opinions of many, and I should imagine not difficult for the Lawyers, to make these particulars appear plain to the Court, as well as to cross Question the opposite Evidence, in a proper Manner.

I am sorry you doubt M^r Auchmuty's zeal or good Intentions towards his Client, and should hope he would exert himself in the Cause of Truth with uncommon Zeal, and without

Fears or Apprehensions. If you find it Necessary you should encourage him, for very particular Reports are expected to be made of every Circumstance of the Tryal.

* * * *

Lieu^t Col^o Dalrymple 14th Reg^t

[Indorsed]: Copy To Lieu^t Colonel Dalrymple of the 14th Regiment at Boston
New York Augst 19th 1770

Hutchinson to Gage, August 19, 1770

Dalrymple to Gage, August 20, 1770

DALRYMPLE TO GAGE

Boston August 26th 1770

* * * *

I have this day answered Mr Murray's letter, I have repeated to him what he well knows before, vid. that my instructions direct me to be aiding & assisting to the Civil Magistrate, in executing the laws, & repressing violencies, when called on by the Civil power, pointing out to him at the same time that the military officer is not the judge of the necessity, but only acts consequential to the requisition made upon him. This will fully explain the nature of my authority, if not already known. I shall send an officir in whom I can place every degree of confidence to the Sheriff tomorrow, to mention to him the facility with which he may command all or any part of the forces at the Castle to be aiding to him in case of need, and if they are called and employ'd I will venture to assure you that they will behave as they ought to do. I can safely trust their coolness & attention to their orders.

It seems but little probable that the same Magistrates will now act the part they have so long disclaimed, but let the weakness be imputed to them.

I cannot easily perswade myself that even in such times the people will proceed to actual violencies against Cap^{tn} Preston, tho if one or two of the leaders of the mob only hint it, it will

be done without doubt and no magistrate will in that case shew his face against them.

I understand that the Judges will not sit, being sure that they will be compelled to do acts repugnant to their own feelings as men, the Jury law being expired, the nomination of Jurors is now more in the hands of people than before, it may be easily guessed on whom their election will fall. In short if the trial comes on, I do not see a Chance of a Verdict being found for the prisonerr.

* * * *

August 27th

Last night late I received a letter from M^r Justice Murray, he proposed a plan of carrying up two hundred men of the 14th regiment to Boston, there to continue during the sitting of the Superior Court, I waited on him this morning early, and after some conversation found that his project was founded on a supposition that an absolute pardon was come over for Captain Preston, I set him to rights there, as his scheme took its arisal from an idea of carrying off Captain Preston on his pleading his pardon, the truth being known the matter came to nothing.

* * * *

W DALRYMPLE

Gen^l Gage

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t Boston Aug^t 26th
1770 Received Sep^t 2^d answered

Gage to Hutchinson, August 27, 1770

Gage to Dalrymple, August 27, 1770

Gage to Hutchinson, September 2, 1770

GAGE TO DALRYMPLE

New York September 2^d 1770

SIR,

I was this Day favored with your Letter of the 26th ul^{mo} whereby I find the Offer made by M^r Murray has ended as

might have been expect'd; The Lieu^t Governor's Opinion appears to me consistent with Reason, and I make no doubt, is likewise agreable to Law.

The July Mail arrived with your Letter, and in consequence of the orders transmitted me therein, I am to desire, that you will without Delay take Possession of Castle William, with a Detachment of his Majesty's 14th Regiment under your Command. Lieu^t Governor Hutchinson will recieve Orders in the Dispatches I send him, by the Express who is the Bearer of this, upon this Head: and you will concert with him, the most proper and adviseable Steps to be taken for effecting this Service.

Till the Business is effected, it may be best that it should not be known; and I think you may, as soon as matters are settled with the Lieu^t Governor, order a Detachment of as many Men as the Fort can possibly hold, to march into it, and when you have taken full Possession, the Lieu^t Governor may order the Provincial Company into the Barracks that will be vacated by the Detachment; or elsewhere as he shall judge most proper.

The next thing to be considered, is the putting the Fort into a respectable State of Defence . . .

* * * * *

Lieu^t Col^o Dalrymple

14th Reg^t

[Indorsed]: Copy/ To Lieu^t Col^o Dalrymple or Off: Comm^o the
14th Reg^t at Castle William near Boston
New York Sept. 2^d 1770

DALRYMPLE TO GAGE

Boston Sep^t 3^d 1770

* * * * *

Captain Preston has I hear petitioned the Court to bring him to trial, the alteration in mens minds towards him is extreemly visible, a degree of coolness has succeeded to the late warmth, and there are many reasons to hope an impartiality on trial of which lately there was not a ray of expectation

There are also some private reasons for his impatience which you will hear of from another channel as I imagine.

I am persuaded the letters from London you formerly made mention of have powerfully operated in producing this alteration.

* * * *

W. DALRYMPLE

[Indorsed]: L^t Col^o Dalrymple 14th Reg^t Boston Sept. 3^d 1770.
Received Sep^t 9th
answered

Gage to Dalrymple, September 4, 1770

Hutchinson to Gage, September 9, 1770

Dalrymple to Gage, September 10, 1770

HUTCHINSON TO GAGE

Secret

Boston 12 Sept. 1770

SIR

I wished to have Capt. Preston's Trial come on and I proposed, if the Jury should give in their Verdict Guilty, that his Counsel should move in Arrest of Judgment and that the Court should continue the Motion until the next Term. In the mean time, I would have transmitted a state of the Evidence to My Lord Hillsborough and there would have been time to obtain a pardon which might be sent to you by the first packet in the most secret manner and he be enabled to plead it upon his appearance in Court and be immediately discharged. This would have been the most likely way to keep the people quiet, whereas if there should be a Sentence against him and a respite, or if a new Trial should be ordered, in either case there might be danger of violence. But the Court suddenly put over part of their business to the latter part of October and if such a motion should have been made in arrest of Judgment they could not without the peoples suspecting the design have continued the consideration longer than that

time. I therefore chose, not to have the Trial now. We are, inevitably, straitned in point of time, for the next Term being the second Tuesday of March we can scarce hope after October for a return from England in season. I am informed depositions have been taken here and sent to England by your order and that one or more persons who were present at the Action have been examined before a Committee of Council in England. If the case should appear to His Majesty so favorable as to merit a pardon & it may regularly be granted, it will be most safe that it should be sent by the first packet, or first opportunity here or to New York, and it may be kept secret and used only in case of necessity and a pardon sent after the state of the evidence transmitted not arriving in time.

Having thus stated the case to you, I will do the same to My Lord Hillsborough that such proceedings may be had as shall be judged proper and I hope you will write to His Lordship upon the Subject.

I have taken great pains in this most unfortunate Affair which has been attended with infinite difficulties occasioned by the inflamed spirit of the people. I am with very great Esteem

Sir Your most humble
& most obedient
Servant

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Secret

Lieu^t Gov^r Hutchinson Boston 12th Sep^t 1770.

Received Sep^t 20th answered

Hutchinson to Gage, September 12, 1770

Dalrymple to Gage, September 13, 1770

Dalrymple to Gage, September 14, 1770

Gage to Hutchinson, September 17, 1770

Gage to Dalrymple, September 17, 1770

(Gage learns that Capt. Preston's trial is postponed until Oct. 23.)

GAGE TO HUTCHINSON

Copy/ New York September 23^d 1770
Private

SIR,

I wish you had been able to have put your first Intentions in Execution, concerning the Tryal, and hope yet there might be time for it, notwithstanding that the Tryal is postponed, tho' the Precaution you mean to take to guard against all Accidents, is undoubtedly the safest Method. But I am to acquaint you, that I know of no Depositions sent to England by my Directions, unless it might be some, that were taken at the time of this unhappy Affair which I Advised Colonel Dalrymple to transmit, to corroborate the Narrative he sent of it, to the King's Ministers; And of this, the Colonel can give you the best Intelligence: And till the Receipt of your secret Letter of the 12th Instant, I never heard of any People being examined on this Subject, by a Committee of Council in England. This Unfortunate Affair must have given great Anxiety to you, as well as pains and trouble; And I hope every thing will be done at home to Assist you, and relieve you from great part of the Burden.

I am with very great Regard

Sir,
&ca

Hon^{ble} Lieu^t Governor Hutchinson

[Indorsed]: Copy/ To Honorable Lieutenant Governor Hutchinson

At Boston New York Septem^r 23^d 1770

Gage to Dalrymple, September 23, 1770

Gage to Hutchinson, September 24, 1770

Hutchinson to Gage, September 24, 1770

DALRYMPLE TO GAGE

Boston Sep^t 24 1770

* * * *

Captain Prestons reasons were the following, his Lawyers thought it best to bring on his trial because if a verdict was

found for him the matter was ended, if the verdict went against him an arrest of Judgement founded on some refinements of the law was to be moved, to which the Court would have agreed. The argument was to have been postponed to the term in March, in the mean time the proceedings would have been reported, and a foundation for a Pardon laid before judgement could be pronounced, the Pardon would have sufficient time to arrive before March This scheme is still adopted, and I believe is approved of by all who have been enform'd of it, to others it is entirely a Secret, as ended it ought to be.

* * * *

W. DALRYMPLE

Gen^l Gage

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t

Boston Sep^t 24th 1770

Received Sep^t 30th

answered

Hutchinson to Gage, September 30, 1770

Gage to Hutchinson, September 30, 1770

Gage to Dalrymple, September 30, 1770

Dalrymple to Gage, October 1, 1770

HILLSBOROUGH TO GAGE

Private & secret

Whitehall 3^d Oct^r 1770

DEAR SIR

I wrote you a letter N^o 35 by the Mercury, signifying the King's pleasure that you should supply Captain Preston with such sums of money as you shall judge necessary to defray the Expences of his Defence against the Prosecution carrying on against him; and you would of course have charged them to the Account of Military contingencies. Lord North and I upon a reconsideration of this matter are of opinion that this Service ought not to appear upon a Public Account. The King therefore takes the Expence upon himself, & you are desired

to draw upon William Davys Esq^r at the Treasury Office for such Sum as you shall think fit to advance to Captain Preston and not to enter it in any account. We suppose this Expence can not exceed a few Hundreds. This alteration will occasion a confusion in the Numbers of my Letters unless you will take the trouble to alter those of the Originals which go by the Mercury and make them agree with those which you will receive as Duplicates by this Conveyance; & you will also be pleased to destroy the Number 35 Original by the Mercury. We are in hopes that we shall be able to preserve the Peace, but our Preparations are as vigorous as if we were sure of a War. I seldom trouble you with private Letters, because I have all the advantage of your Correspondence with our Common Friend Lord Barrington. But I shall be always happy to receive and obey your Commands with that attention & respect with which I have the honour to be

Dear Sir

Your Most Faithfull
& Most Humble servant

HILLSBOROUGH

[Indorsed]: Private & Secret
E: of Hillsborough
Oct^r 3^d 1770
Received Nov^r 30th
answered

Gage to Hutchinson, October 8, 1770

GAGE TO DALRYMPLE

New York October 8th 1770.

SIR,

* * * * *

There are a Number of Affidavits taken in the Jerseys by the 29th Reg^t but Colonel Carr has not yet transmitted them to me, I am told they tend to prove the People of Boston, the most Vile sett of Beings in the whole Creation; I don't know whether there are more Depositions taken at Boston, than those you transmitted some Months ago.

Lieu^t: Colonel Dalrymple

14th Regiment.

[Indorsed]: Copy/ To Lieutenant Colonel Dalrymple
14th Regiment at Castle Island near Boston
New York October 8th 1770.

HUTCHINSON TO GAGE

Boston 15 October 1770

SIR

* * * * *

The papers I covered relative to Captain Preston I was not consulted about until they were brought to me to authenticate with the Province seal when it was too late to make any alteration. Some passages in some of the depositions I wished had been omitted. I shall have a small Vessel of Commodore Gambiers Squadron ready to sail immediately after the Trial. I am very respectfully

Sir Your most obed humble Serv

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t: Gov^r: Hutchinson

Boston Oct^r: 15th 1770.

Received Oct^r: 21st

answered

Dalrymple to Gage, October 18, 1770

Gage to Hutchinson, October 22, 1770

DALRYMPLE TO GAGE

Boston Oct^r: 25 1770

Captain Prestons trial came on yesterday the Court adjourned over to this morning after examining the best part of the Evidences aduced on the part of the Crown, they said nothing that affects him the smallest degree, their evidences were contradictory entirely and only served to prove the extent of the provocation given.

On the Jurors being called over he challenged Seventeen of the 24, and men supposed to be more impartial were put in their places. If no new mine of perjury is sprung I think there can be no doubt that he will be fully acquitted

I was always of opinion that time would operate powerfully in his favor, ended I must do the people the justice to say that the trial has been conducted as yet with the greatest decency & decorum.

* * * *

W. DALRYMPLE

[Indorsed]: L^t Col^o Dalrymple Boston Oct^r 25th 1770

Received Nov^r 1st

answered

HUTCHINSON TO GAGE

Boston 28. October 1770

SIR

* * * *

Captain Preston has been upon Trial ever since Wednesday morning. This is the only instance I ever knew of a Capital Trial in a Court of Common law in this Province where the Court has adjourned before the Trial was finished. I should have opposed & probably prevented it if I could have sat with any propriety but the other Judges think they may justify it ex necessitate rei. The Jury have never separated which is excessive hard upon them. I expect the Trial will be finished tomorrow. From what I hear of the Evidence, which is closed, from the best authority it is not possible he should be convicted. The Witnesses on the part of the Crown have varied much from the printed Depositions. Had those Depositions been truly taken yet the proceeding was so unwarrantable that an Attachment ought to have issued against every one concerned in it & I could wish some of those principally concerned had been punished. The favourable appearance is owing to the delay, for had the trial come on, at any time before, the prejudice would have been stronger than it is at present. I wish I may be able to acquaint you with his acquittal before the Post goes out. From the Evidence upon

this Trial I cannot but hope the fact will be determined to be, at worst, excusable in the Soldiers. Their Trial cannot come on this fortnight.

* * * *

THO HUTCHINSON

October 29 5 oClock P. M. The Judges have just now committed the Cause to the Jury, were unanimous in favour of an Acquittal & have adjourned until tomorrow morning 8 oClock to receive the Verdict.

His Excellency General Gage
[Indorsed]: Lieu^t Gov^r Hutchinson
Boston Oct^r 28th 1770.
Received Nov^r 3^d
answered

Gage to Dalrymple, October 29, 1770

PRESTON TO GAGE

Boston Oct^r 31st 1770

SIR

I take the liberty of wishing you joy, of the complete victory obtaind over the knaves & foolish villains of Boston, the triumph is almost complete, & the Kings servants now appear with double lusture. On Wednesday morn at 8 oClock the tryal began, & continued that day without stopping till near 6 in the evening, when it was adjurnd till 8 next morning. Thursday, Friday, Saturday, & Monday, were likewise taken up in the same manner, nay it was even proposd the Court shou'd sit on Sunday, but that was over rul'd, however on Tuesday morn the 30th, the Jury brought in a verdict in my favour Not Guilty, to the entire satisfaction of every honest mind, & great mortification of every blood thirsty & malicious Bostonian.

The Counsel for the Crown or rather the town were but poor and managd badly, my Counsel on the contrary were men of parts, & exerted themselves with great spirit & cleverness,

particularly Judge Auchmuty; The Judges also were determined & showed much firmness, but none more than Judge Oliver, he informed the Court that he had been abused in some prints, & his life threatened, but that nothing should daunt him, or prevent his doing his duty.

'Twas proved, that a Sentrys post is his Castle, & whosoever attacks him does an illegal action, & if the Sentry should kill him there can be no redress; If a party is sent by their Commanding Officer to his relief, they are a body legally assembled, & if assaulted may defend themselves even to the death of their opponents, that if any of them does an illegal action, he alone is answerable for it, whereas they who attack them are illegally assembled, and the whole accountable for each ones actions. These were points of law & right they had no notion of, & seemed much confounded at, so that the like tis probable will never happen again in this or any other part of America.

The mens tryals will come on about three weeks hence, when if the Judges are but steady, my verdict will determine for them; I have prepared every thing for their defence, & shall continue to do so 'tho I find it very expensive, but in such a Case as this & so material to the Military, I thought a saving on a Lawyers fee very impolitick.

They have endeavoured to lodge an Appeal against me, in behalf of one of the relations of the deceased, but it won't lie, as there are not any near enough of kin now surviving, but their busy malice has found out another way to distress me, by suing me for damages on acc^t of the wounded, & if taken would involve me in endless lawsuits, to shun which, I proposed going to the Jerseys but my Counsel assure me, I shall not be safer there than here, so that I have been forced to shut myself up in Castle William, where I hope to receive your orders.

As it is impossible for me to be safe in any part of America during the present troubles here, I have been prevailed on by my friends to beg your patronage & protection, & that you would indulge me with the liberty of going to Europe, where perhaps the Ministry may be tempted to look upon my severe & unmerited sufferings in a friendly light, but as I am thoroughly convinced nothing I can say will affect them, I cast my eyes around in a fit of despair, not knowing where to look

for that protection & countenance so necessary, if not from you whose kindness has been so partially exerted in my favour. If then Sir I have not entirely exhausted your regards, let me once more entreat your favouring my cause & broken fortunes, by a letter of your approbation of my conduct to some of the Ministry. If I should be lucky enough to get any thing it will be entirely owing to you, whose kindness has already exceeded that of my nearest relations. Should you grant me this, I must then beg you will add one favour more to the many preceding, & that is, words to express my gratitude, for at present I am totally at a loss on that account, however you may rest assured that my heart is truly grateful & that I am with the utmost truth & sincerity,

Sir your most faithful

most obedient and

much obliged humble Serv^t

THO^s PRESTON

[Indorsed]: Cap^t Preston 29th Reg^t

Boston Oct^r 31st 1770.

Received Nov^r 7th

Answered

DALRYMPLE TO GAGE

Castle W^m Nov^r 1st 1770

I have the honor & pleasure to enform you that on tuesday morn Captain Preston was acquitted & discharged on the fullest and most compleat evidence, many very shamefull attempts to destroy him by perjury has been made, all which retorted on their authors.

Not satisfied with this cruel persecution after his delivery endeavours were used to find out some relations near enough in kin to bring actions simular to those Against the Kennedys in London. I understand there are fresh warrants out against him at the instance of the persons wounded in the fray of the 5th of March.

He is safe at the Castle so no opportunity, to serve them will be afforded.

During the trial sufficient proof of the aggression of the towns people was given, & the Judges in their charge rested

strongly on the propense malice of the towns folks. It is thought the Soldiers will all be acquitted, their trial does not come on now.

I have the honor to be
Your Excellency's
Most humble
faithfull & obedient Ser^t

W. DALRYMPLE

[Indorsed]: L^t Col^o Dalrymple 14th Reg^t Castle W^m near Boston
Nov^r 1st 1770 Received Nov^r 8th answered

Dalrymple to Gage, November 5, 1770

GAGE TO HUTCHINSON

New York November 5th 1770.

Copy/
SIR,

I return you many thanks for your Letter of 28th Ultimo, which has given me great Pleasure, for I think from your Account of Captain Preston's Tryal, that the Jury cannot possibly give a Verdict, contrary to the Opinion of the Judges. And tho' there might be no Danger of his Life, should they give a contrary Verdict, yet, tho' we are acquainted with the Heats of a Faction, the Violence and Prejudices that have too generally prevailed in Boston for some Years past, the World in general is not so well informed of them; And it will be more for Captain Preston's honor, to be acquitted by the Laws of his Country, than to owe his Preservation, to the Justice and Mercy of the Crown. I am in hopes too, that during the Course of his Tryal, many Circumstances may have appeared favorable to the Soldiers in their Cause. Since this unhappy Affair, I have taken all Pains to procure a fair and impartial Account of it, which perhaps was not easy to procure, but from what I have been able to gather up, had you or I been in the Situation those Men were in, I do believe that we should have fired in Defence of our own Lives.

* * * * *

Hon^{ble} Lieu^t Governor Hutchinson

[Indorsed]: Copy./ To Lieu^t Gov^r Hutchinson Boston
New York Novem^r 5th 1770

GAGE TO DALRYMPLE

Copy
SIRNew York November 5th 1770

I am Obliged to you for the Account of Captain Prestons Tryal, in your favor of the 25th Ult^{mo}; We have since received Advices from Boston to the 29th; from whence we learn the Judges were for an Acquittal, but the Jury had not brought up their Verdict; It is said the Evidences on the Part of the Crown have Varied much from the printed Depositions; you will perhaps have seen those Depositions which I never heard of before, they say the proceeding is unwarrantable and an Attachment ought to have issued against every one concerned in said printed Depositions. The Proceeding may possibly yet be usefull to Cap^t Preston and the Soldiers, and should if necessary be noticed at a proper Time.

* * * *

Lieu^t Col^l Dalrymple 14th Reg^t[Indorsed]: Copy/ To Lieu^t Col^l Dalrymple 14th Reg^t

Castle Island Boston

New York 5th Nov^r: 1770

HUTCHINSON TO GAGE

Boston 5 Novemb. 1770

SIR

I am unfortunate in not giving you the first Information of Capt. Preston's acquittal. The close attention I was obliged to give to the business of the General Court on Thursday at Cambridge was the reason of my being too late for the Post.

He has been, except one day, ever since at the Castle. Some who are very thirsty after blood laboured to bring an Appeal of Murder against him, but as this Writ has I believe never been known in America and they were afraid of trouble if he should not be convicted I am assured that the design is laid aside.

I hope the Soldiers will meet with a fair Trial also. It is assigned for tomorrow fortnight.

I have the honour to be
S^r Your most obedient
Humble Serv.
THO HUTCHINSON

I acquainted My Lord
Hillsborough with our
Success by one of the Kings
Scooners which sailed the next
day the 31 October
His Excellency General Gage
[Indorsed]: Lieu^t Gov^r Hutchinson Boston Nov^r 5th 1770
Received Nov^r 10th answered

DALRYMPLE TO GAGE

Castle William Nov^r 11th 1770

I am honored with your Excellency's letter dated the 5th past.

The Evidences did in some measure contradict depositions formerly made by themselves, nay in Court they did certainly conduct themselves in a manner more becoming prosecutors than evidences, but litle good will I fear attend any attempt to prosecute such offences, an attack on an evidence for will-full & corrupt perjury is difficult to support, and has seldome been successfull.

I have never seen the depositions you mention, the only ones I have heard of, are those printed as an appendix to the Narrative sent home by the town.

By favor of Lieu^t Governor Hutchinsons cover I forwarded some affidavits to you taken in the 14th reg^t I hope they came to hand, they will serve to give further testimony of the intentions of the people.

* * * *

Captain Preston has he tells me applied for leave to go to England, I am greatly mistaken if he does not enjure his hopes more than advance them by his presence.

I have the honor to remain

Your Excellencys

Most humble

faithfull & obedient

W. DALRYMPLE

[Indorsed]: Lieu^t: Coll: Dalrymple 14th Reg^t: Castle W^m 11th
Nov^r. 1770 Received the 18th answered

HUTCHINSON TO GAGE

Boston 12 Nov. 1770

SIR

I thank you for your favour of the 5^h. The trial of the Privates will not come on until tomorrow se'n night. I hope the Judges will hold their integrity and resolution. They deserve applause for what is past and the greater because Honesty is not yet Trumps among us in this Province.

* * * * *

THO HUTCHINSON

His Excellency General Gage

[Indorsed]: Lieu^t: Governor Hutchinson

Boston Nov^r: 12th 1770

Received the 18th
answered

GAGE TO HUTCHINSON

Copy/

New York 12th Nov^r: 1770.

SIR

* * * * *

I am now to thank you for your Letter of the 5th Ins^t and rejoice on the Honorable Acquittal of Cap^t: Preston. The Efforts made afterwards to distress him, will only add to the Weight hanging over the Heads of the Faction, and Serve to Convince the World the more of their Malice and Inveteracy. We conceived Hopes of this Happy Event, from the Names of the Jurors, which some Person had transmitted to his Correspondent here, and Gentlemen acquainted with many of them

told us, they did not believe an honest Jury could have been Selected. I hope the same Jury will try the Soldiers. The Judges have gained great Reputation, from the Firmness and Resolution they shewed to do their Duty, in Defiance of the Threats of the Mob.

* * * * *

Hon^{ble}: Lieu^t: Gov^r: Hutchinson
 [Indorsed]: Copy/ To the Hon^{ble}: Lieu^t: Gov^r: Hutchinson Boston
 New York 12th Nov^r: 1770

GAGE TO DALRYMPLE

Copy/ New York 12th Novem^r: 1770.
 SIR

I have rec^d your Letters of the 1st and 5th Instant and thank you for the good News you transmitted concerning Cap^t Prestons Acquittal, on which I sincerely Congratulate you; Hoping I shall have Occasion to repeat my Congratulations when the Soldiers Tryal is over. The Perjurys that have been detected, and the Virulence shewn in this Prosecution, will retort upon the Faction; And I doubt not add Weight to the Storm hanging over their Heads. I hope the same Jury will be continued on the Tryal of the Soldiers.

* * * * *

Lieu^t: Col^o: Dalrymple 14th Reg^t:
 [Indorsed]: Copy/ To Lieu^t: Col^o: Dalrymple 14th Reg^t: at
 Castle Island Bay of Boston
 New York 12th Nov^r: 1770

GAGE TO PRESTON

Copy/ New York Nov^r: 12th 1770
 SIR

Your Letter of the 31st Ult^{mo} gave me as much Pleasure and Satisfaction as I ever received on any Occasion; and I greatly Commend your Humanity and goodness of Heart, in the Resolution you have taken, to stay where you are, till the Soldiers Tryal is over; and to spare no Pains or needfull

Expence in their Defence. Your Acquittal gives us hopes of theirs, and as you have been oppressed by the most malicious Prosecution, for what happened at a time when you was in the Execution of your Duty, I Flatter myself that Government will readily comply with an Application in your Behalf, to reimburse the unavoidable Expence you have been put to. A Packet sails tomorrow, and I shall write to Lord Barrington on the Subject, In the mean time send me an Account of the Expences the Prosecution has cost you, and have a Copy Ready to produce when you arrive in England. I readily Consent to your going home when all is over, and conclude you will carry with you a Copy of all the Tryals comprehending all the Depositions, Judges Charge, and every thing that passed at your own Tryal, or that shall pass at the Tryals of the Soldiers. Your Friends will advise whether it would be best to print them. A London Printer might possibly be glad to purchase a Copy of them. The Judges Charge I wish may be printed in the American Papers, for there are points of Law very Necessary to be known by all the People in this Country.

If you are in want of Money I shall with the greatest Pleasure assist you, with any Sum my private Purse will afford, and will answer your Draught.

I am

Sir

&ca

Cap^t Preston

[Indorsed]: Copy/ To Cap^t Preston 29th Reg^t Boston

New York 12th Nov^r 1770

GAGE TO HUTCHINSON

Copy/

New York Nov^r 19th 1770.

SIR

I Judge from your favor of the 12th that We may soon hear of the Tryals of the Soldiers; and hope the Judges will preserve the Integrity and Firmness which has gained them so much Honour. Their Declarations on Cap^t Prestons Tryal were truly Noble, and they have acquired the applause of every Man who regards his Country: and I hope their Conduct will

be an Example for other Gentlemen in their Situation, who in these Times have been swayed too often by Popular Clamour, and intimidated by the Threats of a Mob.

* * * * *

Hon^{ble} Lieu^t Gov^r Hutchinson
[Indorsed]: Copy/ To the Hon^{ble} Lieu^t Gov^r Hutchinson Boston
New York 19th Nov^r 1770

GAGE TO DALRYMPLE

Copy/ New York Novem^r 19th 1770.
SIR,

What you observe in your favor of the 11th respecting the Prosecution of Evidences I believe to be very just. The printed Depositions hinted at were, I apprehend, those that went home, and perhaps published in Boston with others. It is unusual to print things of the kind previous to Tryal, for very obvious Reasons, and on that Account said, that those concerned in printing them ought to have been prosecuted.

The Depositions of the 14th Regiment were recieved, with several that corresponded with them from the 29th and they are all now under Sail for England. They are indeed very strong Proofs of the Provocation and bad usage given the Troops, previous to the Affair of the 5th of March; There are two or three fractured Skulls, and as many broken Arms; and some Scandalous Instances of the Behaviour of many of the Magistrates; to whose Conduct the whole that has happened is to be attributed.

I find the Lieutenant Governor has his hands full, which is no more than what might have been expected.

* * * * *

Lieu^t Colonel Dalrymple 14th Reg^t
[Indorsed]: Copy/ To Lieu^t Colonel Dalrymple 14th Regiment
At Castle William near Boston.
New York Novem^r 19th 1770

HUTCHINSON TO GAGE

Boston 26. Nov. 1770

SIR

I am to acknowledge your favours the two last weeks. From a defect of Jurors the Trial of the Soldiers has been postponed and is fixed for tomorrow. My great concern is to obtain an unbiassed Jury and for that purpose, principally, I advised Captain Preston to engage one of the Bar, over and above the Council to conduct the Cause in Court, in the character of an Attorney who should make a very diligent inquiry into the characters and principles of all who are returned which he has done and it may be to good purpose, but after all it will be extremely difficult to keep a Jury to the Rules of Law. When all is done which can be done we must patiently wait the Event.

* * * *

THO HUTCHINSON

His Excellency General Gage
 [Indorsed]: Lieu^t Gov^r Hutchinson
 Boston Nov^r 26th 1770
 Received Dec^r 1st
 answered

HUTCHINSON TO GAGE

Boston 3 Dec. 1770 P M.

SIR

The Trial of the Soldiers is not finished. I am in more doubt than I was in Prestons trial not that I think either of the Prisoners can, upon the Evidence, be legally convicted, but we have not so good a Jury nor was it possible to obtain better near Thirty peremtorily or for cause having been challenged. There is a Report in Town which may possibly be conveyed to you that one of the Council is not so faithful as he ought to be, but I would hope there is nothing more in it than a difference in opinion from some others of the necessity of entering into the examination of the Conduct of the Towns people previous to the Action itself, he being a Representative of the Town and a great Partisan wishes to blacken the people as little as may be

consistent with his Duty to his Clients. I suppose tomorrow or Wednesday morning will give us the Issue.

I have the honour to be
S^r Your most Obedient
Humble Servant
THO HUTCHINSON

His Excellency General Gage
[Indorsed]: Lieu^t Gov^r Hutchinson
Boston Dec^r 3^d 1770.
Received Dec^r 9th
answered

DALRYMPLE TO GAGE

Boston Dec, 3^d 1770

I had the honor of your Excellencys letter dated Nov^r 25th

The trials go on, as yet nothing has appeared different in evidence from what was offered at Captain Prestons. I imagine the Jury will return their verdict on tuesday evening.

Was I to guess at the issue it would be that five will be acquitted, and three found guilty of Man Slaughter, nothing in such cases can be certain, but according to appearances the above will be most probably the end of this matter.

The Lawyers have held back much on the occasion, and tho they are goaded on daily they do their parts but ill.

we have no arrivals so no news. I have the honor to be

Your Excellency's
Most humble
faithfull & obedient Ser^t
W. DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t Boston Dec^r 3^d 1770
Received Dec^r 9th answered

GAGE TO PRESTON

Copy/
SIR,

New York December 3^d 1770.

Since yours to me to acquaint me of your being acquitted at your Tryal, I have wrote you two Letters. In the first I

desired you would transmit me an Account of all the Expences incurred on the Subject of the Tryals; And I write again to desire you would use no Delay in that Business. As the Tryals of the Soldiers will probably be finished by the time this Letter gets to Boston; you will be enabled to send me the total of all Expences. You will postpone your Voyage to England till you have sent me this Account, and till you have recieved my Answer thereupon.

I am,

Sir,
&ca.

Captain Preston 29th Reg^t
Boston

[Indorsed]: Copy/ To Captain Preston 29th Regiment Boston
New York Decem^r: 3^d 1770

PRESTON TO GAGE

Castle William Dec^r: 6th 1770

D^r: SIR

I beg leave to congratulate you and all the Kings servants together with every honest man in America on this joyful occasion. The Corp^l & 5 men are acquitted & two found guilty of man slaughter. The tryal began Nov^r: 27th & did not end till last night. All arts were used to make this affair appear in the most black & horrid colours, & full as much pains was taken elucidate it & convince the world of the rise & natural consequences of it, but its effects will be felt by every Soldier in America & convince the world that a man on duty is sacred.

I am informd that the verdict has been satisfactory to almost all people here, & what must be, from such evidences & indeed no pains or expence was spared to collect them, for all that we could hear of to the amount of sixty were summon'd, most of whom gave very satisfactory evidences, the Lawyers charges were full & the Judges very spirited particularly M^r: Oliver the friend of all in distress.

The Comodore has sent to inform me that the Glasgow sails this morning, which prevents me from completing my acc^{ts}:

else you should have an acc^t of the expences but the several bills are not yet brought in. I have in consequence left a sum of Money with C: OHara of the 14th Reg^t, who will discharge them & transmit the acc^t to me, and as soon as possible you shall have an exact one sent you. You desire to have the judges charges publishd in the news papers. I am sorry to inform you that mine was not taken down, the court was so crouded, & but one man to be got that writes short hand, that he had neither room, nor strength to execute it, being waried with taking the evidences, however he has taken that of the mens which is more material, & I have left directions to get both printed, in which the L^t Gov^r the Judges & Lawyers will assist, & M^r Auchmuty has mine now in hand to correct

Give me leave Sir to thank you in the most grateful manner, for all your favours & unmerrited kindness's, especially for your advices which nothing but your own goodness of heart could dictate, & let me assure you it shall be closely followd, & ever thankfully rememberd by Sir

your much obliged & most sincere humble Serv^t

THO^s PRESTON

His Excell^{cy} Gen^l Gage

[Indorsed]: Cap^t Preston 29th Reg^t

Castle W^m near Boston

Dec^r 6th 1770.

Received Dec^r 13th

HUTCHINSON TO GAGE

Boston 6. Decemb. 1770

SIR

It is with pleasure that I embrace the first opportunity of advising you that yesterday towards Evening the Jury gave in their Verdict and found Kilroy and Montgomery guilty of Manslaughter and acquitted the rest. I do not think there was sufficient ground for the Verdict as to the two. Kilroy is said to be a bad fellow and, the day before, had sworn that he would kill some of the people the first opportunity but this ought not to have been connected with the action for which he was charged. Montgomery fired the first Gun and it

appears probable that he did it to save his own life. The Judges shewed great firmness. The Foreman of the Jury had the character of a Son of Liberty but proved an honest man and would not go against his Conscience. A correct copy of the Trial taken in short hand is preparing for the Press. I shall send minutes of the Evidence by Preston to L^d Hillsborough.

I will inclose a few anecdotes relative to the Trial &c^a. They may serve for your own amusement or they may go into your Mondays paper if you think they will do no harm. They will discover some Truths which the Printers have not yet courage to publish here. I am told the Printer of your Thursdays paper corresponds with the Faction here. If you wish to have it in print pray let it be transcribed & burn the Original. My hand is singular and much known. I have the honour to be

Sir Your faithful and most
obedient servant
THO HUTCHINSON

His Excellency General Gage
[Indorsed]: Lieu^t Gov^r Hutchinson
Boston Dec^r 6th 1770
Received Dec^r 13th
answered

DALRYMPLE TO GAGE

Castle W^m Dec^r 10th 1770

My letter wrote after the acquittal of the Soldiers by the mistake of a person did not arrive at the post office in time to be forwarded, you I hope had the issue from other hands, I congratulate your Excellency on the fortunate conclusion of this business, no endeavours were omitted to have procured a very different decision, but fortunately they have been fruitless ones.

A bad disposition appearing in the Soldiers who were confined I shall send them round by sea, we have but too much reason to suspect their ententions to desert they are not at all to be depended on.

We remain in hopes of a speedy war, it would be a particular favor done me if your Excellency would give me early intelli-

gence of the certainly of that event or otherwise. I have the honor to be

your most humble
faithfull & obedient
W. DALRYMPLE

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t
Castle W^m near Boston
Dec^r 15th 1770.
Received Dec^r 16th
answered

DALRYMPLE TO GAGE

Castle William Dec^r 17 1770

* * * * *

A Pasquinade on the Judges & others the Kings servants here made its appearance some days since, the Council offered a reward, it was I think £100, for detecting the author, it is only a stupid & vile paraphrase of some lines in Venice preserved, spoke by Piere, townsmen are put in the place of Country men, & Judges in that of Senators.

Captain Preston sailed in the Glasgow, the men I hope to get a passage for to Amboy, indeed I do not chuse to trust them any other way.

I have the honor to be Your Excellency's
Most humble
& most obedient Ser^t
W. Dalrymple

[Indorsed]: Lieu^t Col^o Dalrymple 14th Reg^t
Boston Dec^r 17th 1770
Received Dec^r 24th
Inclosing an abstract of Expenditures from March to Sep^t
answered

Sums expended in the defence of Cap^t Tho^s Preston, Corp^l Will^m Wemyss, & 7 Private men of the 29th Regiment, on acc^t of a prosecution carry'd on against them by the people of Boston, for a Riot on the 5th March 1770.

To a retaining fee to C: Prestons Lawyers	£10-10—
To — D ^o — to the mens — D ^o	10-10—
To a fee for pleading at the tryal to C: Prestons Lawyers	63—
To — D ^o — to the Mens — D ^o	42 —
To an Attorney to assist at their tryal	10-10—
To an Attorney for taking some affidavits	3-12—
To certain people employd to enquire about town & collect Affidavits & Evidences	25-10—
To Summons's & serving them on 93 Evidences	13-19—
To Evidences for the time they waited in Court before examin. ⁿ	5-19—
To Joalers fees	15—
To Turnkeys fees & Civility money	21—
To a Clerk at several times	15-7-6
To small presents to particular people in Boston	21—
To postage of Letters	2-5—

£260-2-6

To extra: expences in coming express from Portsmouth to London with Governour Hutchinsons & Comodore Gambiers dis- patches to Government	4-4-6
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£264-7—

[Indorsed]: Acc^t of Sums Expended in the Defence of Cap^t
Tho^s Preston of the 29th Reg^t and Soldiers of
said Reg^t at Boston, prosecuted for a Riot on
the 5th of March 1770.

BARRINGTON TO GAGE

[Preston arrived in London about the first of February, 1771.
See Barrington to Gage, 6 Feb., 1771, in W. L. C. L. On
5 Mar., 1771, one year, to the day, after the massacre,
Barrington wrote Gage a letter to which the following is the
postscript]

P. S. Captain Preston has had all his expences paid and a
Pension of £200 a Year bestowed upon him. He is a perfectly
satisfied Man, which is a thing not to be found every day.

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