

EDWARD RANDOLPH: MISUNDERSTOOD
ENGLISH CIVIL SERVANT

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ABSTRACT

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Misunderstanding of Edward Randolph, devoted servant of the English Crown from 1676 to 1702, has been due to the emphasis placed by historians on his unpopularity in the North American colonies.

An excessively conscientious Englishman, lacking sufficiently effective support from his employer, Randolph became the personification of England's mercantile, imperialist policies, which the colonial governments determined to resist. Contrary to generally held opinions, he was loyal, courageous, diligent, unselfish and honest. His unflinching endeavours to implement English policy, have obliterated recognition of his constant concern for the welfare of the colonists.

It has been mistakenly believed that Randolph found a specific colonial party in Massachusetts to support his own desire for wealth and power. In the absence of such

support, he carried out his duties alone. Randolph was a pawn in the service of the later Stuart English monarchs and the victim of circumstances beyond his control.

PREFACE

This thesis was prepared in accordance with the presentation of scholarly work articulated in Kate L. Turabian A Manual for Writers of Term Papers, Theses, and Dissertations (The University of Chicago Press, Chicago 60637, The University of Chicago Press, Ltd., London. Third Edition, Revised, 1967). Any deviation from the manual was due to the use of material (such as certain documents in the House of Lords Record Office), for which the manual does not give specific examples.

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INTRODUCTION

Edward Randolph, fourth son of Dr. Edmund and Deborah Randolph, was born the 9th July, 1632, in Canterbury, England. As the son of a Physician, he could not be regarded as belonging to a wealthy influential level of English society. His marriage to Jane Gibbon provided his connection with Robert Mason, claimant of proprietary rights to New Hampshire, and hence to his being chosen by the Lords of Trade to be the King's messenger to New England in 1676. He thus became a Royal servant, reporting on the situation in the North American Colonies, collecting Royal Customs Revenues, searching ships, and in 1680 having the authority to enforce all Acts of Trade. In 1688 he was Secretary and Registrar of the Dominion of New England, and in 1691 and from 1698 to 1700 he was Surveyor-General. Despite the apparent power of the offices he held, Randolph died a poor man in 1703.

Randolph was not a graduate of any English university. Oxford has no record of his having studied there and his year at Queen's College, Cambridge produced no degree.

Nevertheless, one is not dealing with an uneducated bigot. He certainly studied law at Gray's Inn at the age of eighteen and had some taste of university education at Cambridge.

In an age when government officials could amass personal fortunes, Randolph, an indefatigable servant of the Crown, failed to do so. He was undoubtedly "fussy, devoted, unimaginative and exasperating,"¹ but not a "blasted wretch" as seen by Cotton Mather, nor unscrupulous and dishonest as viewed by Palfrey.

"No English official was more hated in the Colonies,"² no doubt because he carried out his orders conscientiously in the face of opposition to a situation over which he had no control. His correspondence and that of his superiors prove that his efforts to establish Royal control over New England in the late seventeenth century were purposely foiled. Where Randolph apparently failed, the English government itself had not succeeded. The 1701 American Plantations Bill vindicated his efforts to carry out to the letter the orders of his superiors, the Crown and the Lords of Trade. He was, in essence, a devoted, misunderstood English civil servant.

¹Perry Miller, New England Mind, Vol. II: From Colony to Province (Boston: Beacon Press, 1961), p. 137.

²John Truslow Adams, The Founding of New England (Boston: Little, Brown & Co., 1921), p. 122.

CHAPTER I

THE NORTH AMERICAN COLONIES BEFORE 1660

An examination of the situation which confronted Edward Randolph in the seventeenth century American Colonies, particularly in Massachusetts, is an essential prologue to an understanding of Randolph's work.

The North American Colonies in mid-seventeenth century were divided by great distances, covered 145,000 square miles, had comparatively little mineral wealth, but an abundance of timber and fish. Founded mainly by Crown charters, they were largely under Royal control. Massachusetts Bay had become the leading most independent Colony, and in developments there, lies the key to Randolph's and England's difficulties and frustrations.

In 1629 Charles I granted a Royal Charter to the Governor and Company of Massachusetts Bay in New England, giving power to freemen (members of the Company), to elect a Governor, a Deputy Governor and eighteen Assistants, with power to make laws not repugnant to those of England. They were to meet at least four times a year, were not requested

to administer oaths of allegiance and there was no mention of ecclesiastical government nor of trading rules. The stock of the Company consisted of voluntary contributions which decided the share of the land. An examination of the list of founders provides insight into the original aristocratic, upper-middle-class basis of Massachusetts.

Winthrop, Humphrey, Johnson, Dudley, Hampden, Pym, the Earl of Warwick, Lord Say and Sele and Lord Brooke were directly or indirectly connected with this initial establishment of a new colony.

In October 1630, freemen were given the power of choosing the Assistants who, in turn, chose the Governor and Deputy Governor: "Assented unto by general vote of the people by the erection of hands."³ Thus the first General Court violated the Charter by relinquishing the right of all freemen to elect the Governor and Deputy Governor, and for over fifty years the number of Assistants was barely half the required number of eighteen. By 1632, however, freemen had reasserted their rights to elect the Governor and Deputy Governor and in 1634 the General Court gained the sole power to make laws, to elect and remove officers, to dispose of lands and raise money by taxation. However, who

³ Edmund Sears Morgan, Puritan Dilemma: The Story of John Winthrop (Boston: Little, Brown & Co., 1958), p. 90.

were the freemen by this time? On May 18, 1631, the General Court declared: "For the time to come no man shall be admitted to the freedom of this body politic but such as are members of some of the churches within the limits of the same."⁴ John Winthrop's New England oligarchy appeared to be well established and was to be confirmed by the banishment of Roger Williams and the victory over Ann Hutchinson. The Congregational System, Winthrop's "City on a Hill," was to give men liberty as interpreted by Winthrop.

Already, however, there were signs of dissidence. In 1632 Gorges, Mason, Gardiner, Morton and Ratcliffe had petitioned the Privy Council for Royal Government, and in 1633 the Lords Commissioners for Plantations requested the return of the Massachusetts Charter, hence the General Court's 1634 declaration of its rights. Inside the colony, the sixteen towns established by 1635, were making their own demands. They were allowed to send two representatives to the General Court to dispose of their own lands, make by-laws and choose their own officers. The 1641 Body of Liberties recommended the idea that Selectmen in each town should control Highways, Education and Social Control.

⁴The Records of the Governor and Company of Massachusetts Bay in New England, ed. by Nathaniel B. Shurtleff (5 vols.; Boston, 1854), I, 87.

Although many towns were a reflection of the old English parish with the select few holding power, others, like Springfield, did not restrict voting to any one section and the full town meeting maintained basic control. In 1658 the towns decided that the right to vote should be based on an oath of fidelity and the owning of an estate worth twenty pounds a year, therefore, "property became more important than godliness."⁵ The towns where no formal act of court deeded land to special individuals were challenging established authority.

Nevertheless, Congregationalism remained the very core of New England's government. Despite the 1642 split of the General Court into two houses of Magistrates and Deputies, social discipline remained the key to a well ordered society which imposed the death penalty for adultery, rape, idolatry and blasphemy. "The holy congregation within the Covenant of Grace united for a goal both social and spiritual."⁶ Puritan writings did not suggest that those considered unfit for the Lord's Supper were also unfit for

⁵Timothy Breen, "Town Franchise in Seventeenth Century Massachusetts", William and Mary Quarterly, XXVII (July, 1970), p. 473.

⁶Perry Miller, New England Mind, Vol. I: The Seventeenth Century (Boston: Beacon Press, 1961), p. 436.

church membership, but in 1636 the General Court had confined freemanship to those who could pass a religious test. The Child Petition of 1646, proclaiming the rights of members of the Church of England and the wrongs of the Puritan ministers, was answered in 1648 by the Cambridge Platform. This gave full power to the state of Massachusetts to enforce obedience and conformity, "enshrining the doctrine that civil authority must punish and restrain corrupt opinion."⁷ Although fourteen deputies disagreed with it, this policy was "the high point of opposition to liberal thought."⁸ New England was not, however, facing biological facts. Puritan early marriage and large families made the 1662 Halfway Covenant inevitable. In allowing the baptism of children and grandchildren before the affirmation of faith, it was "an honest attempt to resume the concept of the Church of Visible Saints from a tangle of problems created by human reproduction."⁹ The Halfway Covenant did not increase the number of voters in every town. In Dedham, full members refused to accept the

⁷Ibid.

⁸Adams, The Founding of New England, p. 257.

⁹Edmund Sears Morgan, Visible Saints: History of a Puritan Idea (New York: New York University Press, 1963), p. 137.

Halfway ones until 1691.

Unable to resist the demands of the towns or to ignore the growth of a new generation, Massachusetts also found itself assailed by the demands of a growing class of merchants. The government remained in the hands of men who had no involvement with trade. Early fur traders, like Pynchon, were pillars of the Puritan church, yet pursued gain as they wished. Other traders depended on English credit and had London backgrounds and connections. Massachusetts Bay records show an apparent disinclination of the voters to elect merchants as magistrates. The dilemma of these early merchants was expressed by Robert Keayne whose case was the "subtle serpent weakening original Puritan ties and pointing to the future."¹⁰ This merchant opposition was also clearly expressed in their support of Ann Hutchinson.

The Puritan Government, meanwhile, found itself unable to meet creditors' demands and, after 1640, turned to the idea of an independent economy in terms of native manufactures and mineral development. When these schemes proved useless it became apparent that "overseas trade alone could furnish settlers with materials needed for

¹⁰Bernard Bailyn, "The Apologia of Robert Keayne," William and Mary Quarterly, VII (October, 1950), p. 587.

maintaining reasonably comfortable lives."¹¹ The puritan magistrates were dealing with men whose enterprises seemed to threaten the established order, yet their existence was essential. These same merchants began to invest in land, to turn Boston into a thriving community, to back the Child Petition and, in 1651, to dissent from the Confession of Faith.

This commercial activity was encouraged by the English Puritans. In 1642 the House of Commons ordered that New England Merchandise should be free from customs duties.¹² The General Court issued a 1644 order forbidding the raising of the King's flag, but overseas traders were carefully exempted from it.¹³ On the other hand, other North American Colonies were regarded as trading rivals and in 1646 and 1648 the General Court imposed customs duties on goods from Connecticut, Plymouth and Newhaven.¹⁴

¹¹Bernard Bailyn, The New England Merchants in The Seventeenth Century (Cambridge, Mass., Harvard University Press, 1955), p. 75.

¹²Thomas Hutchinson, History of the Colony and Province of Massachusetts Bay, ed. by Lawrence Shaw Mayo (2 vols.; Cambridge, Mass., Harvard University Press, 1936), I, 100.

¹³Ibid., 116.

¹⁴Ibid., 132.

In the 1650's the trade of Massachusetts flourished, "free admissions being allowed to all nations . . . importation of no commodities whatsoever being prohibited or under any clog or restraint."¹⁵ The increase in trade with the West Indies encouraged pirates who took Spanish wealth and was the reason, according to Hutchinson, for Massachusetts' coining its own money in 1652. Cromwell, meanwhile, exempted New England from the regulations imposed by the 1651 Navigation Act and was rewarded with praise from the General Court in 1654.¹⁶ At his Restoration in 1660, Charles II was confronted with an economically flourishing New England whose agricultural products, shipping and manufactures, competed with those of England and her fisheries with Newfoundland -- yet she had no staple such as sugar or tobacco.

By 1660 the original founders of the Bay Colony, fanatical upholders of a New Jerusalem, were dead and the new generation contrasted severely with the old. Morrison in Builders of the Bay Colony, portrays John Winthrop as severe, introspective and mediaeval, in contrast to his eager, genial, responsive son. Nevertheless the second

¹⁵Ibid., 162.

¹⁶Ibid., 166.

generation was afflicted with those like the Mathers, who intended to cling to power, identifying bishops with tyranny and liberty with their original Charter and religious control. It is significant that the colonists' close connection with the Crown, (their title to land was vested in it), should have been declared in proclamations of allegiance to the Restored Monarchy by all the American colonies except Massachusetts. Charles II declared his confirmation of the Massachusetts Charter and his readiness to renew it, but added demands for:

Annulment of laws contrary to the King's authority, an oath of allegiance, justice in the King's name, liberty to use the Prayer Book and Baptism and Communion according to it as desired. Governors and Assistants be chosen according to their merit and freeholders be allowed to vote regardless of religious persuasion.¹⁷

The General Court replied with a two-edged sword. With their declaration of allegiance "to uphold this place as belonging to the King, preserve the realmes, go against conspiracies, punish crimes, and propagate the Gospel," they emphasized their Charter rights to "make freemen who could choose the Governor, Deputy Governor, Assistants and Deputies who, in turn, were free to make laws not repugnant to the laws of England." They added: "We conceive any

¹⁷Ibid., 189.

imposition prejudicial to the country contrary to any just law of ours not repugnant to the laws of England, to be an infringement of our rights."¹⁸

The situation was fraught with danger and had escalated to breaking point by the time Randolph was called upon to act as a Crown agent, a new type of bureaucratic civil servant. An entrenched fighting puritan establishment, enjoying a reasonably flourishing trade, coining its own money, trespassing on the boundaries of other colonies, faced an England on the brink of establishing a new concept of Empire dominated by the mercantilist theory of trade.

¹⁸The Records of the Governor and Company of Massachusetts Bay in New England, ed. by Nathaniel B. Shurtleff (5 vols.; Boston, 1854), IV Part 2, 24-26.

CHAPTER II

THE NEW CONCEPT OF EMPIRE

Within this new concept of Empire the colonies became part of England's national wealth, instruments of prosperity and a source of raw materials in which no other state, such as Holland, France or Spain, could be allowed to share.

Mercantilism developed from deep-seated causes, such as the fall in money values and the increasing power of territorial states. It was a theory which "presupposed that every part would subordinate itself to the theoretical needs of the whole."¹⁹ The seventeenth century was the era of the shift from ecclesiastical to civil government, involving the creation of political economies in the evolution of the modern state. To establish herself as a prominent prosperous state, England adopted the mercantile theory, the embodiment of national wealth, to ensure a favourable balance of trade with other European countries, a carrying

¹⁹Adams, The Founding of New England, p. 285.

trade, the safeguarding of her industries and an increased revenue from customs dues. The colonies in North America were important as instruments of prosperity in Britain's rivalry with other states, and as a source of raw materials from which no other state should profit. They were, in effect, "an integral and necessary part of a self-contained commercial world."²⁰

During the Interregnum, Parliament's restriction of trade, from which Massachusetts was exempted, benefitted the London merchants on whom the government relied for income. Nevertheless, despite Cromwell's impetus to colonial ambition with his capture of Jamaica, the Protectorate ended in near bankruptcy and a consequent demand for more trade and greater use of the foreign plantations. Mercantilism was, therefore, inevitable after the 1660 Restoration. In what ways did it find expression and what was New England's reaction to it?

"Maritime and commercial interests demanded a satisfactory and efficient organization to bring the

²⁰Charles M. Andrews, The Colonial Period of American History, vols. I-III: The Settlements; vol. IV: England's Commercial and Colonial Policy (New Haven: Yale University Press, 1964), IV, 354.

colonies within range of their capitalistic ambitions."²¹ In an attempt to establish this control at the demand of home merchants, Charles II, in 1660, set up a Council for the Foreign Plantations and a Council for Trade to advise the Privy Council, for what the King considered to be the infinite importance of the improvements of the trade of the kingdom. They consisted of privy councillors, colonial officers and businessmen. In 1664, they were replaced by temporary standing committees and in 1668, by a new Council of Trade. In 1672, increased pressure from the merchants produced the Council for Trade and Plantations, under the leadership of Shaftesbury and the secretaryship of John Locke. Merchants were included in this council, half of whose members were now salaried. The problem faced by these councils was "the bringing of local institutions into working relations with the necessary power at the centre of the system."²²

The implementation of the mercantile theory came through the Navigation Acts. It is important to note that they were intended to promote the economic welfare of the colonies as well as that of the mother country; the system

²¹Ibid., 369.

²²Adams, The Founding of New England, p. 309.

was imperial, not merely English. References to "Englishmen" included the colonists whose laws, attitudes and culture were still English, with an assumed English right to assert control when they chose. As David Ogg points out, they had produced ruthless pioneers, "indomitable in their leadership, and a chosen people, jealously safeguarding those religious and civil institutions which they had brought with them into the wilderness."²³

The 1660 Act for the Encouragement and Increase of Shipping and Navigation, which remained the foundation of English colonial policy throughout the seventeenth century, is of the utmost importance. It was intended to secure the balance of trade and increase its volume by securing American colonial resources which were unavailable in other colonial empires. Clause XVIII stated: "Sugar, tobacco, cotton wool, indigo, ginger fustik, and other dyeing woods of English plantations, to be shipped only to England, Ireland, or other English plantations."²⁴ Clause I ruled that goods must only be carried in English owned ships with an English master and at least three quarters English crew "under

²³David Ogg, England in the Reign of Charles II (2 vols.; Oxford: Clarendon Press, 2d ed., 1955), I, 215.

²⁴Great Britain, House of Lords MSS, Statutes of the Realm (1101-1713), Printed by Command of His Majesty King George the Third (London, 1810-28), V, 247-250.

penalty of forfeiture of vessel and cargo." Clause II added that: "No goods may be imported to or exported from English possessions in Asia, Africa or America but in ships actually owned by English or Irish whereof the master and at least three quarters of the crew are English, under penalty of forfeiture of vessel and cargo." Charles II laid down the rule that Governors of the Plantations must take an oath for the strict observance of the Act's provisions ensuring that "no alien exercise the office of merchant or factor in the Plantations." A seizure clause was also incorporated into the Act establishing a third of the value to the Crown, a third for the Governor of the Plantation concerned, a third to the informer or person involved in the seizure. The seized vessels were to be reported and delivered to the Court of Admiralty. If the Governors should be negligent in "doeing their duty accordingly, said Governor soe offending shall be removed from his Governorship."²⁵

As David Ogg comments, this Act encouraged and monopolised commodities for which the Empire seemed to have special advantages, and retaliated against foreign carriers,

²⁵Ibid., V, 247-250.

especially the Dutch.²⁶ Its enforcement relied on the existence of a large number of English and colonial ships. When they were insufficient to clear gluts of commodities, there was inevitable evasion of the rules and defiance of the customs officials. Such evasions produced two Acts in 1662. Officers granting false certificates were subject to loss of office, a penalty of fifty pounds, imprisonment and/or corporal punishment, plus penalties for bribes and false entries.²⁷ The second Act set up a standing commission to "find cause and examine witnesses beyond the seas or any remote parts of His Majesty's Dominions concerning matters of assurance used amongst merchants."²⁸

Early evasions necessitated a further Act for the Encouragement of Trade in 1663. Reiterating the first Act, it emphasized the need for clearance certificates and oaths of all Plantation Governors to put the Act into force. The concern of the English Government for the Colonies is evident in paragraph XV of this Act, by which penalties were to be imposed for planting tobacco in England because

²⁶Ogg, England in the Reign of Charles II, I, pp. 237-242.

²⁷House of Lords MSS, Statutes of the Realm, V, 393-396.

²⁸Ibid., V, 418-419.

of "discouragement of English plantations."²⁹ Reinforcement of this clause came in 1670-71 with "The Act to Prevent Planting of Tobacco in England and for Regulation of the Plantation Trade."³⁰ Yet again, the regulations concerning loading in England and that the Governors should take bonds in the colonies, were reiterated, and there was one added rule -- lists of ships were to be recorded in English customs houses every year.

Evasions of these mercantilist regulations were not condoned by all colonial merchants, many of whom perceived the advantages of the system. The New England merchants of Restoration times were often Royalist, Anglican, commercial imperialists. Samuel Maverick expressed their dissatisfaction in his complaints to the Earl of Clarendon and the Council of Plantations. He argued that the Massachusetts Magistrates acted independently of England, deprived non-church members of the vote, and, as petty tyrants and traitors, had no interest in England. He urged the imposition of Royal authority in Massachusetts, a commission of enquiry and the conquest of New Amsterdam.³¹ Clarendon and

²⁹Great Britain, House of Lords MSS, Journals of the House of Lords, VI, 409.

³⁰Ibid., VI, 747.

³¹Bailyn, The New England Merchants in the Seventeenth Century, p. 115.

the English monarch reacted to these complaints by appointing the Clarendon Commission of 1664. The instructions issued to Nicholls, Carr, Cartwright and Maverick were clear enough. They were to examine colonial charters and question whether they were being observed, particularly the right of liberty of conscience. They were also to investigate any violation of the Acts of Trade and the question of capturing New Amsterdam.³² Clarendon's letter to the Governor and General Court dated 15th March 1664, reinforced the instructions from the King.³³

The Commissioners reported loyal receptions in Connecticut, Rhode Island and New Haven, but antagonism in Massachusetts. There the General Court expressed its fear of "being subjected to the arbitrary power of strangers . . . to end in the subversion of our all."³⁴ This fear was possibly caused by the instruction of Charles II that the

³²The Glorious Revolution in America: Documents on the Colonial Crisis of 1689, ed. by Michael G. Hall, Lawrence H. Leder, and Michael G. Kammen, Vol. III of Documentary Problems in Early American History, ed. by James Morton Smith (3 vols.; Chapel Hill: The University of North Carolina Press, for the Institute of Early American History and Culture at Williamsburg, Virginia, 1964), pp. 14-18.

³³Hutchinson's History of Massachusetts Bay, ed. Mayo, I, 450.

³⁴Ibid., 446.

Commission should privately endeavour to see that men of good quiet reputation should be chosen for any Assemblies in the colonies.³⁵ The merchants' attitude to the Clarendon Commission was not in tune with the hostility of the established government. Petitions to the General Court pleading that the King should not be antagonized, included the names of eighteen Boston merchants.³⁶

There appeared to be desperate resistance from Massachusetts, seen in its refusal to send agents to England. This refusal to accept English colonial policy necessitated the Act of 1673, which aimed to make direct trade with Europe unprofitable. All vessels from England arriving at the plantations and intending to take on enumerated commodities and not able to show their bond taken out in England, must now pay duty at the port of clearance, plus a penny a pound on tobacco and varying amounts on other commodities. This Act necessitated English customs officials in the colonies. It stated that when ships were seized: "It shall be lawful for any person to prosecute such ship in any court of Admiralty in England, the one

³⁵The Glorious Revolution in America, ed. by Hall, Leder, Kammen, pp. 14-18.

³⁶Bailyn, The New England Merchants in the Seventeenth Century, p. 124.

moyety of the forfeit to be His Majesty's, the other to such prosecutor thereof."³⁷

How could the English government prevent further evasion of the law? Charles II's answer was to set up a special committee of the Privy Council, a merger of the Council for Trade and the Council for Foreign Plantations which came to be known as the Lords of Trade. From 1675 this committee was given the twofold task of investigating conditions in the colonies and enforcing the Acts of Trade. Charles II and his advisors reacted to the colonial situation as Charles Davenant expressed it: "The Plantations work for us . . . should observe the fundamental laws of their original country as children of the State."³⁸

The Lords of Trade, which existed as a Royal Committee from 1676 to 1696, as the forerunner of the Board of Trade, was a political body under the guidance of Sir Robert Southwell and William Blathwayt. In the 1670's Danby, as Lord Treasurer, looked to the colonies for profit. He expected the Lords of Trade to produce it by keeping a strict surveillance over colonial laws, institutions,

³⁷House of Lords MMS, Statutes of the Realm (1101-1713), V, 795.

³⁸Charles M. Andrews, The Colonial Period of American History, IV, p. 322.

population, trade regulations and defence and working closely with the Customs Commissioners. A mixture of Royalist and Cromwellian sympathisers made up the original team, all of them members of important English families. The Earls of Craven and Bridgewater were Royalist, the Earls of Anglesey and Carlisle had been Cromwellians.³⁹ Taking their duties seriously, they met eighty nine times in the first year of the Committee's existence.⁴⁰ By 1676, this committee, which offered advice to the King, had become the mainspring of "a more determined effort on the part of the mother country to exert her power over the colonies and bring them within the administrative scope of the Empire."⁴¹ They recognized the need for enforcement of the Navigation Acts and proper communications between the Mother Country and the colonial governors.

The Lords of Trade realized that merchants and manufacturers in England were becoming irritated by the evasion of the Navigation Acts, especially by Massachusetts, whose commercial importance was becoming highly estimated.

³⁹Michael Garibaldi Hall, Edward Randolph and the American Colonies 1676-1703 (Chapel Hill: The University of North Carolina Press for The Institute of Early American History and Culture at Williamsburg, Virginia, 1960), p. 40.

⁴⁰Adams, The Founding of New England, p. 122.

⁴¹Ibid., 364.

In 1669, Sir Josiah Child's "New Discourse on Trade," had emphasized the problem. Child pointed out that the colonies must promote trade and wealth for the mother country and if they were not forced to keep to the Navigation Acts, "in a few years the benefit of them would be wholly lost to the nation."⁴² New England was most prejudicial because of its competition with England, indulgence in administration of the Navigation Acts, and its capacity for ship building. By 1670, this petition was reinforced by the mercers and silkweavers of London, who felt they would be ruined if New England continued to evade the Navigation laws and, therefore, asked the King to appoint officers in the Plantations to seize offending vessels.⁴³

In 1676, Randolph was plunged into this simmering cauldron of resentment of English interference, coupled with the Lords of Trades' concern about evasion of the mercantilist laws.

⁴²Sir Josiah Child, New Discourse of Trade, Massachusetts Archives, CV1, 210, quoted in John Gorham Palfrey, History of New England (3 vols.; Boston: Little, Brown & Co., 1865), III, 277.

⁴³Robert N. Toppan and Alfred T. S. Goodrick, eds., Edward Randolph; Including His Letters and Official Papers, 1676-1703 (Boston: Prince Society, Publications, XXIV-XXVIII, XXX-XXXI, 1898-1909: 7 vols., New York: Burt Franklin, 1967), II, 269. (Hereinafter referred to as Randolph Letters).

CHAPTER III

EDWARD RANDOLPH: SERVANT OF THE KING, 1676-1690

In 1676 the Lords of Trade insisted that the claims of Mason and Gorges to New Hampshire must be heard by Massachusetts, which, in turn, should send agents to London to give its point of view. There can be no doubt that this urgent interest in New England was prompted by Bacon's rebellion in Virginia, which cost the King one hundred thousand pounds, according to Sir John Emly and "the neglect of one year's planting there, by reason of the rebellion, a very considerable diminution of the King's revenue," according to Sir George Downing.⁴⁴ If Bacon rebelled against unfair taxation, and neglected trade and fortifications, inquiries had to be made into other colonies, under whatever pretext presented itself. Randolph was the chosen messenger and investigator.

Coventry wrote to Massachusetts in March 1676, on

⁴⁴Proceedings and Debates of the British Parliaments Respecting North America, ed. by Leo Francis Stock (5 vols.; Washington, D.C., Carnegie Institute of Washington, 1941), I, 412.

behalf of Charles II, that it was "not agreeable to our Royal Justice to conclude anything on hearing one side," therefore the General Court must send agents within six months, "to answer for you. Edward Randolph must be admitted into the full Council to hear the King's letter read, he being appointed by us to bring back your answer."⁴⁵ Charles II's instructions to Randolph were that he demand an answer within a month and enquire into: The powers of the Governor, any laws derogatory to those of England, what oaths were prescribed, the number of Church members, freemen, slaves, and men of arms; the size of states, the number of forts and their provisions, boundaries, correspondence with the French and New York, the cause of Philip's war, products, laws of trade and ships in use, taxes and how they were collected, the state of ecclesiastical government, universities and how they were governed, and finally, which persons had most loyal feelings for England.⁴⁶

Was Randolph the right type of person to be chosen for this task at this time? According to Professor Andrews, he was "a zealous, hard working servant of the

⁴⁵Randolph Letters, II, 192-194.

⁴⁶Ibid., 196-197.

Crown, who tried to do his duty as he saw it"⁴⁷ and "indefatigable in endeavour and insensitive to rebuffs, . . . his determination often over-zealous and fanatical . . . to do what he conceived to be his duty, cost what it might."⁴⁸ To James Truslow Adams, he was "a narrow minded official type, a stickler for technicalities, a thorough believer in centralized imperial control, and easily influenced by prejudice, but possessed of enormous energy and very considerable ability."⁴⁹ Bernard Bailyn sees him as "ambitious, intelligent . . . with utter lack of judgement in handling people . . . arrogant to his inferiors, both importunate and obsequious to those in authority."⁵⁰ Bailyn also sees his attitude as "characteristic of minor placemen and petty bureaucrats."⁵¹ He was all of these things, but first and foremost an English patriot, a servant of the Crown, carrying out his orders to the letter, against what,

⁴⁷ Charles M. Andrews, Narratives of the Insurrections, 1675-1690, Vol. XIII of Original Narratives of Early American History, ed. by J. Franklin Jameson (19 vols., New York: Barnes & Noble Inc., 1946), p. 189.

⁴⁸ Andrews, The Colonial Period of American History, IV, 157.

⁴⁹ Adams, The Founding of New England, p. 377.

⁵⁰ Bailyn, The New England Merchants in the Seventeenth Century, p. 154.

⁵¹ Ibid., 155.

too often, were formidable odds. He was hated because he did his job too thoroughly, and his reception in 1676, at a time when he was quite unknown in New England, is the first proof of this situation.

Writing to Coventry on the 17th June, 1676, Randolph complained that he was kept waiting for admission to the Council, and that the Governor declared to him:

Laws made by our King and Parliament obligeth us in nothing but what conflicts not with the interest of New England, and legal power is and abides in us freely to act and make laws not repugnant to England . . . not in His Majesty's power to retrench our liberties, but may enlarge them if he pleases.⁵²

When the King's letter was finally read, Randolph complained that "hats were kept on at the reading," and the Governor considered the letter inconsequential and of no desperate need of an answer.⁵³ Contrasting with this situation was Randolph's reception in New Hampshire, Plymouth and Maine, where the inhabitants complained of oppression by the Massachusetts government and dislike of Boston Magistrates, who did not "keep the Laws of Trade."⁵⁴

⁵²Randolph Letters, II, 205.

⁵³Ibid., 216-225.

⁵⁴Ibid., 222.

In Plymouth and Connecticut, Randolph found the Laws of England observed "with such of their own not contrary thereunto, and the oath of allegiance taken by every magistrate, officer and all freemen, and the Acts of Trade duly observed."⁵⁵

In July 1676, Randolph was accused of making a mutiny and disturbance in the country and told Governor Leverett; "If I had done anything amiss, upon complaint to His Majesty, he would certainly have justice done him."⁵⁶ That he had no such mutinous intention is proved by his letter to Leverett dated 6th July, 1676, begging pardon twice. "I did believe my obedience to a superior authority would not render me obnoxious to its inferior and derivative party and make me liable to your censure of misdemeanour . . . I shall be careful to demean myself according to the importance of my charge and that respect due to you as His Majesty's minister . . . I beg your pardon for misdemeanour . . . once more I beg your pardon."⁵⁷ Although he appears obnoxious in his reference to an inferior party, he was a Crown servant and the attitude towards the Crown he felt he

⁵⁵Ibid., 258.

⁵⁶Ibid., 224.

⁵⁷Ibid., 213-215.

had already witnessed, was unlikely to have made a favourable impression.

Randolph wrote twice to Coventry in June and July 1676, complaining of the lack of a customs house, the free importing of brandy and wines (five ships in seven days), and the "proud, ignorant, imperious, seditious clergy."⁵⁸ He reported flourishing trade and ship-building, despite the recent Indian war and sickness (Leverett's excuses for delay in answering the King's letter). No doubt he put his finger on the pulse of Massachusetts' fear of Crown control in his letter of July 7th, 1676: "All in uproar . . . rumour that His Majesty intends to alter the government and bring in Episcopacy . . . a thing more dreaded than Indian war . . . hears of minor inhabitants frightened from their obedience to His Majesty into toys of their (the established government) unlimited authority."⁵⁹ New England was certainly jealously guarding her Congregationalism in the face of revived Stuart Anglicanism, or even suspected Popery. Massachusetts had not been impressed by Charles II's Declaration of Breda, by which he had promised religious toleration. They had reason to be doubly concerned about

⁵⁸Ibid., 207.

⁵⁹Ibid., 205.

the enforcement of the Clarendon Code, which excluded English Nonconformists from any share in English central or local government. The 1673 Test Act, which demanded affirmation of Anglican faith, must have reinforced New England's fears.

Despite the antagonism he experienced, Randolph carried out his instructions to the letter, writing a detailed narrative of the situation in Massachusetts, in accordance with the King's instructions issued to him in March, 1676. His lengthy report, addressed to the Lords of Trade, on the 12th October, 1676,⁶⁰ not only dealt with the points demanded by Charles II, but also stressed what he considered the anti-English, non-Royalist attitudes he found. Massachusetts not only coined its own money, but had no observance of Christmas, marriage by magistrates only, and lacked the enforcement of an oath of allegiance to the Crown. A stranger took an oath of allegiance to the Massachusetts government only, and it was done by the raising of a hand, not on the Bible. Palfrey, in his History of New England, contended that Randolph exaggerated the number of wealthy merchants and the general flourishing of trade, shipping and manufactures. Nevertheless, the agents,

⁶⁰Ibid., 222-259.

Stoughton and Bulkeley, who finally arrived in England to give their side of the story, only partially denied Randolph's account, and made excuses for the parts they were unable to deny. They admitted to coining money, but maintained that the Christmas law was put into force, "because of recent troubles," and people were not put to death solely for religious reasons.⁶¹ They admitted also, that the form of the oath of allegiance was "ill-advised."⁶² Despite their contentions, the General Court reinforced the idea of an Oath of Fidelity to Massachusetts only, although they accepted the necessity of enforcing the Acts of Trade.

Randolph's report on Massachusetts' reaction to the Acts of Trade was especially detailed and emphatic. Brandy, salt, tar, oils and linens were imported freely, "so that there is little left for merchants residing in England to import into any of the Plantations, those of New England affording goods much cheaper than such who pay customs and are laden in England, by which means this Kingdom has lost the best part of her western trade." He added " . . . no note is taken of the Acts of Navigation, all nations having liberty to come into their ports and vend their commodities

⁶¹Ibid., 277.

⁶²Ibid., 308.

without restraint . . . this government would make believe they are a free state."⁶³ By May 1677, Randolph calculated that the King had lost a hundred thousand pounds a year.⁶⁴ When Stoughton and Bulkeley were confronted with these charges, they only admitted that "some private persons trade indirectly," but were quick to agree that their Governor should take ships' bonds and submit to His Majesty's orders.⁶⁵ Leverett, in the meantime, had urged Charles II not to listen to "injurious suggestions and unjust recriminations."⁶⁶

The conscientiousness of Randolph's reports is obvious, yet he was defying what he termed "a faction" working against him in New England. This was a section of the Massachusetts government headed by Thomas Danforth. The Court of Assistants regarded Randolph as an outsider and an enemy, did the House of Deputies do likewise, or was there a struggle for power between the two? John Truslow Adams contends that by Randolph's time there were new contending factions in New England -- Liberal theologians, conservatives

⁶³Ibid., 249-250.

⁶⁴Ibid., 265.

⁶⁵Ibid., 277.

⁶⁶Ibid., 262-265.

of the East, the urban population and trading classes on one side, against the orthodox Puritan theologians, the radical West, rural farmers and agricultural interests on the other side. The former side he labels "moderates" and goes so far as to suggest "a direct line of descent from the moderates of 1676 to the Loyalist party of 1776."⁶⁷ Discussion about this claim lies beyond the scope of this dissertation, but there is no doubt that Randolph's friends, up to 1685, appeared to be the liberal trading classes, who were apparently eager to gain control of the New England government, which appeared to J. T. Adams to be a minority forcing its will on the majority.⁶⁸ Randolph's account of affairs in Massachusetts, dated 20th September, 1676, refers to the Magistrates as being "partly good men well affected to His Majesty, but the major part of different principles, having been in government from the time they formed themselves into a Commonwealth . . . these manage and direct affairs as they please . . . keep the country in subjection, backed by the authority of their pretended Charter."⁶⁹ This faction, Randolph contended, had disobeyed the King's commands in

⁶⁷ Adams, The Founding of New England, p. 374.

⁶⁸ Ibid., 399.

⁶⁹ Randolph Letters, II, 254.

1662, '64, '65 and '66, and included Governor Leverett, Deputies Symons, Danforth, Tyng, Clarke and Hathorn. In contrast, he maintained that Denison, Bradstreet, Saltonstall, Brattle and others, "only wait the opportunity to express their duty to His Majesty."⁷⁰ In expressing these opinions, Randolph was merely carrying out the King's orders to disclose who was loyal or disloyal to the Monarchy and English overlordship.

The Lords of Trade concluded that Randolph had not reported falsely, and no doubt took into account that he had been abused because he was a conscientious Crown servant. "For doing my duty and pursuing my instructions I was judged by them to have exceeded my errand, and in a menacing way was advised so to demean myself as not to be found either fighting or imposing on their authority," he complained to Charles II in November 1676.⁷¹ There was an additional reason to support Randolph's reports in 1678 when Andros, then Governor of New York, reported to them: "The magistrates and people of Massachusetts are more concerned with their attachment to their own government than to the King's; The Navigation Acts are not observed and customs duties are un-

⁷⁰Ibid., 255.

⁷¹Ibid., 259-261.

certain."⁷² Supporting Randolph, the Lords of Trade referred the question of Massachusetts rights, as embodied in their Charter, to the Attorney-General. On the 12th July, 1677, they expressed concern about "making laws and levying taxes, especially on trade in imports and exports, and if abused, might much affect the course of trade in other parts of His Majesty's dominions."⁷³ Their practical support of Randolph was expressed in March 1678, when it was recommended that he should be Collector of Customs in New England, "or deserving some other reward for his services."⁷⁴ Writing to Danby in May 1678, the Lords of Trade reported: "We have had more light and information from Mr. Randolph than from any person else . . . very good opinion of his zeal and capacity for His Majesty."⁷⁵

Danby responded two months later with a clear commission to Randolph. He was to establish a residence in Boston and operate as Collector of Customs in Massachusetts, Plymouth, Connecticut, Rhode Island, Maine and all other colonies and islands in New England, with a deputy in each

⁷²Ibid., 305.

⁷³Ibid., 280.

⁷⁴Ibid., 286-287.

⁷⁵Ibid., III, 6.

colony.⁷⁶ He had to see to it that: "No ship do trade in His Majesty's colonies in New England, but such as are by law permitted to trade there . . . do not lade enumerated commodities until given bond . . . make entry of ships . . . make seizures of ships breaking the law and take any goods chargeable with duties imposed by the 1673 Act."⁷⁷ He was to prosecute any violation of the Navigation Acts, watch for counterfeit certificates and give detailed accounts to England every six months. Every Lady Day he was to give an account of New England manufactures and shipping. The Popish Plot occupied the attention of the English government, while the Lords of Trade worried whether Randolph had sufficient authority to carry out his duties, and offered him a special reward of a hundred and seventy five pounds, on the 20th June 1679. On that date Charles II finally wrote to New England: "We have appointed our truly and well beloved subject, Edward Randolph, to be Our Collector, Surveyor and Searcher for all colonies in New England . . . recommend him to your help and assistance in all things that may be requisite in discharge of his trust."⁷⁸

⁷⁶Ibid., 19-30.

⁷⁷Ibid.

⁷⁸Ibid., 47.

Randolph sailed for America in September 1679 to be greeted uncivilly in some quarters:

Hee (Charles II) gives an Inch of power, you take an Ell.
We'll knelle to the mill owner as our cheife,
But doe not like the Miller, he's a theife.⁷⁹

The root of this antagonism lay in Randolph's previously considered enmity towards Massachusetts. In June 1676, he had already suggested to Coventry that there should be "a reducing of this Plantation to their due obedience."⁸⁰ In July of the same year he had suggested that "three frigates of forty guns, with three ketches before Boston, could bring them all to His Majesty's terms within a week."⁸¹ In 1678 he expressed concern that his reports should have become known in New England, but was not to be sidetracked from his idea that Charter liberties had already been forfeited and a Quo Warranto was necessary to establish Royal Government throughout the North American colonies.⁸²

The Massachusetts government had done nothing to discourage Randolph's idea that they deserved to lose their Charter and that only force would make them toe the line.

⁷⁹ Farmer and Moore's Welcome to Randolph, Vol. III, 30, quoted in Randolph Letters, III, 62.

⁸⁰ Ibid., II, 60.

⁸¹ Ibid., 208.

⁸² Ibid., 297.

In 1678, the General Court of Massachusetts again maintained that English laws did not really apply to them and demanded that members of the Congregational Church should be confirmed in their claim to tax the entire community without interference from England. They declared that: "Laws of England are bounded within the four seas and do not reach America, the subjects of His Majesty not being represented in Parliament."⁸³

Although Coventry had written to Governor Winslow of New Plymouth in 1679, to "receive Mr. Randolph civilly as a person that the King believeth very well,"⁸⁴ Randolph wrote to Winslow in January, 1680: "I am received in Boston more like a spy than one of His Majesty's servants."⁸⁵ The following month he complained that his instructions should have been issued under the Great Seale, so that he might have saved the King ten thousand pounds worth of goods.⁸⁶ Undaunted, he proceeded to make seizures of ships which were trading illegally. His lists included ships dealing with tobacco for Ireland, salt for France, goods for Cork

⁸³Massachusetts Records, ed. by Shurtleff, V, 196-203.

⁸⁴Randolph Letters, III, 55.

⁸⁵Ibid., II, 65.

⁸⁶Ibid., III, 55.

and imported European goods--a total of thirty-six seizures.⁸⁷ He persisted in doing his duty, despite the fear of imprisonment and the fact that jurists persistently failed to support him: ". . . jury leapt over all and found for the defendant."⁸⁸ He had Governor Bradstreet's support by way of ordering constables to help him, but lacking authority under the Great Seale, he was hardly "clothed in high authority and excuding an arrogant superiority to everything colonial and provincial," as Bailyn suggests.⁸⁹ It is more likely that he was confronted by the colonial situation in which: "Harbouring pirates was the simplest method of making a fortune, conniving at breaches of laws of trade another straight-forward extortion another."⁹⁰ He feared he might be imprisoned because he was denied the right of an Attorney and his servant was "set upon, not because of personal dislike, but because I am come upon such an unwelcome errand, so destructive to their privilege and interest."⁹¹ A few days later he wrote to the Commissioners

⁸⁷Ibid., II, 84-86.

⁸⁸Ibid., 75.

⁸⁹Bailyn, The New England Merchants in the Seventeenth Century, p. 163.

⁹⁰David Ogg, England in the Reigns of James II and William III (Oxford: Clarendon Press, 1955), p. 28.

⁹¹Randolph Letters, III, 70.

of Customs: "I have done nothing but what is agreeable to my instructions and by the Governor's assent . . . I have not forced my entry with violence."⁹² This mild way of carrying out his instructions is confirmed by Blathwayt, who wrote to Randolph in October, 1681, "I have reason to hope things will go never the less well for your mild way of proceeding."⁹³ In April 1681, Culpepper suggested that Randolph's salary should be doubled, "in consideration of good service and for his future encouragement."⁹⁴ In October 1681, Charles II wrote to Massachusetts that: "We are very satisfied that Edward Randolph hath discharged himself with all fidelity in office, yet by reason that unlawful trading is countenanced by you, all his care hath been of little effect for our service." At last he gave Randolph and his deputies "further authority under the Great Seale, so that he shall take further resolutions as necessary, to preserve our authority from being neglected."⁹⁵

Yet the reaction of New England towards Randolph remained obdurate. As colonial problems increased after

⁹²Ibid., 74.

⁹³Ibid., 113.

⁹⁴Ibid., 92.

⁹⁵Ibid., 110-113.

1680, the English government continued to make use of Randolph in accordance with Charles II's commands. Carrying out his orders to the letter and breaking no colonial laws or regulations, Randolph became a scapegoat for entrenched New England opposition to Crown Regulations. In February, 1680, he complained to the Lords of Trade that:

Merchants traded as freely as formerly, no parcel of goods having been seized for irregular trading although they did in 1677 make a law to prevent it . . . in everyone's mouth they are not subject to laws of England, nor of any force till confirmed by their authority.⁹⁶

In March of the same year he issued articles against Danforth and declared that the Lords of Trade and Customs Commissioners had no force in Massachusetts. In 1681 he complained that "Danforth hath made a party against me in the General Court, giving out that none hath power to seize shipp without warrant from the Governor or Magistrates."⁹⁷ Randolph also wrote to Clarendon complaining that the major part of the Deputies "carry everything against the Governor and the Magistrates are very much divided . . . the one hoping for, and the other fearing, a change."⁹⁸ He had already named Bradstreet, Dudley and others as "those who

⁹⁶Ibid., 60.

⁹⁷Ibid., 114.

⁹⁸Ibid., II, 172-173.

only wait the opportunity to express their duty to His Majesty."⁹⁹ In April 1681, Randolph suggested that Danforth, Nowell and Saltonstall should be declared incapable of public trust.

In 1682 Randolph increased his complaints against the "faction" and about his general treatment. He felt that just one section of the General Court prevented his carrying out his duties. In February 1682, in his "Articles of High Misdemeanour Exhibited against a Faction in the General Court," Randolph named eight magistrates and fifteen deputies as opponents of Charles II and English laws, "usurping judicial powers confirmed by the Charter to the Governor and his Assistants." He praised Bradstreet as an "honest gentleman," Major Dudley as "a great opposer of the faction," but defiled Richards as "a man of mean extraction."¹⁰⁰ Letters to Jenkins, (Principle Secretary of State), the Bishop of London and the Lords of Trade, all referred to the misdemeanours of this "faction." Danforth is referred to as "cheife promoter of opposition . . . he and his followers all incensed against me and combined to misrepresent me as the enemy of their government . . . I

⁹⁹ Ibid., 255.

¹⁰⁰ Ibid., III, 145.

have done nothing but my duty and expect to be justified in so doing."¹⁰¹

The section of the General Court to which Randolph referred as the "faction," consisted of a hard core of opponents to English interference in Massachusetts' affairs. On the other hand, he deluded himself about the existence of a "moderate party" which he assumed gave him whole-hearted support for the job he had to do. The apparent split between the "faction" and a "moderate party" was not clear cut. Brooks Adams saw a simple struggle between two branches of the legislature, the Deputies representing the Church, not the people. The whole question was not simple and has to be examined by referring back to the Clarendon Commission of 1664.

As early as John Winthrop's day, the Massachusetts government had considered that any changes in law were acceptable, as long as they did not conflict with the 1629 Charter and the spirit of English laws. In 1664 the General Court appeared to be split into "Commonwealth" and "Moderate" factions. Governor Endicott, his Deputy Bellingham, with Magistrates Danforth and Daniel Gookin, supported by a mixture of ministers, merchants, artisans

¹⁰¹Ibid., 143.

and farmers, vehemently opposed any imposition of Crown authority in Massachusetts. They were in a new land with a Charter on which to base their authority, "upholding whereof being absolutely necessary for the peace and well-being of His Majesty's good subjects here."¹⁰²

Magistrates Bradstreet and Dennison, Deputies Edward Johnson and Thomas Clarke, the Congregational Ministers John Norton and John Wilson, with merchants John Hull and Joshua Scottow, opposed the Clarendon Commission, but were basically loyal to the Crown. Their attitude was expressed by John Hull that they were "lovers of the welfare of this Plantation and desirous of nothing more than the enjoyment of our privileges, civil and ecclesiastical."¹⁰³

Eleven towns petitioned against the Commission and some counterpetitioned for a moderate approach by the General Court, because they maintained loyalty to the Crown. Some towns denied their reported opposition to the Massachusetts General Court. One example came from Dover in May, 1665. The whole Town Meeting agreed to: "Our faith

¹⁰²Records of the Governor & Co. of Massachusetts Bay in New England, ed. by Nathaniel B. Shurtleff (5 vols.; Boston, 1854), IV, Part 2, 210.

¹⁰³Paul R. Lucas, "Colony or Commonwealth: Massachusetts Bay, 1661-1666", William and Mary Quarterly, XXIV (January, 1967), p. 92.

and allegiance to His Majesty by adhering to the present government established by Royal Charter in the colony of Massachusetts, being well contented with the provision thereof."¹⁰⁴ The cross-section of the population involved is indicated by the fact that the petition was signed by five Selectmen and twenty-five others, half of whom could only make a mark.

The avid supporters of the Commission were some eighteen Boston merchants and Breedon and Deane, who were staunch Anglicans. The latter was particularly involved in a suit against Joshua Scottow who found himself supported by the "Commonwealth Faction" of the General Court, despite his own opposition to it.

By the 1680's there was no radical change. The so-called "moderate party" was a successor to that which had opposed the Clarendon Commission and at the same time had declared its loyalty to the Crown, with no desire to cut all ties with England. On the surface, these "moderates" appear to have been corrupted by wealth, as Palfrey maintained and liberal in the face of Puritan intolerance, according to Viola Barnes and J. T. Adams. They were certainly a group

¹⁰⁴Records of the Governor & Co. of Massachusetts Bay in New England, ed. by Nathaniel B. Shurtleff, IV, Part 2, 268.

which aimed to dominate the Government. They were not, however, a consolidated group which supported Randolph in desiring absolute royal control. The feeling that Randolph was an "intrusion of royal power," was not confined to Danforth's factional section of the General Court. Those Randolph considered particularly loyal to the Crown, actually felt their first loyalty to be to the Charter. Bradstreet, named by Randolph as a Royalist, clearly expressed the situation to Danforth and his followers in 1682: "Better the ruin, if it must be so, under other hands than yours . . . time will make it appear who have been the faithful and wise."¹⁰⁵

Randolph did not, however, misjudge the opposition of "the faction." Danforth had opposed the Clarendon Commission and by this time, Nowell and Richards conspired with the Mathers against Randolph and absolute Crown control. Danforth objected to loyal addresses to the King.¹⁰⁶ Nowell suggested that without the Charter, the Massachusetts government would become a mere cypher,¹⁰⁷ while Cotton Mather wrote to Richards that Randolph had sus-

¹⁰⁵Toppan, "Memoir of Randolph", Randolph Letters, I, 156.

¹⁰⁶Randolph Letters, II, 46.

¹⁰⁷Ibid., 194.

tained divine punishment through the death of his wife.¹⁰⁸

Randolph, in the meantime, was particularly concerned about the obstruction of his attempts to enforce the Navigation Acts. On the 14th July, 1682, he wrote to the Bishop of London: "It is my particular business to take care of the trade of this country, but till this government be thoroughly regulated, all that His Majesty commands will signify nothing."¹⁰⁹ In 1681 Danforth had openly disowned the authority of the Commissioners of Customs by not allowing Randolph to prosecute the ship, "Pink Expectation." Randolph's deputies were imprisoned, fined and beaten, while he was refused warrants of search.¹¹⁰ The Commissioners of Customs responded favourably to Randolph's complaints, suggesting that the English government should ensure proceedings against anyone opposing His Majesty's officer in the execution of his duty, which was to seize any ships without certificates: "If any goods of Europe are imported into New England without certificates, Mr. Randolph has sufficient ground for seizure."¹¹¹ Yet the English govern-

¹⁰⁸Toppan, "Memoir of Randolph", Randolph Letters, I, 181.

¹⁰⁹Randolph Letters, III, 178-180.

¹¹⁰Ibid., VI, 99.

¹¹¹Ibid., VI, 110.

ment failed to take proceedings to bolster Randolph's authority.

Ignoring Randolph as the King's officer, Massachusetts established its own Naval Office and admonished him for "dirty and abusive reflections on the General Court and laws of this colony."¹¹² Undaunted, he reported to the Lords of Trade that: "Ships bound for Boston stay below the Castle till they have disposed of prohibited goods, and then enter at the colonial Naval Office."¹¹³ Then the Massachusetts magistrates openly challenged his authority in February, 1682, by drafting:

A Bill to appoint meet persons in our town and others, whoe shall have commission from the Governor under the Seale of the Collony to be sworne to the faithful of his trust, and they and only they, take entrys of all such ships and vessels which make illegal entry. Liberty of search to be given to any informer or officer deputed to receive entrys and to seize ships. ¹¹⁴

Randolph's complaint to the Commissioners of Customs in May, 1682, that ships came in from all parts to the new Naval Office, was hardly unexpected. In October of the same year, the General Court declared that Randolph was

¹¹²Ibid., III, 153-154.

¹¹³Ibid., 138.

¹¹⁴Massachusetts Archives, LXI, 234-235, quoted in The Glorious Revolution in America, ed. by Hall, Leder and Kammen, p. 21.

prosecuting one Timothy Armitage "for breach of a pretended law never published by order of this Court."¹¹⁵ Randolph himself added that Nowell "openly declared the 1673 Act of no force in New England."¹¹⁶ Such obstruction naturally forced Randolph to declare to the Lords of Trade:

I am able to do His Majesty little service in this place, till the Naval Office be made void . . . the General Court Faction want to maintain their laws and rights of making offices and hinder any person acting in their colony by a power not derived of themselves.¹¹⁷

It is understandable that he should consider the need for magistrates as loyal to the Crown as he was himself and to demand that Danforth be called to London to answer for his obstruction. Randolph had become "an intrusion of Royal power in Massachusetts and inevitable resentment resulted."¹¹⁸

At this point the English government became impatient with Massachusetts. Agents Richards and Dudley, summoned to England, declared to the Lords of Trade on August 24th, 1682, that laws against England were

¹¹⁵Randolph Letters, III, 212.

¹¹⁶Ibid., 127.

¹¹⁷Ibid., 139.

¹¹⁸Hall, Edward Randolph and the American Colonies, 1676-1703, p. 58.

"inadvertent."¹¹⁹ They refuted Randolph's charges against Massachusetts, particularly emphasizing that he was received as a royal officer, that he and any of His Majesty's officers were allowed to prosecute violations of the Acts of Trade. The Lords of Trade apparently accepted the truth of Randolph's complaints and agreed with his suggestion that a Quo Warranto be issued against the Colony.¹²⁰ Consequently, Randolph was again used as a Crown messenger in July 1683, being ordered to deliver the Quo Warranto by which the Charter had to be strictly enforced. No one was to hear cases against the Quo Warranto, except at private expense. For carrying out such orders Randolph was once more reviled. Increase Mather reputedly referred to him as "a mortall enemy to our country and a great knave."¹²¹ Randolph's brother, substituting for him at the time, feared for his own life when a constable had his head broken in helping in the seizure of a ship.¹²² It is hardly surprising that Randolph should now request that a frigate be sent to

¹¹⁹ Randolph Letters, III, 188.

¹²⁰ Ibid., 207.

¹²¹ Increase Mather's disputed letter to Gouge at Amsterdam, quoted in Randolph Letters, III, 312.

¹²² Randolph Letters, III, 249.

Boston to preserve order and enforce English law.¹²³

In 1684 Charles II finally revoked the 1629 Massachusetts Charter. Randolph's list of "misdemeanours" must have affected the decision. He had reported again, in 1683, the ways in which Massachusetts violated the Charter, particularly the religious laws which were repugnant to those of England, the setting up of the Naval Office, the misuse of the death penalty and illegal oaths. He also stressed the taxing of non-freemen, the purchase of Maine and the lack of enforcement of the Acts of Trade.¹²⁴ Samuel Nowell and Increase Mather had already voiced opposition to any surrender of the Charter. Nowell wrote emphatically to John Richards: "By our pattent we have full and absolute power to rule and governe, pardon and punish."¹²⁵ Increase Mather declared to the Massachusetts freemen: "We shall sin against God if wee vote an affirmative to it."¹²⁶ It

¹²³Ibid., 262.

¹²⁴Ibid., 299-300.

¹²⁵Massachusetts Historical Society, Collections, 5th Ser., I (1871), 434-435, quoted in The Glorious Revolution in America, ed. by Hall, Leder and Kammen, p. 23.

¹²⁶The Autobiography of Increase Mather, ed. by M. G. Hall, in American Antiquarian Society, Proceedings, 71 (1962), Part II, 307-308, quoted in The Glorious Revolution in America, ed. by Hall, Leder and Kammen, p. 23.

was this attitude which had prompted Randolph to write to Governor Bradstreet in February 1683, that protestations of loyalty to the Crown were hollow, and to point out that the Acts of Trade benefitted the colonies: "If you don't conform, His Majesty can exclude your shipping from that enjoyment."¹²⁷ It is significant of Randolph's wish to support the people of the colonies in their own interests, and as far as his own employed position permitted, that he should suggest to Bradstreet, in the same letter, that he was willing to work for royal pardon for Massachusetts, providing they were equally willing to ensure liberty of conscience and taxation only by popular consent. Was he such a miserable wretch and an enemy of New England? Obviously he was concerned for the well-being of the general populace, while also striving vigorously to do the job for which he was appointed by the English Crown. He could hardly have been in a bitter, anti-colonial mood, despite having recently received a letter from Danforth, which exhorted him to consider the dire consequence to be expected by one who did wrong to others!¹²⁸

The 1684 revocation of the Massachusetts Charter

¹²⁷Randolph Letters, III, 225.

¹²⁸Ibid., 227.

was an inevitable move, for which Randolph's reports were used to give credence. England needed to ensure stable colonial government to encourage investment by English financiers, to increase control over naval stores, and to ensure better defence against the French, whose threat to the fur trade was very real. There was a need to facilitate supervision of colonial laws regarding land holding, trade, justice, taxation, defence and liberty of conscience. Charles II had, by 1684, gained absolute sovereignty in England. If the Charter of the City of London could be revoked without a fight, why not that of a colony which usurped powers not granted in its Charter? Randolph tried to preserve the rights of the colonists in suggesting to the Privy Council that any new government should allow for elected assemblies in Massachusetts Bay, Charlestown, New Plymouth, and Maine. He also recognized the unsuitability of Colonel Kirke, the suggested new Governor, knowing that the colonists would refuse to be pushed around. John Dunton wrote deprecatingly of the colonists as "cheating all they deal with, despite a vein of pure gold amongst all that dross."¹²⁹ In contrast, Randolph, the supposed enemy of the people of New England, declared: "They are a great

¹²⁹Ogg, England in the Reign of Charles II, I, 684.

body of people, sober and industrious, and in time of war able to drive the French out of all their American colonies and be a good defence and relief to all His Majesty's foreign Plantations."¹³⁰ If he did not persist in his demands on behalf of the colonists to the point of antagonizing his employers and losing his job, was he so blameworthy? We are not dealing with a man prone to self-sacrifice on the altar of morality, particularly as interpreted by the New England clergy. If he appeared servile and self interested, despite his declared good opinion of the New England populace, he was certainly not alone. Palfrey considered the General Court was hypocritical in its servile acceptance of the Charter revocation because "material prosperity had introduced a degree of luxury which brought ambition and mean longings."¹³¹

The accession of James II in 1685 sealed the fate of New England. In 1684 he had been annoyed by Lord Halifax's objection to the refusal to maintain elected assemblies in New England.¹³² Consequently, in September

¹³⁰Randolph Letters, IV, 18.

¹³¹John Gorham Palfrey, History of New England (3 vols.; Boston: Little, Brown & Co., 1865), III, 378.

¹³²Toppan, "Memoir of Randolph," Randolph Letters, I, 244.

1685, James ordered a new form of government consisting of a President, Deputy President, and sixteen Councillors, who were to have authority over Massachusetts, New Hampshire and Maine. In 1686 Randolph landed in Massachusetts in the frigate "Rose," bearing the King's Commission. As a proved trusted servant of the Crown, he inevitably reaped a harvest of rewards. He was appointed Secretary and Registrar of the Council, "with fees, rights, privileges, profits, perquisites and advantages."¹³³ Randolph was also to be Collector, Surveyor and Searcher of Customs, Deputy Auditor, Deputy Postmaster and Surveyor of Woods. In the last named post he became particularly active in collecting much needed masts for the Royal Navy.

Randolph reported to the Lords of Trade those who were "fit men" to be Councillors, having already discussed the matter with Joseph Dudley, the appointed President of the new government. Randolph's own Commission as Registrar and Secretary of the Council, came directly from James II, whose interests he was paid to serve. Consequently, his main concern was to enforce Crown policy and report any breach of faith observed within the government, or any hindrance in the way of his carrying out duties, especially

¹³³Randolph Letters, IV, 50.

those connected with customs revenues.

At this point it is necessary to re-examine the question of the existence of a clear-cut "moderate party" which supported Randolph. In 1682, Randolph had named Richards as a supporter of the "faction," yet the electors rejected him in 1684, along with Joseph Dudley, very much favoured by Randolph at that time. At the same time, Cooke, Johnson and Hutchinson, who had figured in Randolph's list as unacceptable Deputies, were elected Magistrates in 1684. In effect, the lines between the diehard Puritan "faction" and those who appeared to oppose it, were still very blurred.

In 1685, Randolph's list of "fit councillors," included Wait and Fitz-John Winthrop, Richard Wharton and Samuel Shrimpton; whose names do not appear on any previous list of magistrates in the records of the General Court. Wharton had married into the Winthrop family, was a staunch Anglican and one of the biggest entrepreneurs in New England. Having visions of New York as a New England trading centre, he had supported the Navigation Acts as a basis for thwarting Dutch trade. Shrimpton was also an Anglican and rich landowner. Fitz-John Winthrop had entered London with General Monk in 1660 and was regarded as definitely pro-Royalist. He and his brother were concerned

with extending their prosperity through cooperation with the English government.

Also included in Randolph's list were men who had served New England for some years. Tyng was a member of a prosperous family and had been an Assistant for thirteen years. John Pynchon had merchant interests extending throughout New England and to the West Indies and England. Randolph's nominee Stoughton, was a landowner, but also a staunch Puritan preacher. He and Bulkeley, as agents in England in 1676, had been too conciliatory for the radical "faction" in Massachusetts, but had not supported Randolph's reports.

In sharp contrast, Randolph had named as a member of the "faction" not only the wealthy merchant Richards, but also Saltonstall, who had upheld the 1646 Child Petition and supported Bradstreet, the more moderate Puritan.

Randolph, in fact, misunderstood the situation. There had been no basic change since his first introduction to New England in 1676. His supporters were to prove faithless and completely self-interested, loyal to Crown commands only when it suited them. The fact that his so-called "moderate party" eventually deserted him, failed to deter Randolph from continuing his appointed task of serving the English Crown. Being left almost alone to carry out

his instructions, added to the misunderstanding to which he has been subjected.

It was Randolph's misfortune to find himself serving Joseph Dudley. In 1684 Dudley had supported the revocation of the Charter, and Randolph considered him to be a suitable person for the Governorship of all New England. Dudley certainly appears to have been over-ambitious. Having served in the Massachusetts General Court from 1673 as a Puritan freeman, he was not deterred from becoming an Anglican in order to serve in England in 1692 as Deputy Governor of the Isle of Wight. In the Magnalia Christi Americana Cotton Mather probably exaggerated Dudley's unpopularity, but Samuel Sewall confirmed that he was coldly received on his first appearance as President in May 1686.¹³⁴ His treatment of Randolph is indicative of his self-interest. He supported councillors who approved of any means of defying the representative of the English Crown. "I have pressed the making of strict orders to prevent irregular trade of this place," Randolph complained to the Lord Treasurer in August 1686, "but some of the Council are traders, and others, by marriage and otherwise, so nearly

¹³⁴Toppan, "Memoir of Randolph," Randolph Letters, I, 278n.

related, that interlopers are countenanced."¹³⁵ Despite the Commissioners of Customs' apparently hollow promise of assistance in the discharge of his duties, Randolph's letters at this time were full of complaints about obstruction. Dudley used his own nominees for Randolph's duties; he was threatened by constables and by Captain George of the frigate "Rose," who prevented his seizures of ships. Wharton accused him of intending to "enthral this people in vassalage,"¹³⁶ while Randolph himself stated: "I am by all accounted the sole enemy of the country."¹³⁷ The enmity of Wharton must have been particularly annoying to Randolph. Before 1683, along with Wait and Fitz-John Winthrop and John Pynchon, he had been happy to accept Randolph's assistance in advancing land claims in Narragansett country.

The Lords of Trade, in their insistence on the encouragement of Anglicanism, accentuated the antagonism towards Randolph. They asked him to give protection and assistance to Ratcliffe, the specially appointed Anglican Minister in Boston, but he had difficulty in establishing both an Anglican meeting house and financial support for

¹³⁵Randolph Letters, IV, 113.

¹³⁶Bailyn, The New England Merchants in the Seventeenth Century, p. 180.

¹³⁷Randolph Letters, IV, 65.

such worship. Although Samuel Sewall reported delight with James II's Declaration of Indulgence, he also confirmed Randolph's opinion that the people considered Anglicanism was Papist.¹³⁸ The summation of Randolph's understandable bitterness at this point, can be seen in his letter to the Archbishop of Canterbury, dated 7th July, 1686: "Such persons who reape particular advantages by the change of government, hate me for accomplishing it and are making parties and factions to misrepresent me to His Majesty."¹³⁹ Those who had desired power so badly, now resented the man who had supported them, while he merely performed the duties imposed upon him from England. Small wonder that Randolph should now look forward to the arrival of a new Governor who would undertake the task he had long advocated--governing the whole Dominion of New England.

The Royal Commission issued by James II to Sir Edmund Andros, marked the culmination of the seventeenth century struggle between the English Crown and the colonists. It vindicated the efforts of Randolph who, as the personification of English control, had been constantly

¹³⁸Toppan, "Memoir of Randolph," Randolph Letters, II, 16n.

¹³⁹Randolph Letters, IV, 91.

frustrated and impeded. The Andros Commission was, in effect, an oligarchy controlled from England. The Governor of the Dominion of New England, with the advice of his Council, was given power to make laws which were to be approved by the Crown, to levy taxes, establish Courts of Justice, appoint Judges, use Martial Law when necessary, guarantee liberty of conscience, regulate trade and grant unoccupied land titles for payment of quit rents. The Governor also had: "Full power and authority to suspend any member of our Councill from sitting, voting and assisting therein, as you shall find just cause for so doing."¹⁴⁰ Randolph was one of Andros' councillors as Secretary and Registrar, but was forced to leave his duties in May 1687, and thus paid dearly for his unpopularity. Andros also was to be judged harshly as "a man prepared to be as oppressive and offensive as the King desired."¹⁴¹

The new government was arbitrary, but not without some redeeming features. To the Puritans, the Law of God was more binding than that of England, whereas under Andros, the Governor and Council became the Supreme Court, and individuals gained the right of appeal to the King's Court,

¹⁴⁰The Glorious Revolution in America, ed. by Hall, Leder and Kammen, p. 26.

¹⁴¹Palfrey, History of New England, III, 577.

trial by jury being guaranteed. The touching of the Bible, marriage by ministers and Justices of the Peace, might have seemed contrary to colonial laws and customs. They were no more arbitrary than the old Puritan way of marriage by magistrates and the upholding of the hand when taking an oath. Under Andros, Randolph's idea of the enforcement of an oath of allegiance to the Crown was finally insisted upon.

Taxation was no longer approved by an elected assembly, but had not Randolph himself tried to insist on the continuation of such a body in any new government to be set up after the Charter revocation? The old assemblies had taxed land, demanded poll money and imposed Customs duties on wines, brandy and liquor. Andros increased the customs duties because he needed revenue, but the Lords of Trade, not Randolph, insisted on quit rents as an important source of revenue.

Ten years after Randolph's report that there was no liberty of conscience in Massachusetts, the Lords of Trade determined to destroy completely the Puritan hold on New England. They encouraged Andros to give special privileges to the Church of England in appropriating meeting houses, regulating the government of Harvard College and, wherever possible, founding non-denominational or Church of England

schools.

There has already been mention of Randolph's reports that the people of New England were prepared to defend themselves against the French and the Indians. The strong defensive measures of Andros fulfilled the expectations of the Lords of Trade. Viola Barnes, in The Dominion of New England considered his military policy to have been Andros' strongest point. In criticizing his dealings with the Indians, the New England rebels of 1689 displayed their basic antagonism towards another representative of the English Crown. Randolph was not entirely alone in suffering from misrepresentation and misunderstanding.

Reviled and thwarted in his attempts to enforce the Acts of Trade, Randolph had to witness the successful execution of those policies by the Andros government. Andros was able to wield the necessary power and authority to stop trade with Europe, suppress piracy, force officers to record goods imported and exported, to take out bonds and send successful reports to the Commissioners in England. This strict control deprived merchants of their free trading. It was, therefore, ironical that those who had appeared to support Randolph and a Royal Administration, in preference to the Puritan "Establishment," should be the ones to resent Andros and support the revolt against him in

1689. The Andros Tracts contain a "Declaration of the Gentlemen Merchants and Inhabitants of Boston," dated 18th April, 1689, complaining of the 1684 Charter revocation. Among the signatories were Bradstreet, Stoughton, Waite Winthrop, Gidney, and Shrimpton, all named mistakenly by Randolph in 1685 as "fit councillors for Massachusetts."¹⁴²

These same people complained of the Andros government's attitude towards the towns, which the central government tried to control by limiting their meetings to one a year, and by appointing a commission to act with Selectmen concerning town rates. There were equally loud complaints about excessive fees, because Andros insisted that judges should go "on circuit," as in England. Randolph was not in agreement with these excessive fees,¹⁴³ yet any such good points about him were pointedly ignored by his enemies. It was also alleged that decisions were taken by only a few councillors, and new laws were virtually decreed. On this point, it is significant that there were particular complaints against John West as Deputy Secretary to the Council. Randolph was not blamed for everything!

¹⁴²Randolph Letters, IV, 46.

¹⁴³Ibid., II, 32.

The main cause of the antagonism to the Andros administration was the question of land-holding and quit rents. The first objection concerned the basic concept of taxing land, especially without an elected assembly. At first the merchants did not oppose such taxes, but turned against Andros after they had "cashed in" on the opportunity to acquire land. Randolph, deprived of fees when he leased his appointment to John West, was also "guilty" of attempting to acquire land. Once more he was reviled and misinterpreted because, "in the minds of New Englanders, his aim and the government's became inextricably mixed in one evil design."¹⁴⁴

The land question was particularly complicated. The Lords of Trade had agreed with Randolph in 1684 that the use of quit rents for revenue was a sound idea. They now decided that Andros should raise revenue by quit rents on all new grants of land, and should unify the whole system of titles to land. According to the 1629 Charter, the Massachusetts Bay Company held land directly from the King and could sublet it to private persons and associations. Defects in titles arose when patents were not always issued under the seal of the Corporation. As towns developed, land

¹⁴⁴Hall, Edward Randolph and the American Colonies, 1676-1703, p. 114.

was distributed to the inhabitants and, with expansion, Indian land was acquired. A variety of titles and tenures existed in Maine, New Hampshire, Connecticut and Rhode Island. With the establishment of the Dominion of New England it became necessary to establish uniformity, but Andros had difficulty in persuading people to take out new titles to confirm their legal ownership. Many welcomed such security, but in Massachusetts and Plymouth particularly, the new policy was regarded as a threat, a means of depriving people and towns of their land. Viola Barnes in The Dominion of New England contends that the Puritans regarded the land as belonging to God, not the King, so that any rules pertaining to land-owning were certainly not those from England. Wealthy merchants who had acquired land hated Andros when they found insecurity of titles caused depreciation of value. They also resented the payment of fifty pounds for confirmation of land titles.

If land was under-developed and there was no specifically affirmed title to it, there was no legal reason why any individual should not petition for it. There were, in fact, two hundred applicants for patents during the Andros administration. Fitz-John Winthrop held land on a quit rent basis, Palmer and West laid out lots for themselves, Sewall and Shrimpton were wealthy merchant

landowners. Dudley and Stoughton got eight square miles in Nipmug County, and Dudley's houses in Roxbury were free of rents.¹⁴⁵ Nevertheless, it was Randolph, the reviled English civil servant, who was singled out for condemnation because he followed the trend:

Nothing else that he did was more severely condemned by Puritans than his attempt to acquire land at the expense of the colonists. He seemed to them to be a prince of beggars, seeking to exploit New England for personal profits.¹⁴⁶

In 1687, Randolph had petitioned for land belonging to the town of Lynn, whose inhabitants complained of expenses incurred in defending themselves before the Council in Boston. He also petitioned for land in Rhode Island and for seven hundred acres near Watertown. It should be emphasized that misunderstanding arose from differences in interpretation of the word "town." Randolph considered that "town" indicated incorporation as involved in the rights of an English borough, hence his objections to Lynn's counter-petition. He reported in good faith: "The town (of Lynn) was not incorporated with power of receiving or

¹⁴⁵Toppan, "Memoir of Randolph," Randolph Letters, I, 50.

¹⁴⁶Viola Florence Barnes, The Dominion of New England: A Study in British Colonial Policy (New York: Frederick Ungar Publishing Co., 1960), p. 198.

dispensing such land . . . it is equal to a village in England and not otherwise."¹⁴⁷ The overthrow of Andros prevented any further petitions for land.

To the Massachusetts Puritans, the 1689 Glorious Revolution appeared to be the work of God, releasing them from a biblical captivity. Increase Mather was already in England petitioning James II against Andros' taxation, administration of justice and land policy. The fact that he was supported by Wharton proved how much Randolph had been deluded into relying on any support for Crown control over New England. After the overthrow of James II, Mather turned his attention to William of Orange, obviously having no conscience about switching his obsequiousness from a Catholic to a Protestant ruler, as long as either would serve the interests of Congregationalism in Massachusetts. Before any new Charter could be offered, news of William's successful landing in England had reached Boston. It was the signal for the overthrow of Andros. He and his associates were gaoled by the rebels. Opinions about the rights and wrongs of the Dominion of New England and its Governor were freely bandied about.

Andros himself admitted to the encouragement of the

¹⁴⁷Massachusetts Archives CXXVI, p. 176, quoted in Randolph Letters, IV, 171.

Church of England, grants of vacant land, the use of judges on circuit, the enforcement of the Navigation Acts and the subjection of Indians.¹⁴⁸ Supporting him was "New England's Faction Discovered": "It is most plain that the subverters of the Governor had no manner of regard to Their Majesties' interest or service."¹⁴⁹ Equally pro-Andros are some accounts in the Andros Tracts:

He was fast building up a party here of those who wished to assimilate Massachusetts to other portions of the British Empire, . . . he was faithful to his employer, conscientious in his religious belief, an able soldier and of great administrative abilities.¹⁵⁰

John Palmer, imprisoned with Andros, wrote: "Andros did not act illegally, he allowed religious choice and the benefits of the laws of England, did not compel anyone to change land titles, and never passed decrees without a quorum of councillors."¹⁵¹ These protestations were smothered by the objections of the anti-Andros councillors, who were now joined by Randolph's particular enemies, Danforth, Richards and Cooke.

¹⁴⁸W. H. Whitmore, ed., The Andros Tracts (Boston: The Prince Society Publications, 1868-1874; Washington, D.C.: Microcard Editions Inc., n.d.), III, 137-139.

¹⁴⁹Narratives of the Insurrections 1675-90, ed. by Charles M. Andrews, p. 266.

¹⁵⁰The Andros Tracts, I, 37.

¹⁵¹The Andros Tracts, I, 39.

The now well-established pattern of antagonism towards Randolph continued. As early as November 1688, he had written to Penn: "Mr. Mather and anti-monarchical men are complaining against me."¹⁵² Samuel Prince proclaimed against "that devil Randolph," and Perry's account of the 1689 revolution in Boston suggested that "all mouths were opened against Mr. Randolph for being solely instrumental in condemning their Charter."¹⁵³ Specific charges against Randolph were not untrue. He had suggested quit rents, claimed land, and had been a member of a Council which raised money without the assent of an elected assembly. Yet there is no evidence that he had "evil designs against New England."¹⁵⁴ The opinion he expressed to Blathwayt that "this people are rivetted in their ways and I fear that nothing but necessity or force will otherwise dispose them,"¹⁵⁵ merely reinforced his previously expressed opinion that the English government should send a frigate to keep order and bolster his authority. Puritan leaders referred to Randolph as: "The very man whose lyes and clamour and

¹⁵²Randolph Letters, IV, 250.

¹⁵³Narratives of the Insurrections 1675-1690, ed. by Charles M. Andrews, p. 189.

¹⁵⁴The Andros Tracts, I, 161.

¹⁵⁵Randolph Letters, V, 223.

maliciousness were unwearied."¹⁵⁶ "The Boston Declaration of Grievances" contained no specific mention of Randolph, except for an oblique reference to "preferments principally on such men as were strangers to and haters of the people," and the gaoling of "those few ill men, the grand authors of our miseries."¹⁵⁷

It would have been understandable, in view of all this malice, had Randolph complained about it and defended himself. However, he confined himself to complaints about the miserable conditions in the Boston gaol, particularly for Andros. Significantly, the only personal cry for help came to William III, not from Randolph, but from his wife, who needed her husband's release from gaol to ensure maintenance for herself and five children.¹⁵⁸ Randolph's letters show more concern about the bad effects of the inept interim government for both the colonies and the Mother Country.

The interim government, under the governorship of Bradstreet, then ninety years old, consisted of all the New

¹⁵⁶The Andros Tracts, I, 161.

¹⁵⁷Narratives of the Insurrections 1675-1690, ed. by Charles M. Andrews, pp. 175-182.

¹⁵⁸Randolph Letters, IV, 282.

Englanders who had served with Andros, except Dudley, five "die-hard" Puritans, including Danforth, and five merchants who had no previous experience in office.¹⁵⁹ This "coalition" of the so-called moderates, the old style Puritans and the merchants, proved that Randolph never had any substantial support in New England and carried his burden of enforcing Royal Commands entirely on his own shoulders.

This government had no funds to cope with dangers from the French and the Indians and Randolph showed particular concern for the apparent ruin of all he had striven for concerning the enforcement of the Acts of Trade. As early as May 1689, he wrote from gaol to the Archbishop of Canterbury: "They have sett at liberty seven pirates after destroying and taking eight ships."¹⁶⁰ In July of the same year he complained to Blathwayt of "no law, no courts, no justice in government, all crying out against the Acts of Trade."¹⁶¹ In October he informed Blathwayt of the need for a new Charter because the conditions of government were

¹⁵⁹ Richard S. Dunn, Puritans and Yankees: The Winthrop Dynasty of New England 1630-1717 (Princeton, New Jersey: Princeton University Press, 1962), p. 259.

¹⁶⁰ Randolph Letters, IV, 270.

¹⁶¹ Ibid., 283.

"the worst ever."¹⁶² To the Bishop of London, Randolph proclaimed that only force could bring about relief from the miserable situation in which New England found itself. He believed that the Acts of Trade should be enforced, so that:

. . . these people may be reduced to that confederation in trade as Their Majesties' subjects in England and the Plantations, which highly tend to the increase of the trade of this nation and the preservation of Their Majesties' Plantations in America.¹⁶³

By December 1689, he could list thirty-nine ships which had traded directly in Scottish manufactured goods, fish, wine, brandy, French linen and tobacco.¹⁶⁴

Randolph was concerned that New England had become "an easy prey to French vessels at Quebec . . . while the Acts of Trade are laid asleepe."¹⁶⁵ In December 1689, he wrote desperately to Blathwayt that he feared "this country will soon be overrun by the French unless speedy relief be sent from England."¹⁶⁶ As no notice was being taken of Indian attacks on Maine, he was very concerned about the

¹⁶²Ibid., 303.

¹⁶³Ibid., V, 37.

¹⁶⁴Ibid., 39-44.

¹⁶⁵Ibid., VI, 294.

¹⁶⁶Ibid., 323.

continuing supply of masts for the Royal Navy.¹⁶⁷

Randolph was naturally incensed that his old enemy, Danforth, should have set himself up as the champion of liberty. Randolph reported to Blathwayt about the branding of a young woman, a fine without indictment on a Mr. Cutter of Charlestown, the hanging of one man and the branding of another, in an attempt to force the payment of rates in Boston.¹⁶⁸

England's reaction to the rebellion of her North American subjects was slow, because William III was engrossed with the subjugation of Scotland and Ireland, as well as his continuing struggle against Louis XIV. A Royal decree ordered the release of Andros, Randolph and their fellow prisoners, but a permanent settlement of the North American colonial problem was delayed until 1691.

On his return to England from gaol, what could Randolph consider he had achieved? During the existence of the Dominion of New England he had witnessed the vindication of his efforts to enforce the Acts of Trade and to bring New England into line with a broad concept of Empire. The question which loomed large in 1690 was whether England

¹⁶⁷Ibid.

¹⁶⁸Ibid., 326.

would abandon the policy for which Randolph suffered personal malignment and laboured hard and long to enforce. Of particular personal concern to Randolph was whether the new English Monarch would believe the malicious reports about him and abandon such a proved, trusted servant, who had weathered storms of financial insecurity and threats to his personal safety in the service of the Crown. The answers lay in the policies pursued from 1690 to the end of William III's reign in 1702.

CHAPTER IV

AUTHORITY RESISTED, 1691-1702

On his return to England after release from gaol, Randolph was exonerated of the charges laid against him by the 1689 Boston rebels. By this time his North American post had been given to one, Jaheel Brenton, and he entered a period of frustration. Eager to get back to his main mission in life--helping to bring the North American Colonies into the orbit of a great imperial concept--Randolph chafed against the interim tasks allotted to him. In August 1690, he was in Ireland with William III, then back to England searching out smuggled merchandise in the London Docks. Once a new Charter was granted to Massachusetts in October 1691, he was able to return to North America as Surveyor-General, with authority to inspect activities of all customs officers, examine books and accounts, and make search for illegal goods. In December of the same year, he became Deputy-Auditor for Maryland.

William III and his advisers, meanwhile, were hedging about a solution to their colonial problems. No

master plan was produced, it evolved as a matter of compromise. William III was engrossed in the struggle against Louis XIV, but an exhausted treasury created the need for some decision which would yield the necessary funds for the continuation of the war. One source on which the merchants of London insisted was customs duties, which the colonies should not be allowed to evade. The basis of any meaningful policy had to be a governmental settlement in the colonies which, in 1689, had revolted against imposed English control.

The Lords of Trade, conscious of the need to control the North American Colonies as a bulwark against the French, were not disposed to restore self-government in Massachusetts. From April 1690 to the final agreement on a new charter in October 1691, they resisted the demands of Increase Mather, who succeeded in maintaining the sympathetic ear of William III. The King listened to Mather's plea: "They have an humble confidence that through Your Majesty's goodness, they shall be made happy in having their auncient privileges restored to them, which will cause your subjects there to be your servants forever."¹⁶⁹

¹⁶⁹The Glorious Revolution in America, ed. by Hall, Leder and Kammen, p. 75.

The 1691 Charter provided for a Governor, Deputy Governor and Secretary as King's appointees, plus twenty-eight elected Assistants. A new General Court was to consist of the Governor, the Assistants, and two representatives from each town, elected by forty shilling freeholders. Eighteen Assistants were to come from Massachusetts Bay, three from Maine, four from New Plymouth and one from between the Sagadahoe River and Nova Scotia. The Governor and Assistants were to appoint Judges and Sheriffs and administer oaths. Liberty of conscience was guaranteed, but in effect the old Puritan oligarchy was able to regain control of the General Court, despite the fact that the new franchise regulations spelled the beginning of control by aristocratic moderates instead of the theocrats. The Charter was, in effect, "a compromise between an independent theocracy which had developed out of the government of a trading company, and the Dominion of New England."¹⁷⁰ William III needed Puritan support against the French, and the section of the Charter which provided for the enforcement of the Acts of Trade, was unlikely to succeed unless the English Government was prepared to enforce it. Was Randolph once more to be a scapegoat, or would inevitable

¹⁷⁰Barnes, Dominion of New England, p. 273.

developments demand the use of his services and vindicate his ideas for control over the Colonies, both for their benefit and that of the Mother Country? This time, other colonies became as resentful of his zeal as Massachusetts Bay had been.

In the spring of 1692, Randolph arrived in Virginia and journeyed thence to Maryland, where he found himself in a familiar situation--he was immediately opposed by the established government. Governor Copley was apparently siding with the local customs officers who were avoiding the trading regulations imposed from England. Blackiston, officially in charge of customs collections, would not show Randolph his books and had already cleared ships illegally. Randolph found him "a great stickler for Scotchmen who got encouragement on the Potomack River."¹⁷¹ In June 1692, Randolph also complained to Blathwayt that Copley had not received him well and that the revenue of the government was to be managed by him: "In their Navigation Laws, no person appointed to be Receiver or Treasurer but himself and all money to be paid by this order."¹⁷² Randolph's first accusation against Copley expressed to Blathwayt in

¹⁷¹Randolph to the Commissioners of Customs, 27th June, 1692, Randolph Letters, VII, p. 360.

¹⁷²Ibid., 573.

May 1692, had suggested actual treason: "In his cupps he told me he was a great enemy to King William and Queen Mary and the Maryland Council included Scottish and Irish who were open abettors of the illegal trade."¹⁷³ Understandably, Randolph suggested the need for English appointed Customs Officers and a Court of Exchequer, because he estimated a revenue loss of twenty thousand pounds in Maryland and Virginia. There was nothing underhanded in the way Randolph carried out his duties. He wrote himself to Copley: "Some officers have not done their duty."¹⁷⁴ Nor did he hide from Blathwayt what he considered to be the perquisites of the Governor of Maryland, "such as fourpence a gallon on liquor imported from the West Indies."¹⁷⁵ These opinions were underlined in his letter dated 17th July, 1692: "Copley is for driving his private interests."¹⁷⁶ Randolph was well aware of the unpopularity he was courting, warning Blathwayt: "You will receive articles against me from Maryland because I was diligent in prosecuting

¹⁷³Ibid., 354.

¹⁷⁴Ibid., v, 75.

¹⁷⁵Ibid., VII, 392.

¹⁷⁶Ibid.

seizures."¹⁷⁷

Copley's opinion of Randolph reached the Lords of Trade late in July 1692. It compared with that of the Massachusetts Puritan establishment by way of antagonism towards one who was carrying out orders from a source of power which was abhorred. Copley referred to Randolph's haughty behaviour and deportment: "Under the specious pretence of his zeal of Their Majesties' service . . . his insolent and too well-known behaviour . . . his hot and inveterate braine . . . so turbulent a man as he is."¹⁷⁸ He complained that Randolph was "averse to any authority but his own, seeking to propogate his own interests above that of Their Majesties', consorting with Their Majesties' enemies, and seizing vessels to his own advantage."¹⁷⁹ Copley consequently contrived to obtain Randolph's arrest. The Lords of Trade's answer was to demand Randolph's release, which was the least they could do for one whose unpopularity stemmed from their orders. Randolph was obviously right in suspecting that his Massachusetts enemies had already misrepresented him in Maryland.¹⁸⁰

¹⁷⁷Ibid., 384.

¹⁷⁸Ibid., v, 82-97.

¹⁷⁹Ibid.

¹⁸⁰Ibid., VII, 384.

Randolph's reports of other colonies showed little variation on this theme. They all opposed English trading policy and inevitably hated Randolph as its personification. His post of Surveyor-General took him along the entire Eastern American seaboard between 1692 and 1695. He complained of "arbitrary management in South Carolina,"¹⁸¹ that Pennsylvania "harboured privateers and was a haven for debtors from New York."¹⁸² From New York he reported: "I have given the Commissioner of Customs an account of eleven hundred and seventy-four pounds ten shillings and one penny, due to His Majesty for customs in Maryland, Pennsylvania and New York."¹⁸³ In Boston he found that Phipps refused to show his accounts and most sailors were Scottish.¹⁸⁴ From Virginia he reported "the leaving off of growing tobacco and woollen cloth."¹⁸⁵ In 1693 he calculated that his supervision of customs collections in that colony could net five thousand pounds per year for the Crown, yet his authority was still lacking the necessary authoratative backing from England: "Not in my power to rectifye great

¹⁸¹Ibid., 395.

¹⁸²Ibid., 398.

¹⁸³Ibid., 408.

¹⁸⁴Ibid., 447.

¹⁸⁵Ibid., 448.

abuses in trade, the collectors here regarding more their own fees than Their Majesties' interest and care . . . they give security and false certificates."¹⁸⁶ No doubt there were echoes of the pre-1689 Massachusetts General Court in his mind, when he reported in October 1693, that the Virginia House of Burgesses would not pass acts about illegal trade because "they fancy themselves as great as the House of Commons in England."¹⁸⁷ His letters to Blathwayt continued into 1694 in this vein of complaint concerning evasion of English trading laws. Randolph reiterated his idea that only force could accomplish what he was apparently failing to do--bring the Colonies into line with the English concept of Empire.

Reports about evasions of the Navigation Acts were not confined to Randolph. The Commissioners of Customs had letters from Valentine Prowse listing twelve ships which traded to and from Scotland, between April 1695 and December 1696.¹⁸⁸ Dyre, Customs agent in Pennsylvania in 1685, complained of ships illegally exporting tobacco and

¹⁸⁶Ibid., 447.

¹⁸⁷Ibid., 448.

¹⁸⁸Great Britain, House of Lords MSS, New Series, II-IV (London, 1903-1910), II, pp. 462-466. Letters to His Majesty's Commissioners of Customs in London concerning Illegal Trade.

of "injustice, being imprisoned and damages given against me."¹⁸⁹ In letters dated 1686 and 1687, a Mr. Mein, Customs Collector, complained of the importing of prohibited goods in East Jersey and that in Pennsylvania, officers had no assistance from the Governor.¹⁹⁰ Thomas Meeche was not allowed to use his official power to deal with a ship from Scotland which arrived in West Jersey with false certificates.¹⁹¹ Similar judicial obstruction was reported from Carolina: "The Governor doth obstruct and perplex all persons employed by the Commissioners."¹⁹² The Commissioners of Customs also obtained a list of fifteen vessels which loaded tobacco in Pennsylvania between 1688 and 1695, but none delivered cargo to England, Wales or Berwick as the law demanded.¹⁹³ These examples are a few of many in the same vein and are sufficient proof of the truth of Randolph's complaints. Randolph went further than other officers and added suggestions to remedy these situations, refusing to give up his efforts so long as the English

¹⁸⁹Ibid., 462.

¹⁹⁰Ibid.

¹⁹¹Ibid., 465.

¹⁹²Ibid., 466.

¹⁹³Ibid., 462.

Government maintained its confidence in him. This was once more expressed by the Board of Trade in February 1695: "Mr. Randolph, having behaved himself with great care and diligence in discharge of his trust, is well deserving of His Majesty's favour."¹⁹⁴

By 1695 the situation was reaching a point where the English Government was forced to take more decisive action. The question which concerns us here is whether they adopted a brand new approach, or merely reinforced the mercantilist policy embodied in the 1660 Navigation Act. In addition, did they listen to Randolph and adopt measures which he had repeatedly advocated? If so, were they about to prove that he had suffered unjustifiably, had, in effect, been constantly misunderstood?

English merchants were pressing for a more definite control over the colonies. In December 1694, the Bristol merchants complained of the direct carrying of commodities to Scotland and Ireland in defiance of Charles II's Navigation Act of 1660. They petitioned the English government "provide such remedy against this growing evil as they shall think fit."¹⁹⁵ One month later, a similar

¹⁹⁴Randolph Letters, VII, 479.

¹⁹⁵Proceedings and Debates of the British Parliaments Respecting North America, ed. by Leo Francis Stock, II, 104.

petition was presented by the Liverpool merchants. In February 1695, there was another from "divers English merchants, owners, builders and masters of ships, and other persons concerned in shipping and navigation, on behalf of themselves and many thousand families immediately depending on foreign trade and commerce of this Kingdom."¹⁹⁶ The Commissioners of Customs were equally concerned about the situation because it reduced the King's revenue. In 1693 alone the King had lost fifty thousand pounds through direct trading by twelve ships between Scotland and North America.¹⁹⁷

This pressure was understood by many prominent merchants and others close to the Crown. During William III's frequent absences, the Lords of Trade had apparently become apathetic and indolent. In 1692, the Earl of Mulgrave recommended a select body of advisers, a standing committee, to deal with the Plantations. John Cary, prominent Bristol merchant, was eager for a new council which would be representative of ports other than London. In 1695, Charles Davenant complained: "The negligence in protection of trade is depriving ourselves of strength and

¹⁹⁶Ibid., 207.

¹⁹⁷Ibid., 111.

adding it to the enemy."¹⁹⁸ John Evelyn and James Whiston also suggested the need for a new Body to control trade. The outcome was the Lords Commissioners of Trade and Plantations, or the Board of Trade. This Body prepared representations to the King and sent reports to both Houses of Parliament. It was to be the task of this Board to strengthen the customs service and give increased powers to English officials operating in the colonies: "It translated the demands of English economic interests into orthodox mercantile policy."¹⁹⁹

The setting up of a new committee was insufficient. William III ordered them, under the direction of the Earl of Bridgewater, to make a comprehensive enquiry into:

The present condition of our respective Plantations, as well with regard to administration of Government and Justice in those places as in relation to the Commerce thereof and also to enquire into limits, style and products of our several Plantations and how the same may be improved . . . and maybe rendered most useful and beneficial to our said Kingdom of England. Look also into instructions to Governors, examine and weigh Acts of the Assemblies and how money spent, what staples and manufactures

¹⁹⁸ Andrews, The Colonial Period of American History, IV, 284.

¹⁹⁹ Provincial America, 1600-1763, ed. by Bradley Chopin, Vol. I of Sources in American History, ed. by George H. Knoles (10 vols.; New York: The Free Press, 1966, London: Collier-Macmillan Limited, 1966), p. 131.

may be best encouraged there and report on naval stores.²⁰⁰

It is interesting to compare these commands with those given to Randolph by Charles II in 1676. Powers of governors, laws of trade, numbers of ships, taxes and the question of loyalty of members of elected assemblies, had all been included.²⁰¹ If English control had proved ineffective in the intervening twenty years, the fault lay, not with Randolph, but with lack of authoratative enforcement from England, whose governments proved insufficiently strong to establish real Imperial control. Randolph's complaints of obstruction by the Massachusetts Government were not silenced by Danby's detailed Commission of 1678, nor by the revocation of the Massachusetts Charter in 1684. Andros successfully enforced England's mercantile policy because he headed a strong, royally-imposed government over the whole of New England. After 1691 the relaxation of such strong Crown control reproduced the earlier situation in which Randolph was the lone enforcer of mercantalism.

At the end of 1695, Randolph was asked to submit "a Memorial" to the Commissioners of Customs, making

²⁰⁰House of Lords MSS, New Series, II, 442, William III's Commission to the Board of Trade, May 15, 1696.

²⁰¹Supra, p. 26.

suggestions for more effective control over the colonies in North America. Directly or indirectly, he affected imperial policy and had special commendation for his task. The Commissioners reported: "Several things which by his skill and industry has been discovered . . . his paper is a matter of great moment."²⁰² Randolph was fearless in pointing out that England had created her own problems by the Scotch Act of 1695. It might have been intended mainly for trade with Africa and the Indies, but by allowing trade with North America, it enabled Scotsmen, already established in South Carolina and Eastern New Jersey, to claim English citizenship and embark on illicit trade. Randolph pointed out that they were allowed to trade in tobacco and sugar and many colonial governors favoured the Scotch trade: "Scottish merchants, by evading customs, sold at a cheaper price."²⁰³

Randolph's suggestions for changes in colonial government were basically the same as those he had previously suggested--take the colonies entirely under Crown control. He suggested mergers to bring about Royal

²⁰²House of Lords MSS, no. 115, Commissioners of Customs' report to the Lords Commissioners of the Treasury, January 17, 1695/6.

²⁰³House of Lords MSS, no. 1115 c.c., House of Lords MSS, New Series, II, 488, Randolph's Paper concerning the Scotch Act and Its Effects, March 1696/7.

supervision, such as West Jersey joining Pennsylvania "under a governor qualified to uphold the Acts of Trade."²⁰⁴ He was particularly scathing in his account of illegal trade in Maryland, Virginia and Pennsylvania. He found jurors partial to offenders, no penalties for forgeries and false certificates, no collectors going aboard ships to check them and "governors permitting privateers of all nations to be owners and masters of vessells."²⁰⁵ His suggested remedies included the establishment of Courts of Exchequer in all Plantations with judges and an Attorney-General appointed by the King, printed certificates from all ships and "Scotsmen bringing in goods to be accounted aliens."²⁰⁶ The Commissioners responded to his Memorial by suggesting the need for a new Act of Parliament. They agreed to the setting up of special courts to deal with the partiality of juries and that government officers should board ships. It is especially interesting to note that they considered the use of warships to aid the enforcement of customs dues. Randolph had repeatedly made this practical suggestion and,

²⁰⁴House of Lords MSS, no. 115, House of Lords MSS, New Series, II, 444-448, Randolph's Memorial to the Commissioners of Customs, December 7, 1695.

²⁰⁵Ibid.

²⁰⁶Ibid.

to this point, it had been ignored.

While a new Bill concerning the colonies was being drawn up and debated, the Commissioners despatched a letter to the governors of Virginia, Maryland, New York, Pennsylvania, Massachusetts Bay, the Carolinas, and the Carribean Islands, concerning the Scotch Act.²⁰⁷ They were asked to see that all officers pursued duties strictly according to the laws of England relating to the Plantations. Customs officers should be men of integrity, lists of ships should be sent to England every three months and any not certificated should be prosecuted. There was mention of the many reported frauds, therefore the governors were reminded of the 1673 Act of Trade and ordered to help collect custom duties.

In April 1696, Royal Assent was given to the "Act for Preventing Frauds and Regulating Abuses in the Plantation Trade." The preamble states the Act was necessary because, despite previous acts: "Great abuses are daily committed to the prejudice of the English Navigation and the losse of a great part of the Plantation Trade to the Kingdom, by the artifice and cunning of ill-disposed

²⁰⁷House of Lords MSS, New Series, II, 478.

Persons. For remedy thereof for the future . . ."²⁰⁸ The Act reiterated the provisions of previous Navigation Acts concerning the use of English ships and mariners, adding that colonial governors must take an oath to enforce the trade regulations, or be removed from office and pay a fine of one thousand pounds. In addition, the Plantations were to accept customs officers who would have rights of search and seizure. They were also to set up Vice-Admiralty Courts to try offenders. The English Commissioners were now to appoint officials of customs, "in any Towne, River Port, Harbour or Creeke of or belonging to any of the Islands, tracts of land and Proprieties where and as often as to them shall seeme needfull."²⁰⁹ There was special mention of "frauds and abuses committed by Scotchmen and others in the Plantation trade, by obtruding false and counterfeit certificates on Governors and Officers in the Plantations appointed by His Majesty's Commissioners in England."²¹⁰

This Act, along with the establishment of the Board

²⁰⁸House of Lords MSS, Statutes of the Realm, VII, 103.

²⁰⁹Ibid., 104-107.

²¹⁰Ibid.

of Trade, "enhanced and clarified the authority of the Crown in colonial affairs."²¹¹ It was equally "a turning point in English relations with the colonies in the face of fear of French and Dutch supremacy in trade."²¹² Colonial and commercial leadership had become a necessity. England should now be able to ensure it through the use of a more efficient customs service, the Vice-Admiralty Courts and the general supervision of the Board of Trade. Professor Andrews points out very strongly that the newly enforced regulations were meant to benefit the colonies themselves. The Vice-Admiralty Courts guarded the rights of seamen, defending them against such problems as brutality of masters and poor wages.²¹³

To a very great extent this Act was a vindication of Randolph's previously expressed ideas and of the methods he employed in his attempts to enforce the Acts of Trade and keep the colonies bound to England. As early as 1682, he had complained about there being no law to back up the breaking open of warehouses to search for prohibited goods.

²¹¹Hall, Edward Randolph and the American Colonies, 1676-1703, p. 165.

²¹²Andrews, The Colonial Period of American History, IV, 157.

²¹³Ibid., 251-252.

In the same year he complained that Massachusetts had its own naval officers in the absence of any direct appointment by England. Vice-Admiralty Courts had long been suggested, especially in view of his bitter experiences with prejudiced jurors. In accordance with his views on the necessary efficiency of appointed customs officials, the Customs Commissioners instituted a scheme for their training.²¹⁴

Vindication of Randolph's ideas was not confined to the provisions of the 1696 Act. The Commissioners of Customs added further vindication and confidence by using his services extensively. Had they believed previous colonial reports of scurrilous behaviour and self interest, they would surely have turned elsewhere for the task of administering oaths to His Majesty's Governors in the Plantations. In July 1696, Governors were ordered to:

Take solemn oath to do their utmost that all clauses and matters and things contained in the Act of the twelfth year of Charles II, and all other laws which have been since made for better regulating and securing the Plantation trade and now in force, and that all the clauses contained in the present Act shall be punctually and bona fide observed . . . this oath to be taken before

²¹⁴Ogg, England During the Reigns of James II and William III, p. 319.

persons appointed by His Majesty and thereby authorised to administer same.²¹⁵

Randolph was used for this task in Virginia, Maryland, New York, Massachusetts Bay, Bermuda and the West Indian Islands. William III, adding Royal authority, issued a special order that any neglect of instructions would be:

Looked upon as a Breach of the Trust reposed in you by us and we shall punish with the loss of your place . . . and such further marks of our displeasure as we shall judge reasonable to be inflicted on you for your offence against us in a matter of this consequence.²¹⁶

The Customs Commissioners wrote to the House of Lords that Randolph was the most acceptable person to send to North America at this time. Many other officers were inexperienced and Randolph could "dispose and settle them in their respective places and give them proper instructions."²¹⁷ In April 1697, the Board of Trade asked Randolph for frequent accounts of proceedings: "Their Lordships are sensible of your great knowledge and experience relevant to the advantage and improvement of

²¹⁵House of Lords MSS, no. 1115, Commission for Managing and Causing to be Collected His Majesty's Customs and Subsidies, 17th July, 1696.

²¹⁶House of Lords MSS, Journals of the House of Lords, XVI, 107a.

²¹⁷House of Lords MSS, no. 1115 (iv).

His Majesty's colonies."²¹⁸

This time marked the zenith of Randolph's career because he was now given responsibility supported by authority, his ideas were officially accepted and his opinion still sought after. Early in 1697, he was asked to report on the Plantations which were independent of the King's Government and make his own observations and suggestions. Every section of his report emphasized illegal trade and piracy. There were additional complaints such as: "Judges not legally qualified and customs officers don't get justice in Pennsylvania . . . the Governor of the Jerseys, a great favourer of Scotch traders."²¹⁹ Reporting on Massachusetts Bay he suggested that the Governor could do little because of the people's choice of councillors, "chief whereof illegal traders," and he was again concerned about that colony's lack of defence against French and Indians. His conclusion shows no change in his opinions since the 1680's. Yet again he advocated Royal Government for the benefit of the colonies as well as of the Mother Country:

²¹⁸Randolph Letters, VI, 527.

²¹⁹House of Lords MSS, no. 1115(iv) Randolph's List of Plantations Independent of the Government of His Majesty, 20th February, 1696/7.

Otherwise the Act for Preventing Frauds and Regulating Abuses in the Plantation Trade will be ineffectual against the Scotch Act; nor can there be any security against an enemy without a due concurrence of power to be invested in His Majesty, the proprieties being independent one of the other.²²⁰

William Penn vigorously denied Randolph's reports about Pennsylvania, stating that they prohibited the importing of tobacco, Governor Markham did not pay the pirates and the judges and the Attorney-General were honest.²²¹ Here is a typical example of personal prejudice. Randolph was persistent in his reports about colonial evasion of the law, while Penn mentioned no objections to similar reports from Patrick Mein and Thomas Meeche.

The specific and lengthy instructions issued by the Commissioners of Customs to officers going to America in 1697, with the approval of the Board of Trade, supply further vindication of Randolph's ideas and efforts. As Surveyor-General, he had to attest all their accounts which each had to keep meticulously. They were commanded to "collect the rates, duties and impositions payable to His Majesty, examine all certificates carefully, be diligent in

²²⁰Ibid.

²²¹House of Lords MSS, no. 1115(s), William Penn's Answer to Mr. Randolph's Charges, 1st March, 1696/7.

execution of the powers and authorities given you for searching and seizing of ships and entering warehouses."²²² They were warned that they themselves would be subject to penalties for frauds and concealment and finally told: "You shall be very active and industrious in discovering frauds and prosecute the offenders."²²³

On the surface it would appear that Randolph could easily enforce British policy now laid down with some specific authority. He might also have decided, justifiably, that his task was completed and he might retire to England as he approached the age of seventy years. Events were to prove that his task was not completed and despite the physical and financial odds against him, he continued as Surveyor-General from 1698 to 1700, as already requested in December 1696. "Affairs relating to trade greatly suffer in the Plantations in my absence . . . my service is absolutely necessary to see Acts of Trade, especially relative to the Scotch Act, duly executed."²²⁴

From 1698 to 1700 Randolph's regular reports,

²²²House of Lords MSS, no. 1115 (b.b.), Instructions to Officers Going to America, 15th March, 1696/7.

²²³Ibid.

²²⁴Randolph to the Board of Trade, Randolph Letters, V, 160-161.

requested by the Board of Trade, bristled with examples of piracy, deliberate neglect of duty by customs officials, miscarriages of justice and the disloyalty of various colonial governors. As early as the spring of 1698, he reported to Popple that Markham of Pennsylvania: "Values neither oath nor Acts of Parliament so he may gett money; Mr. Webb at Providence has forgot his oath, seizing and discharging vessells as he pleases."²²⁵ In Rhode Island, the Governor refused to give the Judge of the Admiralty Court his oath, while his relatives "became richer by countenancing pirates."²²⁶ The only governor to earn praise was Bellomont of New York, who issued strict proclamations against pirates.²²⁷ Yet he was not entirely successful because, as Randolph wrote to Blathwayt: "Merchants have exceeded their bounds and launched into illegal trade, grown rich and bee mutinous . . . the noise and cry against Bellomont is not against his person but against the Act of Parliament which his Lordship is sworn to observe."²²⁸

²²⁵Randolph Letters, V, 169.

²²⁶Ibid., 188.

²²⁷Randolph to Benjamin Bathurst, Randolph Letters, V, 182.

²²⁸Randolph Letters, VII, 346.

In November 1700, Randolph reported in detail to the Board of Trade on the illegal trade in tobacco, particularly the movement from one colony to another. This occurred particularly in colonies such as Connecticut, where there were no settled customs officers, or where members of the Colonial Council were involved in illegal trade. He made detailed suggestions to the Board of Trade as to how this matter could be remedied, emphasizing particularly that neither governors nor customs collectors should be owners or part-owners of ships.²²⁹ A few months later he vindicated his suggestions by openly naming governors who had broken the Acts of Trade and forfeited their one thousand pound bonds. Governor Day of Bermuda owned the sloop "Blessing" and sent it out carrying tobacco; Markham of Pennsylvania discharged the "Loyall Factor" after his customs collector had seized her; Governor Clark of Rhode Island refused to take an oath.²³⁰ He recommended that only the King should appoint Chief Justices in the Plantations, because Judges indemnified customs officers when they had broken the law. He appears to have been appalled by what he termed "the crimes of

²²⁹Ibid., v, 240.

²³⁰Ibid., 242-243.

governors in North America." In the Bahamas he found seamen were judges and "have sold vessels and put money in their pockets." In South Carolina vessels were discharged to defraud the King, while in North Carolina, where there was no settled government, "pirates and runaways were received." In Maryland the collector of customs was murdered, while in Pennsylvania Penn appointed his own marshall and seized the letters of customs officials. In Massachusetts Bay, any judge "zealous for the Acts of Trade," was replaced.²³¹ The sorry story is repeated, with slight variations, about New Hampshire, Connecticut and the Jerseys.

Randolph summed up his feelings about this law-breaking by writing: "All by connivance or neglect of governors not taking bonds or vigorously persecuting, His Majesty loses thousands of pounds yearly."²³² He, on the other hand, showed his usual concern for the King's revenue, which the 1696 Act had been intended to increase through efficient colonial customs surveillance. Between 1697 and 1699, he reported seizures of ten ships ranging over an area from the Bahamas to Boston, whereby he was

²³¹Ibid., 263-268.

²³²Ibid., 258.

able to obtain almost two thousand pounds for the King.²³³ For doing such a thorough job, for ignoring his own failing health, Randolph's reward was, as before, vilification and actual ill-treatment by colonial governments. He courageously reported truthfully about the behaviour of Governor Day of Bermuda, stressing particularly the Governor's responsibility for the defenceless state of the Island. When Randolph wished to appoint an honest customs collector, one Samuel Spofforth, Day refused to comply, addressing Randolph "in worse than Billingsgate language,"²³⁴ and ordering his imprisonment for treason. Day reported to the Board of Trade that his nominee for the post of collector was honest and Randolph was imprisoned because he was "a wicked man."²³⁵ Spofforth, on the other hand, produced a sworn statement vindicating Randolph, who "used a modest way of speaking, free from reflection or any expression which might raise Day's passion.", while "Day's language was scurrilous."²³⁶ Spofforth proved Randolph's integrity by bailing him out and paying the fine initially

²³³Ibid., 244.

²³⁴Ibid., VII, 577.

²³⁵Ibid., 583.

²³⁶Ibid., V, 206.

demanded. The Governor, however, apparently determined to continue his law breaking, demanded another fine and forced Randolph back to prison as a "rogue and a rascall."²³⁷

Despite this miserable experience, on the day of his release, (by order of the Board of Trade), Randolph had the courage to continue his task by seizing the sloop "Baracatt" for carrying tobacco directly between Bermuda and Carolina.²³⁸

Mention has already been made of Penn's apparent prejudice against Randolph.²³⁹ Possibly to have some kind of personal revenge on Randolph, with whom he had conducted a verbal duel in London--the one laying and the other refuting charges before the Customs Commissioners--Penn returned to America, willing to make changes, once Robert Quarry had superceded Randolph. In 1700, Quarry was able to report to the Commissioners that: "Mr. Penn is very zealous in promoting all things that do anyways concern the King's interest."²⁴⁰ Markham had been removed along with Anthony Morris, "the Justice who signed for taking goods from the

²³⁷Ibid., 209.

²³⁸Ibid., 225.

²³⁹Supra, p. 98.

²⁴⁰House of Lords MSS, no. 1634, Letter of Robert Quarry to the Commissioners of Customs, 6th March, 1699/1700.

King's store," and a sheriff was "turned out for helping pirates' escapes."²⁴¹ Yet, before the end of 1700, Quarry was also complaining that he lacked Penn's support. Reporting that Scottish merchants were evading the Acts of Trade and Penn was breaking his promise of support for English policy, Quarry made a very significant comment. He pointed out that Penn was "under a necessity of complying with his Quaker friends, especially at this juncture when they are sitting in Assembly and he expects considerable supplies from them."²⁴² Was this not a true reflection of Randolph's complaints about governors being hampered by their elected assemblies, many of which contained illegally trading merchants? Quarry's complaints about illegal trading were vindicated by letters exchanged between Delaney, a New York merchant, and Captain Shelley. He reported that in 1699 he sold goods in Madagascar and there, "took on pirates and Andrew Goaverard."²⁴³ Goaverard was a Dutchman trading illicitly from New York.

In the midst of all these provocations, Randolph

²⁴¹Ibid.

²⁴²House of Lords MSS, no. 1634, Letter of Robert Quarry to the Commissioners of Customs, 14th November, 1700.

²⁴³House of Lords MSS, no. 1634, Letter from Captain Shelley to Mr. Stephen Delaney, 27th May, 1699.

continued to suggest remedies for the benefit of the colonies which chose to revile him. In 1698 he suggested again to the Board of Trade that: "His Majesty should take direct charge of independent Plantations, and frigates are necessary to defend lawful traders from pirates and law breakers."²⁴⁴ Concluding his lengthy 1701 report on the state of affairs in the independent colonies, he suggested that all colonies should be united under the Crown for their own protection, as well as for the enforcement of English Imperial policy.²⁴⁵ He had already written to Blathwayt that "great mischiefs will arise to England by permitting these little commonwealth governments to continue distinct from the Crown."²⁴⁶ He was convinced that the need for Crown control basically arose from the lack of good governors.²⁴⁷ The truth of his observation is apparent when one examines a post-1696 Commission to a Colonial Governor--to Bellomont, Governor of New York. Although he got the power to appoint and dismiss Councillors and was Governor-in-Chief, he was reminded of the necessity to call

²⁴⁴Randolph Letters, V, 171.

²⁴⁵Ibid., 271.

²⁴⁶Ibid., VII, 553.

²⁴⁷Ibid., V, 271.

a "General Assembly of the Inhabitants." Although he was only responsible for their passing Acts which were "not repugnant to those of England," there was no provision for taxation without the consent of that Assembly.²⁴⁸ Without a guaranteed source of income, a governor was forced to give way to pressure over which he had no effective control. Governors of Bellomont's calibre were few, as Randolph reported. Apart from mention of erecting Admiralty Courts and the appointment of customs officers, Bellomont had no instructions comparable with the Trade Instructions issued to Robert Hunter in 1709.²⁴⁹ Here there were expressed instructions that customs officers should have protection and all royal officials should be approved of, while the Governor himself must be "aiding and assisting to the Collector and other officers appointed."²⁵⁰ Hunter got a warning that because "great abuses continue, we shall look upon it as a breach of trust reposed in you by us, which we will punish with the loss of your place in that government."²⁵¹

²⁴⁸Provincial America, 1600-1763, ed. by Bradley Chapin, p. 153.

²⁴⁹Ibid., 168.

²⁵⁰Ibid.

²⁵¹Ibid., 175.

If commissions to governors were thus being issued after Randolph's death, his advice and suggestions had not been utterly ignored. In 1701 the Board of Trade reported to the Crown and to the House of Commons on the situation in what they termed "the private colonies."²⁵² That report is uncannily comparable to Randolph's reports, made at intervals throughout his stormy experiences in North America. There is mention of laws repugnant to those of England, denial of appeals to His Majesty, being a refuge for pirates and illegal traders and being lacking in efficient defence. Consequently, the Board "humbly offered our opinion that the Charters of the several colonies should be reassumed to the Crown."²⁵³ The reports on individual colonies not only repeated those of Randolph, but vindicated his integrity. In Rhode Island a commission under the direction of Bellomont found: "Such a reception by their opposing His Majesty's authority and the Acts of Trade and Navigation, that no good effect could be obtained from that Commission, they pretending by their Charter to be independent of a Government of England."²⁵⁴ In

²⁵²Ibid., 145.

²⁵³Ibid., 146.

²⁵⁴Ibid., 147.

Connecticut, the Board of Trade found evidence of refusal of the Governor to allow appeals to His Majesty in Council.²⁵⁵

The final result of Randolph's reports to the Board of Trade was the 1701 Reunification Bill. The draft of this Bill by the English Government, dated 24th April, 1701, gives clear evidence of the acceptance of Randolph's suggestions. The Bill intended to reunite Massachusetts Bay, New Hampshire, Rhode Island and Providence, Connecticut, East and West Jersey, Pennsylvania and adjoining territories, Maryland, the Carolinas, the Bahamas and the Lucay Islands, under Crown Government. The reason is clearly stated:

The severance of power from the Crown has by experience been found prejudicial and repugnant to the trade of this Kingdom and to the welfare of His Majesty's other Plantations in America and to His Majesty's revenue arising from customs, by reason of many irregularities committed by the Governors of these Plantations and by those in authority under them by encouraging and countenancing pirates and unlawful traders and otherwise.²⁵⁶

²⁵⁵Ibid., 148.

²⁵⁶House of Lords MSS, no. 1634, House of Lords MSS, IV, 314-315. Draft of an Act for Reuniting to the Crown, Governments of Several Colonies and Plantations in America, 24th April, 1701.

Previous Charters and Letters Patent were to be annulled, but land right, and those laws not repugnant to the laws of England and the use of General Assemblies, were to remain. Randolph was summoned for the 3rd May to appear before a Committee of the House of Lords to give his opinions on this draft. There is no evidence to suggest that he could be blamed for the fact that this Bill was never passed. Quarry's complaints against him were of a minor nature. They were that Randolph nominated officers of the Vice-Admiralty Courts who lived too far from the place of meeting and that he should not have placed a collector in Burlington, West Jersey.²⁵⁷

Once Quarry had superceded him, Randolph knew that his usefulness to the English Crown had ceased. His suggestions and opinions had been accepted, yet ideas that he was self-seeking and constantly working against the colonies he really strived to serve, remained beyond his death in 1703. Consequently, he has remained a misunderstood civil servant, but he was, in fact, neither selfish nor a seeker after great personal wealth.

²⁵⁷House of Lords MSS, no. 1634, Letter of Robert Quarry to the Commissioners of Customs, 6th March 1699/1700.

CHAPTER V

THE GOOD SERVANT

There is strong evidence of Randolph's generosity, honesty, kindness, diligence, loyalty and courage which far outweighs that of greed and self-interest. He was a government servant at a time when governments paid too little and expected that men in his position would be able to gather extra money whenever an opportunity arose. In the seventeenth century the sale and purchase of office was considered par for the course in every branch of administration. Consequently, pay for officers of customs and searchers of docks was basically low.²⁵⁸ If Randolph made money for himself apart from his basic salary, he was far from unique. Whatever opportunities he might have had were reduced when Lord Danby took over Treasury control after 1675, tightening up regulations so that customs could less easily be farmed out.

Despite the aforementioned instances of praise for

²⁵⁸Ogg, England in The Reigns of James II and William III, p. 35.

his diligence and efficiency, Randolph's employers, the Lords of Trade and the Board of Trade, offered him comparatively small monetary rewards. There was no mention of any specific payment, when Charles II in 1676, issued instructions for Randolph's first venture to North America. After his first reports reached England, the Lords of Trade rewarded him a grant of one hundred and seventy-five pounds.²⁵⁹ The following year, they suggested he should have one hundred pounds out of customs.²⁶⁰ In May 1681, they recommended that his basic salary of one hundred pounds a year should be doubled: "His former merit has been very considerable and he cannot proceed without further allowance."²⁶¹ Even this was not their own idea but that of Culpepper, who had written a month earlier making the suggestion "in consideration of good service and for his future encouragement."²⁶² In 1691, Randolph's salary as Surveyor-General in North America remained at two hundred pounds a year, and in 1685 extra money for being Surveyor of Woods had amounted only to fifty pounds a year, payable half-

²⁵⁹Randolph Letters, I, 118.

²⁶⁰Ibid., III, 41.

²⁶¹Ibid., 102.

²⁶²Ibid., 72.

yearly.²⁶³ It can be argued that additions to a basic salary were to be had from customs fees and seizures in North America, but these, too, were on a modest scale. In May 1686, he was allowed only two shillings and sixpence for each entry of ships entering and leaving the Plantations. This small sum was also earned for the issuing of a certificate and recording the clearance of a ship. The issuing of a permit netted all of three shillings.²⁶⁴ In contrast, the operative fees in Jamaica were reasonable--five shillings for a bond for English ships, ten shillings for alien bonds.²⁶⁵ It was, therefore, natural that Randolph's own list of fees for Massachusetts in March 1689 should be similar.²⁶⁶ In 1685, the Lords of Trade awoke to their responsibilities and when appointing Randolph sole Registrar and Secretary of New England, allowed him, or his deputies, fees, rights, privileges, profits, perquisites and advantages as in Jamaica.²⁶⁷

²⁶³Ibid., IV, 58.

²⁶⁴Massachusetts Archives, C XXVI, p. 5, quoted in Randolph Letters, IV, 80.

²⁶⁵Ibid., pp. 178-183, quoted in Randolph Letters, IV, 140.

²⁶⁶Ibid., p. 244, quoted in Randolph Letters, IV, 149.

²⁶⁷Randolph Letters, IV, 50.

Randolph, aware of his comparatively negligible monetary rewards, maintained his determination to continue his main mission in life. In 1696, his request to resume his post as Surveyor of the Woods was refused, although he had written to Southwell, in October 1685, that he aimed to undertake such a task "more in reputation in service than any private advantage."²⁶⁸ He could honestly write to the Board of Trade in January 1700: "I have made fifteen voyages to and from the Plantations, undergone great hazards and dangers, but never found any other cause than my diligence and care to follow my instructions."²⁶⁹ The last sentence is the crux of this thesis. Everything Randolph undertook was done in the interests of English policy, in accordance with the instructions he received.

The fact that the job produced little monetary reward was supported in 1689 by Muschamp, customs collector in South Carolina, who wrote that he respected Randolph's zeal for customs' collections in an office of little value.²⁷⁰ Randolph was also contending with the problem of exchange value. He legitimately complained to Povey, in

²⁶⁸Ibid., 59.

²⁶⁹Ibid., VII, 606.

²⁷⁰Ibid., IV, 260.

1687, that "our money goes all way little to supply ordinary occasions."²⁷¹ He also found that his subordinate collectors were more interested in their own fees than in adding to personal profits, or in promoting royal revenue interests. He had made a specific complaint of this situation from Virginia in 1693.²⁷²

When Randolph not infrequently complained about lack of money, he was not expressing mere personal greed. In addition to basically low salary and fees, he often found himself deprived of legitimate profits. In July 1682, he had to demand of Governor Bradstreet the refund of money taken from him illegally.²⁷³ In 1686 and 1687, Randolph complained to Southwell that Dudley was usurping his rights and fees, particularly in making his sixteen year old son clerk of the County Court in Boston and in depriving Randolph of profits as Surveyor of New England.²⁷⁴ In addition to this problem, he found that Captain George, of the frigate "Rose," was allowed to collect customs, so that Randolph finally lost five hundred pounds "by not having

²⁷¹Ibid., 198.

²⁷²Supra, p. 84.

²⁷³Randolph Letters, III, 208.

²⁷⁴Ibid., IV, 91.

liberty to prosecute according to my office."²⁷⁵ In effect, he was deprived of three quarters of his pay as Dudley and Captain George hoped to put him out of business.²⁷⁶ The Massachusetts Council refused to settle the question of his fees and he could not recover money owing, such as two hundred and thirty-three pounds from Captain George, because Dudley refused to deal with the matter.²⁷⁷ He lamented bitterly and justifiably to the Lord Treasurer on 23rd August, 1686, that he was unlikely to make twenty pounds a year out of legitimate fees, because "perquisites of office are given to their own men."²⁷⁸ As early as 1683, he had complained to Southwell of being "out of purse three hundred pounds in prosecuted procedures."²⁷⁹ The enforced lease of his office to John West, during the Andros administration, also caused a loss of money Randolph could ill afford.

In addition to his complaints about having been deprived of his legitimate profits, Randolph was forced to

²⁷⁵Ibid., 92.

²⁷⁶Randolph to Blathwayt, Randolph Letters, VI, 188.

²⁷⁷Randolph to the Lords of Trade, Randolph Letters, VI, 251.

²⁷⁸Randolph Letters, IV, 144.

²⁷⁹Ibid., III, 264.

admit to having had to use his own money to continue his tasks. In 1684, he wrote to Southwell that he had fallen into debt for two hundred and fifty pounds and; therefore, needed four hundred and seventy-one pounds "to enable me to attend to His Majesty's further service in New England."²⁸⁰ He was only asking for half "what I have expended, lost, and might reasonably charge for so great and tedious an undertaking."²⁸¹ He wished he could be appointed Governor of Maryland so that he would be free from financial worry. From Boston he claimed: "I have never been allowed one penny towards all the charges and expenses I have been at in prosecuting, so that I was tired out with tedious journeys and no profits."²⁸² In 1678, he had to ask for expenses involved in travelling to get silver from a wreck and for the horse he lost on his journey.²⁸³ It was, therefore, understandable that he should have lost patience with his lack of monetary reward. He complained to Blathwayt: "Settlement of my fees must be referred to good liking of the Council . . . they everyday out of humour and would

²⁸⁰Ibid., IV, 8.

²⁸¹Ibid., 12.

²⁸²Ibid., 15.

²⁸³Ibid., 87.

rather see me and mine starve than assent to what is reasonably proposed and not high value in other Plantations."²⁸⁴

For one who was so highly commended for his services to the English Crown, it must have been humiliating to be forced to ask for help from his brother in order to support four daughters.²⁸⁵ In 1684, he had to ask the Commissioners of Customs for reimbursement of two hundred and fifty-seven pounds, fourteen shillings, which had been expended in seizures and prosecutions for the King "without any advantage to myself."²⁸⁶ No doubt he plunged to the lowest depths of misery when he had to petition Charles II himself for two hundred and sixty pounds, "without which your petitioner is near undone."²⁸⁷ His requests for reimbursements were exact, demanding no extras for himself.

Forced to complain on numerous occasions that he was unable to recover money owing to him, Randolph had to make up revenue losses from one seizure with other collections. He even had to pay fines for doing his normal duty. One glaring example of injustice occurred in Bermuda, in

²⁸⁴Ibid., VI, 223.

²⁸⁵Ibid., III, 264.

²⁸⁶Ibid., 342.

²⁸⁷Ibid., 280.

1700, when he was "taken for sixteen pounds one shilling by the Admiralty Court for trying the sloop "Blessing."²⁸⁸ He found also that money loaned to others could not always be recovered when colonial governors refused to support his claims for such recovery.

By the last decade of the seventeenth century, Randolph was feeling that he worked for nothing: "I gette only my labor for my paines."²⁸⁹ He was still failing to gain monetary reward from subordinate collectors, whose efforts he apparently failed to encourage sufficiently. His complaints were, understandably, bitterly expressed: "I have taken more pains with some of the collectors than a dancing master to pace a country squire, and not one of them has presented me with an odd glove; I spend my time unprofitably here."²⁹⁰

The disposal of his profits to others, the unwillingness of colonial councils to settle his fees, made him angry and despondent, but only once did he express the desire to go back to England for financial reasons.²⁹¹ His

²⁸⁸Ibid., V, 229.

²⁸⁹Randolph to Blathwayt, Randolph Letters, VII, 390.

²⁹⁰Ibid., 447.

²⁹¹Randolph to Blathwayt, 23rd November, 1687; Randolph Letters, VI, 237.

Will showed that even the Board of Trade, which had so often bestowed praise on him, could not maintain payments due to him as Surveyor-General. His bequest to his daughter Sarah consisted of money due to him from England and Bermuda.²⁹² This recurring financial problem added to his unpopularity, forcing his efforts to acquire land during the Andros administration and later to seek a share of mines in South Carolina.²⁹³ Similarly, his request to take up a vacancy on the Council of Virginia, in 1692, was prompted by the need to supplement the cost of his travelling.²⁹⁴

Financial uncertainty did not affect his loyalty. On many occasions he disregarded his own discomfort in the interests of the Crown. Dogged by illness and lameness after 1690, he busily engaged in seizures in Boston and Pennsylvania and continued on to South Carolina and Bermuda.²⁹⁵ Numbness in his leg and foot tempted him to stay in southern warmth, yet he sent later reports from the northern colonies because his task demanded his return thither. He also endeavoured to instil his diligence into

²⁹²Randolph Letters, V, 290.

²⁹³Ibid., 200.

²⁹⁴Ibid., VII, 387.

²⁹⁵Ibid., V, 220.

others. In issuing a commission to Birch to be searcher of customs in Pennsylvania, Randolph ordered him to "make diligent search of ships' bottom, trunk and chest . . . seize same for His Majesty's use."²⁹⁶ Randolph's loyal devotion to duty is summed up in a 1693 letter to Blathwayt: "I have been very sick since 20th July, but have no time kept to my bed whenever Their Majesty's service requested my attendance."²⁹⁷

Kindness and generosity also shone through financial neglect. In 1685, on becoming Postmaster of Massachusetts, any thought of profit from the job was for "Mr. Mason's young children in England." He was willing to allow them twenty pounds a year until Mason's own circumstances improved.²⁹⁸ Although he owed his introduction to royal service to the family connection with Mason, had he been the mean, vicious person many of his contemporaries and many historians believed him to be, any thought of profit would have been for himself. Generosity in attitude was also apparent when he could see good reason for neglect of duty by others. In 1699, customs books in Bermuda were in

²⁹⁶Ibid., 169.

²⁹⁷Ibid., VII, 449.

²⁹⁸Ibid., IV, 69.

great disorder, but Randolph made no demands on a sick man, Mr. Trott, to deal with the matter. Requests for his help were never ignored. When one, William Douglas, escaped capture by pirates in 1686, Randolph's response to his request for help was that he should be supplied with whatever food and linens he needed "to help him all possible."²⁹⁹

Randolph was often accused of dishonesty, yet claims for reimbursements were made to the exact penny. Accounts he found due to the King in 1692, from several officers of customs in Maryland, Pennsylvania and New York, were reported exactly--one thousand one hundred and seventy-four pounds, ten shillings and one penny.³⁰⁰ It is unlikely that the Board of Trade would have respected and trusted a dishonest, high-ranking employee. One interesting episode in Randolph's somewhat stormy career, occurred in his relationship with Cranfield, Governor of New Hampshire, in the late 1680's. As a member of the New Hampshire Council and Blathwayt's deputy as Surveyor and Auditor, Randolph found himself supported by Cranfield, who wrote copiously to Blathwayt, expressing his resolve to stand by Randolph in

²⁹⁹Ibid., 119.

³⁰⁰Ibid., VII, 208.

putting the Acts of Trade into effect. He offered to share any profits with Blathwayt and Randolph and stated categorically: "Mr. Randolph has not complained without cause; has gone through many difficulties and troubles in his employment and needs the assistance I shall give him."³⁰¹ Yet, by 1684, Cranfield had completely disowned Randolph, suggesting he had taken bribes and sided with New Hampshire rebels such as Grove. Randolph's letters prove his constant concern for the well-being of the inhabitants of the colonies, so his sympathy for Grove was certainly not unusual. One wonders whether the truth of the situation lay in Randolph's revulsion against Cranfield's suggestions of shared profits from bought pardons, new leases and money earmarked for evangelizing Indians.³⁰² Southwell believed that Cranfield had never desired the governorship of a united New England,³⁰³ yet his efforts to discredit Randolph as dishonest, were strangely coincidental with his failure to gain that appointment. The whole episode is more likely proof of Randolph's honesty. He always found it difficult to keep a friend, if friendship demanded that he should

³⁰¹Ibid., VI, 133.

³⁰²Ibid., 138.

³⁰³Ibid., 169.

shirk his duty and connive against what he saw as the Crown's interests.

Randolph's honesty and integrity have also been questioned because of his apparent vacillation over religious questions. In 1686, he wrote to the Archbishop of Canterbury, asking permission to use Indian conversion money for Anglican purposes. Randolph felt that the money had not been used for the purpose for which it was intended.³⁰⁴ This attitude was part of his antipathy towards Congregationalism and is comparable with his hopes of seeing Harvard "rescued" from its grip.

His loyalty to Anglicanism was doubted when he applauded the idea of a Romanist mission to New England. Rather than proving religious vacillation, his letter to Sir Nicholas Butler, expressing such sentiments, shows his usual concern for the Crown and the colonies: "I have no end in this but to serve His Majesty and promote peace and welfare in this Dominion."³⁰⁵ As he also expressed concern about French encroachment in the fur trade and felt that a Roman Catholic settlement might placate the Indians already converted to that faith, how could he have been concerned

³⁰⁴Ibid., IV, 177.

³⁰⁵Ibid., VI, 246.

for anything other than the peaceful advancement of English interests in New England? Seen in this light, one can hardly view his letter to Butler as a great blot on his character. His lack of antagonism towards Roman Catholics was also noted in Maryland in 1692, when Gilbert Clark reported that he saw Randolph drinking with them. Of course he shifted loyalty from James II to William III. In so doing, he was certainly in the good company of John Churchill, or even following the example of Increase Mather.

Cotton Mather, in The Magnalia Christi Americana ignored his father's praise of James II's Declaration of Indulgence, reporting only on Increase Mather's involvement in the attainment of a new Charter by currying the favour of William III, to whom he had hastily switched allegiance. Increase Mather was one who defended the Congregational "City on a Hill" at all costs, happy to revile anyone who might appear to personify authority which threatened a Puritan stronghold. His signature appeared on a document which proclaimed that during the Andros administration, Randolph's seizure of ships was done under false pretences. According to Mather, Ashurst Cooke and Oakes, the "Pink" from Virginia, was only in Boston because she had sprung a leak. If brandy had been brought in along with fish and

oil, it was merely because Boston was in dire need of that commodity, having had none throughout a cold winter.³⁰⁶ It is, however, impossible to decide whether Increase Mather wrote venomously against Randolph and generally expressed anti-monarchical sentiments, or whether his letter was forged. Increase Mather protested vehemently that there was forgery and that Randolph ought to die for false malice.³⁰⁷ Forgery has been neither proved nor disproved, but such bitterness against Randolph and pretences about ships' seizures certainly prove that he was a victim of circumstances.

³⁰⁶Andros Tracts, II, 130.

³⁰⁷Randolph Letters, IV, 196.

CHAPTER VI

CONCLUSION: RANDOLPH, THE INNOCENT VICTIM OF CIRCUMSTANCES

It remains to summarily examine the circumstances in which Randolph found himself forced to operate and to re-emphasize his having been used by successive English governments, to carry out policies which were continually resisted by North American colonial governments. His unpopularity was merely a reflection of the unpopularity of the policies he was employed to enforce.

When England adopted the mercantilist policy in the middle of the seventeenth century, it was assumed that any Act of Parliament could be as easily enforced in the colonies as in England. After all, those areas were technically English, their inhabitants subjects of the English Crown. Navigation Acts in 1663, 1673 and 1696 were necessitated by continual evasions of the Act of 1660. Repetitive phrases in each one have already been discussed. No doubt the crux of the problem lay in the ineffectiveness of England's control over the colonies. Randolph was the

"pawn" used to try to enforce governors' oaths in accordance with the phrase: "Governors negligent in doing their duty shall be removed from office."³⁰⁸ The ineffectiveness of such a clause is proved by Randolph's 1697 report that checks on governors were useless, because "the King cannot remove a governor."³⁰⁹

Inevitably, when Randolph found himself the victim of colonial governors' opposition, he had little means of redress, whether against Leverett, Bradstreet, Copley, Day, Cranfield or others. The English government demanded his release from gaol, continually expressed support and confidence, yet failed to change the circumstances in which he had to operate. There was, in fact, mere superficial support for the man they used for their unenforceable policies between 1676 and 1702.

The personal enthusiasm of England's monarchs for the enforcement of mercantilism is open to question. The policy was a result of pressure from English merchants and bankers, who foresaw dire political and financial

³⁰⁸Great Britain, House of Lords MSS, Statutes of the Realm, V, 247, Act for the Encouragement and Increase of Shipping and Navigation 1660.

³⁰⁹House of Lords MSS, no. 1115 c.c., *supra*, p.90.

consequences from neglecting to use the colonies within a new concept of Empire. Their pressure produced the Lords of Trade as a government agency which made full use of Randolph in trying to enforce mercantilism in North America. His first commission was issued under the Royal seal, and the next, in 1678, was a personalized commission from Danby. Nevertheless, difficulties in carrying out Danby's instructions, forced Randolph to request Royal authority which was produced in 1681. Merchant pressure was again responsible for a more efficient government agency under William III--the Board of Trade. The King himself was too concerned with settling his political claims in Scotland and Ireland and in the struggle with Louis XIV, to become involved in colonial and commercial problems. Apparently, the Board of Trade found no one better than Randolph on whom they could rely for the enforcement of policies demanded by English trading and financial interests. He continued to prove that he would do his duty regardless of financial problems, sickness, advancing age or ill-treatment.

Opposition to any Crown agent in the North American colonies was inevitable. Long before Randolph's arrival in 1676, Massachusetts had been opposed to any interference from England. They had a government intent on using every means it could find to govern independently and to maintain

its own peculiar religious establishment, on the assumption of rights contained in the 1629 Charter. As early as 1634, they feared the outcome of Laud's enquiry, which threatened a Quo Warranto and revocation of the Charter.³¹⁰ Later than other colonies in declaring allegiance to the Restored Monarchy, Massachusetts brought to the fore its fear of religious interference. This attitude continued throughout Randolph's service in North America. His own attachment to Anglicanism inevitably produced conflict with the Massachusetts government. Fear of "Popery" reached its height in the 1680's, when letters from England emphasized ill treatment of dissenters. Combined with the fear of the revocation of their Charter, these circumstances inevitably reacted on Randolph and victimized him accordingly. Recurrent expressions of loyalty held little substance when they were accompanied by parallel demands for rights and privileges embodied in the Charter.

The Crown's efforts to control the colonies on a political and religious level, prompted the colonists to claim their rights and liberties as Englishmen. When an Assembly was forbidden in the Andros administration: "They

³¹⁰Massachusetts Historical Collections, 4th Series, Vol. VI, p. 58, quoted in Toppan, "Memoir to Randolph," Randolph Letters, I, 58.

thought themselves entitled to liberties and immunities of free and natural born Englishmen, therefore there should only be raising of money through elected representatives."³¹¹ Revolts in 1689, against English-imposed administration in Massachusetts, New York and Maryland, were the result of discontent with taxation, land distribution, religious policies and general economic difficulties. Yet it was Randolph who bore the brunt of resentment and vilification. This time he was a victim of circumstances which developed from his own ideas--Royal government over the whole of the Dominion of New England. Hutchinson suggested that the news of William III's proclamation was the most joyful ever received in New England. Certainly the 1691 Massachusetts Charter seemed to guarantee an end to colonial fears of Popery, French domination and the imposition of English absolute government.

There was to be no end to the victimization of Randolph. Soon after arrival in America in 1676, he thought he had the support of all those who opposed the entrenched Puritan government of Massachusetts. Once they found their hope of domination blocked by the Andros administration, they blamed the man on whom they had relied earlier--a pawn

³¹¹Hutchinson, History of Massachusetts Bay, I, 361.

in their search for power.

Both the Lords of Trade and the Board of Trade must have been aware of the unpopularity which their regulations provoked in the colonies. Before 1691, great care was taken to get legal advice before taking drastic steps, such as the 1684 revocation of the Massachusetts Charter. The basic ideas on which action was taken were those of Randolph. His 1695 "Memorial" embodied all his ideas expressed on previous occasions, suggesting, in essence, how the colonies could be brought into line. The 1701 Reunification Bill summarized Randolph's repeated suggestions, but failed to pass into law. Consequently, he was denied final vindication, despite having been continually used to his own personal detriment. After 1701, Quarry's complaints matched those of Randolph, but successive English governments continued in their attempts to enforce the same commercial policies until the final confrontation came in 1776.

Randolph was also the victim of circumstances in the context of bribery and corruption. The 1662 Act for Preventing Frauds and Regulating Abuses in His Majesties Customs, aimed to punish customs officers for taking bribes and making false entries. On the other hand, jobbery was an accepted maxim of the age, and, like other government officers, Randolph suffered from the lack of an adequate

basic salary. His efforts to be honest have already been proved in Chapter V. In criticizing Randolph, historians have failed to emphasize the fact that governments themselves were not immune from using corruptive practices when it suited them. The Puritan government of Massachusetts descended to such depths when they advised Bulkeley and Stoughton, their agents in England, to "apply to the Earl of Anglesey and such other Lords you shall understand may have any kindness for us."³¹²

Randolph's personality has been blamed for the colonists' general enmity towards him. For one less intensely conscientious in carrying out his duties, there might have been more tolerance. Because his loyalty and perseverance intensified his efforts, he was more than a hated symbol of royal authority. So high did feelings run against him by 1681, that he was blamed for a disastrous fire which ravaged Boston immediately after his arrival.³¹³ The ill-treatment of his brother, who acted as his deputy in 1683, was obviously a reflection of feelings against Randolph. It is significant that the brother gave way and quit royal service, whereas Randolph persisted to the

³¹²Massachusetts Records, V, 115: quoted by Toppan in Randolph Letters, I, 63.

³¹³Hutchinson, History of Massachusetts Bay, I, 338.

bitter end.

He failed to outlive the bitterness provoked by his persistence in carrying out his allotted tasks. Commenting on Randolph's death, Cotton Mather took apparent delight in the fact that he died a "blasted wretch, despised, abhorred, unprosperous."³¹⁴ In sharp contrast to such bitterness was the opinion of one of the few seventeenth century governors who, like Randolph, sincerely tried to carry out government instructions. Bellomont of New York was appointed by William III "because an honest and intrepid man is wanted to put down abuses."³¹⁵ Consequently, Bellomont had regard for Randolph as a trustworthy diligent officer.

Others in authority in the North American colonies were too blinded by prejudice to appreciate Randolph's concern for the colonists themselves. It was not to his own advantage to befriend the rebel Gove, whose demand for an elected assembly he understood. There was certainly no self-seeking motive behind his efforts to prevent the appointment of Colonel Kirke as Governor of New England. It was unfortunate that he failed to emerge clearly as the champion of the inhabitants whose liberties he considered

³¹⁴Cotton Mather, Parentator quoted by Toppan in Randolph Letters, I, 182.

³¹⁵Randolph Letters, II, 154.

were denied, not by the English Crown, but by their own governments. He was prepared to forgive abuses, as he told Bradstreet in 1682,³¹⁶ but the good offices he was prepared to do for Massachusetts were dependent on that colony's humble submission to the Crown.

Randolph was caught in the trap of a confrontation between Whig and Tory, between differing ideas as to what constituted religious liberty. The basic conflict lay deep in the origins of New England immigration and was aggravated by the commercial rules with which Randolph was primarily concerned.

Any conclusion must, of necessity, reiterate previously stated facts and opinions. In essence, therefore, this one unites the foregoing sections to emphasize that Edward Randolph was primarily an Englishman, secondarily an excessively conscientious exciseman. He was misunderstood because he was the pawn of successive English governments and the victim of circumstances.

Any thesis is inclined to show some type of bias. This one might appear to express opinions biased in favour of everything English and Anglican and violently opposed to Puritanism and colonial America. On the contrary, it is

³¹⁶Ibid., III, 2.

essentially an effort to prove the integrity and devotion of a civil servant, whose master happened to be the English Monarchy, at a time when the American colonies were determined to resist authoritarian policies which seemed to threaten their own searching for religious and political independence. Their resistance was actually confined to individuals and groups who saw their own desire for power denied by the dominance of the Mother Country. The personification of that dominance was Edward Randolph, whose actions and attitudes have consequently been, all too frequently, completely misinterpreted.

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