

“a list of imaginary grievances”

A Loyalist’s Rebuttal to the DECLARATION OF INDEPENDENCE

Thomas Hutchinson, *Strictures Upon the Declaration of the Congress at Philadelphia*, London, 1776__EXCERPTS

A Boston-born Loyalist, Thomas Hutchinson held several appointments in the colony of Massachusetts, including chief justice, lieutenant governor, acting governor, and finally governor from 1771 to 1774, when he was replaced by a military governor (Gage) and took exile in Britain. Not entirely unsympathetic to the colonists’ grievances, he had yet enforced all parliamentary actions, defended British authority over the colonies, and staunchly opposed rebellion and independence. Several months after the adoption of the Declaration of Independence in July 1776, Hutchinson published anonymously a 32-page rebuttal, dismissing the Declaration as a “list of imaginary grievances.” Point by point, he dissects the “false and frivolous reasons” given by the delegates to justify their rejection of British rule. *Strictures* is addressed “to a Noble Lord”—Lord North, Prime Minister of Great Britain from 1770 to 1782. Overall, how does Hutchinson reject the legitimacy of the Declaration? How would Declaration signers have replied, especially John Adams, Samuel Adams, Benjamin Franklin, and its primary author, Thomas Jefferson?

M Y L O R D,

The last time I had the honor of being in your Lordship’s company, you observed that you were utterly at a loss to what facts many parts of the Declaration of Independence published by the Philadelphia Congress referred, and that you wished they had been more particularly mentioned that you might better judge of the grievances alleged as special causes of the separation of the Colonies from the other parts of the Empire. This hint from your Lordship induced me to attempt a few *Strictures* upon the Declaration. Upon my first reading it, I thought there would have been more policy in leaving the World altogether ignorant of the motives of the Rebellion, than in offering such false and frivolous reasons in support of it; and I flatter myself that, before I have finished this letter, your Lordship will be of the same mind. But I beg leave first to make a few remarks upon its rise and progress. . . .

Their designs [plans] of Independence began soon after the reduction of Canada,¹ relying upon the future cession of it by treaty. They could have no other pretense to a claim of independence, and they made no other at first, than what they called the natural rights of mankind to choose their own forms of Government and change them when they please. This, they were soon convinced, would not be sufficient to draw the people from their attachment to constitutions [colonial charters] under which they had so long been easy and happy. Some grievances, real or imaginary, were therefore necessary. . . .

It will cause greater prolixity [excess of words] to analyze the various parts of this Declaration than to recite the whole. I will therefore present it to your Lordship’s view in distinct paragraphs, with my remarks in order as the paragraphs are published.

DECLARATION OF INDEPENDENCE. *In Congress, July 4, 1776 —A Declaration by the Representatives of the United States of America in General Congress assembled.*

When in the course of human events it becomes necessary for one People to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

*We hold these truths to be self-evident — That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are life, liberty and the pursuit of happiness, that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; and whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate that governments long established, should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government and to provide new guards for their future security. Such has been the patient sufferance of these Colonies, and such is now the necessity which constrains them to alter their former systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.*²

HUTCHINSON. They begin, my Lord, with a false hypothesis, That the Colonies are one *distinct people* and the kingdom another, connected by *political* bands. The Colonies, *politically* considered, never were a *distinct* people from the kingdom. There never has been but one *political* band, and that was just the same before the first Colonists emigrated as it has been ever since, the Supreme Legislative Authority [Parliament], which hath essential right and is indispensably bound to keep all parts of the Empire entire until there may be a separation consistent with the general good of the Empire, of which good, from the nature of government, this authority must be the sole judge. I should therefore be impertinent if I attempted to show in what case a *whole people* may be justified in rising up in oppugnation [opposition] to the powers of government, altering or abolishing them and substituting, in whole or in part, new powers in their stead; or in what sense all men are created equal, or how far life, liberty, and the *pursuit of happiness* may be said to be unalienable. Only I could wish to ask³ the Delegates of Maryland, Virginia, and the Carolinas how their Constituents justify the depriving more than an hundred thousand Africans of their rights to liberty and *the pursuit of happiness*, and in some degree to their lives, if these rights are so absolutely unalienable; nor shall I attempt to confute the absurd notions of government or to expose the equivocal or inconclusive expressions contained in this Declaration; but rather to show the false representation made of the facts which are alleged to be the evidence of injuries and usurpations, and the special motives to Rebellion. There are many of them, with designs, left obscure; for as soon as they are developed, instead of justifying, they rather aggravate the criminality of this Revolt.

DECLARATION OF INDEPENDENCE. *He has refused his assent to laws the most wholesome and necessary for the public good.*

HUTCHINSON. . . . I remember no laws which any Colony has been restrained from passing, so as to cause any complaint of grievance, except those for issuing a fraudulent paper currency, and making it a legal tender;⁴ but this is a restraint which for many years past has been laid on Assemblies by an act of Parliament, since which such laws cannot have been offered to the King for his allowance [approval]. I therefore believe this to be a general charge [grievance], without any particulars to support it; fit enough to be placed at the head of a list of imaginary grievances. . . .

DECLARATION OF INDEPENDENCE. *He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained, and when so suspended, he has utterly neglected to attend them.*

HUTCHINSON. . . . Some laws may have their full effect before the King's pleasure can be known. Some may injuriously affect the property of the subject; and some may be prejudicial to the prerogative of

² For brief explanations of the grievances, see the annotated Declaration in REBELLION #8: Declaring Independence, in this primary source collection.

³ I.e., if only I could ask the southern slaveholders . . .

⁴ Hutchinson is referring to the parliamentary ban on colonies' issuing their own paper money, long a sore point as colonists argued they had too little means to pay debts to British merchants.

the Crown, and to the trade, manufactures and shipping of the kingdom. Governors have been instructed, long before the present or the last reign, not to consent to such laws unless with a clause suspending their operations until the pleasure [decision] of the King shall be known. I am sure your Lordship will think that nothing is more reasonable. . . .

I dare say, my Lord, that if there has ever been an instance of any laws lying longer than necessary before the King's pleasure has been signified, it has been owing to the inattention in some of the servants of the Crown, and that upon proper application any grievance would have been immediately redressed.

DECLARATION OF INDEPENDENCE. *He has refused to pass other laws for the accommodation of large districts of People, unless those People would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.*

HUTCHINSON. We shall find, my Lord, that Massachusetts Bay is more concerned in this Declaration than any other Colony. This article respects [deals with] that Colony alone. . . . No Governor ever refused to consent to a law for making a new town . . . if provision was made that the inhabitants of the new town should continue to join with the old, or with any other town contiguous or near to it, in the choice of Representatives; so that there never was the least intention to deprive a single inhabitant of the right of being represented . . . This is a willful misrepresentation made for the sake of the brutal insult at the close of the article.

DECLARATION OF INDEPENDENCE. *He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.*

HUTCHINSON. To the same Colony this article also has respect. Your Lordship must remember the riotous, violent opposition to Government in the Town of Boston, which alarmed the whole Kingdom in the year 1768.⁵ Four Regiments of the King's forces were ordered to that Town to be aiding to the Civil Magistrate in restoring and preserving peace and order. The House of Representatives, which was then sitting in the Town, remonstrated to [petitioned] the Governor against posting Troops there as being an invasion of their rights. He thought proper to adjourn them to Cambridge, where the House had frequently sat at their own desire when they had been alarmed with fear of smallpox in Boston; the place therefore was not unusual. The public rooms of the College [Harvard] were convenient for the Assembly to sit in, and the private houses of the Inhabitants for the Members to lodge in; it therefore was not *uncomfortable*. It was within four miles of the Town of Boston, and less *distant* than any other Town fit for the purpose. . . .

. . . The [Massachusetts] House of Representatives raised the most frivolous objections against the authority of the Governor to remove the Assembly from Boston, but proceeded nevertheless to the business of the Session as they used to do. In the next Session, without any new cause, the Assembly refused to do any business unless removed [moved back] to Boston. . . .

They *fatigued* the Governor by adjourning from day to day, and refusing to do business one Session after another, while he gave his constant attendance to no purpose; and this they make the King's *fatiguing* them to compel them to comply with his measures.

A brief narrative of this unimportant dispute between an American Governor and his Assembly needs an apology [explanation] to your Lordship. How ridiculous then do those men make themselves, who offer it to the world as a ground to justify rebellion?

“frivolous objections against the authority”

⁵ Opposition to the Townshend Acts led to the first deployment of British troops for the purpose of enforcing British authority over the colonies.

DECLARATION OF INDEPENDENCE. *He has dissolved Representative Houses repeatedly for opposing with manly firmness his Invasions on the rights of the People.*

HUTCHINSON. Contention between Governors and their Assemblies have caused dissolutions of such Assemblies, I suppose, in all the Colonies, in former as well as later times. I recollect but one instance of the dissolution of an Assembly by special order from the King, and that was in Massachusetts Bay. In 1768, the House of Representatives passed a vote or resolve in prosecution of the plan of Independence, incompatible with the subordination of the Colonies to the supreme authority of the Empire, and directed their Speaker to send a copy of it in circular letters to the Assemblies of the other Colonies,⁶ inviting them to avow the principles of the resolve and to join in supporting them. No Government can long subsist which admits of combinations of the subordinate powers against the supreme. This proceeding was therefore, justly deemed highly unwarrantable, and indeed it was the beginning of that unlawful confederacy which has gone on until it has caused at least temporary Revolt of all the Colonies which joined in it. . . .

DECLARATION OF INDEPENDENCE. *He has refused for a long time after such dissolutions to cause others to be elected⁷ whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time exposed to all the dangers of invasion from without and convulsions within.*

HUTCHINSON. This . . . must relate to the same Colony only; for no other ever presumed, until the year 1774, when the general dissolution of the established government in all the Colonies was taking place, to convene an Assembly without the Governor, by the mere act of the People. . . . The town [Boston], without delay, chose their former members . . . and they sent circular letters to all the other towns in the Province [colony] inviting them to choose *Committees* also; and all these *Committees* met in what they called a *Convention*, and chose the Speaker of the last house their *Chairman*. Here was a House of Representatives in everything but name . . .

This vacation of three months was the *long time* the people waited before they exercised their unalienable powers; the *Invasions from without* were the arrival or expectation of three or four regiments sent by the King to aid the Civil Magistrate in preserving the peace; and the *Convulsions within* were the tumults, riots and acts of violence which this Convention was called, not to suppress but to encourage.

DECLARATION OF INDEPENDENCE. *He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.*

HUTCHINSON. . . . I cannot conceive that the subjects in the Colonies would have had any cause of complaint if there never had been any encouragement given to foreigners to settle among them; and it was an act of mere favor to the Colonies which admitted foreigners to a claim of naturalization after a residence of seven years. How has the King obstructed the operation of this act? In no other way than by refusing his assent to colony acts for further encouragement. Nothing can be more regular and constitutional. Shall any other than the supreme authority of the Empire judge upon what terms foreigners may be admitted to the privilege of natural born subjects? Parliament alone may pass acts for this purpose. . . .

DECLARATION OF INDEPENDENCE. *He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers.*

HUTCHINSON. I was, My Lord, somewhat at a loss, upon first reading this article, to what transaction or to what Colony it could refer. I soon found, that the Colony must be North Carolina, and that the

⁶ The Massachusetts Circular Letter of February 1768. The Massachusetts House of Representatives sent to all colonial assemblies a letter, written by Samuel Adams, promoting the unified opposition of the colonies to the Townshend Acts and asserting that *only* the colonial assemblies, not Parliament, had the authority to tax the colonists—an early statement of this then radical concept. When the British ordered the retraction of the letter, the Massachusetts House refused—and was promptly dissolved by the governor, a fate shared by the Virginia assembly the following spring when it issued resolutions in support of the Massachusetts resolutions. For selections from the Circular Letter, see CRISIS #4 in this primary source collection.

⁷ Incorrectly printed as “erected” in *Strictures*.

“How does this give a claim to America?”

transaction referred to is a reproach upon the Colony which the [Continental] Congress have most wickedly perverted to cast reproach upon the King. . . . In North Carolina, the law for [debtor] attachments⁸ was tacked to, or was part of, the same law which established their Courts of Justice. The Governor, as he ought to have done if he had received no instruction, refused a bill for reviving the law, because the provision for attachments was part of it. The Assembly refused to pass the bill without the provision, and in this way determined they would have no Courts of Justice, . . .

DECLARATION OF INDEPENDENCE. *He has made Judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.*

HUTCHINSON. . . . The Judges in America, except the Charter Colonies, have always been dependent on the Crown for their continuance in office; and in some Colonies, the salaries of the Chief Justice and sometimes the other Judges have been paid by the Crown, and the Colonies have considered it as an act of favor shown them.

There has been a change in the constitution of England in respect of the tenure of the office of the Judges. How does this give a claim to America? It will be said the reason in both cases is the same. This will not be allowed, and until the King shall judge it so, there can be no room for exception to his retaining his prerogative. . . .

DECLARATION OF INDEPENDENCE. *He has erected a Multitude of new offices, and sent hither swarms of Officers to harass our people and eat out their substance.*

HUTCHINSON. I know of no new offices erected in America in the present reign, except those of the Commissioners of the Customs and their dependents.⁹ Five Commissioners were appointed, and four Surveyors General dismissed; perhaps fifteen to twenty clerks and under officers were necessary for this board more than the Surveyors had occasion for before . . . Thirty or forty additional officers in the whole Continent, are the *Swarms* which eat out the substance of the boasted number of three millions of people. . . .

[N]one but illicit traders ever had any reason to complain of grievances; and they of no other than of being better watched than they had ever been before. At this time the authority of Parliament to pass Acts for regulating commerce was acknowledged, but every measure for carrying such Acts into execution was pronounced an injury, and usurpation, and all the effects prevented.

DECLARATION OF INDEPENDENCE. *He has kept among us in times of peace standing armies, without the consent of our legislatures.*

HUTCHINSON. This is too nugatory [trivial/insubstantial] to deserve any remark. He has kept no armies among them without the consent of the Supreme Legislature [Parliament]. It is begging the question to suppose that this authority was not sufficient without the aid of their own Legislatures.

DECLARATION OF INDEPENDENCE. *He has affected to render the Military independent of and superior to the Civil Power.*

HUTCHINSON. When the Subordinate Civil Powers of the Empire became Aiders of the people in acts of Rebellion, the King, as well he might, has employed the Military Power to reduce those rebellious Civil Powers to their constitutional subjection to the Supreme Civil Power. In no other sense has he ever *affected* to render the Military independent of, and superior to, the Civil Power.

⁸ Because colonial bankruptcy laws had resulted in British traders receiving a small percentage of creditors' assets when seized for payment of debts, the colonial assemblies had been blocked from passing new "attachment" (similar to garnishment) laws with like provisions.

⁹ The creation of new customs officials in 1767 with authority to block colonial smuggling (used for decades to avoid British import taxes and long ignored by Britain) enflamed opposition in New England.

DECLARATION OF INDEPENDENCE. *He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our Laws, giving his assent to their pretended Acts of Legislation.*¹⁰

HUTCHINSON. This is a strange way of defining the part which the Kings of England take in conjunction with the Lords and Commons in passing Acts of Parliament. . . And is it not the grossest prevarication to say this jurisdiction is *unacknowledged* by their laws, when all Acts of Parliament which respect [deal with] them have at all times been their rule of law in all their judicial proceedings? . . .

DECLARATION OF INDEPENDENCE. *For quartering large bodies of armed troops among us.*

HUTCHINSON. When troops were employed in America in the last reign to protect the Colonies against the French invasion [French and Indian War], it was necessary to provide against mutiny and desertion and to secure proper quarters [housing]. Temporary Acts of Parliament were passed for that purpose and submitted to in the Colonies. Upon the peace, raised ideas took place in the Colonies of their own importance and caused a reluctance against Parliamentary authority and an opposition to the Acts for quartering troops, not because the provision made was in itself unjust or unequal, but because they were Acts of a Parliament whose authority was denied. The provision was as similar to that in England as the state of the Colonies would admit.

DECLARATION OF INDEPENDENCE. *For protecting them by a mock trial from punishment for any murder which they should commit on the Inhabitants of these States.*

HUTCHINSON. . . . To try men before a biased and predetermined Jury would be a *mock trial*. To prevent this, the Act of Parliament [that the colonies] complained of was passed.¹¹ Surely, if in any case Parliament may interpose and alter the general rule of law, it may in this. America has not been distinguished from other parts of the Empire. Indeed, the removal of trials for the sake of unprejudiced disinterested Juries is altogether consistent with the spirit of our laws, and the practice of courts in changing the venue from one county to another.

DECLARATION OF INDEPENDENCE. *For cutting off our trade with all parts of the world.*

HUTCHINSON. Certainly, my Lord, this could not be a *cause* of Revolt. The Colonies had revolted from the Supreme Authority to which by their constitutions they were subject before the Act passed. A Congress had assumed an authority over the whole, and had rebelliously prohibited all commerce with the rest of the Empire. This act, therefore, will be considered by the *candid world* as a proof of the reluctance in government against what is *dernier* [last] resort in every state, and as a milder measure to bring the Colonies to a re-union with the rest of the Empire.

DECLARATION OF INDEPENDENCE. *For imposing taxes on us without our consent.*

HUTCHINSON. How often has your Lordship heard it said that the Americans are willing to submit to the authority of Parliament in all cases except that of taxes? Here we have a declaration made to the world of the causes which have impelled separation. . . That of taxes seems to have been in danger of being forgot. It comes in late [in the Declaration] and in as slight a manner as is possible. And I know, my Lord, that these men, in the early days of their opposition to Parliament, have acknowledged that they pitched upon this subject of taxes because it was most alarming to the people, every man perceiving immediately that he is personally affected by it . . .

DECLARATION OF INDEPENDENCE. *For depriving us in many cases of the benefits of a trial by jury.*

HUTCHINSON. . . . I recollect no cases in which trials by Juries are taken away in America by Acts of Parliament, except such as are tried by the Courts of Admiralty,¹² and these are either for breaches of the Acts of trade or trespasses upon the King's woods. I take no notice of the Stamp Act, because it

¹⁰—"pretended acts of legislation": wording in rough draft.

—"acts of pretended legislation": wording in reported draft and engrossed copy.

¹¹ In 1774 Parliament permitted the trials of British soldiers accused of crimes against colonists to take place in Britain instead of America.

¹² In 1768 Parliament created new colonial courts in which smugglers would be prosecuted without a jury, the verdicts being decided solely by the judge. The right to trial by a jury of one's peers had long been valued by colonists as a basic right of Englishmen.

was repealed soon after it was designed to take place.

I am sorry, my Lord, that I am obliged to say there could not be impartial trials by Juries in either of these cases. . . .

DECLARATION OF INDEPENDENCE. *For transporting us beyond seas to be tried for pretended offenses.*

HUTCHINSON. I know of no Act, but that of the 12th of the present reign, to prevent the setting fire to his Majesty's Ships, Docks, Arsenals, &c. to which this article can refer — But are these *pretended* [real] offenses?

By an Act of Parliament made in the 35th year of King Henry the Eighth, all treasons committed in any parts [throughout] the realm may be tried in any county of England. . .

An opinion prevailed in America that this Act was occasioned by the burning of the King's Schooner *Gaspee* by people in the Colony of Rhode Island;¹³ but the Act had passed before that fact was committed, though it was not generally known in America until some months after. . . .

DECLARATION OF INDEPENDENCE. *For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary Government and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing it into their Colonies.*¹⁴

HUTCHINSON. It would be impertinent to make any remarks upon the general fitness of the Quebec Act¹⁵ for the purposes for which it passed, seeing your Lordship has so lately fully considered and given your voice to it. But what, my Lord, have the American Colonies to do with it? . . .

. . . What claim could any of the Colonies have to a territory beyond their own limits? No other security against an improper settlement of this country could have been made equally judicious and unexceptionable. This exception is therefore utterly impertinent . . .

DECLARATION OF INDEPENDENCE.

For taking away our Charters, abolishing our most valuable laws, altering fundamentally the forms of our Governments.

For suspending our own legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever.

HUTCHINSON. These two articles are so much of the same nature that I consider them together. There has been no Colony Charter altered except that of Massachusetts Bay, and that in no respect that I recollect except that the appointment and power of the Council are made to conform to that of the Council of the other Royal Governments, and the laws which relate to grand and petit juries are made to conform to the general laws of the Realm.

The only instance of the suspension of any legislative power is that of the Province of New York for refusing to comply with an Act of Parliament for quartering the King's troops posted there for its protection and defense against the French and Indian enemies. . . .

The common people who, relying upon the authority of others, confound cases together which are so essentially different, may be excused; but what excuse, my Lord, can be made for those men, in England as well as in America, who, by such fallacies, have misguided the people and provoked them to rebellion?

DECLARATION OF INDEPENDENCE.

He has abdicated Government here by declaring us out of his protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

¹³ After colonists attacked and ransacked the British ship *Gaspee* in 1772 while it was patrolling for smugglers, Parliament threatened to have the accused sent to Britain for trial.

¹⁴ Wording in the final Declaration: "fit instrument for introducing the same absolute rule into these Colonies."

¹⁵ In 1774 the First Continental Congress argued that the Coercive Acts and especially the Quebec Act comprised a "ministerial plan" to reduce Americans to the "same state of slavery" as the French Catholic settlers in Canada. Through the Quebec Act, Parliament allowed French law and official religion (Roman Catholicism) to continue in the conquered province (which Britain had won in the French and Indian War). In addition, the boundaries of Quebec were expanded to the west and south into the Ohio River Valley, incorporating land that Americans began to settle after 1763 but, after 1774 because of the Quebec Act, without the guarantee of their longheld rights and privileges as Englishmen.

He is at this time, transporting large Armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized Nation.

He has constrained our fellow Citizens, taken captive on the high Seas to bear arms against their Country, to become the executioners of their Friends and Brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us and has endeavored to bring on the Inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

HUTCHINSON. These, my Lord, would be weighty charges from a *loyal and dutiful* people against an *unprovoked* Sovereign. They are more than the people of England pretended to bring against King James the Second in order to justify the Revolution.¹⁶ Never was there an instance of more consummate effrontery. The Acts of a *justly incensed* Sovereign for suppressing a most *unnatural, unprovoked* Rebellion are here assigned as the *causes* of this Rebellion. It is immaterial whether they are true or false. They are all short of the penalty of the laws which had been violated. Before the date of any one of them, the Colonists had as effectually renounced their allegiance by their deeds as they have since done by their words. They had displaced the civil and military officers appointed by the King's authority and set up others in their stead. They had new modeled their civil governments and appointed a general government, independent of the King, over the whole. They had taken up arms, and made a public declaration of their resolution to defend themselves against the forces employed to support his legal authority over them. . . .

DECLARATION OF INDEPENDENCE. *In every stage of these oppressions, we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury.*

HUTCHINSON. What these oppressions were your Lordship has seen, for we may fairly conclude that everything appears in this Declaration which can give color to this horrid Rebellion, so that these men can never complain of being condemned without a full hearing.

But does your Lordship recollect any petitions in the several stages of these pretended oppressions? Has there ever been a petition to the King

—To give his Assent to these wholesome and necessary Laws to which he had refused it?

—To allow his Governors to pass laws without a suspending clause, or without the people's relinquishing the right of Representation?

—To withdraw his instructions for calling legislative bodies at unusual, uncomfortable and distant places?

—To allow Assemblies, which had been dissolved by his order, to meet again?

—To pass laws to encourage the migration of foreigners?

—To consent to the establishment of judiciary Powers?

—To suffer [permit] Judges to be independent for the continuance of their offices and salaries?

—To vacate or disannul new erected offices?

—To withdraw his troops *in times of peace*, until it appeared that the reason for it was to give a free course to Rebellion?

And yet these, my Lord, are all the oppressions pretended to have been received from the King, except those *in combination* with the two Houses of Parliament; and they are all either grossly misrepresented or so trivial and insignificant as to have been of no general notoriety in the time of them, or mere contests between Governors and Assemblies so light and transient as to have been presently forgot. All the petitions we have heard of have been against Acts of the Supreme Legislature; and in all of them something has been inserted or something has been done previous to them with design to prevent their being received. . . .

¹⁶ The Glorious Revolution of 1688-1689, in which the autocratic James II was deposed.

DECLARATION OF INDEPENDENCE. *A Prince whose character is thus marked by every act which defines the tyrant is unfit to be the ruler of a free people.*

HUTCHINSON. Indignant resentment must seize the breast of every loyal subject. A tyrant, in modern language, means not merely an absolute and arbitrary but a cruel, merciless Sovereign. Have these men given an instance of any one Act in which the King has exceeded the just Powers of the Crown as limited by the English Constitution? Has he ever departed from known established laws and substituted his own will as the rule of his actions? Has there ever been a Prince by whom subjects in rebellion have been treated with less severity or with longer forbearance?

DECLARATION OF INDEPENDENCE. *Nor have we been wanting in attention to our British Brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must therefore acquiesce in the necessity which denounces our Separation and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.*

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do in the name and by authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and ought to be,¹⁷ Free and Independent States, and that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved, and that as free and Independent States they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor. Signed by order and in behalf of the Congress.

JOHN HANCOCK, President.

HUTCHINSON. They have, my Lord, in their late address to the people of Great Britain, fully avowed these principles of Independence by declaring they will pay no obedience to the laws of the Supreme Legislature. They have also pretended that these laws were the mandates of edicts of the Ministers,¹⁸ not the acts of a constitutional legislative power, and have endeavored to persuade such as they called their British Brethren to justify the Rebellion begun in America, and from thence they expected a general convulsion in the Kingdom, and that measures to compel a submission would in this way be obstructed. These expectations failing, after they had gone too far in acts of Rebellion to hope for impunity, they were under *necessity* of a separation, and of involving themselves, and all over whom they had usurped authority, in the distresses and horrors of war against that power from which they revolted, and against all who continued in their subjection and fidelity to it. . . .

Suffer me [permit me], my Lord, before I close this Letter, to observe that, though the professed reason for publishing the Declaration was a decent respect to the opinions of mankind, yet the real design was to reconcile the people of America to that Independence which always before they had been made to believe was not intended.¹⁹ This design has too well succeeded. The people have not observed the fallacy in reasoning from the *whole* to *part*, nor the absurdity of making the *governed* to be *governors*. From a disposition to receive willingly complaints against Rulers, facts misrepresented have passed without examining. Discerning men have concealed their sentiments, because under the present *free* government in America, no man may, by writing or speaking, contradict any part of this Declaration without being deemed an enemy to his country, and exposed to the rage and fury of the populace.

I have the honor to be, My LORD, Your Lordship's most humble and most obedient servant.

¹⁷ Wording in reported draft: "are and of right ought to be."

¹⁸ Ministers, i.e., officials in the Prime Minister's cabinet (similar to the U.S. President's cabinet); not referring to clergymen. Revolutionary leaders accused cabinet members of instigating parliamentary actions that violated colonists' rights as Englishmen.

¹⁹ Americans' allegiance to Britain and the king was reaffirmed in most colonial declarations of rights and grievances, and petitions to the king for redress, even into 1776. To an extent the statements were pro forma, and to an extent they signalled the colonists' rejection of parliamentary authority while maintaining allegiance to the king. Yet by the mid 1770s this middle ground had vanished from many leaders' rhetoric.