

## 1764 Letter of Instruction

INSTRUCTIONS OF THE TOWN OF BOSTON TO ITS REPRESENTATIVES IN THE  
GENERAL COURT. MAY, 1764.<sup>1</sup>

[MS., Boston Public Library ; a text appears in Boston Record Commissioners Report, vol. 16, pp. 120-122.]

The Comtee appointed ye 15 day of May to prepare Instructions for the Representatives report the following Draft.

To Royall Tyler James Otis Thomas Gushing & Oxenbridge Thacher Esqrs

GENTLEMEN

Your being chosen by the Freeholders & Inhabitants of the Town of Boston to represent them in the General Assembly the ensuing year, affords you the strongest Testimony of that Confidence which they place in your Integrity & Capacity. By this Choice they have delegated to you the Power of acting in their publick Concerns in general as your own Prudence shall direct you ; always reserving to themselves the constitutional Right of Expressing their mind & giving you fresh Instruction upon Particular Matters as they at any time shall judge proper.

We therefore your Constituents take this opportunity to declare our just Expectations from you. That you will constantly use your Power & Influence in maintaining the invaluable Rights & Privileges of the Province, of which this Town is so great a Part : As well those Rights which are derivd to us by the royal Charter, as those which being prior to & independent on it, we hold essentially as free born Subjects of Great Britain.

That you will endeavor as far as you shall be able to preserve that Independence in the House of Representatives, which characterizes a free People, & the want of which may in a great Measure prevent the happy Effects of a free Government : Cultivating as you shall have Opportunity that Harmony & Union there which is ever desirable to good men when founded in Principles of Virtue & publick Spirit ; & guarding against any undue weight which may tend to disadjust that critical Ballance upon which our happy Constitution & the Blessings of it do depend. And for this Purpose we particularly recommend it to you to use your Endeavors to have a Law passed

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<sup>1</sup> The committee, which was appointed on May 15, 1764, and which reported these instructions on May 24, consisted of Richard Dana, Samuel Adams, John Ruddock, Nathaniel Bethune and Joseph Green. VOL. I. I.

whereby the Seats of such Gentlemen as shall accept of Posts of Profit from the Crown or the Governor while they are Members of the House shall be vacated, agreeable to an Act of the British Parliament, till their Constituents shall have the Opportunity of re-electing them if they please or of returning others in their room.

Being Members of the Legislative Body, you will have a special Regard to the Morals of this People, which are the Basis of publick Happiness ; & endeavor to have such Laws made if any are still wanting as shall be best adapted to secure them : and we particularly desire you carefully to look into the Laws of Excise, that if the Virtue of the People is endangered by the Multiplicity of Oaths therein enjoynd or their Trade & Business is unreasonably impeded or embarrassd thereby, the Grievance may be redressd.

As the Preservation of Morals as well as Property & Right, so much depends upon the impartial Distribution of Justice, agreeable to good & wholesom Law : and as the Judges of the Land do depend upon the free Grants of the General Assembly for Support ; It is incumbent upon you at all times to give your Voice for their honorable Maintenance so long as they, having in their minds an Indifference to all other Affairs, shall devote themselves wholly to the Duties of their own Department, and the further Study of the Law, by which their Customs Precedents Proceedings & Determinations are adjusted & limited.

You will joyn in any Proposals which may be made for the better cultivating the Lands & improving the Husbandry of the Province : And as you represent a Town which lives by its Trade we expect in a very particular Manner that you make it the Object of your Attention, to support our Commerce in all its just Rights, to vindicate it from all unreasonable Im positions & promote its Prosperity - Our Trade has for a long time labord under great Discouragements ; & it is with the deepest Concern that we see such further Difficultys coming upon it as will reduce it to the lowest Ebb, if not totally obstruct & ruin it. We cannot help expressing our Surprise, that when so early Notice was given by the Agent of the Intentions of the Ministry to burthen us with new Taxes, so little Regard was had to this most interesting Matter, that the Court was not even called together to consult about it till the latter end of ye Year; the Consequence of which was, that Instructions could not be sent to the Agent, tho solicited by him, till the Evil had got beyond an easy Remedy. There is now no Room for further Delay : We therefore expect that you will use your earliest Endeavors in the Gen<sup>l</sup> Assembly, that such Methods may be taken as will effectually prevent these

Proceedings against us. By a proper Representation we apprehend it may easily be made to appear that such Severities will prove detrimental to Great Britain itself ; upon which Account we have Reason to hope that an Application, even for a Repeal of the Act, should it be already passd, will be successfull. It is the Trade of the Colonys, that renders them beneficial to the Mother Country : Our Trade, as it is now, & always has been conducted, centers in Great Britain, & in Return for her Manufactures affords her more ready Cash, beyond any Comparison, than can possibly be expected by the most sanguine Promoters of these extraordinary Methods. We are in short ultimately yielding large Supplys to the Revenues of the Mother Country, while we are laboring for a very moderate Subsistence for ourselves. But if our Trade is to be curtaild in its most profitable Branches, & Burdens beyond all possible Bearing, laid upon that which is sufferd to remain, we shall be so far from being able to take off the manufactures of Great Britain, that it will be scarce possible for us to earn our Bread. But what still heightens our apprehensions is, that these unexpected Proceedings may be preparatory to new Taxations upon us : For if our Trade may be taxed why not our Lands ? Why not the Produce of our Lands & every thing we possess or make use of ? This we apprehend annihilates our Charter Right to govern & tax ourselves It strikes at our Brittish Privileges, which as we have never forfeited them, we hold in common with our Fellow Subjects who are Natives of Britain : If Taxes are laid upon us in any shape without our having a legal Representation where they are laid, are we not reducd from the Character of free Subjects to the miserable State of tributary Slaves ?

We therefore earnestly recommend it to you to use your utmost Endeavors, to obtain in the Gen<sup>l</sup> Assembly all necessary Instructions & Advice to our Agent at this most critical (Juncture) ; that while he is setting forth the unshaken Loyalty of this Province & this Town – its unrivald Exertions in supporting His Majestys Governm\* & Rights in this part of his Dominions – its acknowlegd Dependence upon & Subordination to Great Britain, & the ready Submission of its Merchants to all just & necessary Regulations of Trade, he may be able in the most humble & pressing Manner to remonstrate for us all those Rights & Privileges which justly belong to us either by Charter or Birth.

As His Majestys other Nothern American Colonys are embarkd with us in this most important Bottom, we further desire you to use your Endeavors, that their Weight may be added to that of this Province : that by the united Applications of all who are

aggrievd, All may happily obtain Redress —

You will remember that this Province hath been at a very great Expence in carrying on the late War ; & that it still lies under a very grievous Burden of Debt : You will therefore use your utmost Endeavor to promote publick Frugality as one Means to lessen the publick Debt. And we recommend as worthy your particular Attention, whether Any Expence can now be necessary to maintain the Garrison Service on our Eastern Frontier : considering that we are now in a State of profound Peace ; Our french Enemies being totally subdued ; & there being hardly any Remains of the Indian Tribes, ever again to annoy us —

All which is submitted &c.

By order of ye Com<sup>tee</sup>

Ri<sup>c</sup> DANA.

The Com<sup>tee</sup> do further report the following Votes. Whereas it hath pleased Almighty God to permit the Small Pox to prevail in this Town, whereby the Inhabitants have been great Sufferers, as well by the Extraordinary Expence it hath occasiond, as by Loss of Business ; therefore voted that the Representatives be desired in behalf of the Town Assembly to move that the Gen<sup>l</sup> Assembly would afford us such Relief under our Distress as they in their great Goodness shall think proper.

Whereas it is conceivd that the Selectmen of the Town are not sufficiently impowerd by the Laws already in being, to take such Steps as may be necessary to prevent the Inhabitants of other Towns from bringing & spreading Infectious Distempers among us ; therefore voted that the Representatives be desired to use their Endeavors to obtain such additional Power to be given to the Selectmen as the General Assembly in their wisdom shall think proper to invest them with —

The above Report having been read several Times, and debate had thereon the Question was put, Whether the Town will accept of said Draft of Instructions Passed in the affirmative.

The above Report having been read the — Question was put Whether the Town will accept thereof —

Passed in the affirmative.