

# Living with the Redcoats: Anglo-American Opposition to the Quartering Acts, 1756-1776

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(ABSTRACT)

The purpose of this paper is to explore the nature and language of Anglo-American opposition to quartering from the start of the French and Indian War in 1756 to the Revolutionary War in 1776. This paper will also attempt to demonstrate the shifting focus of Anglo-American arguments against the quartering of troops over these two decades. Quartering of troops in private homes and defraying the cost of quartering were the prevalent concerns of Anglo-Americans during the French and Indian War. Then, the Quartering Act of 1765 significantly changed the perception of Anglo-Americans toward quartering of troops as a matter of illegal taxation. Lastly, the unfolding events in 1768 and onwards, in Boston, marked a turning point as the fear of a standing army in peace time redefined Anglo-American opposition to the quartering of redcoats. The significance of Anglo-American opposition to the Quartering Acts paled in comparison to other colonial grievances that stemmed from taxation issues, but it was important enough to find its place in the Declaration of the Independence and in the Third Amendment of the federal constitution.

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## Introduction:

### The Evolution of Anglo-American Opposition to the Quartering Acts, 1756-1776

*The Journal of Times* solemnly addressed its readers throughout the colonies in North America on October 30, 1769. “Here Americans you may behold some of the first Fruits up from the root of Bitterness a Standing Army. Troops are quartered upon us in Time of Peace, on Pretence of preserving Order in a Town that was as orderly before their Arrival as any one large Town in the whole extent of his Majesty’s Dominions.”<sup>1</sup> Andrew Eliot, a minister in Boston, had expressed similar sentiments a year earlier; “if the troops attempt to quarter in the Town,” he wrote, “I greatly fear the consequence.” He went on to lament that “Things are come to an unhappy crisis; there will never be that harmony between Great Britain and her Colonies, that there hath been; all confidence is at an end; and the moment there is any blood shed, all affection will cease.”<sup>2</sup> These public and private views from Boston in the late 1760s exemplified the apex of Anglo-American opposition to the Quartering Acts and quartering of the redcoats. The purpose of this paper is to explore the nature and language of Anglo-American opposition to quartering from the start of the French and Indian War in 1756 to the Revolutionary War in 1776.

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<sup>1</sup> *The Journal of Times*, Quoted from Armand Francis Lucier’s *Journal of Occurrences: Patriot Propaganda on the British Occupation of Boston, 1768-1769* (Bowie, Md.: Heritage Books, 1996), p.31

<sup>2</sup> Andrew Eliot to Thomas Hollis, September 27, 1768, *Massachusetts Historical Society Collections, 4th Ser., Vol. 4*, pp. 427-428

This paper will also attempt to demonstrate the shifting focus of Anglo-American arguments against the quartering of troops over these two decades.

The historiography on Anglo-American opposition to the Quartering Acts and the quartering of troops is generally well-documented but lacks a coherent narrative.<sup>3</sup> Scholars have often discussed two distinct concerns—oppositions to a standing army and opposition to quartering, interchangeably without explaining the differences. Bernard Bailyn, for example, discusses Anglo-American opposition to a standing army and its importance to the larger political and ideological discourses concerning the preservation of citizens' liberty in his classic *The Ideological Origins of the American Revolution*. Bailyn, however, does not provide a detailed narrative of how earlier Anglo-American opposition to quartering was transformed into the fear of a standing army articulated by Bostonians from 1768 and onwards. In Lawrence Gipson's multivolume *The British Empire before the American Revolution*, however, the exact opposite is true. Gipson provided a fairly detailed narrative of Anglo-American responses to the Quartering Acts by examining the reactions of Massachusetts and New York, but he did not provide a compelling overview of how and why Anglo-American opposition to quartering changed from a grievance over taxation to tirades against standing armies. There are, of course, a number of excellent works that explore a wide of range issues regarding the British army in North

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<sup>3</sup> For example, see Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Ma.: The Belknap Press of Harvard University, 1992); Jack P. Greene and J.R. Pole, *A Companion to the American Revolution* (Malden, MA: Blackwell, 2000); Lawrence H. Gipson, *The British Empire Before the American Revolution: Provincial Characteristics and Sectional Tendencies in the Era Preceding the American Crisis* (Caldwell, Id.: The Caxton Printers, 1936-70); Gary B. Nash, *The Urban Crucible : the northern seaports and the origins of the American Revolution* (Cambridge, Mass. : Harvard University Press, 1986)

America.<sup>4</sup> Scholars, however, generally have chosen not to focus on Anglo-American opposition to quartering and the Quartering Acts in their master narratives. As a result, there has not been a comprehensive study of Anglo-American opposition to quartering and the Quartering Acts over the period from the French and Indian War to the Revolutionary War.<sup>5</sup> John Shy's *Toward Lexington*, for instance, offers a sweeping narrative of the British army in the American colonies from the foundation of Jamestown to the battle of Lexington. His main focus, however, is on the decisions and actions taken by the British government and British generals to oversee the army in the colonies. Thus, while Shy discusses Anglo-Americans and their responses to British troops (or a standing army in the American colonies) and the Quartering Acts, they are far from the center of his narrative.

This paper argues that Anglo-American opposition to quartering underwent four distinct phases. During the French and Indian War, the colonists opposed quartering of redcoats based on two concerns: quartering soldiers in private homes and defraying the expense of quartering. The ill-defined Mutiny Act, a precursor to the Quartering Act of 1765, allowed Anglo-Americans to raise disputes against British officers' attempts to quarter troops in colonial towns and cities such as Albany, Philadelphia, and Charles Town. The colonists, however, never seriously questioned the authority of King and Parliament to quarter troops among them. The colonists eventually

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<sup>4</sup> For example, see John Shy, *Toward Lexington*, (Princeton, N.J.: Princeton University Press, 1965); Douglas Edward Leach, *Arms For Empire: A Military History of the British Colonies in North America, 1607-1763* (New York, MacMillan, 1973); Fred Anderson, *A People's Army* (Chapel Hill : Published for the Institute of Early American History and Culture, Williamsburg, Va., by the University of North Carolina Press, 1984); Sylvia R. Frey, *The British Soldier in America: A Social History of Military Life in the Revolutionary Period* (Austin: University of Texas Press, 1981)

<sup>5</sup> See Jack P. Greene, "The South Carolina Quartering Dispute, 1757-1758," *South Carolina Historical Magazine* 60 (1959); Stanley M. Pargelis, *Lord Loudoun in North America* (Hamden, Conn.: Archon Books, 1968); J. Allen Rogers, "Colonial Opposition to the Quartering of Troops During the French and Indian War," *Military Affairs* 34 (1970): 7-11. These works focused exclusively on the quartering controversy during the French and Indian War.

allowed redcoats to take quarters in private homes and to pay for the expense of quartering despite their initial protests and petitions.

Then, the Quartering Act of 1765 dramatically intensified Anglo-American opposition as the colonists increasingly viewed the quartering issue as a matter of illegal taxation in the midst of fierce colonial opposition to the Stamp Act. Anglo-Americans, led by the assembly of New York, quickly dropped their rhetoric against quartering soldiers in private homes and argued against the Quartering Act as illegal and burdensome taxation.

Anglo-American opposition to quartering reached its climatic phase with the arrival of four British regiments in Boston in 1768. The Massachusetts assembly and the citizens of Boston revived the rhetoric of late-seventeenth century English writers against a standing army by highlighting the evils of quartering troops in time of peace. Intensity of Anglo-American opposition to quartering reached its peak between 1768 and 1770, culminating in the Boston Massacre on March 5th, 1770. After 1770, however, Anglo-American opposition to quartering quickly receded. The significance of Anglo-American opposition to the Quartering Acts paled in comparison to other colonial grievances that stemmed from taxation issues. Nevertheless, it was important enough to find its place not only in the Declaration of the Independence but also in the Third Amendment of the United States Constitution.

## Chapter 1:

### The Antecedents of English and Colonial Opposition against the Quartering of Troops Before 1765

The Quartering Act of 1765 came as a no surprise to many Americans as their experience of the French and Indian War from 1756 to 1763 informed them about its meanings and implications. In addition, the colonists were well-versed in English history, which informed them of the unhappy consequences of having soldiers in their private homes.<sup>6</sup> English opposition to involuntary quartering of soldiers in homes dates back to the early twelfth century, but the pertinent period in English history that Americans used in their arguments against the Quartering Acts was the early seventeenth century. Therefore, it is useful to survey briefly the history of quartering soldiers to provide the context to Anglo-American opposition a century later.

It is difficult to separate the opposition to the involuntary quartering of soldiers from opposition to a standing army because these two issues are inextricably intertwined.<sup>7</sup> The rise of a professional army over the traditional institution of militia engendered the practice of quartering troops. As early as the ninth century, the English relied on militia while having virtually no professional armies. The Norman Conquest of 1066, however, brought a fundamental change in military institutions, as William of Normandy established the feudalism

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<sup>6</sup> Lois G. Schworer, *"No standing armies!": The Antiarmy Ideology in Seventeenth-century England* (Baltimore: Johns Hopkins University Press, 1974), pp.195-197

<sup>7</sup> William S. Fields and David T. Hardy, "The Third Amendment and the Issue of Maintenance of Standing Armies," *American Journal of Legal History* 35 (1991), p.395. Hardy and Field argue that "each of the grievances maintained a separate legal identity" throughout both English and American history.

in England that laid a foundation for the rise of professional armies.<sup>8</sup> Entering the fourteenth century England undertook wars to hold on to its continental possessions, and the so-called Hundred Years' War was one of these wars. Consequently, English kings needed huge manpower and required a longer period of military service from their vassals to wage a lengthy war that often required prolonged sieges. The traditional militia, which was local and defensive in nature, could not provide the kings with adequate manpower and professionalism to conduct the offensive warfare in France. The transformation of warfare forced English kings to rely upon professional soldiers and mercenaries and to raise money through scutage and later burdensome taxes to support the king's armies. These armies, largely composed of vagabonds, beggars, criminals, and other persons pressed into military service, inflicted horrors on the civilian populations as they not only demanded free food and shelter (free quarter and billet) but also committed crimes such as destroying private properties, rape, and murder.<sup>9</sup>

While the grievances against the standing army and the quartering of troops produced some notable documents, such as Henry I's London Charter and later the Magna Carta, which attempted to address the issue, it was not until the seventeenth century that these "became crucial issues propelling the English nation toward civil war."<sup>10</sup> Since the English defeat in the Hundred Years' War the number of professional soldiers had steadily declined, but Charles I reinvigorated the army as he ventured into wars on the continent against France and Spain. Parliament, however, refused to cooperate with Charles I over the issues of taxation and appropriations to

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<sup>8</sup> Ibid., p.393. See for a brief overview of the origins and development of the English aversion to a standing army since 1066.

<sup>9</sup> Ibid., p.399. Hardy writes that complaints were repeatedly filed by the abused inhabitants to the Parliament similar to the man in *Pier Plowman* who claimed that "he had lost his wife, barn, and the maidenhood of his daughter to soldiers."

<sup>10</sup> Ibid., p. 401

subsidize expensive military expeditions. The result was that the king raised a large number of soldiers without barracks or money to pay for billeting in inns which forced them to seek quarters in private homes. The Petition of Right in 1628, which would frequently be cited by Anglo-Americans a century later, was the product of increasing burdens on the citizens receiving soldier into private homes. It complained that “of late, great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants, against their wills have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people,” and humbly asked “that your majesty would be pleased to remove said soldiers and manners; and that your people may not be so burdened in time to come.”<sup>11</sup> Charles I, however, continued to ignore the petitions and exacerbated his conflict with Parliament by attempting to raise revenues without parliamentary authority. His stubbornness and unwillingness to deal with the petitions from Parliament escalated the conflict into civil war in 1642. Ironically, both the Royalists and Parliamentarians relied on standing armies in the ensuing conflict and demanded free quarters and abused the civilian populations. Thus, a series of laws enacted during the war reflected the need to regulate the quartering and billeting of troops under the direction of civilian authorities in order to curb the abuses of quartering. In 1649, for example, Parliament explicitly prohibited soldiers and officers from taking free-quarter or free-billet.<sup>12</sup> Charles Dallison’s writing,

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<sup>11</sup> For a full text of the Petition of Rights, see Carl Stephenson and Frederick Marcham, *Sources of English Constitutional History* (New York, Harper & Brothers, 1937), pp. 450-452.

<sup>12</sup> See *Orders & Resolutions of Parliament Concerning disposal of the present Forces, and Rules Concerning Quartering* quoted from *Henry Hills* and *John Field*, Printers to the Committee of Safety, 1659, pp.10-16. “That whatever Forces lie quartered in any Country, which have not been raised and kept up hitherto by Commission from the Lord General, or by authority of the Committees or Deputy Lieutenants of the respective counties, and are not comprehended in the said lists of establishment, for the service of *England* or *Ireland*, shall immediately disband and disperse themselves before the said 28 day of *May* instant; and after that day shall not presume to exact or take

published in 1648, also provides a glimpse into the burdensome duties of quartering from the Royalist's perspective during the English Civil War.<sup>13</sup>

In the end, Parliamentarians won over Royalists, but a subsequent short period of military dictatorship under Oliver Cromwell further aggravated civilian attitudes toward the army. And the restoration of Charles II in 1660 did little to mollify the bitter relations between the civilian population and soldiers as the Third Anglo-Dutch War of 1672-1674 erupted. The Anti-quartering Act of 1679 reflected the English aversion to quartering as it provided that “[n]oe officer military or civil nor any other person whatever shall from henceforth presume to place quarter or billet any soldier or souldiers.”<sup>14</sup> While significant in terms of prohibiting soldiers from being quartered in private homes, either in wartime or peace, Charles II ignored it. It was only after the Glorious Revolution of 1689 that the Bill of Rights, which prohibited soldiers from taking quarters in private homes without the owners' consent, finally settled the long battle over quartering. And the Bill of Rights became the most important document for the colonists in

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from any people, any Free-quarter or Free-billet, or any Money, or ought else in lieu of Quartet or Billet, at their utmost perils, and under pain of being proceeded against according to Law, for what violence or wrong they shall do in that kinde... And all Officers and Soldiers whatsoever, having their pay and billet Money allowed as aforesaid, shall therewith maintain and provide themselves, both for victual and other provisions for Horse and Man, also for lodging and all thing belonging to Quarter or Billet, at such rate, as they can agree for with the Inhabitants where they are, or shall come to quarter; and no Officer or Soldier shall under pretence of taking quarter or billet, enter into the house of any person or persons, duly paying in their Assessments as aforesaid, without his their consent, except Inns, Taverns, Victualling houses or Alehouses, nor shall exact or take any money, or other provisions for hose or man, without consent of the Owner, and due satisfaction given him for the same at such rates he shall agree unto, other then such money, & in such case as is directed to be lent in the Act of Parliament herewith published; and otherwise then for such necessary quartet and billet, and that in such cases onely, and according to such Rules and Terms as is hereafter expressed, viz. ”

<sup>13</sup> Charles Dallison, *The royalist's defence vindicating the King's proceedings in the late warre made against him, clearly discovering, how and by what impostures the incendiaries of these distractions have subverted the knowne law of the land, the Protestant religion, and reduced the people to an unparallel'd slavery*, 1648, p.139, Dallison commented that “...the people are pestered with quartering of Souldiers... And their *insolency* hereby, rather increased then abated. These, and such like, are all the favours we can expect to have, during the time of the raign of these *Westminster-men*.”

<sup>14</sup> Quoted from Fields and Hardy, p.405

America during the eighteenth century as they sought to safeguard the essential rights of Englishmen.<sup>15</sup>

Consequently, English literature of the late seventeenth century reflected the strong aversion to the standing army and the practice of involuntary quartering. One of the most famous and influential authors was John Trenchard, who vigorously opposed the rise of standing army in England. Both *A Short History of Standing Armies in England* and *An Argument, shewing that a Standing Army is inconsistent with a Free Government, and absolutely destructive to the Constitution of the English Monarchy*, published in 1697, argued against the King's right to raise a standing army, and those writings enormously influenced American colonists later; for example, the Boston lawyer, Andrew Eliot, wrote in his correspondence that "Trenchard's History of standing armies, with which you formerly obliged, is excellent."<sup>16</sup> Trenchard's diatribes against a standing army were based on his strong belief that a standing army was a permanent threat to the preservation of the English Constitution and a most convenient means by which tyrants could take away the liberty of citizens. To Trenchard, the coexistence of a standing army and the Constitution was impossible. As Trenchard wrote, "the Constitution must either break the Army, or the Army will destroy the Constitution."<sup>17</sup> He offered numerous examples from the Classical era and medieval European nations to illustrate how standing armies served the ambitions of tyrants and deprived citizens of their liberty. "This Subject is so self-evident, that I am almost ashamed to prove it," asserted Trenchard, "for if we look through the World, we

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<sup>15</sup> Jack P. Greene, "The South Carolina Quartering Dispute, 1757-1758," *South Carolina Historical Magazine* 60 (1959): 193, p.194

<sup>16</sup> Andrew Eliot to Thomas Hollies, June 28, 1770. *MHS Collections*, 4<sup>th</sup> ser., IV, p.452

<sup>17</sup> Kohn, Richard, ed. *Anglo-American Antimilitary Tracts 1697-1830* (New York: Arno Press, 1979) *An Argument Shewing, that a Standing Army is Inconsistent with A Free Government, and Absolutely Destructive to the Constitution of the English Monarchy*, p.4

should find in no Country, Liberty and an Army stand together.”<sup>18</sup> He then cited English history since King James I to show the deleterious role a standing army had played in assailing Englishmen’s liberty and hailed the traditional institution of the militia as the only alternative to a professional standing army. Trenchard, however, mentioned the evils of involuntary quartering only as a small part of his argument against a standing army. “In this Discourse I have purposely omitted speaking of the letter [*sic*] *Inconveniencies* attending a Standing Army,” wrote Trenchard, “such as frequent Quarrels, Murders and Robberies...the quartering upon publick, and sometimes private Houses” and “the Insolence of Officers, and the Debaucheries that are committed both by them and their Soldiers in all the Towns they come in, to the ruin of multitudes of Women, Dishonour of their Families, and ill Example to others.”<sup>19</sup> The actual nuisance arising from quartering soldiers in public or private houses constituted supplementary arguments against a standing army. Hence, quartering itself was not as a serious issue or grievance, at least, to Trenchard.

Trenchard’s contemporary, James Tyrrell, a friend and supporter of John Locke, also wrote a treatise that criticized the presence of a standing army in England. He wrote that “our Ancient Constitution” could be “reduced to an Arbitrary Government, either by a standing Army at home, or a Conquest from abroad...”<sup>20</sup> Tyrrell also branded a standing army as an instrument of tyranny and encouraged his fellow Englishmen to resist taxation to support a standing army without the authority of Parliament and declared King James I’s decision to raise a standing army “was in effect a declaring War upon the People, since it was abusing the power of the

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<sup>18</sup> Ibid., p.10

<sup>19</sup> Ibid., pp.28-29

<sup>20</sup> James Tyrrell, Quoted from *Early English Books Online, A Brief enquiry into the ancient constitution and government of England*, 1695, pp.19-21

Militia, which is intrusted with the King for our Safety and Preservation in our Religion, Liberties and Civil Properties, and not for the destruction of them all, as we found by woful experience, must have inevitably befallen us.”<sup>21</sup> Lastly, Tyrrell condemned James I as he wrote, “The Quartering of this standing Army in Private houses [is] contrary to Law, and the Petition of Right, acknowledged by the late King his Father.”<sup>22</sup>

Even a fierce Tory like Sir Roger L’Estrange condemned the evils of standing armies. His lengthy treatise, published in 1682, identified the standing army as a potent cause of England’s political instability in the seventeenth century. After describing the English examples of raising the standing army and their counterparts in French and Spanish history, he posed a rhetorical question: “But why do I discourse the *Mischiefs* of a *Standing Army*? They are too *many, great* and *Obvious*, to admit a Question.”<sup>23</sup> His answer was that the standing army is only detrimental to a Prince because “the *Nation* bears a *Double Burthen*, and the *Army* Sucks the *better half* of the Advantage” and “a *Mutiny* in his *Army*, is both more *likely*, and more *dangerous*, then a *Tumult* among his *People*.”<sup>24</sup> He wrapped up his treatise on the standing army with the conclusion that monarchs do not need a standing army to rule a country lawfully.<sup>25</sup>

Thus, by late seventeenth century, English opposition to quartering was firmly established as an integral part of the argument against a standing army. Unlike their fellow Britons, however, Anglo-Americans seldom experienced the burdensome practice of quartering troops in the

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<sup>21</sup> Ibid., pp.48-49

<sup>22</sup> Ibid., pp.63-64

<sup>23</sup> Sir Roger L’Estrange, *A memento treating of the rise, progress, and remedies of seditions with some historical reflections upon the series of our late troubles*, 1682, p.53

<sup>24</sup> Ibid.

<sup>25</sup> Ibid., p.54

seventeenth century. There were almost no grievances against quartering until the French and Indian War started in 1756. The only significant presence of the British troops in the colonies was during Bacon's Rebellion in Virginia, in 1676, when the British government sent a military force numbering about 1,500 from England.<sup>26</sup> Evidence suggests that the inhabitants resented quartering the soldiers. The first soldiers to land reported the condition of the colony as "quite destitute of quarters; no place fit to receive them, much less the number that are coming after, whereat the Governor, who believed a frigate or two would have been sufficient, and never desired soldiers, is much amused, and the whole people startled, and many ready to quite their plantations."<sup>27</sup> The other notable instance was King Philip's War in Massachusetts and Connecticut, which saw complaints over quartering of troops despite the fact that these soldiers were local militia, not the British regulars.<sup>28</sup>

The French and Indian War, which lasted from 1756 to 1763, was a pivotal event that planted seeds of Anglo-American opposition to quartering, especially, the Earl of Loudoun's campaigns in North America in the early phase of the war. These caused confrontations between the British army and colonial legislatures over the issue of quartering troop in private homes and defraying the cost of quartering expense. Loudoun's brazen conduct caused so many serious grievances from colonial assemblies that historian Stanley Pargellis credits him as the progenitor

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<sup>26</sup> John Shy, *Toward Lexington*, (Princeton, N.J.: Princeton University Press, 1965), p.22 "The Guards regiments furnished 425 men, and the remainder of an expedition of 1,130 was quickly recruited."

<sup>27</sup> *Ibid.*, p.23. Quoted from Sir John Berry and Col. Francis Moryson (two of the three commissioners) to Sir Joseph Williamson (Secretary of State), 2 February 1677, CSPC, 1677-1680, #240

<sup>28</sup> Fields and Hardy, p.414; James D. Drake, *King Philip's War*, (University of Massachusetts Press, Amherst, 1999), p.142 Drake writes, "One militia committee complained of the 'averseness of the generality of the [town's] inhabitants to obey military orders.'"

of a clause against the involuntary quartering of troops in the Declaration of Independence.<sup>29</sup> The undergirding issue that created a dispute from the both sides was that the Mutiny Act, which Loudoun used as the legal basis during his campaigns, had no binding legal power in the colonies. Since its passage in 1689, the Mutiny Act had been annually renewed and expanded to include the regulations on discipline, recruitment, housing, and movement of the army. As Pargelis notes, however, the application of the act was inconsistent even in the British Isles. In England and Wales, the Mutiny Act forbade quartering soldiers in private homes without the consent of owners; the innkeepers and owners of public buildings had to provide officers and soldiers with victuals, five pints of alcoholic beverages a day, utensils, and fuel for fire free of charge. The army then paid the expense incurred to the owners at the end of their stay or that amount could be reimbursed by Parliament or eligible for tax deduction. In Scotland, however, the Mutiny Act permitted soldiers and officers to take quarters in private homes and receive incidentals items from homeowners due to the shortage of public buildings, but it failed to specify whether these provisions apply in time of peace, or only in time of war.<sup>30</sup> Thus, the Mutiny Act had many ambiguities and was open to contentious interpretations in its application to the American colonies. Indeed, the three extensions of the Mutiny Act—that of 1723 relating to the discipline of British soldiers abroad, of 1754 applying to provincial troops serving in conjunction with regulars, and of 1756 providing a legal basis for recruiting—failed to include any explicit reference to quartering in the American colonies.<sup>31</sup> The Mutiny Act stipulated that the constables of towns oversaw the process of quartering of troops, and the soldiers lodged in

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<sup>29</sup> Stanley M. Pargelis, *Lord Loudoun in North America*, (Hamden, Conn.: Archon Books, 1968), p.187

<sup>30</sup> *Ibid.*, p.188

<sup>31</sup> *Ibid.*, p.180

quarters were required to pay for the various furnishing provided. None of the provisions of the Act, however, could be applied in the context of the colonies because it did not define clearly who would bear the cost of reimbursing home-owners who provided victuals and incidental items, such as beer, candles, cider, vinegar and firewood. Hence, Loudoun and the colonial assemblies clashed over the issue of which side should cover the cost of quartering soldiers. As Pargellis noted, the British ministry instructed colonial governors that troops must be quartered as the commander in chief desired, but failed to specify important details such as “what kind of quarters they should be, or by whom payment was to be made, or how much, if any, was to be paid.”<sup>32</sup>

Loudoun actually recommended that Parliament extend the articles of the Mutiny Act to defray the expense of quartering in the colonies in anticipation of the problems he might face. Pitt’s ministry considered the proposal but then decided it would not want to pay reimbursements for innkeepers and owners of public buildings from London. Rather, it wanted colonial assemblies to deal with such meddlesome transactions and save the treasury of the Crown.<sup>33</sup> Thus, Loudoun assumed that colonial assemblies would meet his demands without any complaint and provide public houses or private homes furnished with the incidental items specified in the Mutiny Act. Therefore, the resistance of colonial assemblies to Loudoun’s orders stunned him. To the dismay of the colonists, though, Loudoun was not going to back down when it come to the well-being and health of his soldiers, and he was willing to use threats to get what he wanted. Thus, the situation in the summer of 1756 and Loudoun’s arrival in North America as

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<sup>32</sup> Ibid., p.190

<sup>33</sup> Ibid., p.194

a commander in chief created an ideal recipe for a conflict. While there were widespread instances of colonial opposition to quartering, the three prominent cases of Albany, Philadelphia, and Charles Town illustrate that quartering soldiers in private homes and bearing the burdens of quartering expense were two pillars of Anglo-American grievance against quartering.

The first conflict between the British army and Anglo-American colonists over quartering during the French and Indian War occurred in Albany, in 1756, when Loudoun requested quarters from town officials. The inhabitants of Albany resisted Loudoun's attempt at quartering because they feared quartering soldiers in private homes and did not want to pay the expense of quartering. The number of the troops arriving Albany, however, far exceeded the number of rooms available in the town, which meant that quartering soldiers in private homes was inevitable. The mayor and the town council cited the rights of Englishmen to be free from quartering soldiers in private homes and refused to provide quarters. Loudoun paid for his own quarters and began the construction of barracks at Crown expense, but that did not spare the inhabitants of Albany from quartering the redcoats in every private home until barracks became available.<sup>34</sup> The quartering situation in Albany worsened in the autumn of 1757 when Loudoun brought more troops to take winter quarters, and the barracks were still under construction. Therefore, Loudoun demanded that the mayor and council provide firing and candles in Albany for the troops; in addition, Loudoun indicated that he would take over the Dutch church as a magazine and use part of the town jail as quarters. With the troops already quartered in private homes, the mayor and council did not further protest quartering of troops *per se*, but they

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<sup>34</sup> According to Loudoun's survey and calculation of Albany, the total of 329 private homes could shelter 190 officers and 2,082, that is, approximately 5 soldiers to each home.

petitioned against “the unaccustomed charges for fuel and bedding.”<sup>35</sup> As the expansion of the barracks was completed, however, Loudoun resumed payments for fuel, and this move prevented further petitions and complaints. Pargellis concludes that Loudoun’s decision to make payments for quartering after taking forceful quarters was an act of clemency, and “by no means an extenuation of his rights.”<sup>36</sup>

In Pennsylvania, Loudoun’s army met much tougher resistance than it had in Albany or New York as the Pennsylvania assembly employed every tactic and argument available to prevent soldiers from taking quarters in private homes.<sup>37</sup> In October, Loudoun wrote Governor William Denny of Pennsylvania informing him that one battalion of royal troops would be quartered in Philadelphia. His letter to Denny, however, did not include the details because Loudoun painted Denny as a person “thoroughly acquainted with the Quartering in England in Time of Peace, and what Things are furnished in Quarters, for the Officers and Soldiers, and how much further Quartering extends in Time of War, and even must do so form the Nature of Things.”<sup>38</sup> In fact, neither Denny nor Loudoun knew what effect war had on the provisions of the Mutiny Act,

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<sup>35</sup> Ibid., p.197 Quoted from Minutes of the Common Council of Albany, *Collections on the History of Albany*, I, 110

<sup>36</sup> Ibid., p.198

<sup>37</sup> Ibid., pp.200-202; See also J. Alan Rogers, “Colonial Opposition to the Quartering of Troops During the French and Indian War,” *Military Affairs* 34 (1970): 7-11; On the New York assembly’s dealing with quartering, see Pargellis pp. 199-201. The New York assembly was the first colonial legislature that dealt with Loudoun’s requests, but it offered no serious resistance upon learning of Loudoun’s intention to lodge a battalion in the city because the assembly was aware of his aggressive tactics in Albany. The assembly worked on a bill to accommodate the soldiers, and the governor approved of it on December 1, 1756. The bill allowed soldiers to take shelters in public houses and, if public houses were insufficient, in private homes, and let the magistrates decide the rates of per diem for quartering soldiers. As a result, most of the first battalion of the 62nd regiment found quarters in the blockhouses in which beds, candles, and firing were provided by the assembly. When additional forces arrived, in New York City, in late December of 1756, Loudoun agreed to disperse them throughout Long Island and nearby towns rather than quarter them in New York City. In the following January, 1757, the New York town council built additional barracks to avoid further problems of quartering in the future, and the assembly had to bear the handsome amount of £3500.

<sup>38</sup> Rogers, p.7; Also printed in *Pennsylvania Gazette*, Dec. 23, 1756

because there had been no clear precedents for quartering in Great Britain in wartime since 1689.<sup>39</sup> Consequently, a great deal of confusion and misunderstanding hampered communication between Denny and the assembly, as reported in *The Pennsylvania Gazette* from December 8 to December 21, 1756.<sup>40</sup> “To prevent, if possible, any Misunderstanding between your Honour and this House,” a message to Denny from the Assembly reads, “we beg Leave to recapitulate what has passed on the Article of Quartering during the present Session.”<sup>41</sup> According to the address, the assembly initially considered the building of barracks but abandoned the idea because “the Season was too far advanced, and the Dimensions could not be judged of, as the Number of Forces to be quartered here was not expressed.”<sup>42</sup> Denny reported Loudoun’s intention to quarter the troops in Philadelphia and asked the Assembly to provide “the Necessaries allowed in Quarters by Act of Parliament.”<sup>43</sup> Since neither Denny nor the Assembly knew the exact provisions of quartering of troops in provincial colonies, both referred to the Mutiny Acts of England as a guideline. Denny promised to procure the act for the assembly, but he failed to provide the document before the assembly session was over. On November 24th, Denny delivered another letter from Loudoun to the assembly, “in which the Demand for Quarters was repeated, and one Battalion of the Royal *Americans* was mentioned to be provided for in *Philadelphia*, but the number of which that Battalion should consist was not mentioned.” Evidently, the assembly believed that Denny knew exactly what he was doing in regard to quartering soldiers until they realized the governor they trusted had no clues about the business.

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<sup>39</sup> Rogers, p.7

<sup>40</sup> *The Pennsylvania Gazette*, Dec. 23, 1756

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

The assembly remonstrated that “Your Honour was never been explicit on these Points with the Assembly.” Nevertheless, the assembly worked on its own bill based on the Mutiny Act and presented “a Bill so exactly conformable to that Act, that it brings over the very Clauses, by which Troops are quartered in *England*.” But neither Denny nor the assembly was aware of the shortage of accommodation when it passed the resolution faithfully adhering to the Mutiny Act. The arrival of troops in Philadelphia on December 8, immediately exposed the problem that the public houses were incapable of accommodating five hundred soldiers, and to make the situation worse, an outbreak of smallpox required additional houserooms to use as a hospital. Thus, Denny informed the Assembly on December 8 that the public houses in the city were insufficient and requested additional items such as firewood and utensils for the troops, but he made no reference to quartering soldiers in private homes. The assembly replied to Denny’s recommendation with an opinion that “the Number for which Quarters were demanded, did not exceed 500 Men, Officers included, and were of Opinion that the Publick Houses of *Philadelphia* were sufficient to provide Quarters for that Number.”<sup>44</sup> But it turned out that the public housekeepers in Philadelphia had, apparently, exaggerated their capacity to quarter troops in anticipation of making a handsome profit for sheltering soldiers.<sup>45</sup> The assembly received remonstrations from the mayor and the aldermen of Philadelphia on December 13 reporting that many of public houses were “so poor and indignant, that they are neither of Ability to support the Burden of providing for so great a Number of Troops, or have proper Houses and Accommodations suitable for their comfortable Receptions.”<sup>46</sup> In addition, “the Commanding Officers hath demanded a

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<sup>44</sup> Ibid.

<sup>45</sup> Pargelis, pp.200-201

<sup>46</sup> *The Pennsylvania Gazette*, Dec. 23, 1756

Hospital with Bedding, Fire, and other Necessaries, to provided for a Number of Sick; but as no public Building hat been erected in this City for that Purpose, your Remonstrants, tho' willing and desirous to do every Thing in their Power, to demonstrate their Loyalty to his Majesty, and to promote the Good of His Service, are sorry to find themselves incapable of complying with this Demand, without the Aid and Assistance of the Legislature of this Province.”<sup>47</sup>

While the assembly stalled, news of the soldiers taking quarters in private homes greatly shocked the assembly. Indeed, Henry Bouquet, the commanding officer of the battalion, asked Denny to permit the soldiers in private homes as the shortage of public houses endangered the health of the troops. Denny, sympathetic to the troops' distress, dispatched the sheriff to carry out Bouquet's request, but the sheriff, instead of obeying the order, turned the matter over to the assembly. The assembly was outraged and immediately delivered a grievance to Denny. “A Report having Yesterday prevailed in Town, that your Honour had given Orders to the Sheriff to quarter the Soldiers on private Houses, which greatly surprized the inhabitants,” the assembly petitioned. It also expressed a shock towards the governor's alleged double dealings with the assembly as it questioned Denny's orders, which were “so diametrically opposite to an express Law passed by yourself but a few Days before.” The assembly, clearly upset by Denny's conduct, adjourned without providing the additional aids and provisions to the troops and strongly recommended that Denny direct the Magistrates and Officers to inspect every public house to find vacant rooms for soldiers and relieve the fear of the inhabitants. Denny, however, laconically responded that “The King's Troops must be quartered.” Stunned by Denny's unsympathetic and blunt response, the assembly condemned the governor: it believed Denny had

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<sup>47</sup> Ibid.

unfairly handled the matter of quartering Loudoun's troops in Philadelphia despite the fact that the assembly had dutifully obliged his requests. "The Assemblies of this Province have in very late Instances shewn their Regard for the soldiery, by voluntarily presenting Conveniences and Refreshments to the Officers, and furnish warm Cloathing for the Soldiers of the King's Forces, to the Amount of many Thousand Pounds," the assembly protested. "We thought we had by the late Law provided well for their Quartering in this Province, especially as we had exactly followed the Act of Parliament made for same purpose." Behind the florid language of grievance, however, the real issue that irritated the colonists was quartering "the soldiers by Force in private homes rather than by Law on Public Houses."<sup>48</sup>

The assembly formed a special committee to settle the stalemate over quartering soldiers in private homes. The committee assured "the Governor of the good Dispositions of the House towards the Army, and their Intention that sufficient Quarters should be provided from them," but also complained that Denny had indeed issued "Orders for Quartering them on private houses by Force, contrary to Law." The committee reiterated its opinion that the troops should only be quartered in public houses and that latter were sufficient to provide housing for the soldiers. Denny insisted that public buildings were insufficient and that it was "plain the Soldiers were not well quartered; and they must not suffer." The committee again urged Denny to order the magistrates and other city officials to inspect every public house and see to it that the soldiers were quartered in public houses only according the bill that Denny had approved. The governor refused to accept this request replying that "it could not be expected of him, to go from House to House to see how the Law was executed." Denny's adamant position forced the committee to

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<sup>48</sup> All quotes in this paragraph from *The Pennsylvania Gazette*, Dec. 23, 1756.

recommend an alternative: billeting soldiers in taverns in the suburbs of Philadelphia or quartering them in neighboring towns rather than attempting to quarter every soldier in Philadelphia. But Denny objected to this idea too, replying that “the Quarters were demanded in the City, and it was his Duty to see the Orders executed; that if the Inhabitants thought it unequal of or a Hardship, they might apply to Lord *Loudoun*.” The committee, amazed by Denny’s unwillingness to resolve the quartering dispute in favor of the colonists, protested that “We expected of him, that would be the immediate Father and Protector of the People, and if any Orders he received would in their Consequences be grievous to the People, he would represent the Matter properly in our Behalf.” The Assembly then raised an important question by asking Denny if “any further Provision ought to be made for Quartering the Officers, than what the Act of Parliament required,” to which Denny replied, “None that he knew of.” The assembly raised an important question of “What was to be understood by Quartering being extended father in Time of War, than in Time of Peace” to which Denny admitted he knew nothing “unless it was Quartering on private Houses” and further added “That in Time of War, and in Cases of Necessity, it was usual in *England* to quarter Soldiers on private Houses.” The committee did not challenge Denny’s premise about the wartime necessities but maintained that “such Necessity did not appear to us; since there was Room enough in the Publick Houses of the Suburbs, and neighbouring Towns, and other towns in the Province, for much greater Numbers than Quarters had yet been demanded for.” Denny once more attempted to scotch the committee’s insistence that the troops be dispersed throughout the suburbs and nearby towns of Philadelphia by replying that “the General was the proper Judge of such Necessity; and the General thought it necessary to have the Soldiers quartered near together.” But Denny’s answer failed to silence the committee’s

opposition to quartering soldiers in private homes as members of the committee even questioned the soundness of Loudoun's judgment. "We were confident that the General had no Inclination to oppress any of His Majesty's good Subjects," the Committee replied, "but if Necessity warranted Quartering on private Houses by Force, and contrary to Law; they might say it was necessary to quarter the whole Army, not only in one City, but in one Square or one Street; and thereby harass the Inhabitants excessively." It also emphasized that "the People of this Province were as good as any loyal Subjects as any in the King's Dominions" and pointed out that they provided necessities for quartering to the soldiers at the expense of the colonists.<sup>49</sup>

On the following day after the rough session with the committee, Denny delivered a message to the assembly condemning their delay and disobedience in carrying out his order. He criticized the assembly for being "indecent, frivolous and evasive" in the affairs of quartering the troops and for their ingratitude toward the King's troops. "That the Reception of His Majesty's Troops in this City shews Want of Humanity and Gratitude; for you will please to remember, that they were raised by Parliament for the Defence of these Colonies." "For my part, Gentlemen," Denny continued, "I shall always avoid Disputes; but am determined to do my Duty to my King and Country." Upon receiving Denny's rebuke and the news of Loudoun's threat to march the soldiers into Philadelphia and forcibly take quarters, the assembly backed down and offered a more conciliatory reply to the governor. The assembly also defended its past conduct by reminding Denny that "Inhumanity and Ingratitude are heavy Charges, but we think by no Means applicable to the People of this Province." In the end, a threat from Loudoun ultimately silenced the grievances. The committee, of which Benjamin Franklin was a member, promised a newly

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<sup>49</sup>All quotes in this paragraph from *The Pennsylvania Gazette*, Dec. 23, 1756.

finished provincial hospital would be available in three weeks to house the sick soldiers. The town also agreed to pay officers instead of billeting them in private houses. Thus, the lengthy dispute between the Denny and the assembly of 1756 ended.<sup>50</sup>

While the quartering dispute in Pennsylvania revolved around having soldiers in private homes, when the controversy over quartering British regulars spread to South Carolina, in 1757, it focused on defraying the cost of quartering. The French capture of Oswego, in the summer of 1756, delivered a blow to British forces that made Secretary of State, William Pitt, in London, examine the need for defense of southern American colonies. In response to the threat, Pitt sent a thousand men of the Royal Highland Battalion to Charles Town; meanwhile, Loudoun also sent 500 British regulars under the command of Bouquet and ordered 1,300 provincials to be recruited. Loudoun requested that the Commons House of Assembly provide quarters for the troops, which the assembly obligingly did. On May 5, the Commons voted to provide temporary quarters in some old empty barracks, a building formerly used as a free school, and such “Other suitable houses” as might be required. In addition, it ordered Commissary General William Pinckney to supply the troops with necessities including firewood, candles, pepper, salt, and two quarts of small beer per day at the public expense.<sup>51</sup> Bouquet and his British soldiers, along with 200 Virginians, arrived in Charles Town on June 15, 1757. The Virginians were lodged in town, but the British regulars were forced to lodge outside of the town for fear of spreading small pox, which had broken out during their stay in Philadelphia. They found shelter in old brick barracks

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<sup>50</sup> All quotes in this paragraph from *The Pennsylvania Gazette*, Dec. 23, 1756; See also Jeffrey L. Scheib, “Barracks for the Borough: A Constitutional Question in Lancaster County,” *Journal of the Lancaster County Historical Society* 87 (1983): 53-63. Quartering soldiers in private homes continued in remote parts of Pennsylvania which greatly aggravated the inhabitants of small towns.

<sup>51</sup> Jack P. Greene, “The South Carolina Quartering Dispute, 1757-1758,” *South Carolina Historical Magazine* 60 (1959), p.195

in need of repair and without furnishings. Following the arrival of the troops, the assembly convened twice over the summer and voted £4,000 Carolina currency to provide permanent housing and repairs to the existing barrack but left out provision for bedding, barracks furniture, or kitchen utensils. The arrival of Montgomery's 1,000 Highlanders and 113 supernumeraries on September 3 raised the number of soldiers in Charles Town to over 1,700, which only aggravated the shortage of public house rooms and the unhealthy condition of barracks. Some inhabitants voluntarily took soldiers into private homes out of compassion and generosity, while the remainder of the unfortunate soldiers were quartered "in a Half finished Church without Windows, in Damp Store Houses upon the Quay, and in empty Houses where most of the Men were obliged to ly upon the Ground without Straw or any sort of Covering."<sup>52</sup> As a result, disease spread quickly among the soldiers, infecting an estimated 500 Highlanders within a month, and by the end of November nearly sixty had perished.<sup>53</sup>

Both Bouquet and Montgomery blamed the inadequate and poor housing for the illness among their soldiers. Bouquet complained, in his letters to Loudoun and to Governor Henry Ellis of Georgia, of the South Carolina assembly's failure to provide adequate and acceptable housings for the troops. In September, Bouquet wrote Ellis that he would "prefer to make two Campaigns, than to settle the Quarters in any of our American Towns," and a month later complained to Loudoun, "the greatest difficulty consists still in settling the Quarters in Town, the eternal Struggle in America."<sup>54</sup> Both Bouquet and Montgomery urged Governor Lyttelton to provide better quarters for the troops, and Loudoun also warned and reminded the governor of

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<sup>52</sup> Ibid., p.197. Quoted from Representation of Field Officers, Dec. 2, 1757, *Bouquet Papers*, Series 21643, 16-17

<sup>53</sup> Ibid.

<sup>54</sup> Ibid., Quoted from *Bouquet Papers*. Bouquet to Ellis, Sept. 177, 1757; Bouquet to Loudoun, Oct. 16, 1757

the importance of this matter. Lyttelton, however, was powerless to fulfill the wish of the British commanders without the approval of the assembly until early October. When the assembly finally convened, on October 7, Lyttelton strongly recommended that permanent quarters be provided for the newly arrived Highland Battalion. Although the assembly quickly responded to Lyttelton's request by voting to build additional barracks for the troops from England, it avoided making any provision for bedding, barracks furniture, or kitchen utensils for the soldiers in the existing barracks. This disappointed and angered Bouquet. Montgomery was particularly distressed that the assembly had repeatedly refused to provide bedding. Jack Greene argues that the complaints of Bouquet and Montgomery were exaggerated. According to Greene, the South Carolina assembly moved swiftly to build permanent barracks and provide soldiers in regular quarters and those who were sick in hospitals most of necessary items listed in the Mutiny Act at the public expense. Moreover, the inhabitants voluntarily offered to quarter some soldiers in private homes at the expense of colony without serious protests or complaints. This was certainly a gesture of remarkable hospitality in light of what had happened in Albany and Philadelphia, where the inhabitants and the magistrates staunchly opposed any attempt to quarter soldiers in private homes. Greene also points out that the colony had spent over £20,000 Carolina currency (nearly £3,000 sterling) to build barracks for the troops between June and December 1, 1757. In addition, Lyttelton had promised to press the Commons to make provision for bedding and other barracks equipment at its next sitting.<sup>55</sup>

Lyttelton kept his promise when the assembly reconvened in November. But there was a trade-off as the assembly agreed to furnish bedding and barracks equipment for the troops but, at

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<sup>55</sup> Ibid., p.198

the same time, decided to discontinue bearing the expense of quartering 81 staff officers, captains, and field officers after December 1. This meant that the officers had to pay for their lodgings themselves. Good news for the British troops was that the assembly voted to supply the enlisted men with firewood, candles, lanterns, brooms, pails, axes, and beds including bedding and one blanket for every two men. It also voted to pay the subalterns seven shillings Carolina currency (one shilling sterling) per day in lieu of quarters and necessaries until barracks were constructed for them.<sup>56</sup> Bouquet was again unhappy with the assembly's move because he contended that officers of all ranks were entitled to quarters at the expense of the colony. He discreetly ordered the officers to keep possession of their quarters and to tell the housekeepers to seek compensation from the assembly, not the officers. Bouquet, however, was walking on a tightrope because his order would clearly qualify as involuntary quartering if neither the assembly nor the soldiers paid for the expense and remained in their rooms without the consent of the owners. Nevertheless, Bouquet pressed Governor Lyttelton to pressure the assembly to provide quarters for the officers supported by the colony's fund. He also demanded a blanket for each man as well as more firewood, candles, and vinegar for the guard houses and hospitals. Lyttelton agreed to do as Bouquet requested, seeing the demands as reasonable. In a surprising move, however, Bouquet brought this matter directly up to the speaker of the assembly and told him that he would insist upon only two of the things requested: that the colony defray the costs of housing the officers and that it provide a blanket for each soldier.<sup>57</sup> He also added that he would petition Loudoun either to recall a part of the troops or to procure a grant from the Crown to cover part of the cost of quartering the soldiers. The assembly rejected Bouquet's request but

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<sup>56</sup> Ibid., Quoted from *The Journals of Common House*, Dec.1, 1757; Loudoun Papers, LO 4689

<sup>57</sup> Greene, p.200

promised to provide a blanket for each man and grant an additional allowance of one cord of firewood per week to each company. While Bouquet remained dissatisfied with the assembly's refusal to pay for the quarters of the officers, the news of Bouquet's orders to his officers to keep possession of their lodgings without payment alarmed the assembly. The Commons quickly wrote into the preamble of a bill that "it is impracticable to quarter or billet Soldiers in this Province for want of Inns, Taverns, Victualling Houses, and other such Houses as Soldiers are quarter'd in by the Laws of Great Britain."<sup>58</sup> Greene argues that "this clause was obviously intended to protect South Carolinians from having troops arbitrarily quartered in their homes without their consent."<sup>59</sup> When the assembly presented this measure to Lyttelton for his consent, he quickly recognized the intent of this clause, reporting to the Board of Trade that it "was meant to be a kind of Parliamentary declaration that Troops shou'd never be quarter'd or billeted here upon Private Homes."<sup>60</sup> Consequently, Lyttelton found the bill objectionable and rejected it, but Greene sees this as "the Commons' first attempt to write into law a specific declaration against the quartering of troops" and "a harbinger of things to come."<sup>61</sup>

The assembly adjourned on December 9 and did not meet again until mid-January. Meanwhile, tension between the British army and the colonists remained at a status quo: the officers continued to retain their quarters, ignoring the assembly's resolution to discontinue bearing the cost of those quarters after December 1, while the new barracks were still under construction. Lyttelton asked the assembly for money one more time when it reconvened on January 18, but the officers' refusal to pay for the lodging antagonized the assembly and it

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<sup>58</sup> Ibid., p.200. See JCH, Oct. 21, 1757, XXXII, 23)

<sup>59</sup> Ibid.

<sup>60</sup> Ibid., p.201. See Lyttelton to Board of Trade, Dec. 22, 1757

<sup>61</sup> Ibid., p.201

refused to comply with the governor's request.<sup>62</sup> Instead, the assembly granted £3,750 Carolina currency on February 10 to construct a row of barracks, although it specified that the new barracks would only house subalterns and refused to defray the cost of their quarters. While the assembly delayed over the requests of Lyttelton, Loudoun received reports from Bouquet and Montgomery complaining of poor conditions in the barracks in which the soldiers were quartered. Loudoun immediately wrote Lyttelton and urged him to intercede with the assembly to resolve the dispute so that everything necessary was provided for the British regulars. Loudoun also hinted to Lyttelton that, if the assembly continued to refuse to quarter the soldiers, he would have no option but to take private homes as quarters. He also sent a clear message to Lyttelton that the colonists must submit to the authority of the Crown and the commander in chief. There "can be no Arguments," Loudoun declared, "drawn from that strange Notion that had entered into the Heads of some people in this Country, that the Articles of War did not extend to this Country, and that of Course the King had no Right to Quarters here, in this Part of His Dominions."<sup>63</sup> In a letter to Bouquet Loudoun deplored the colony's failure to comply with the requests of the commander in chief and authorized Bouquet to quarter the troops at his own discretion in case the assembly kept neglecting to provide decent quarters for the troops. But a second letter accompanied the first one; a private letter intended only for Bouquet directed him to exercise caution. Loudoun ordered Bouquet to "Act very Tenderly" and resolve the dispute with the South Carolina assembly without further escalating the current situation. Fortunately, the assembly had already voted to provide the troops with bedding, furniture, and kitchen utensils. In addition, by the time Loudoun's instruction reached Bouquet, on February 13, a number of

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<sup>62</sup> Ibid., p.201

<sup>63</sup> Ibid., p.202. Greene quotes from Loudoun to Lyttelton, Dec. 6, 1757, Lyttelton Papers.

barracks had been completed, and the soldiers eagerly moved into brand new housing. Although the issue over inadequate and poor conditions of the barracks was resolved, the dispute over who would pay the cost of quartering the officers remained in a deadlock between Bouquet and the South Carolina assembly. Bouquet was determined that the colony, and not the officers, should bear this expense. He insisted, in his letter to Lyttelton on February 28, that the officers in South Carolina be quartered at the expense of the colony “either in Barracks properly furnish’d, or in the Town.”<sup>64</sup> Lyttelton delivered Bouquet’s message to the assembly and requested that the assembly pay the housekeepers, who had been lodging the soldiers without payment from either the army or the colony since November 30. As Greene writes, however, “the Commons was in no mood to comply with these requests” and refused to alter the decision made in the previous session.<sup>65</sup> Moreover, the assembly regarded the lodging of the officers in the quarters without the payment as the violation of an Englishman’s right to be free from having troops quartered in his home without his consent, as it declared “that Officers and Soldiers cannot, legally or constitutionally, be quarter’d in private Houses without the special Consent of the Owners or Possessors of such Houses.”<sup>66</sup> Greene sees this forceful declaration as “an early manifestation of that spirit animated all of the American legislatures in their resistance to Parliamentary violations of those rights in the following two decades.”<sup>67</sup> The mounting tension between Bouquet and the assembly, however, abruptly ended when Loudoun recalled the troops at Lyttelton’s request. The officers left without paying the housekeepers for their quarters, but they did, at Loudoun’s direction, give receipts and certificates to the housekeepers for the amount due them from

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<sup>64</sup> Ibid., p.203. Greene quotes from Bouquet to Lyttelton, Feb. 28, 1758, Lyttelton Papers.

<sup>65</sup> Ibid., p.203

<sup>66</sup> Ibid., Greene quotes from JCH, Mar. 16, 18, CO 5/474, 100, 103-4

<sup>67</sup> Ibid., pp.203-204

November 30 to March 20. In summary, the primary source of conflict over quartering in South Carolina was a fiscal issue as the both sides—the British army and the assembly—were unwilling to pay the expense of quartering. Although the dispute was fiscal in nature, the assembly nevertheless invoked the ancient rights of Englishmen to be free from quartering soldiers in private homes. British officers did not attempt to quarter soldiers into private homes but only wanted the colonists to provide incidental items and to pay for the quarters for the British soldiers; ironically, it was the inhabitants who took the soldiers in private homes. Unable to find a legal basis for its arguments, the assembly seems to have defined the refusal of the British officers to pay for their quarters as involuntary quartering of soldiers in private homes.

Thus, the incidents in Albany, Philadelphia, New York City, and Charles Town during the French and Indian War engendered Anglo-American opposition to quartering fixated on two issues: quartering soldiers in private homes and defraying the cost of quartering expense. It seems that the former was a more serious offense to Anglo-Americans in these cities as the most forceful language was used in opposition to quartering soldiers, although the latter was a more widespread and common grievance in other colonies. Elsewhere, however, colonists complied with requests and demands of the army, albeit grudgingly and unhappily, without questioning or resisting the authority of the commander in chief and the legal bases of the Mutiny Act in American colonies. The Maryland assembly had obliged Governor Horatio Sharpe's request without further ado, as it replied, "We shall pay all due Regard to what Your Excellency has been pleased to recommend, relating to such Regulations as his Majesty's Service may require, in the Hire of Waggons and Horses, and the Expences of quartering Soldiers, in the publick

Ordinaries, on their March through this Province.”<sup>68</sup> Similarly, in 1756, Sharpe quartered seven companies of the third battalion of the Royal Americans in Cecil and Kent counties, where the towns were small and poor. The inhabitants furnished necessaries in the belief that the assembly, as in the past, would compensate them. In 1757, Loudoun quartered five companies in Annapolis but he did not encounter serious resistance apart from one assemblyman, John Wetherill, bombastically declaring that “he will put an end to the crown being able to quarter one man in America.”<sup>69</sup> The New Jersey assembly was basically inveigled to reimburse the expense for quartering. Governor Jonathan Belcher presumed that the army would pay for the expense but came to realize later that Loudoun wanted the assembly to defray the expense. In Connecticut, the towns of Stamford, Milford, Stratford, Fairfield, and Norwalk accommodated thirteen hundred soldiers, although the selectmen anticipated some towns would suffer from quartering. They provided room, bedding, firewood, candles, cider, guard-houses, and hospitals, and submitted their account to the assembly as the quartered troops left. The assembly compensated all the owners with a total sum of £2358 12s. 11d.<sup>70</sup> Massachusetts also displayed a spirit of submission and cooperation. The Massachusetts assembly did raise a question over the legality of Loudoun’s extension of the quartering sections of the Articles of War to the colonies and asked whether the army should not customarily pay for quarters by themselves. Loudoun dodged the question and gave no definite answer; nevertheless, the assembly finally voted money for

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<sup>68</sup> *Pennsylvania Gazette*, March 25, 1755

<sup>69</sup> Pargellis, p.205

<sup>70</sup> *Ibid.*

equipment and the expansion of the barracks as well as providing the soldiers with beds, kettles, bowls, spoons, lamps, oil and half a cord of wood a week for each fireplace.<sup>71</sup>

In 1757, Massachusetts caught Loudoun's attention again when justices of the peace refused to allow British recruiting officers to quarter their small parties in public houses. On behalf of the protesting officers, Governor Thomas Pownall attempted to persuade the assembly to change its decision, but he met with an opposition from the members who argued that no subject, whether an innkeeper or a private person, could have troops quartered on him except by law. Pownall found the assembly's arguments reasonable as he could find no precedents or laws had been in effect and thus recommended the passage of an act to accommodate the recruiting officers. Meanwhile, Pownall quartered the recruiting parties in the barracks on Castle Island, though, the officers preferred to pay the high prices demanded by innkeepers because they wanted to lodge themselves in the town to do recruiting work among the civilian population until their commander in chief solved the problem. Loudoun, clearly frustrated with the assembly's stance on quartering, wrote Pownall that no act of assembly was needed to carry out the tasks of quartering and that colonial assemblies had no authority to obstruct rights of the king and his majesty's army to quarter in the provincial colonies. He again threatened to march the troops from New York, Connecticut, and New Jersey, and ordered Pownall to deal with the troublesome assembly. While Pownall hesitated to carry out Loudoun's order, as he lacked the executive power to enforce such task, the assembly passed the act, authorizing selectmen to quarter recruiting parties in public houses, with the incidentals and small beer included.<sup>72</sup> Loudoun

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<sup>71</sup> Ibid., p.206. See *Acts and Resolves of Massachusetts Bay*, Resolves, XVI, 67.

<sup>72</sup> *The Boston Evening-Post*, December 12, 1757

perceived this as a direct affront only to cool his temper later. Consequently, recruiting parities received prompt service in Massachusetts, and Rhode Island followed suit, passing a similar act, followed by Connecticut the next year.<sup>73</sup> This ended major disputes over quartering during the French and Indian War.

While Anglo-American opposition to quartering met with little success, the colonists' tougher than expected resistance was sufficient to frustrate Loudoun. His attempts to quarter troops were frequently in peril as colonial assemblies neglected or delayed voting money to provide for provisions; in short, the well-being of the British troops was at the mercy of colonial assemblies. And the colonial assemblies fiercely protested if Loudoun attempted to quarter soldiers in private homes without their permission by citing the ancient Englishman's rights and refused to pay for the quartering expense by exploiting the weaknesses of the Mutiny Acts. Nevertheless, the colonial assemblies were yet to view quartering of troops as a fundamental attack on their liberty and rights in general. Loudoun's threats and wartime necessities might have pressured Anglo-Americans to yield their rights to be free from quartering soldiers in private homes. The colonists often voted the money for supplies and defraying the cost of quartering for the innkeepers without much delay in most cases. Thus, J. Alan Rogers exaggerates his assessment of colonial opposition during the French and Indian War when he writes that "Colonial political leaders would not quickly forget that military power had been used to force them to comply with what they considered an unconstitutional procedure, a practice which posed a grave danger to political liberty in America."<sup>74</sup> There was no physical resistance

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<sup>73</sup> Pargellis, p.208-209

<sup>74</sup> Rogers, p.10

to quartering based on references to political liberty or unconstitutional measures imposed upon the colonists by the British army. Furthermore, the fact that Britons and Anglo-Americans were fighting their common enemies in wartime and the irrefutable reality, as Governor Denny had pointed out, that the British troops were protecting interests of the colonists often made them willing to cooperate with quartering the British soldiers and to endure quartering soldiers in private homes.<sup>75</sup> By 1759, colonial grievances against quartering had subsided as most of the redcoats were relocated to frontier outposts while only a handful of soldiers were quartered in barracks behind the frontlines.<sup>76</sup> Colonial opposition to quartering during the French and Indian War, however, certainly provided a clear antecedent to Anglo-American response to the Quartering Act in 1765. While opposition was relatively tame and mild during the French and Indian War, extensive experiences in dealing with the business of quartering redcoats during the war provided Anglo-Americans ample ammunition to oppose any further British attempt to quarter troops without a good excuse.

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<sup>75</sup> See Shy, p.165 Historical Records Survey, *Calendar of the New Jersey State Library Manuscript Collection*, (Newark, 1939), 7. Residents of New Jersey, for example, suffered property damages and other annoyance as the troops moved up from Philadelphia to New York. Uninvited soldiers ravaged a widow's house and garden in Perth Amboy as they used her home as a hospital for soldiers down with smallpox and used fences, doors, floors, and fruit trees for firewood; Also from Edwin R. Walker, *et al.*, *A History of Trenton* (Princeton, 1929), I. 299-300. The residents of Princeton were "obliged to entertain sometimes ten, twelve, or fifteen Soldiers for a night" and "quarter in their houses, some two, some three, others four of his majesty's troops" in poor small houses which had no more than one room. There were at least 39 similar petitions from New Jersey towns.

<sup>76</sup> Jack P. Greene, ed., *A Companion to the American Revolution*, pp.121-122

## Chapter 2:

### Anglo-Americans Respond to the Quartering Act, 1765-68

Anglo-Americans mainly opposed the Quartering Act by arguing that it was one of Parliament's programs to impose additional taxation on them illegally for a couple of years from 1765. The initial American response to the news of the Quartering Act of 1765 can best be described as somewhat nonchalant. "Americans did not immediately and vigorously protest the Quartering Act," writes John Shy, "as they protested the Stamp Act."<sup>77</sup> This is a valid assessment considering that Anglo-Americans had already challenged the quartering of troops and the legal grounds of the Mutiny Acts for nearly a decade during the French and Indian War. The Quartering Act changed very little from the previous Mutiny Acts. In early 1765, General Thomas Gage, commander in chief in North America since 1763, requested that Parliament make amendments to the Mutiny Act. Gage was exasperated with the difficulties of quartering soldiers and the maintenance of armies as the colonists continued to dispute Gage's orders and requests referring to the defective Mutiny Acts. Gage wanted a sweeping law that would settle the continuing disputes regarding quartering troops in the colonies once and for all. Upon receiving Gage's letter, on March 1, 1765, the Grenville ministry immediately worked on

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<sup>77</sup> Shy, p.189

drafting the bill. After its passage on March 24th, however, the Act underwent an intense and heated debate in the Commons for months because it authorized soldiers to take quarters in private homes. Eventually, the controversial clause was removed and finalized on May. The Quartering Act authorized soldiers to take quarters in “inns, livery stables, ale-houses, victualling-houses, and the houses of sellers of wine by retail to be drank in their own houses or places thereunto belonging, and all houses of persons selling of rum, brandy, strong water, cyder or metheglin, by retail, to be drank in houses” if there were no rooms available in barracks provided by colonies. Also, should “barracks, inns, victualling and other publick alehouses” become unavailable, the act specified that “uninhabited houses, outhouses, barns or other buildings” must be procured as quarters. In addition, the act stipulated that the quartered soldiers “be furnished and supplied there by the persons to be authorized or appointed for that purpose by the governor and council of each respective province, or upon neglect or refusal of such governor and council in any province, then by two or more justices of the peace residing in or near such place, with fire, candles, vinegar, and salt, bedding, utensils for dressing their victuals, and small beer or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, to each man, *without paying any thing for the same.*”<sup>78</sup> The Quartering Act of 1765, thus, left a no room for the colonists to dispute defraying the cost of quartering.

While the colonists later condemned the Quartering Act as part of the Grenville ministry’s scheme to subjugate and enslave the colonies, it actually contained exhaustive details to protect the colonists’ interests more than that of soldiers. For instances, clause fourteen attempted to prevent abuses in quartering and billeting and clause sixteen applied strict regulations and

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<sup>78</sup> *The Quartering Act, 1765.* Italic emphasis by the author.

limitations on impressing wagons and horses for the British army. Lawrence Gipson argued that these careful considerations included in the Quartering Act of 1765 might explain why there was “comparatively little serious complaint over the billeting of troops,” at least, from New York, and from the other colonies to a certain extent.<sup>79</sup> The British government believed the modifications would palliate the grievances colonists had voiced during the French and Indian War. Despite its good intentions, however, the Quartering Act did impress Anglo-Americans. As Shy writes, “They were not happy about it, but some of them must have seen that it represented a slight but perceptible improvement in their legal position vis á vis regular troops.”<sup>80</sup> An explanation of the lukewarm American response is that the colonists could easily thwart it; as Shy points out, “a legislature only had to neglect to appropriate funds.”<sup>81</sup> A survey based on colonial newspapers from 1735 to 1765, however, suggests that the Quartering Act of 1765 marked a turning point in American opposition to quartering. Prior to 1765, the colonists’ greatest fear had been the prospect of soldiers being quartered in private homes, but thanks to the events of 1765, the focus of opposition to quartering became American opposition to “taxation without representation.”

Before 1765, Anglo-Americans understood quartering of troops as an obligatory duty to the King and Parliament and only submitted grievances when their essential rights as Englishmen, that is protection from the involuntary quartering of soldiers in private homes, were violated. The stories of quartering and dealing with insolent soldiers frightened the colonists, but they regarded

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<sup>79</sup> Lawrence Gipson, *The British Empire before the American Revolution: provincial characteristics and sectional tendencies in the era preceding the American crisis* (Caldwell, Id.: The Caxton Printers, 1936-70), Vol. 11, p.45

<sup>80</sup> Shy, p.189

<sup>81</sup> Ibid.

those as unavoidable consequences and mere inconveniences. As early as 1735, *The New-York Weekly Journal* had published an article on quartering of soldiers that described it as nothing more than a baneful burden. “Another Grievance is the Quartering of Soldiers, that know what a vexatious thing it is (over and above the Charge) constantly to be plagued with insolent Inmates,” it reported, “who Lord it wherever they dwell, will soon allow this Mischief scarce supportable.”<sup>82</sup> The misdemeanors of quartered soldiers became an axiom to the colonists as colonial newspapers reported colorful incidents from England preceding the French and Indian War. *The Boston Evening-Post* in 1740 printed an opprobrious opinion article that spoke out against a new provision to the Mutiny and Desertion Act that required Innkeepers and other “Masters of public Houses” to furnish the soldiers with “*Provisions of Eating and Drinking.*” It gave a firsthand account of the presumptuous and overweening soldiers with a satirical tone:

I once happen'd to lye at a Country Inn, not very far from *Hounslow Heath*, where there was to be a *Review* some Days afterwards. When I came there, I found no less than *twelve Dragoons*, and towards the Evening as many more came rattling into the Yard, took up all the best Stabling, and litter'd their Horses up to their Bellies with the best Straw the House would afford. Nay, They made *Ostlers*, and *other Servants* rub down their Horses, which is not their Business; but the *Master of the House* told Me that He dar'd not disoblige Them, (tho' that first Nobleman in the Land should call in there;) for if He did, They would be revenged upon Him by wasting his *Hay*, and otherwise doing Him all the Mischeif that lay in their Power. He was to Provide them with an hot Supper of the best Meat that could be bought; for their nice Stomachs could not digest cold Victuals, nor such ordinary Provisions as often serve the Family at a Country Inn. The next Morning, the *Master of the House* desired Me to walk into the Kitchen, and see the *Gentlemen*, as He Call'd Them, at Breakfast; which consisted of a great Piece of cold Roast-Beef, a Should of Mutton, two or three Peck-Loaves, and a *Cheshire* Cheese; the greatest Part of which was devour'd in an Instant. They were then to have an hot Dinner intirely Themselves; for They would not suffer a Slice to be cut off for any Customer; and This the *poor Man* told Me would be the Case, from Day to Day, as long as He was plagued with their Company.<sup>83</sup>

Surely, these acts of rudeness and insolence would have made Anglo-Americans fear the prospect of quartering in public houses, not to mention in private homes. The examples from the

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<sup>82</sup> *The New-York Weekly Journal*, November 10, 1735

<sup>83</sup> *The Boston Evening-Post*, June 16, 1740

French and Indian War, however, demonstrated that no such complaints were made; the only serious opposition raised by the colonists was to quartering soldiers in private homes. The right of the crown and Parliament to quarter troops in public houses was never challenged, despite some squabbling over defraying the expense for quartering. As examined earlier, the disputes often revolved around the issue who would pay the cost quartering, but the colonists were not yet to perceive this burden as an attack on the liberty of Anglo-Americans or a scheme to enslave the colonists.

Thus, the initial response of Anglo-Americans to news of the Quartering Act stirred no controversy in the early months of 1765. New York, for example, already had its own Mutiny Acts which had been renewed annually. New York City, as a central port for the arrival and departure of the British troops, was so inured to quartering the British troops that it remained apathetic to rumors that Grenville ministry was drafting the Quartering Act. In 1757, *The New-York Mercury* printed *An ACT for billeting and quartering his Majesty's Forces within this Colony* that already contained the core clauses, such as a requirement “That when and as often as any of his Majesty's Forces shall be ordered to march into, or through this Colony...to quarter and billet the Officers and Soldiers in his Majesty's Service, in such Inns, Livery Stables, Ale Houses, Vitualling-Houses, and all Houses selling Rum, Brandy, Cyder, or any other spirituous Liquors, by Retail, to be drank in said Houses...” It also contained the clause that allowed soldiers to take quarters in “private Houses” if “in case there shall not be a sufficient Number of such Houses in the City, Borough, Town, Manor, or Precinct ...”<sup>84</sup> But this measure met neither criticism nor resistance, as Lawrence Gipson notes. This act was renewed annually from 1757 to

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<sup>84</sup> *The New-York Mercury*, January 31, 1757

1760, and upon its expiration, on January 1, 1762, Governor Robert Monckton delivered a speech to the assembly arguing for the “Necessity of reviving those for billeting and quartering the King’s Troops, and the Impressing of Horses and Carriages: Experience having shwen the Impracticability of carrying on the publick Service with Effect, without the Aid of these Laws.”<sup>85</sup> And the New York assembly promptly renewed the act, as Monckton had requested. All of these renewed acts permitted the quartering of soldiers in private homes in case public houses in the area were fully occupied, but surprisingly no one raised a serious concern. New Yorkers’ indifference to the act’s authorization of quartering of solders in private homes starkly contrasted with those responses from Philadelphia, Albany, and Boston during the French and Indian War. It also demonstrated that there was no such thing as a homogenous opposition to quartering in the colonies.

It would be an overstatement, however, to say that Americans showed no concern about the Quartering Act. In fact, information about a bill, which would regulate quartering of troops in American colonies, quickly found its way into colonial newspapers. News of its passage came only a few months after the much hated Stamp Act, and the rumors of a plan to station massive numbers of redcoats in the colonies unnerved many Americans. London newspapers reported that the colonists apparently had no complaints about having the army in the colonies as long as they did not have to pay the expense of quartering. The *New Hampshire Gazette* reported such opinion. “—I cannot however omit mentioning a Matter much the subject of Conversation here, which if carried in Execution will in its consequence greatly affect the Colonies. It is the

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<sup>85</sup> *Journal of the Legislative Council of new-York*, p.1484. Quoted from Lawrence Gipson’s *The Triumphant Empire*. Also printed in *New-York Gazette*, November 22, 1762.

quartering sixteen Regiments in America to be supported at the Expence of the Provinces. The Inutility of these Troops in Time of Peace, tho' evidently apparent, might not be complained of by the People of America, was the Charge defrayed by England."<sup>86</sup> This observation, however, was wrong. The *Boston Evening-Post*, only a few weeks later, reignited the fears of the colonists that soldiers might be legally quartered in private homes if the new Quartering Act should pass in Parliament.

The alarm taken at the clause for quartering troops, in private houses in America is not groundless...It appears that it was legal to quarter troops in Private houses in Scotland before the Union, and it never having been altered by law since, troops are to this day in that country quartered at discretion, on those who neglect or refuse to pay the land tax. This is now urged as a precedent for the like measure in America, though we cannot learn any of our colonies ever refused to pay and taxes imposed on them. As Scotland has been produced as a precedent for America, is it not too much to be feared, that e'er long both Scotland and *America* may be urged for doing the like in England? If once this happens, adieu to all that is dear and valuable to men.<sup>87</sup>

Such articles not only appeared in New England and New York, where most of the British troops were stationed, but also in Georgia. Printed in *The Georgia Gazette*, on August 15, 1765, an article written by *An American*, adopted a more polemical tone than any previous articles.

It is certain, that if the Americans enjoy the privileges of Englishmen, and the protection of this island, they should bear some proportion of the expence: They acknowledge it, and are, as far as their abilities will allow willing to do so, but as they have by their charters a complete legislature within themselves, they should methinks be allowed the privilege of taxing themselves. The present systems of politicks, with respect to the colonies, seems to tend in many instances to deprive them of their rights and privileges. Among other stances this intended project of quartering soldiers in private houses is in fact making slaves them. Can it be intended by this to pave the way for the same in this island? Is it intended by this totally to alienate the affections of our brethren

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<sup>86</sup> *The New-Hampshire Gazette*, May 27, 1763. Shy cites the news from *New York Gazette*, May 30, 1763 and argues that it is indicative of Americans' relaxed attitude toward quartering of troops.

<sup>87</sup> *The Boston Evening-Post*, June 17, 1765

on that side the ocean? Is not this shewing that as soon as they leave Europe they become slaves?<sup>88</sup>

The author then wrapped up the lengthy letter with news of horrible crimes committed by soldiers in Montreal, where a soldier broke into the house of Thomas Walker and cut off his ear. “The late barbarous attempt to massacre Mr. Walker of Montreal by people belonging (as appears) to the 28th regiment, several of whom have been committed to prison, evidently shews the insolence and brutality of the American troops, and their having broke open the prisons twice, and set those confined for this horrid crime at liberty, ought fully to convince every person how much they despise the laws of that country,” the author warned. “If quartered on private persons, it may be easily conceived how dreadful such turbulent, barbarous guests may be.”<sup>89</sup> The last paragraph of the article about Thomas Walker suggested that Anglo-Americans were yet to see the Quartering Act as part of Parliament’s latest extortion scheme, like the Stamp Act. Rather, it demonstrated the preoccupation of Anglo-Americans with the fear of quartering soldiers in or near private homes as they did in the French and Indian War.<sup>90</sup>

Thus, the initial Anglo-American response to reports of the Quartering Act was characterized by an obsession with the possible inclusion of a clause allowing the quartering of soldiers in private homes. It would be safe to conclude that the colonists did not see the act as taxation issue until the Quartering Act was finalized and passed in Parliament. Colonial newspapers continued to reprint articles from English newspapers, and virtually every article

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<sup>88</sup> *The Georgia Gazette*, August 15, 1765

<sup>89</sup> *Ibid.*,

<sup>90</sup> See Shy pp. 162-63 and 288-89 on Thomas Walker’s incident; See also *Boston Evening-Post*, October 7, 1765 for another reference to the Thomas Walker incident.

argued that quartering soldiers in private homes violated the essential rights of Englishmen. *The Boston Evening-Post* reprinted a letter that blasted the impending Quartering Act. The article, originally written by *LIBERTAS* to the printer of the *Westminster Journal*, condemned any attempt to include a clause for quartering soldiers in private homes by arguing that the rights of the colonists were equal to those of Britons.<sup>91</sup> A couple of weeks later, the *Evening-Post* reprinted another letter from *The London Gazetteer* that protested sending additional troops to the American colonies based on the principle that the rights of the colonists were same as those of Englishmen in the motherland. “The people of England and America are the same,” the author wrote, “one King, and one law; and those who endeavour to promote a distinction, are truly enemies to both.”<sup>92</sup>

By late-1765, however, a new layer of argument was being added to the traditional opposition to quartering troops in private homes. An article from *A British American* suggests that colonists increasingly began to see the Quartering Act as an instrument to enforce the Stamp Act. “As the Colonies have of late been threatened by wicked and designing Parasites with having soldiers quartered upon them, even in their private houses,” the author wrote, “with intention as is supposed to enforce obedience to the detestable Stamp Act, and as they have been

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<sup>91</sup> *The Boston Evening-Post*, 17 June 1765. *LIBERTAS* posed a series of questions to state his opinion of the equal rights of the colonists as followed: “1. Whether the subjects of the crown of *Great Britain*, in whatsoever part of its dominions they may be settled, are not to be esteemed a *free people*, and treated as such? 2. Whether they are not entitled to, and ought to enjoy, *all the essential rights of Englishmen*? 3. Whether an *Englishman forfeits all his rights, and is no more a freemen*, when he goes abroad and settles in some of the colonies of this kingdom? 4. Whether such people are, or can by any means be deemed *free*, who are subject to have *Soldiers quartered upon them at pleasure*? 5. Whether the passing a law for quartering soldiers on *private families* in our plantations abroad, will not be a large stride towards *enslaving us in the same manner at home*? 6. And whether our tamely submitting to fix *shackles on our fellow-subjects in America*, would not shew that *we ourselves were ripe for the same in England*?”

<sup>92</sup> *The London Gazetteer*, May 2, 1765. This article was reprinted in *The Boston Evening-Post*, July 1, 1765.

told by sycophants and placemen.”<sup>93</sup> The author then cited a Spanish example from 1669, when the Queen temporarily quartered her troops in Madrid. After narrating the story of how the Spanish citizens had overturned the Queen’s decision through petitions and remonstrance the author immediately urged Englishmen to follow the example of the inhabitants of Madrid. He argued that it would be a shame if “free-born Britons” could not emulate the Spaniards who are “SLAVES” under the despotic monarch.<sup>94</sup>

While New Englanders read somewhat inflammatory articles opposing the quartering of soldiers in private homes and supporting the rights of the Englishmen, New Yorkers focused on the aspect of the Quartering Act that most affected them: additional taxes to defray the expense of quartering. The famous examination of Benjamin Franklin by Parliament in August of 1765 had been widely disseminated throughout the American colonies. In it, quartering was only mentioned when an examiner asked Franklin, “What can the Colonies mean then by imposition as distinct from taxes?” Franklin explained, “They mean many things, as impressing of men; or of carriages, quartering troops on private houses, and the like; there may be great impositions, that are not properly taxes.”<sup>95</sup> The appearance of Franklin’s questioning in New York newspapers in 1766 cannot be a coincidence as New York had refused to tax its constituents to finance the expense of quartering since December of 1765. When the New York governor read the letter of the Earl of Shelburne demanding that the colony of New York fulfill its duties to the

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<sup>93</sup> *The Boston Evening-Post*, October 28, 1765

<sup>94</sup> *Ibid.*

<sup>95</sup> *The Providence Gazette*, October 4, 1766

King, the New York assembly replied that it could not burden the people it represented beyond their financial capacity.<sup>96</sup>

We hope it will be considered that we are chosen to make such a provision for the support of his majesty's government in this colony (as well as for other important purposes) as is most suitable to the circumstances of the people we represent: and that we should be guilty of a breach of that most sacred trust, if we should load them with burthens they are incapable of supporting.

In the provision we made last session, for quartering two battalions and one company of artillery, we loaded ourselves with a burthen much greater than any of the neighbouring governments lie under for that service; and imagined, that far from being censured on that account, it would be accepted as a new instance of that loyalty and affection to his majesty's government, of which this colony has exhibited so many proofs.

We beg leave, further to represent to your excellency, that by the act of parliament, it appears to be the intention of the legislature, to provide for the quartering soldiers only on a march; but according to the construction put on it here, it is required that all the forces which shall at any time enter this colony, shall be quartered during the whole year, in a very unusual and expensive manner: That by marching several regiments into this colony, this expence would become ruinous and insupportable: And therefore, we cannot consistent with our duty to our constituents, put it in the power of any person (whatsoever confidence we may have in his preudence and integrity) to lay such a burthen on them.<sup>97</sup>

Gipson argued that the New York Assembly's refusal to "recognize the binding power of the American Quartering Act" was a small part of the larger issue of trade and the navigation grievances of the merchants in New York; in addition, the New York assembly had enough money to bear the cost.<sup>98</sup> Thus, the New York assembly's unprecedented refusal to grant money to defray the cost of quartering remains as a mystery among historians.<sup>99</sup> What is clear is that the New York assembly took a leading role in its opposition to the Quartering Act, as Gipson noted. The news of New York's action not only reached London but also spread throughout the

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<sup>96</sup> See *The New-York Gazette*, November 24, 1766 for a copy of Shelburne's letter;

<sup>97</sup> *The Newport Mercury*, December 22, 1766

<sup>98</sup> Gipson, p.56

<sup>99</sup> *The New-York Journal*, February 5, 1767. It also printed a portion of Trenchard's *An Argument* as if to approve of New York assembly's decision.

colonies. For example, *The Boston Evening-Post* reprinted *The London Gazetteer* report that “The Assembly of New York refusing to comply with the Act regarding the quartering of soldiers, seems to give some alarm, as if it indicated a throwing off their dependence on the mother country.”<sup>100</sup> Another article entitled “*Copy of a Letter from a Gentleman of undoubted Veracity in London, to his Friend in Boston*” reported that “The open disobedience of the assembly New York to the act for quartering the soldiers, has raised a spirit in Parliament which I have not seen before.”<sup>101</sup> And the New York assembly certainly saw itself as the most abused victim of the Quartering Act as its address to Governor Henry Moore on June 3, 1767 argued that New York City, alone, spent more money than all the other colonies combined.

We have last Year expended for quartering His Majesty’s Forces in this Colony, above £3500; a Sum we imagine more than equal to the Charge all the Colonies on the Continent are put to on that Account, and we have voted, and are preparing a Bill for granting to His Majesty for quartering his Forces in this Province, £3000: This must appear to your Excellency a liberal Donation, not only when compared with what is done in the Neighbouring Colonies, but when the distressed State of this Colony is considered : The Goals, for Want of a circulating Medium, being filled with Debtors: Our Trade languishing in every Part : Our Funds for the Support of Government decreasing : And One by the Restraints on our Paper Currency, entirely lost.<sup>102</sup>

In June, 1767, an anonymous letter sent to *The London Chronicle*, which may have been written by Ben Franklin, was reprinted in a number of colonial newspapers, including *The Pennsylvania Chronicle*, *New-York Mercury*, and *New-York Gazette*. It confirmed that New York’s primary reason for opposing the American Quartering Act was taxation without the consent of a colonial legislature like the Stamp Act. The author also believed that the Quartering

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<sup>100</sup> *The Boston Evening-Post*, May 4, 1767

<sup>101</sup> *Ibid.*, June 8, 1767

<sup>102</sup> *The New-York Gazette*, June 8, 1767

Act was “intended to facilitate the awing the colonies into submission to it.” But, noting that the clause allowing soldier to take quarters in private homes was omitted, the author shifted his argument against quartering by turning the issue into a monetary one as he pointed out how New York City’s financial burden compared to the those of other colonies.

But nothing of this kind is, or indeed well could be, in this act of parliament, with respect to what is required of the assemblies. It was therefore looked upon in America, merely as a requisition, which the assemblies were to consider, or comply with or decline, in the whole or in part, as it might happen to suit the different circumstances and abilities of different colonies. Accordingly Pennsylvania, where but few troops generally are, complied readily with the whole. But New-York, though which all the troops usually pass and repass, between Britain and the French conquests, conceived the burthen of the whole would be too great for them, and therefore complied only with a part of the requisition, and in an address to their governor gave their reasons couched in the most decent and respectful terms.<sup>103</sup>

Another substantial article written by *CLAUDIUS* also demonstrated that the crux of New Yorkers’ grievance was the powerlessness of their colonial legislature to dictate any terms over the affairs of quartering troops despite being the only authority to grant and raise money for the expense.

We have now sixteen regiments distributed through the different colonies—most of them, instead of being a defence to our frontiers, are a burthen to our maritime cities; where they are, by virtue of an act of the British parliament, to be plentifully supplied with necessaries at the expence of the place where they may be quartered ; and as the quartering them depends altogether upon the arbitrary will of the commanding officer, he is absolutely vested with a power of oppressing any single colony, which may have been so unfortunate as to have incurred the resentment of those who appointed him...

One act is passed to declare the dependance of the colonies upon the *imperial crown* and *parliament* of *Great-Britain*, and that dependance is immediately probed by a law for billeting soldiers in America, and for obliging those places, in which the commanding officer may think proper to quarter them, to grant certain very ample supplies of necessaries. Upon application to the government of New-York, the general assembly of

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<sup>103</sup> *The New-York Gazette*, June 22, 1767

that province shewed their readiness to comply with every thing that might be required for the accommodation of those troops which had contributed to the valuable acquisitions in America. They framed a law for the purpose, and granted a sufficiency of such articles as they conceived most useful and necessary for the soldiers : They did not indeed comply with every particular contained in the act of parliament — perhaps it might not be in their power...<sup>104</sup>

As New York consistently opposed the Quartering Act, on the grounds of fiscal burden and exorbitant taxation, Massachusetts followed suit a year later in early 1767.<sup>105</sup> Some New Englanders already began to repeat Trenchard's argument that the appearance of a standing army, which is inherently evil and an instrument of tyranny, inevitably led to the quartering of troops. An incendiary opinion against the evils of a standing army appeared under the penname of *Antonius* even before the British troops arrived in Boston. After giving historical examples from Rome, China, India, Turkey, Russia, Poland, the Netherlands, France, Spain, Prussia, and seventeenth-century England, the author concluded, "Quartering on the inhabitants is a very great evil, and Barracks are terrible: May we never have occasion for Either: and may our Assemblies be watchful and on their guard to protect and defend their own and the people's Liberties, and may they always remember and apply the sentiments of King David ——— If I forget thee, O Jerusalem, let my right hand forget her cunning: if I do not remember thee, let my tongue cleave to the roof of my mouth."<sup>106</sup> While the article prophetically anticipated what would happen in Boston a year later, the immediate concern for the Massachusetts assembly in

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<sup>104</sup> *The New-York Journal*, February 6, 1768

<sup>105</sup> See also *The Boston Evening-Post* and *The Pennsylvania Chronicle*, April 18, 1768 for the opinion article that criticized the Quartering Act on the line of same reasoning and argument that "*money is not to be raised on English subjects without their consent.*" (Italic emphasis in original)

<sup>106</sup> *The Boston Evening-Post*, February 16, 1767

1767, was, like New York's, the fiscal issue of quartering troops.<sup>107</sup> The only difference was that the Massachusetts assembly had no love for its governor, Francis Bernard, and they squabbled over the legal procedures; nevertheless, the real issue that mattered to the assembly was its right to review and to approve of proposed expenses for quartering troops.

The Massachusetts House of Representatives sent an inquiry to Governor Francis Bernard on February 2, 1767 about raising extra money for quartering troops. "The House of Representatives beg to be informed by your Excellency, Whether any provision has been made, at the expense of this Government, for his Majesty's troops lately arrived in this Harbour, and by whom? And also, Whether your Excellency has reason to expect the arrival of any more, to be quartered in this Province."<sup>108</sup> Bernard denied such news, but a few days later the assembly accused Bernard of granting money for the artillery companies quartered in Castle Williams without its approval. "Your Excellency and the Council," the assembly charged, "have unwarrantably and unconstitutionally subjected the people of this province to an expence, without giving this house an opportunity of passing their judgment upon it."<sup>109</sup> Bernard, however, refused to cower before the assembly's charge and defended himself. The dispute between Bernard and the assembly in 1767, however, was only a minor precursor to the unfolding events of the next year.

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<sup>107</sup> Samuel Adams also expressed a similar opinion in his letter to Christopher Gadsden in Charles Town. Adams saw the Quartering Act "as effectually as the Stamp Act" but also added that "I always looked upon a standing Army especially in time of peace not only [as] a Disturbance but in every respect dangerous to civil Community." Quotations from Maier's *From Resistance to Revolution*, p.147

<sup>108</sup> *The Boston News-Letter*, February 5, 1767

<sup>109</sup> *The Boston Evening-Post*, February 9, 1767

Until early 1768, Anglo-American opposition to the Quartering Act of 1765 focused on the issue of defraying the cost of quartering troops because of the “no taxation without representation” rhetoric engendered by the Stamp Act. The concern for quartering soldiers in private homes, however, persisted as numerous articles appeared in colonial newspapers before the Quartering Act’s passage in Parliament in the late-1765. Upon learning that the clause allowing soldiers in private homes had been removed from the previous Mutiny Acts, however, Americans picked up a new argument and labeled the Quartering Act a new tax. The New York assembly’s unusual conduct in its refusal to raise money for the expense of quartering suggests that Anglo-Americans increasingly began to see quartering of troops in the colonies as a taxation issue. Perhaps, New Yorkers perceived the Quartering Act as a grossly unfair measure that heavily penalized New York because the redcoats were concentrated under its jurisdiction while the other colonies paid very little or nothing due to the relative absence the redcoats in their backyard. It is difficult, however, to ascertain the real motivations behind the New York assembly’s opposition because, as historians point out, the burden of quartering on New York’s treasury was insignificant. Moreover, the New York assembly’s opposition to quartering troops was inconsistent. Upon hearing news that Parliament passed the New York Restraining Act in May 1767, which was designed to punish the New York assembly by suspending its legislative function until it fully obeyed the Quartering Act, the New York assembly promptly resumed granting the money for the redcoats. And, it continued to do so throughout 1768 and 1771.<sup>110</sup>

In retrospect, New York could never have been the first colony to decry the evils of a standing army and quartering troops in time of peace. The colony might have helped to raise the

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<sup>110</sup> See the next chapter

awareness among Anglo-Americans that the Quartering Act was a taxation issue, like the Stamp Act. By 1768, however, New York lost its status as the place where the largest numbers of the redcoats were stationed when four regiments arrived in Boston. The ensuing tumultuous years in Massachusetts, where the greatest number of the redcoats was now concentrated, would fundamentally alter the nature of opposition to quartering of troops. As New Englanders saw overwhelming numbers redcoats landing in the harbors of Boston, and learned that many of them would be quartered in the town, they quickly discarded the rhetoric of unfair taxation. Instead, the extraordinary circumstance of quasi-military occupation in Boston immediately reminded educated New Englanders of the writings of the late seventeenth century English authors which warned the evils of a standing army. They imagined themselves as reliving the events of seventeenth-century England or other European nations where a standing army in peace time deprived the citizens of liberty and inflicted horrible crimes on the inhabitants. In a way, the changing perception was a return to the Anglo-American attitudes toward quartering before 1765 but even more fanatical as they borrowed the rhetoric of seventeenth-century English writers. In other words, New Englanders artfully disguised the situation of Boston into a nightmarish world in which a standing army terrorized the populace. This made the fear of having soldiers in private homes during the French and Indian War pale in comparison for Anglo-Americans in other colonies as well.

## Chapter 3:

### A Standing Army in Boston and Afterwards, 1768-1776

The nature of Anglo-American opposition to quartering was fundamentally altered as Massachusetts became the torch-bearer of opposition to quartering after mid-1768. The opposition of the Bostonians and the Massachusetts assembly was no fluke because the commander in chief, General Thomas Gage, and the Earl of Hillsborough, made a decision to station four regiments in the den of the American patriots. The British government calculated that the presence of the redcoats would quell disturbances and assist in enforcing tax collection in Boston. Lieutenant Governor Thomas Hutchinson wrote that the situation of Boston had been “continual danger of Mobs and Insurrections” and “the common people have been in a frenzy and talked of dying in defence of their Liberties.”<sup>111</sup> The arrival of the troops had the desired effect, as Hutchinson noted that “these Redcoats make a formidable appearance and there is a profound silence among our Sons of Liberty.”<sup>112</sup> A letter from a gentleman at Boston to his friend in London, dated November 28, 1768 also demonstrates that the occupation of Boston pacified the disturbances. The visitor wrote that “Things are much quieter than I expected. The troops have awed the licentious into silence.”<sup>113</sup> In the long term, however, the Earl of Hillsborough’s decision to quarter troops in the town of Boston sparked the most violent and strong opposition to quartering in American history. Even the visitor noted that the Bostonians

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<sup>111</sup> Thomas Hutchinson to Thomas Whateley, October 5, 1768, *Massachusetts Historical Society Collections, 4th Ser., Vol. 4*, p. 428

<sup>112</sup> *Ibid.*, October 17, 1768

<sup>113</sup> *The Boston Chronicle*, From April 27 to May 1, 1769

“have a strong propensity to make use of every thing to serve their purpose, even should it be a British act of parliament, which they avail themselves of as far as the words in it would go, to prevent their quartering the troops in the town of Boston.”<sup>114</sup>

Thus, September of 1768 marked a turning point in the opinion of Anglo-Americans toward the quartering of troops and the Quartering Act. The immediate sore point that created a rift between the assembly and Governor Francis Bernard was the assembly’s effort to delay the quartering of troops in the town by arguing that no soldiers should be quartered until the Castle-Williams barracks were fully occupied. The dispute thus paralleled the quarrel between the Governor William Denny and the Pennsylvania assembly during the French and Indian War; the only real difference was that the Massachusetts assembly would not even permit soldiers to be quartered in public houses. The board of the assembly created for dealing with the overseeing quartering, reiterated this point when it replied to Bernard’s request by warning that “Now it appears by this Paragraph of the said Act, that in any Colony where there are Barracks, the said Officers and Soldiers in Majesty’s service shall be Quartered and Billeted in such Barracks, and in no other Place, unless there shall not be sufficient room in the Barracks.”<sup>115</sup> The Board also challenged Gage’s authority as the commander in chief to decide unilaterally over the matters of quarters by, again, referring to the text of the Act and declared that quartering of troops in public houses must be a last resort.

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<sup>114</sup> Ibid.

<sup>115</sup> *The Boston Evening-Post*, September 26, 1768

General *Gage* however in his Letter aforesaid mentions that one of the said Regiments is ordered for the present to *Castle William*, the other to the Town of *Boston* : But it will be no disrespect to the General to say that no Order whatsoever coming from a less Authority than his Majesty and Parliament, can supersede an Act of Parliament...The quartering of Troops in the body of the Town before the Barracks are full, is not only contrary to the Act of Parliament, but would be inconsistent with the Peace of the Town, whose Peace and Welfare, as also the Peace and Welfare of the Province in general, it is the Duty, Interest and Inclination of the Board to promote, and which in every way consistent with Law they will endeavour to promote to the utmost of their Ability.<sup>116</sup>

The tactics of the Massachusetts assembly resembled that of the Pennsylvania assembly in 1756, when the Pennsylvanians insisted that public houses must be fully occupied before soldiers could be quartered in private homes; a fundamental difference, however, existed. While Pennsylvanians could argue that quartering soldiers in private homes was clearly a breach of the rights of Englishmen as specified in the Bill of Rights and the Petition of Right, the Bostonians' objection to quartering troops in the public buildings had no legal grounds since the Quartering Act authorized such measure. Thus, opposition to the quartering of troops took a new turn as Bostonians opposed the attempt to quarter troops in public houses. This had no antecedent in the history of colonial America. Governor Francis Bernard's letter to the Earl of Hillsborough on November 8, 1768, shows that the inhabitants of Boston opposed quartering troops in at an alarming level. Bernard wrote that "as we foresaw that the business of quartering the Troops would occasion a good deal of Trouble and possible some Commotion, and it would not be adviseable to bring on too much Business at once; at least until the Town was a little settled."<sup>117</sup> Thomas Gage's letter to the Earl of Hillsborough dated October 3, 1768 also expressed his frustration toward the Massachusetts assembly for employing "Every Art and Evasion has been

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<sup>116</sup> Ibid.

<sup>117</sup> *The Boston Gazette*, January 23, 1769

tried by the major part of the People of every Degree, to force the Troops to quit the Town for want of Quarters.”<sup>118</sup> The attempt to thwart the quartering of troops in Boston was not confined to the assembly chamber. On the streets the Sons of Liberty organized mobs and obstructed the clearing of a manufactory building designated for quarters for the redcoats. Bernard described the incident as “a great mob” that not only prevented the manufactory house from being cleared but was also “very abusive against the soldiers.” In the end, Bernard failed to secure the manufacturing house as quarters as “the outcast of the Workhouse and the scum of the town” filled the building “to prevent it’s being used for the accommodation of the King’s troops.”<sup>119</sup>

Subsequently, though, Bostonians had to accept the reality that the redcoats were quartered among them and they had no choice but to live with the soldiers. The quartering of British regulars in Boston immediately led Bostonians to fear that a standing army had appeared in America. Andrew Eliot’s now famous outcry—“To have a standing army! Good God! What can be worse to a people who tasted the sweets of liberty!”—marked a sharp departure from the taxation arguments employed by New York and Pennsylvania in the previous years.<sup>120</sup> The rhetoric against a standing army, which repeated the language of the radical Whig philosophy of the late seventeenth century, appeared everywhere in petitions and colonial newspapers. The Committees of the Massachusetts towns and districts, convened at Boston in September 1768, also specifically referred to the Englishmen’s aversion to standing army as a valid reason to protest the arrival of the troops in Boston.

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<sup>118</sup> Ibid.

<sup>119</sup> *The Boston Chronicle*, April 13, 1769

<sup>120</sup> Thomas Hollis, *Massachusetts Historical Society Collections, 4th Ser., Vol. 4*, p. 428

...And speaking of a standing Army, they appeal to the Transaction of the Parliament to shew the Sentiments of the Nation of the Loyalty of the People of the Province, and justly affirm that their good Disposition renders a Standing Army needless: They further declare that as Englishmen they have an Aversion to an unnecessary Standing Army, which they look upon as dangerous to their civil Liberty. And further, that the Time may come when an united Body of Pensioners and Soldiers may ruin the Liberties of *America*.<sup>121</sup>

The Selectmen of Boston also submitted a petition that juxtaposed quartering of troops in time of peace with a standing army. “The Selectmen of this Metropolis cannot be the unconcerned or silent spectators of the Calamities, which in consequence thereof have already fallen upon its inhabitants,” the selectmen pleaded. “To behold this Town surrounded with Ships of War; and military Troops even in a time of peace; quartered in its very Bowels: Exercising a Discipline with all the severity which is used in a Garrison, and in a state of actual War, is truly alarming to a free People.”<sup>122</sup> A draft petition from the Boston town meeting to King George III, in which John Adams was involved, denounced the quartering of troops and asked for their hasty removal from the town. “And as the Quartering Troops *<appears to be the grand Source of all these Evils,>* here has provd occasion of many evils we do earnestly recommend to you, to use your utmost Endeavours for a Speedy Removal of them, *< to places where they may be really usefull and necessary>*.”<sup>123</sup> These petitions, of course, did little to change the decision of the Earl of Hillsborough to quarter troops in the town, but they reflected that Bostonians had taken the quartering grievances seriously.

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<sup>121</sup> Evans 10840

<sup>122</sup> Boston Record Commissioners, *Twenty-Third Report of the Record Commissioners of the City of Boston, Containing the Selectmen's Minutes from 1769 through April 1775*, February 16, 1769, City Document No.42, Book 13, [176], p.6

<sup>123</sup> Robert J. Taylor, *Papers of John Adams*, p.225

Ignoring the heightened hostility toward the quartered British soldiers in town, however, Bernard unwisely provoked the Massachusetts assembly when he asked the assembly to defray the cost of quartering the army in the town as well as discharging of the troops on July 7, 1769.<sup>124</sup> The House of Representatives of Massachusetts evidently exploded at Bernard's insensitive request. The assembly passed a series of resolutions the next day reclaiming the ancient rights of the Englishmen and condemning the presence of a standing army in Boston.

...the establishment of a standing army in this colony in a time of peace without the consent of the General Assembly of the same, is an invasion of the natural rights of the people, as well as of those of the natural rights of the people, as well as those which they claim as freeborn Englishmen, confirmed by Magna Charta, the Bill of Rights, as settled at the evolution, and by the charter of this province...That whoever *gave order* for quartering even common soldiers and camp women in the Court house in Boston, and in the Representatives Chamber, where some of the principal archives of the government had been usually deposited ; and making a barrack of the same, placing a main guard with cannon pointed near the said house, and centinels at the door, was *designed* a high insult and it is a triumphant that military power was master of the whole legislative.<sup>125</sup>

A committee of the assembly then replied to Bernard's request on July 17 in a defiant and declarative fashion. The committee argued that it would refuse to appropriate any more money in support of maintaining a standing army because "those Armies should be supported only by the *Aids voluntarily* granted by the *Commons*."<sup>126</sup> And, regarding the issue of paying for the expense of quartering from the treasury of colonial assemblies, the committee repudiated the Quartering Act of 1765 for its severity and absurdness. "Such is the unreasonableness and Severity of the Act," the committee argued, "that it leaves to the Assemblies not the least Colour of a Privilege,

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<sup>124</sup> *The Boston News-Letter*, July 13, 1769

<sup>125</sup> *The Boston Chronicle*, July 4 to 10, 1769

<sup>126</sup> *The Essex Gazette*, From July 11 to July 18, 1769

but only the pitiful Power to raise the Sums in such Manner as the publick Charges of the Provinces respectively rais'd." Finally, the committee declared "*That as we cannot, consistently with our Honor or Interest, and much less with the Duty we owe our Constituents, so we shall never make Provisions for the Purposes in your several Messages above-mentioned.*"<sup>127</sup> Thus, the opposition to quartering troops in Boston had taken a new turn from 1768 as it brought the evils of standing army into the discourse. By early 1770, the unique and exceptional circumstance in Boston as a quasi-occupied city made the colonists imagine that they were repeating the dreadful history of seventeenth-century England and other nations where standing armies had harmed citizens' lives and destroyed a free constitution.

And, while the assembly continued to oppose Governor Bernard's requests to quarter troops, friction between soldiers and civilians in the streets of Boston escalated since the troops were quartered in the town. *The Journal of Times*, a virulent propaganda newspaper organized by a zealous patriot Sam Adams, relentlessly reported the misdemeanors and crimes by the soldiers. The propaganda repeatedly linked the soldiers' crimes to "the Quartering a Standing Army in Time of Peace."<sup>128</sup> For instance, after reporting an incident in which a British soldiers allegedly had sex with the granddaughter of a prominent Bostonian gentleman by a false promise of marriage, the editor of the newspaper lamented: "We would not wish to draw invidious Comparisons; but surely if the arbitrary Reign of a Stuart, the Quartering a Standing Army in

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<sup>127</sup> Ibid.

<sup>128</sup> See Armand Francis Lucier's edition for a complete collection news articles. *Journal of Occurrences: Patriot Propaganda on the British Occupation of Boston, 1768-1769* (Bowie, Md.: Heritage Books, 1996). See also a wealthy Boston merchant John Rowe's diary for a more favorable view of the redcoats quartered in Boston. Anne Rowe Cunningham, ed., *Letters and Diary of John Rowe* (New York: New York Times, 1969)

Time of Peace upon the Inhabitants of a Town was deem'd a Grievance—what must it be at the present Day, when English Liberty is a so much boasted of?”<sup>129</sup>

The continuing frictions between the Bostonians and the redcoats certainly instigated the fateful event on March 5, 1770.<sup>130</sup> The Boston Massacre led many Anglo-Americans to believe that their fear of a standing army was not a delusion as the event powerfully reinforced the warnings of Trenchard and others.<sup>131</sup> Before 1770, news of the quartering of redcoats in the town of Boston earned some sympathy from other colonies, but they supported dutiful submission to the King's wishes rather than violent resistance. For instance, *The Connecticut Journal* reported that Rhode-Islanders approved of the Bostonians' dealing with quartering of troops in the town.

The pacific and prudent measures adapted by the town of Boston, and their resolution of strictly adhering to the act of parliament, with respect to the quartering the soldiers, cannot but be highly applauded by all who sincerely wish well to the true interests of America, and may serve as an example of moderation to the other colonies, should they ever have the misfortune to labour under a like complication of miseries. --- Such a conduct must evince to the world, that Americans, tho' represented by their enemies to be in a state of insurrection, mean nothing more than to support those constitutional rights to which the laws of God and nature intitle them; and when the measure of oppression and mis-ery inquiry is full, and the dutiful supplications of an injured people shall have reached the gracious Ear of their Sovereign, may at length terminate in a glorious display of liberty.<sup>132</sup>

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<sup>129</sup> *The Journal of Times*, June 14, 1769

<sup>130</sup> Assaults, rape attempts on women, increased prostitution, drunkenness of soldiers, and music playing on Sundays were occurring subjects in *The Journal of Times* as some of evils of troops quartered in Boston. Also, the British soldiers also competed for employment with low-class workers in Boston that caused resentment. See Alfred F. Young, ed. *The American Revolution*, (Dekalb: Northern Illinois University Press, 1976), pp.253-254

<sup>131</sup> Annual orations to commemorate the event were published under the title *Oration Delivered at the Request of the Inhabitants of the Town of Boston to Commemorate the Evening of the Fifth of March, 1770; when a number of citizens were killed by a party of British troops, quartered among them, in a time of peace*. See Richard Kohn *Anglo-American Antimilitary Tracts 1697-1830* (New York: Arno Press, 1979) for a collection of the orations.

<sup>132</sup> *The Connecticut Journal*, October 21, 1768

The Boston Massacre, however, had an immensely negative impact on the colonists' perception of quartering the redcoats among them. Reports of the incident spread throughout the colonies and heightened the fear of a British conspiracy to assail the liberty of Americans.

THE town of Boston affords a recent and melancholy demonstration of the destructive consequences of quartering troops among citizens in a time of peace, under a pretense of supporting the laws, and aiding civil authority ; every considerate and unprejudiced person among us was deeply impressed with the apprehensions of these consequences, when it was known that a number of regiments were ordered to this town, under such a pretext, but in reality, to inforce oppressive measure ; to awe and control the legislative as well as executive power of the province, and to quell a spirit of liberty, which, however it may have been barely opposed, and even ridiculed by some, would do honour to any age in country. A few persons amongst us had determined to use all their influence to procure so destructive a measure, with a view to their securely enjoying the profits of an American revenue, and, unhappy both for Britain and this country, they sound means to effect it.<sup>133</sup>

The New York assembly immediately lent its support to Boston upon hearing the news and raised its own voice against the quartering of troops. In fact, New York responded to the news from Boston long before the Boston Massacre. In December of 1768, members of the New York assembly including Philip Livingston, a future signer of the Declaration of Independence, condemned the arrival of the redcoats in Boston.

WE, Freeholders and Freemen of the City and County of New-York—Having not only seen by the printed Proceedings of the Honourable House of Assembly now sitting, That a Requisition of Money has lately been made to them for Quartering of Troops in this city; but having also heard it reported that they may be in Danger of being dissolved if they presume to read and answer *the Boston Letter* as a House; conceive it to be an indispensable Duty we owe to ourselves, and to our Posterity, to convey to you our Representatives, by these our Instructions ; the Sentiment of a great Number of

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<sup>133</sup> *The Providence Gazette*, From March 10 to March 17, 1770. On the reports of the March 5th incident, see *The Boston News-Letter*, March 8, 1770; *The Boston Post-Boy*, March 12, 1770; *The Boston Evening-Post*, March 12, 1770.

Constituents, of the Part they expect you will act on an Occasion no less important and interesting than perhaps over came under your Consideration. —But why do we say Consideration !—For if you had a Right to consider, you have a Right to approve, or refuse, as you thought fit; and in such Case might be said to exercise your own Judgments without Restraint. — Whereas it is notorious, that you have now no other Alternative than to provide for defraying the Expences of quartering the Troops—or cease to exist as a House.<sup>134</sup>

In addition, New York newspapers continued to print letters containing articles describing recent attempts of to quarter troops in the American colonies in peace time as a sinister plan to establish standing armies in American and, thereby, take away the liberty of colonists. For example, an article by *A Countryman* argued that quartering of troops eventually led to an establishment of a standing army, which, in turn, was dangerous to liberty.

In like Manner, if the *People* are convinced that the keeping of a large Military Force in a Time of profound Peace, in their large trading Cities, instead of garrisoning the Out Posts, and protecting the back Settlements from the Insults of the Savages; they will undoubtedly be very ready and willing to defray the Expence of it. —But if, on the Contrary, they should happen to be of another Way of thinking, that a Standing Army is dangerous to Liberty, (by some arrogantly called Licentiousness) and that it is kept here to over-awe them into a Tame and blind Submission to all Ministerial Mandates; they will be very averse to the making of new Laws for the Imposition of more Taxes for *such* Purposes —And therefore as the Assembly are to meet early the next Month ; when it is possible that more Money will be required of them for quartering of Troops...<sup>135</sup>

By 1770, New York had followed Massachusetts and transformed a grievance about the quartering of troops into a fear of a standing army. Although New Yorkers continued to protest quartering as a taxation issue until early 1770, it seems that the unfolding events in Boston

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<sup>134</sup> *The New-York Journal*, December 1, 1768

<sup>135</sup> *The New-York Journal*, March 16, 1769

certainly affected the way New Yorkers perceived the issues of quartering troops.<sup>136</sup> Shortly before the March 5th, 1770, *The New-York Gazette* printed an article by Alexander McDougall, a leader of the Sons of Liberty in New York City, that combined the two distinct issues of quartering of troops and an establishment of a standing army. After briefly describing the important clauses and history of the Quartering Act of 1765, McDougall narrated the New York assembly's dealings with the issue.<sup>137</sup> He was especially disturbed by the fact that the assembly gave in to the pressure of the British government and had granted money for quartering since 1768. Thus, McDougall argued that open resistance was the proper response to this problem:

All I meant by this short Narrative (compiled chiefly from their Journals) is to bring this Point into full View, that we have no Hopes of Redemption from the Mutiny Act, by a *Continuation of our Compliances*, and that *those Compliances* furnish no Argument for a Repetition of *our Prodigality*. That Assembly was dissolved in Pursuance of a Septennial Act ; and since October, 1768, within the short Interval of not much more than a Year, we have made Donation to the Troops of 5600l. more ; And I submit it is the whole Continent whether our Complaints against the new Duties, and our reiterated Submissions at the *same Time* to a Law for the Support of a Standing Army in this Country, are not repugnant to each other, and incompatible with the common Principle upon which our Liberties and the Felicity and Safety of this Country most undoubtedly depend.<sup>138</sup>

The volume of articles on quartering of troops and a standing army, however, dramatically decreased as the lieutenant governor of Massachusetts, Thomas Hutchinson recommended that

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<sup>136</sup> See Evans 11508 and 11589 for quartering as a taxation grievance in New York, 1769; See also Helen Hill Miller, *The Case for Liberty* (Chapel Hill: University of North Carolina Press, 1965), pp.106-120, for an excellent overview of New York's resistance to the Quartering Act from 1767 to 1776.

<sup>137</sup> *The New-York Gazette*, February 26, 1770

<sup>138</sup> *The New-York Gazette*, February 26, 1770; Probably in response to McDougall's charges, *The Dougliad* defended the New York assembly's conduct. While it acknowledged the moment of weaknesses and submissions displayed by the assembly, it applauded for "a manly firmness in exerting our constitutional claims, and a prudent resolution to avoid giving needless provocation ; if we approve of a conciliating demeanour, displayed in a dutiful attention to the royal requisition for a service to which we have always cheerfully contributed. If these are marks of patriotism and virtue they all demand our gratitude and esteem." See *The New-York Gazette*, June 11, 1770 and June 18, 1770

General Gage withdraw the troops quartered in the town to the barracks on Castle Island after the Boston Massacre.<sup>139</sup> The ardent rhetoric against a standing army or the grievances against quartering troops quickly faded into pieces of history and public memory. On the first anniversary of March 5th, Boston recalled the rhetoric and arguments against standing armies and quartering troops which had become indistinguishable at this point. For instance, the opinion letter sent to the *Boston Evening-Post* under the name of MENTOR wrote, “I think it will be agreed on *all sides*, that the fatal effects of *standing armies and quartering troops in populous cities*, are apparent from the various transactions, which took place, while the soldiery were stationed in this town; and more especially from the mournful catastrophe of last March.”<sup>140</sup> Like Trenchard and his contemporaries writing in the late seventeenth century, the author asked the readers to look back to “the fate of former nations, on the establishment and use of disciplined armies” and “British history” to understand “then ends of making *the military a distinct body in the state*” as “this formidable engine of tyranny.”<sup>141</sup> Similarly, a short memorial epithet of the Boston Massacre that appeared in *The Essex Gazette* had pithy points aimed toward “the fatal and destructive Consequences of quartering Armies, in Time of Peace, in populous Cities”; “supporting *Civil Government by a Military Force*”; and “the Introduction of a Standing Army into this Province in the Year 1768.”<sup>142</sup>

It seems that, with the troops being evacuated from the town of Boston and quartered in the Castle Island barracks only, Bostonians no longer saw the need to protest against the quartering

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<sup>139</sup> See Thomas Hutchinson, *The Diary and Letters of His Excellency Thomas Hutchinson, Esq.* (New York, AMS Press, 1973), pp.27-28

<sup>140</sup> *The Boston Evening-Post*, February 11, 1771

<sup>141</sup> *Ibid.*

<sup>142</sup> *The Essex Gazette*, February 26 to March 5, 1771

of troops. To be sure, the newspaper articles regarding the issue appeared sporadically from 1771 to 1774 condemning the evils of a standing army while some individuals continued to report the disturbances in Boston caused by the British soldiers.<sup>143</sup> Lengthy essays were also published in the years after 1770, such as Josiah Quincy, Jr.'s *Thoughts on Civil Societies and Standing Armies* published in 1774, which were basically colonial versions of Trenchard's diatribe written almost eighty years ago in England.<sup>144</sup> By 1774, however, arguments or articles specifically targeting the quartering of troops rarely appeared in colonial newspapers of New England. Most of the articles that mentioned quartering of troops were either a pieces of history or accounts of the affairs of Boston under Francis Bernard's governorship. Word of the second Quartering Act appeared on August 8th, 1774 in *The Boston Post-Boy*.<sup>145</sup> Nevertheless, it is astonishing that no vehement opposition or voices appeared in colonial newspapers in New England areas or New York City to the Quartering Act of 1774.<sup>146</sup> In February of 1775, an article by CANDIDUS, presumably in response to the renewal of the Quartering Act, attacked the quartering of troops, but he refused to elaborate on the details.<sup>147</sup>

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<sup>143</sup> See *The Boston Gazette*, January 6, 1772; *The Essex Gazette*, From November 17 to November 24, 1772; and *The Massachusetts Spy*, April 1, 1773; *The Pennsylvania Packet*, August 15, 1774. For the disturbance of soldiers in Boston after 1770, see Select letters by John Andrews to William Barrell published in *Proceedings of the Massachusetts Historical Society*, Vol. 8, pp. 316-412, 1865

<sup>144</sup> See Evans 13562 for *Thoughts on Civil Societies and Standing Armies*. Also, see Evans 14351 for *No Standing Army in the British Colonies, or an Address to the Inhabitants of the Colony of New-York Against Unlawful Standing Armies*.

<sup>145</sup> *The Boston Post-Boy*, August 8, 1774

<sup>146</sup> David L. Ammerman, *In the Common Cause: American Response to the Coercive Acts of 1774*, (Charlottesville, Va.: The University Press of Virginia, 1974), p.10. Ammerman comments that American reaction to the Quartering Act of 1774, which resulted in "often bitter controversies over the problem of housing troops" nonetheless "appears surprisingly restrained."; See also Gerlach, Don A. "A Note on the Quartering Act of 1774," *The New England Quarterly* 39 (1966): 80-88 for a common misunderstanding about the Quartering Act of 1774 and its insignificance compared to the list of other colonial grievances, which appeared in the Declaration of Independence.

<sup>147</sup> *The New-Hampshire Gazette*, February 17, 1775, "Our Brethren in the Country will withhold every Necessary, to induce us to leave the Town, the better thereby to show a Resentment to the quartering of such Troops,

In summary, the unfolding events in Boston from 1768 shifted and solidified the Anglo-American opposition to the Quartering Acts from taxation to a panic toward the appearance of a standing army. The Boston Massacre, though it resulted in only five deaths, proved to be a pivotal event as Anglo-Americans permanently combined the separate and distinctive issues of the quartering of troops and the presence of standing army after the Boston Massacre. This explains the simultaneous appearance of the grievances—“He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures” and “For quartering large bodies of armed troops among us”—in Thomas Jefferson’s *The Declaration of Independence* in 1776. James Madison’s text of what became the Third Amendment to the federal constitution in 1789—“No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law”—also directly reflected a legacy of the events in Boston from 1768 to 1770.

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by which the Morals of our young Men, already too much depraved, will be finally ruined, and the Modesty of our Women, prostituted to the most indignant Scenes of Debauchery and Lewdness ; I could easily paint in lively Colours the dreadful Consequences of quartering Troops among us, but I shall forbear from Principles of good Policy.”

## **Conclusion: The Role of Anglo-American Opposition to the Quartering Acts in the American Revolution**

Historians have characterized the predominant issue of colonial opposition to quartering of troops and the Quartering Acts (or the Mutiny Acts) as primarily a taxation dispute.<sup>148</sup> This paper, however, suggests that opposition to quartering soldiers in private homes without the owner's consent proved as important to Anglo-Americans as their opposition to defraying the cost of quartering. The zealous opposition to quartering soldiers in private homes was what the colonists never surrendered or compromised throughout the French and Indian War. The dispute over defraying the cost of quartering played a lasting role in the Anglo-American opposition as the angry correspondences between colonial assemblies and the British military commanders demonstrated throughout the period. Although Anglo-Americans failed to prevent redcoats from taking shelter in private homes, they put up fierce resistance that frustrated Lord Loudoun, the commander in chief, several times. The end result was that the experience of the French and Indian War clearly defined the nature of Anglo-American opposition to quartering and the future Quartering Acts.

The conclusion of the French and Indian War and the ensuing tension between the colonies and Parliament from 1765 resulted in Anglo-American opposition to quartering based on the

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<sup>148</sup> John Shy is a strong proponent of this argument.

argument against illegal taxation. News of the Quartering Act of 1765 and speculation about the clause that allowed the soldiers to take quarters in private homes had alarmed the colonists greatly in early 1765. Upon reading the final version of the act, however, Anglo-Americans must have realized that they could no longer make a convincing case against quartering based on the ancient rights of Englishman. Thus, they adopted an argument against quartering of troops that emphasized quartering as another example of illegal parliamentary taxation. The New York assembly briefly spearheaded the movement against the Quartering Acts based on anti-taxation rhetoric from late 1765 and inspired other colonies to follow suit.

The arrival of the British regiments in Boston in 1768, however, quickly reshaped the nature of Anglo-American opposition to quartering and the Quartering Act. Faced with the immediate threat of quartering a large number of troops in the town as garrison force, Bostonians reclaimed the rhetoric against a standing army from English writers of the seventeenth century. The timing of the rhetoric against a standing army in the language and discourse of Bostonians from 1768, however, is difficult to explain. Many scholars have argued that Anglo-Americans were well-versed and familiar with the English writings about the dangers of standing army since the early eighteenth century. Then, why did this kind of arguments not appear earlier, say in New York in 1763, right after the conclusion of the French and Indian War? This paper, upon the examination of the evolution of Anglo-American opposition to quartering since the French and Indian War, suggests that the Bostonians introduced the writings of seventeenth-century English writers because they believed it was a powerful umbrella argument that far exceeded those arguments based on taxation or quartering soldiers in private homes. The rhetoric against a standing army, in fact, veered away from attacking quartering as it employed highly abstract and ideological

language about government, politics, and society. These arguments rarely dwelt on specifics against quartering of troops such as the expense and inconvenience of dealing with insolent soldiers. Nevertheless, the language against a standing army was a perfect weapon for Bostonians to use against the problem of military occupation they faced. It enabled them to challenge even the legitimate measure of quartering troops in public houses and ultimately repudiate the Quartering Act. By focusing on the evils of a standing army and the horrors of soldiers' crimes *in the town* (or *metropolis* as they put it) *in time of peace*, Bostonians challenged the legitimacy of quartering of troops in *any* circumstances or places while earning sympathy from the other colonies. Certainly, the arguments against quartering as a burdensome tax continued in other colonies as New York, New Jersey, and South Carolina continued to dispute the expense of quartering. Thus, the combination of the taxation grievance and the fear of a standing army had a synergy effect on intensifying Anglo-American opposition to the Quartering Acts or any attempt to quarter troops among them in the years between 1768 and 1770.

The sudden waning of Anglo-American opposition to the Quartering Act of 1765 after the March 5, 1770 is a baffling question considering the impressive amount of writings against other acts of British oppression that appeared in colonial newspapers. To be sure, other pressing matters quickly arose as the colonists contemplated armed resistance against the British government. The disappearance of heated opposition to quartering from the revolutionary language and discourse, however, was arguably anti-climatic. It seems that, with the troops' withdrawal from Boston in 1770, the colonists found no reason to continue campaign against them. The rhetoric against a standing army remained more prominent than that against quartering of troops until the Revolutionary War started, but it too quickly faded away once the British

army was defined as the enemy rather than a standing army in peace time. Contemporary historians of the American Revolution, such as Mercy Otis Warren and David Ramsay, did not even bother to mention either of the Quartering Acts in their narratives of events leading up to the Revolutionary War. While some short accounts of Massachusetts and New York describing the quartering dispute between the colonial assemblies and Parliament occasionally appeared from 1771 to 1775, opposition to the Quartering Acts never regained its status as a principal grievance compared to the other acts such as the Stamp Acts and the Townshend Acts. Moreover, the rest of the colonies—New Jersey, Pennsylvania, and South Carolina—where there were only a handful of the British regulars offered a little resistance; on the contrary, it seemed some Anglo-Americans were happy to quarter the redcoats rather than shun them.<sup>149</sup> In a way, it is somewhat surprising that Jefferson bothered to include “quartering large bodies of armed troops among us” as one of George III’s crimes against the American colonies in the Declaration of Independence.

While the events and the newspaper articles in New York and New England might suggest that all the American colonies opposed the Quartering Act, the southern colonies showed neither zealous opposition to quartering nor strong sympathy for the northern colonies. A letter from an *English Soldier* in 1767 reported that “According to letters from America, all the southern provinces had acceded to the orders of government, for making the necessary provisions for quartering the military.”<sup>150</sup> South Carolina, for example, readily complied with requests to quarter troops, as the example of Charles Town in 1768 suggested. The Earl of Hillsborough sent

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<sup>149</sup> Shy, pp.388-391; See *The New-York Gazette*, May 28, 1770 for a public thanks of the inhabitants of Elizabeth Borough, New Jersey, to the British troops.

<sup>150</sup> *The New-York Journal*, August 13, 1767

a letter to Governor Charles Greville Montagu that “— The dutiful behavior of the Assembly of South-Carolina, in cheerfully making provision for quartering his Majesty’s troops, and complying with what has been required of them, has given his Majesty the fullest satisfaction and it is with pleasure, his Majesty observes the happy effects of such union and mutual confidence, in the improving state of the commerce of the important province over which your lordship presides.”<sup>151</sup>

It is important to acknowledge that Anglo-American opposition to quartering after 1763 was largely a regional affair. The presence of the British troops in the American colonies was not great enough to cause serious problems to most inhabitants. Apart from Boston, in the years from 1768 to 1775, the number of redcoats stationed in or near the other colonial cities never exceeded more than a couple of battalions (700 men). Thus, the quartering of troops did not become a prominent issue for colonial cities or towns other than Boston. It is also important to recognize that the troops were transient, depending on the commander’s needs. In short, opposition to the Quartering Act of 1765 or quartering of troops *per se* was indeed “an intermittent colonial grievance” as one historian put it.<sup>152</sup> Memories of the Boston Massacre and the rhetoric against the evils of standing armies in America might have survived among the colonists, but the irregular, ambivalent, and regional opposition to quartering of troops and the Quartering Acts fell short of becoming a uniting factor that led Anglo-Americans to rebel against the British Empire. Nevertheless, Anglo-American opposition to quartering had a lasting impact on the early American republic and made its way into the third amendment of the federal constitution.

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<sup>151</sup> *The Georgia Gazette*, May 18, 1768

<sup>152</sup> Greene, ed. *A Companion to the American Revolution* (Malden, MA: Blackwell, 2000), p.133

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