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Governor Francis Bernard and his Land Acquisitions

Ruth Owen Jones

Francis Bernard, a lawyer in rural England, solicited a royal governorship in North America as a way of increasing his modest estate and elevating his station in life. He was related by marriage to an ex-governor of Massachusetts, Samuel Shute, and was a former neighbor of Governor Thomas Pownall.¹ Bernard sought to establish himself and his large family in the colonies, where he believed that their fortunes could be made. Envisioning himself a member of a landed gentry in America, once in the colonies he even tried to establish a titled American nobility.² His inept leadership was a stimulus to the American Revolution, and his land grabbing was significant for its effect on Massachusetts' opinion of him and of royal government. There is no published biography of Bernard, which represents a serious deficiency in the historical literature of the era leading up to the Revolution.

Francis Bernard's maneuverings were not unusual for a royal appointee; what he did not seem to perceive was the changing attitude, not only in Europe, but more markedly in America, toward inherited titles, primogeniture and entail, and a feudal system of land ownership. Instead, Bernard blithely set about acquiring, both

1. Jordan D. Fiore, "Francis Bernard, Colonial Governor" (Ph.D. dissertation, Boston University, 1950), appendix. Samuel Shute was Bernard's mother-in-law's brother. Among the Shute cousins was William Wildman Shute, the second viscount Barrington and British Secretary at War from 1765 to 1778, whose correspondence with Bernard constitutes an invaluable source for the Revolutionary era.

2. Jordan D. Fiore, "Governor Bernard for an American Nobility," in Boston Public Library Quarterly, vol. 4, no. 3 (July 1952), pp. 125-138.

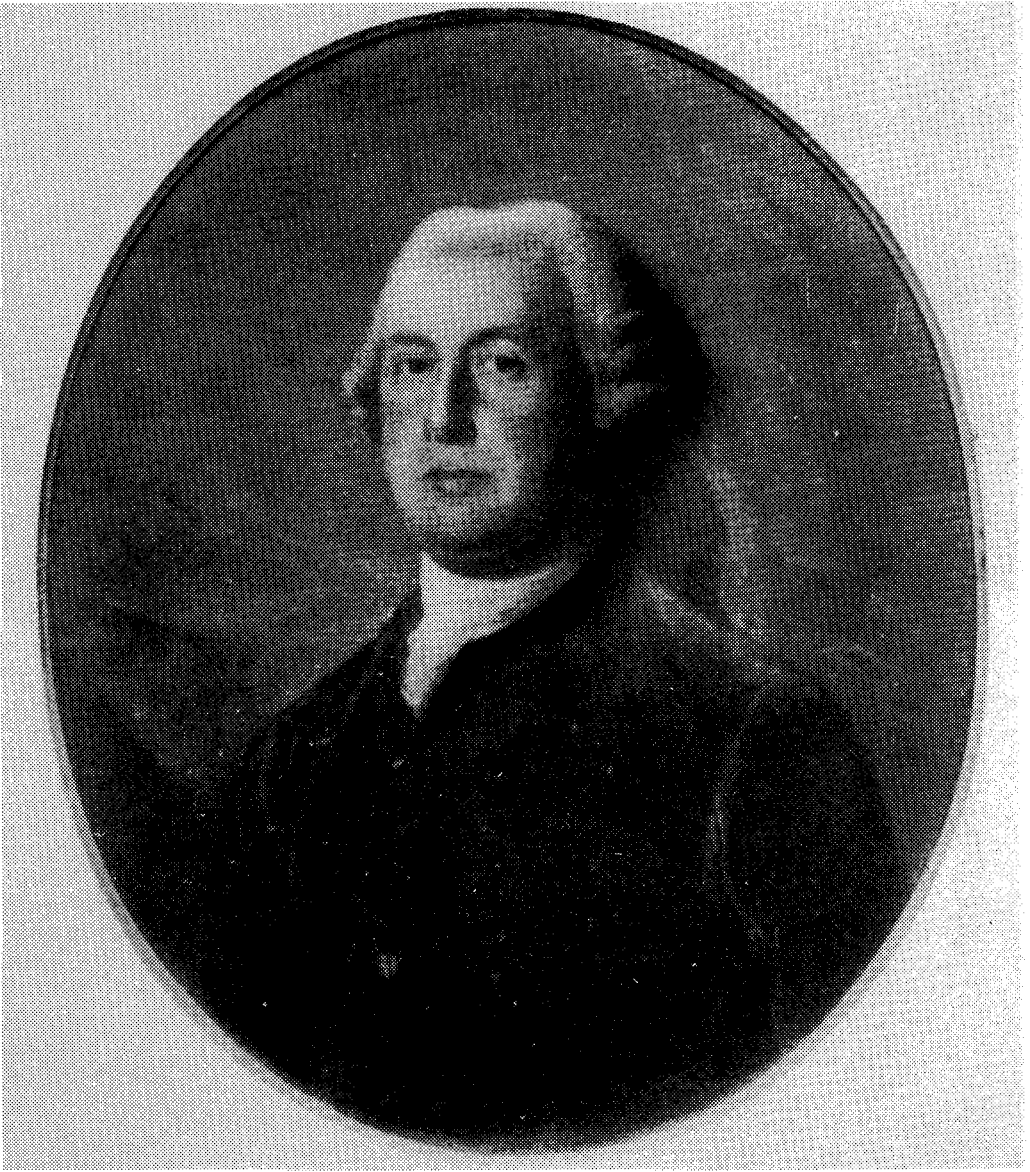
publicly and surreptitiously, large tracts of land, and he tried to find tenants for them. He was to be disappointed to find that the colonists wanted to own the land, not just to rent it. The methods by which he acquired this land was often through political patronage, secret deals, and dummy title holders.

The addition of formerly French, western, and Canadian lands into the British empire -- despite the 1763 Proclamation Line -- and the loss of possible French protection for the Indians in Maine and western Massachusetts gave renewed impetus to blatant land speculation in the 1760s, even before the Peace of Paris was negotiated. Vermont, western Massachusetts, and the Maine district were now ripe for development, and exploitation. As Bernard wrote in 1764 to an English agent, Richard Jackson: "Land jobbing is becoming a great bubble."³

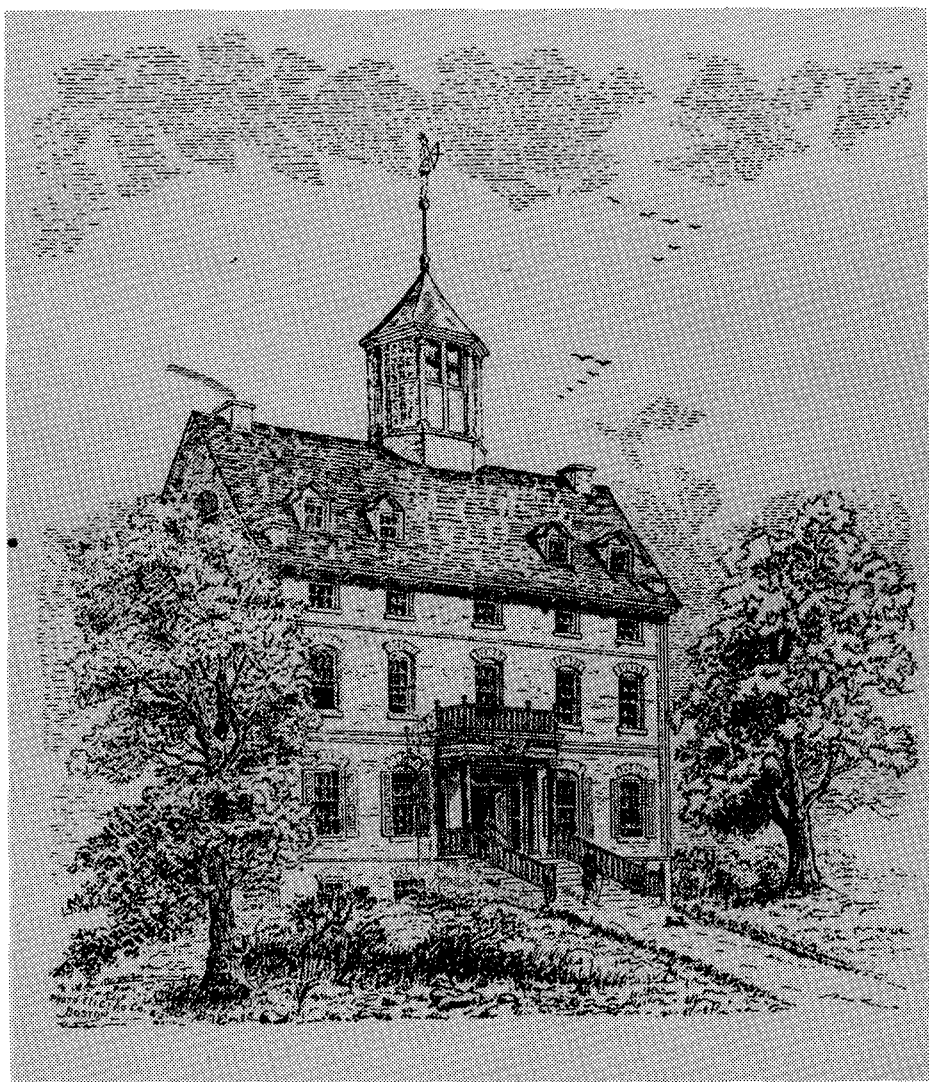
By 1768, Bernard had been granted or had bought tremendous tracts of land. Besides having the use of the three-story "Province House" at the head of Milk Street in Boston, with its servants and Black slaves, plus the apartments at Castle William, Castle Island, with a twelve-oared barge always ready to take him there, Bernard had built a country "mansion house" on fifty acres bordering Jamaica Pond in Roxbury, including a greenhouse, and stables for the carriages he and his wife needed. He also bought supporting woodlots and hay fields in Roxbury and Dorchester. In addition, he owned the one hundred square-mile Mount Desert Island, in the Maine district of Massachusetts, one-fifth of a new township named Fort Frank on the Penobscot River, and one-third of a new township named Partridgefield, now Peru and Hinsdale, in Berkshire County, Massachusetts. Furthermore, his cohort, Governor Benning Wentworth of New Hampshire, had unethically, illegally, and surreptitiously granted him and his sons considerable amounts of land in no less than six townships of what would become the state of Vermont. It is also possible that he owned land in Nova Scotia since, in a letter of October 22, 1764, to Richard Jackson, he declined sixty-thousand acres in Florida as being too far for him to visit, but he may have then accepted a coveted grant in Nova Scotia, although he complained that the land there had been pretty well culled. "Your name need not appear, no more than mine. Land is like to be all that I shall get in America," complained Bernard.⁴

3. Francis Bernard to Richard Jackson, February 19, 1764, ms. in Sparks Collection (vol. 3, p. 258), Houghton Library, Harvard University.

4. Ibid., October 22, 1764, vol. 8, p. 258 in Sparks Collection.



Francis Bernard, about 1775, from an oil portrait by John Singleton Copley, in James H. Stark, *The Loyalists of Massachusetts and the Other Side of the Revolution* (1910).



Province House. The Province House (c. 1716), nearly opposite the head of Milk Street in Boston, was an imposing three-story mansion, set back, well-landscaped, and with a stone walk and massive stone steps. On the lofty cupola turned an Indian weathervane made of copper by Shem Drowne. The house was demolished by fire in 1864. The weathervane can be seen at the Massachusetts Historical Society. From James H. Stark, *The Loyalists of Massachusetts and the Other Side of the Revolution* (1910).

On November 26, 1768, despite having become embroiled in and threatened by the Writs of Assistance issue, the Stamp Act, and the other controversies in Boston, and hoping to leave the Massachusetts governorship for an easier and more lucrative post, Bernard wrote to John Pownall recommending life in America:

I don't wonder at your coming to America, either with the sagacity of a Rat quitting a falling House, or with the Providence of one changing an empty Granary for a full one. . . . Ready Money will purchase Lands cheap; the difficulty is to get good Tenants. But there is no such thing as getting so large a Tract of Land as you require in the old settled Country: among new settlements it is to be had. I am concerned in a Town in the direct Road from Boston to Albany about 35 miles from the latter. . . . It is settling apace. . . . There are now good Purchases to be made on the River Penobscot . . . about 6,000 acres of very good land be had for 1 dollar and 2 an Acre.⁵

Francis Bernard was born in 1712, the only child of the minister of Brightwell Parish, Berkshire, England. Bernard's father died when Francis was three. His mother then married another Anglican minister, but she died when Bernard was six. He was then reared by an aunt and a minister uncle. Francis Bernard was given a classical education at Westminster and then at Christ Church, Oxford, where he earned a Master of Arts degree in 1736. He then was "called to the bar," where he began his scramble up the ladder of English politics. According to his granddaughter, who was the family historian, Bernard had only a modestly comfortable upbringing with little inheritance.⁶ But in 1741 he married Amelia Offley, who brought to the union money and excellent political connections. His wife's uncle, Samuel Shute, had been royal governor of Massachusetts from 1717 to 1728, and several other titled relatives and neighbors held powerful government positions. Bernard moved up in his career from a Public Notary in 1738 to become Royal Governor of New

5. Bernard to Pownall, November 26, 1768, vol. 6, p. 172 in Sparks Collection.

6. Mrs. [Sophia] Napier Higgins, The Bernards of Abington and Nether Winchendon, A Family History, (New York, 1903), p. 203. Sophia Higgins, the daughter of Thomas Bernard, wrote: "He was not destitute, but the fortune he inherited from his parents must have been moderate."

Jersey in 1758. Having successfully administered the state of New Jersey, Bernard was promoted to Massachusetts, arriving in Boston on August 1, 1760, with his wife and eight of his ten children.

As Governor, Francis Bernard wrote countless letters to his wife's first cousin, William Wildman Shute (Lord Barrington), and to others in power, whining about his small salary, the expense of buying commissions, the cost of travel, and his need for special grants. His grasping nature was to be excused, of course, because nature saw fit to send them ten children. "But 'till Nature sets bounds to the Number of my children, (which is not done yet)," he wrote, "I know not how to limit my wants or desires."⁷ "As I am well assured that all my honest endeavours to provide for my children will have your Lordships approbation & assistance," he wrote in another letter, "I need make no apology for the enclosed."⁸ In a third letter, Bernard declared: "It is on my Childrens account only that I have solicited this advancement."⁹ In a letter of July 12, 1761, to Lord Barrington, Bernard again complained:

I mentioned to your Lordship before how Very unequal the Income of this Government was to its business & importance, with a view to excuse myself for being so Solicitous for providing for my Sons places.¹⁰

He constantly sought promotions to better appointments in order to increase his income. He also sought royal offices for his sons. While begging Barrington to arrange a naval office for one son, he justified his move: "I found myself in a Government of very great trouble & very inadequate pay: I therefore persuaded myself that I should be allowed to resort to Patronage for some Compensation."¹¹ In a 1765 letter, Bernard estimated that his salary for the previous five years had been about 1,400 pounds a year, plus his one-third share of the seizures of illicit imports, which he estimated to be only about 340 pounds per year. The grandson of Lieutenant-Governor

7. Bernard to Lord Barrington, May 23, 1759, vol. 1, p. 173, Sparks Collection.

8. Ibid., May 3, 1761, vol. 1, p. 302 in Sparks Collection.

9. Ibid., April 19, 1760, vol. 1, p. 201 in Sparks Collection.

10. Ibid., July 12, 1761, vol. 2, p. 4 in Sparks Collection.

11. Ibid., November 15, 1765, vol 5, p. 38 in Sparks Collection.

Thomas Hutchinson indicated that Bernard was zealous in his pursuit of seizures, as one-third of the profits from seizures went to the king, one-third to the governor, and one-third to the informant.¹²

For the first year or two of his "reign," Bernard was well-liked by Massachusetts' political leaders. His rapid decline in popularity needs more scrutiny; a good part of it may have been due to his avaricious nature. His desperate longing to become a titled, landed aristocrat grated on those whose political ideals seemed to be moving in the opposite direction.

The first land Governor Bernard seems to have acquired was in a new township on the frontier. The town, originally named after him, but called Barnard since 1800, is located in what is today central Vermont. On July 17, 1761, Benning Wentworth, the New Hampshire Royal Governor, granted land there to Bernard and two of his sons. Several other grantees came from Boston, Ipswich, and Wenham, Massachusetts. Many were wealthy Boston and Portsmouth merchants and politicians who later became Tories, including other Wentworths. Between 1749 and 1764, Governor Wentworth wrote a total of 135 grants in what is now Vermont, most of them after 1761. His grants covered nearly three million acres, or about half of the present state of Vermont. In other New England states, land was distributed by the House of Representatives, not the Governor and Council. Wentworth personally received relatively small but numerous fees for these grants, fees from 100 to 700 dollars per township. The grants were kept secret from the Board of Trade and from New York officials, because this land west of the Connecticut River was also claimed by New York. The New York charter of 1664, granted by Charles II to his brother, the Duke of York, had designated the eastern border of New York to be the Connecticut River.

Soon after his appointment in 1741, the crown instructed Wentworth to settle on "the frontiers" townships not to exceed six square-miles. Massachusetts had claimed land west of the Connecticut River, and Wentworth interpreted New Hampshire's frontier to go as far west as that of Massachusetts, that is about twenty miles east of the Hudson River. In his 1741 instructions, King George II had set specific limitations on New Hampshire grants. He was especially wary of the excessive speculation which had gone on in other places,

12. P. O. Hutchinson, The Diary and Letters of His Excellency, Thomas Hutchinson, Esquire (Boston, 1884-1886), p. 67. According to Hutchinson, the grandson of Bernard's Lieutenant-Governor and successor: "The Governor [Bernard] was very active in promoting seizures for illicit trade, which he made profitable by his share in the forfeitures."

with the result that few people actually cultivated the land, and schoolhouses and churches were not built because the few residents could not support them. The problem was that absentee-speculator landowners did not pay taxes. The king very pointedly instructed Governor Wentworth:

Whereas great inconveniences have arisen in many of our colonies in America from granting excessive quantities of land to particular persons which they have never cultivated and have thereby prevented others more industrious from improving the same . . . in all grants of land to be made by you, by and with the advice and consent of our council there, you are to take especial care that no grants be made to any person but in proportion to his ability to cultivate the same.¹³

Furthermore, no family was to be granted more than fifty acres for each man, woman, and child in the family at the time of the grant. In 1750, Benning Wentworth's first "Vermont" grant was the township of Bennington, in the southwest corner of what is now Vermont, thus setting the border with New York and Massachusetts. According to Bennington town histories, not one of the original grantees ever resided there. Unlawfully, Wentworth set aside two shares in each town for himself, usually in a corner of the township where it could be made to join with his corner lots in contiguous townships. Anglican churches, not Congregational, were to be established in these Wentworth grants, supported of course by public tax money. When Governor Wentworth was through granting all that land, 766 men had grants in three or four towns each, and fifteen men, including Francis Bernard, had grants in five or more towns. Incidentally, Theodore Atkinson, the Secretary of State of New Hampshire, whose signature made the grants official, was Wentworth's father-in-law. And Theodore Atkinson, Jr., as well as nine Wentworths, came into many more than their fair share of the grants.

By 1766 Bernard held lands in seven Vermont townships, having been an original proprietor in six: Bernard, Draper, Hubbardton, New Stamford, Sudbury, and Sunderland. He also acquired land in a seventh, Stockbridge, as well as several additional lots in two of his original townships soon after the grants were made.

13. Leonard Woods Labaree, ed., "Limitation on Land Grants in New Hampshire," in Royal Instructions to British Colonial Governors, 1670-1776 (New York, 1967), II: 577.

Many other grantees in these townships were high officials, such as Massachusetts' Treasurer Harrison Gray, and Lt.-Governor Thomas Hutchinson. The Massachusetts Great and General Court was well represented, too. For example, the long-time Speaker of the House, Thomas Hubbard, received grants and even a township named after him. Most of those granted these lands were lawyers, ministers, merchants, and politicians; many were noted loyalists a decade later. But, there were also names like Samuel Adams.

By 1764, New York had objected strenuously to the granting of what is now Vermont by New Hampshire's governor. New York promptly claimed 131 of the grants made by New Hampshire, and people living on the land were told to pay another fee or they would be evicted. Then New York went on granting the undesignated areas. The New York claim was upheld by British courts in 1764, despite a petition from the New Hampshire grantees. The crown ordered a moratorium on all land grants by either governor. Meanwhile, Vermont settlers organized their own protest, in the group known as the Green Mountain boys led by Ethan Allen.

While the dispute was in progress, Francis Bernard was nervous about his grants. In addition, he was thinking seriously about leaving Massachusetts for an easier post. By 1768, he had become extremely unpopular in Boston. His Writs of Assistance were despised, the Stamp Act had been handled badly, and British troops were in residence for the first time in peacetime. Feeling beleaguered, Bernard wrote a whimpering plea to his friend and former neighbor, John Pownall, Secretary to the Lords of Trade:

Now although I wish I had never engaged in any of those Lands, yet I cannot readily reconcile myself to losing all the money I have expended in procuring this interest The whole cost me, I believe, not above 50 pounds Sterling? But as I expended this Money with a View to the Kings Services, I think I ought to have the Lands or my money again.¹⁴

Part of the fifty pounds sterling was for surveying. It is not clear how much Bernard had to pay Wentworth, if anything, or how much Bernard paid the grantees whose land he had acquired. After Bernard hurriedly left Boston in 1769, and fireworks were shot off in

14. Bernard to John Pownall, September 6, 1768, in Sparks Collection, Harvard College, vol. 5, p. 193.

celebration, his Suffolk County property was confiscated. Few people knew about the Vermont lands. It is known that in towns like Chester, Vermont, the actual settlers took over absentee-owned land and sold it at auction in order to settle the town with taxpayers. In 1789, Vermont agreed to pay New York thirty thousand dollars, and all New York rights ceased, making it possible for Vermont to become a state in 1791. Since after 1800, some of Bernard's unconfiscated western Massachusetts land was still being sold by his son, a thorough search of Vermont deed registries could show if the Vermont land was lost or not.

Bernard's Massachusetts land acquisitions seem to have begun as a substitute for raises in salary or reimbursement for money he spent on his publicly-held living quarters. Since the French and Indian War was so expensive, there was little money for grants from England. In addition Bernard wrote that to underwrite the costs of the war, Massachusetts had borrowed twenty-thousand pounds from its subjects. The Massachusetts government was in the practice of giving land grants to veterans in lieu of money, so the grant of Mount Desert Island on February 27, 1762, to Bernard was not totally inappropriate, except for the hidden agenda of Bernard and the Great and General Court. Bernard had petitioned the Court when advised that land could be given to compensate him for money spent on the Province House and his Castle William apartment, and for the expense of having to repurchase his commission for four hundred pounds when George III became king just three months after Bernard came to Massachusetts. However, Province representatives had an ulterior motive in granting the land, because it was beyond what was then considered to be the borders of Massachusetts; since the French removal from Canada left the boundary between Nova Scotia and Maine in dispute, Massachusetts hoped that a royal confirmation of this gift to Bernard would constitute an endorsement of the Massachusetts claim. Just a week earlier, the Massachusetts representatives had granted to people like James Otis twelve townships east of the Penobscot River, land still very much in dispute with Nova Scotia. So controversial was this land that the King in Council did not settle the grant as part of Massachusetts for nine years, until March 28, 1771, after Bernard was back in England. The Massachusetts representatives knew, however, that with his powerful relatives and friends, Bernard would successfully plead his case, and theirs too.

With publicly paid surveyors sent on five days ahead, Governor Bernard first visited his Mount Desert Island grant on a junket aboard the state sloop *Massachusetts*, which was outfitted with

a uniformed crew and mounted guns. In February of 1762, chapter 347, Acts of the Commonwealth of Massachusetts, had stipulated conditions of land sold (or in this case, given) by the Province: an exact survey of the land had to be submitted to the House of Representatives. Also, the first settled minister -- a learned Protestant "Minister of the Gospel" -- was to have one sixty-third part of the township, and one sixty-third for his own use. Another sixty-third was to support a school. In five years from the time of sale, there had to be sixty settlers resident in the township, each of whom had to have a house at least twenty-four by eighteen by seven feet, and have seven acres well cleared and fenced and brought to English grass or plowed. Bernard's very first settlers were given free land and encouraged to erect sawmills as well as houses. There is record of Bernard owning houses and planning to make Mount Desert Island his country seat.¹⁵ Later he was to try to settle fifty German families on the island, planning to give them four acres each in the town center, with outlying acreage available for purchase. With Boston merchant Thomas Goldthwait, Bernard also acquired land near Mount Desert Island on the west side of the Penobscot River. This township already was called Fort Frank by the Province surveyor, Joseph Chadwick, in his 1764 survey from Fort Pownall to Quebec.¹⁶ Chadwick had described it as the land of Waldo, Goldthwait, and Bernard, but the public deed to this land was not signed until 1766, a deed from the Waldo family to Goldthwait and Bernard for only ten pounds. Bernard then officially became owner of one-fifth of the 2,700 acre township; Col. Goldthwait, one-fifth; and three fifths for the heirs of Brig. Samuel Waldo (Samuel and Francis Waldo, Lucy Winslow [Mrs. Isaac Winslow of Roxbury], and Hannah Flucker [Mrs. Thomas Flucker of Boston]).¹⁷ Interestingly, Francis Waldo was the customs agent for Maine; Samuel Waldo was appointed Justice of the Peace by Governor Bernard on October 16, 1761, Francis Waldo on January 4, 1764, and Goldthwait on November 2, 1763. Other land across the Penobscot River had been granted to the Waldo family in a

15. "Petition of J. C. Cockle, of Mount Desert Island, 1785", in Mass. Archives, also printed in Bangor Historical Magazine, vol. V, nos. 1 and 2 (July and August, 1889), p. 3.

16. Joseph Chadwick, "An Account of a Journey from Fort Pownall -- Now Fort Point -- Up the Penobscot River to Quebec, in 1764," in Mass. Archives, also printed in Bangor Historical Magazine, IV: 140-148.

17. Grant of Land to Samuel Waldo et al., March 6, 1762, in manuscript collection, Boston Public Library.

March 6, 1762, grant signed by Governor Bernard, but not signed by Waldo in-law, Thomas Flucker, whose signature as secretary of the Governor's Council appears on most grants in 1762, including the Mount Desert Island grant to Bernard.

The Fort Frank land was formerly land of Jedidiah Preble, a colonist whose son, John, understood the Abnaki language and had been the interpreter for Bernard's Chadwick surveying party of 1764. Preble was later used in negotiations with the native Americans during the Revolution. The natives of southern Maine were used to hunting and fishing on Mount Desert Island and along the Penobscot River. In his survey, Chadwick was restricted to written accounts at times, with no drawings allowed by the native Americans due to the hostility of these people, who were clearly being crowded out. Chadwick noted that although the Indians were "engaged in the service by the large wages" of three pounds, ten shillings per month, "and canoes," they were "so jealous of their country being exposed by this survey, as made it impracticable for us to perform the work with accuracy..."¹⁸

Chadwick described some of the land north of Fort Frank as "Indian Lands so called." The Indians argued with Chadwick that under French rule they had been permitted to hold the land in common with the inhabitants of Canada, and that their hunting grounds and streams were all parcelled out to specific families for generations. It was their practice to hunt a spot every third year and kill only two-thirds of the beaver, leaving the other third to breed. The native Americans complained to Chadwick, who wrote it down, that beaver were to them what cattle were to the English, but since the war the English had killed all the beaver, leaving many families impoverished and destroying the beaver population.¹⁹

For the time being, Bernard set a line north of his township at "the Falls," where no English should settle, leaving the area to the north for the native Americans, who were given a copy of this proclamation in picture form. Bernard had little regard for the Maine natives, once saying that they had no capacity for abstract reasoning. It could be argued that as a result of his noble agreement concerning the "Falls Line," he could now sell his own townships to the south without competition from other settlements for quite a while. And not only were the English to stay to the south, but the native

18. Editor's footnote, "Chadwick Account," as printed in Bangor Historical Magazine, IV (February 1889), p. 142.

19. Ibid.

Americans were to stay to the north of that new line, a rule that the military could enforce. In late June of 1764, Bernard proposed to the House of Representatives that the size of the garrison in Maine be increased, stressing the threat of Indian raids. The House rejected his proposition.²⁰ Bernard's self-interest frequently motivated his political actions, often putting him at odds with the political powers of the state.

Mount Desert Island had been at least summer fishing and hunting grounds for native Americans who, earlier, were often reported on the island. In 1755, for six quarts of rum, the Indian "Governor of the Island" sold, by conveying a birch bark deed to Abraham Somes (later Bernard's first settler and sawmill owner), two small islands (now Greenings and Sutton Islands) in Southwest Harbor.²¹

In the same year, 1762, when Bernard was granted Mount Desert Island, he quietly became the owner of one-third of a new township in western Massachusetts, Township Number 2, in newly-formed Berkshire County. In the 1750s, the land west of the Connecticut River began to draw the attention of province officials. Stockbridge, with a population of seventy or eighty families of native Americans, and Sheffield, were the "settled" areas, and there were military forts maintained by the province on this western frontier. New York manor owners were also eyeing the area. Representative to the General Court, Oliver Partridge, selectman of Hatfield and one of the Connecticut River "Gods," was sent to survey the area west of Sheffield, which reportedly was being encroached upon by Livingston manor. Some method of determining the line between New York and Massachusetts was becoming necessary, but it would not be settled until 1774. On April 12, 1753, the House passed a bill "to annex to Hampshire County all lands west of the Connecticut River as far as the bounds of the Province . . . provided that the land did not belong to any other county."²² A new road was made between Northampton/Hatfield and Albany in the early 1750s. This road, which correlates well with the modern route 9, was included at Bernard's request in 1765 on an elegantly-drawn map showing the

20. Journal of the House of Representatives, 1763-1765, pp. 34-35.

21. Abraham Somes to Eben Parsons, August 20, 1816, in manuscript collection, Boston Public Library.

22. Journal of the House of Representatives, April 12, 1753, in Mass. Archives, XLVI: 304.

road from Boston to Albany, with all the taverns labeled.²³ It seems that Bernard wanted to open the west end of the province.

Oliver Partridge, who had studied surveying with his Yale class of 1730, was a cousin of Israel Williams, the good friend of Lt.-Governor Hutchinson, and perhaps the most powerful of the well-to-do western Massachusetts political and social leaders, being called by his contemporaries the "Monarch of Hampshire" [County]. Partridge was also a cousin to the Reverend Jonathan Edwards, John Stoddard, and Joseph Hawley, who were the powers of nearby Northampton, and Partridge was related to John Worthington, a leader in Springfield. Oliver Partridge and his cousin, Israel Williams, were on a committee to establish a college in Hatfield, a project of Governor Bernard's and a college that was opposed by powerful Harvard College and then by the province legislature. Partridge was appointed to committees in the House to study the boundary between New York and Massachusetts. He was also instructed to help draw up a bill to prevent the inhabitants from supplying the Indians with strong drink. Partridge was sent by the Court Party to the Stamp Act Congress of 1765, and he had been one of five Massachusetts delegates to the 1754 Albany Congress. In 1762 he was on the House committee to sell western Massachusetts townships, and on another committee to inquire into Indian titles to land.

In 1762, nine townships -- ten thousand acres -- in Berkshire and Hampshire counties were voted to be sold at auction to the highest bidders. In June, at Boston's Royal Exchange Tavern, Elisha Jones of Weston purchased Township Number 2 for 1,460 pounds. Township Number 2, called Partridgefield for the first thirty years, is now Peru, Hinsdale, and part of Middlefield. Jones, an extremely wealthy merchant, immediately split his purchase with Oliver Partridge and Governor Bernard, but no record can be found of money being paid to Jones. Perhaps payment was in the form of services; Partridge was the surveyor and agent on the site for the sale of the lots. Maps were drawn describing the Jones-Bernard-Partridge ownership of the various 150 and 200 acre lots which were then for sale. One of the first lots was given by Bernard to a blacksmith from Westfield, in return for his doing one-sixtieth of the work of the

23. The Francis Miller map and other maps collected by Bernard are at the PRO Building of the British National Archives. Good copies have been ordered by the University of Massachusetts, Amherst, Library, Special Collections. For most towns along the route, this 1765 map would be the earliest known. Bernardston, in Franklin County, Massachusetts, was named for Bernard when incorporated in 1761. No record can be found of his ever owning land there.

town; no money was paid. Later, lots were sold at increasingly higher prices. In 1766, Oliver Partridge, Elisha Jones, and "Associates" petitioned the House to confirm the township, having performed a "great part" of the conditions of settlement, a wildly exaggerated claim. The township was, however, confirmed by an act in 1771.

In July of 1769, less than a month before he was forced to flee Boston for England, the now-detested Bernard wrote desperately to Colonel Oliver Partridge:

Send me an exact List of the settling Lots belonging to me which have not been conveyed allready. I must also desire you to make out an Account from the Beginning of all Monies paid by me or received or now due to me: after this time I shall trouble you no more. Besides, I must avoid keeping open accounts in this country as much as I can.²⁴

In the period immediately before the Revolution, Oliver Partridge, no longer a selectman or state representative, was decidedly out of favor in his home area. His cousin, Israel Williams, also a noted Tory, was given the smokehouse treatment by a mob from Pelham. He and his son were held overnight in a Hadley house, with the chimney plugged. In the morning he was what was known as a "smokehouse patriot," promising not to oppose congress or correspond again with General Gage. Williams was jailed for a time during the war. Partridge, however, was town clerk in Hatfield. Although not allowed to attend town meetings, he was given the notes to write up afterwards. Loyalists in eastern Massachusetts were usually treated much more harshly. Just before the Revolution, Elisha Jones raised a loyalist company in Weston to protect the crown. He fled to Nova Scotia, losing his eastern Massachusetts property, but not that in Berkshire County.

More study needs to be done on the relationship of Governor Bernard to this type of colonist. Many of his cohorts in land deals were socially, economically, and politically powerful before he arrived; however, after his arrival the now-bloated Massachusetts civil list was rife with appointments named Williams, Partridge, Jones, Flucker, Waldo, Winslow, and even Wentworth. How did Bernard, who claimed to be poor and just making ends meet with his "meager salary," acquire his land? Political patronage was not new to

24. Bernard to Partridge, July 11, 1769, vol. VII, p. 233 in Sparks Collection.

Massachusetts, but Bernard's overzealous use of it at a time when colonists were increasingly unhappy with the mother country might have been the final straw.

While in Boston, Bernard lived in the publicly-owned Province House, a three-story brick house on the main street, now Washington Street, opposite the Old South Church. The house had lawns and trees around it, but being near the State House it was in a busy area. Bernard could get away for time to write or in times of danger by going to the apartments at Castle Island, the most prominent fort of the province. By 1765, Bernard had bought a country estate four miles out in Roxbury, on the southwest edge of Jamaica Pond. During the post-Stamp Act uprisings in Boston, Bernard realized that Roxbury was not far enough away. "I wish they would let me live in quiet at a farm I have lately purchased, but that is too near Boston," Bernard wrote to John Pownall in October of 1765.²⁵ This home was in a neighborhood of other gentry estates, such as that of Sir William Pepperell. Though Bernard called it a "farm," his daughter Julia later described it as a "country estate" that he built, to which the family moved in May for the summer. She fondly remembered being freer there than in Boston, boating on the hundred acre lake, and enjoying an active childhood. The Roxbury country estate was landscaped extensively with one hundred lemon, fig, cinnamon, and cork trees. There was a three-story house with four rooms on each floor, a building with a twenty-four by fifty foot hall, a greenhouse, stables, coach, and other out-buildings. There were forty-five more acres in supporting woodlots and hayfields nearby in Roxbury and Dorchester. When sold after official confiscation in 1779, the newspaper advertisement called it a "mansion house," not a farm.

Francis Bernard became the focus of colonial hatred in Boston. From 1765, he was constantly and anxiously seeking another post or a return to England. The colonists disliked him, and even his own British soldiers turned against him. In 1768, after Edes and Gill in Boston published some of Bernard's private letters to England, Commodore Hood wrote about Bernard in a letter to George Grenville:

I have long and often lamented his timid conduct, and yet would not willingly bring on him more contempt than he must of course feel when the duplicity of his

25. Bernard to John Pownall, October 19, 1765, vol. 5, p. 233, in Sparks Collection.

behavior is brought to light. Mr. Bernard is without doubt a sensible man, but he has a vast deal of low cunning which he has played off upon all degrees of people to his own disgrace. His doubles and turnings have been so many that he has altogether lost his road and brought himself into great contempt. I am sorry it was not in my power to comply with his request for a ship to England, for most certainly the sooner he is out of America the better.²⁶

In April of 1769, Bernard received news that he had been made a baronet by King George III, finally attaining the inheritable title he wanted. But, on August 1, 1769, when Bernard, aged fifty-seven, fled with his son to a boat in the harbor, the people of Boston celebrated with fireworks and cheering. Bernard returned to England; the rest of his family save his son, John, returned also. Bernard had inherited from his cousin Jane a magnificent Aylesbury, Buckinghamshire, estate, but his health failed rapidly, punctuated by epileptic seizures of increasing intensity. Although given a sinecure in Ireland, he never assumed the post in person, but sent a deputy. He did receive a pension, and one for his wife, by pleading that had he stayed in England, he would have been in a very comfortable position by his age. He blamed his ill health on the stress from his Massachusetts post. His former Lt.-Governor, Thomas Hutchinson, who had also escaped to England before the Revolution, saw Bernard in 1774 and found him "much more impaired in body than I expected, having the countenance of a sickly man of 70 and emaciated in all parts but still mentally alert, 'though his natural peevishness is increased."²⁷ Bernard died in bed in June of 1777, with his children holding him down during a seizure. He had just been deliriously talking about being in danger over water, but assured his children that they would get safely through.²⁸ Bernard's wife had died less than a year earlier, and his sons Francis and Shute had also preceded him in death. He lost to confiscation most of his American lands. However, half of Mount Desert Island was given in the 1780s to his son, John, who spent the war years as a recluse living with a dog in upper

26. Quoted in Francis Drake, The Town of Roxbury: Its Memorable Persons and Places (Roxbury, 1878), p. 432.

27. P. O. Hutchinson, Diary and Letters, p. 319.

28. Bernard Bailyn, The Ordeal of Thomas Hutchinson (Cambridge, 1974), p. 282.

Maine. Even after 1800, his son John was still selling lots in Berkshire County. This same son had begged for compensation from England after the war, as a loyalist who did nothing for the cause of Revolution. He was not granted a shilling, but he did retain his inherited title.

Governor Bernard's contribution to the colonies was not totally negative. He was a well-educated man, a person who appreciated Boston for its wonderful library, its college, and its scientific opportunities. He had loathed New Jersey and called it more of a retirement to be there. He wrote poetry in Latin, drew the architectural plans for a chapel that still stands at Harvard, tried to form two new colleges, one in Hatfield and one in Berkshire County for the native Americans of the Iroquois nation. He owned a telescope, and was intellectually curious about the new country. One could argue that his land speculating did help set the borders of Maine, Vermont, and Massachusetts farther than they were; upper Maine might be part of Canada but for him, and New York might extend east nearly to the Connecticut River. Because of his landholdings, and "in the king's service," he encouraged the art of mapmaking, had copies made, and carefully preserved these maps, taking them back to England with him. Much of what we know of New England in the era before the revolution comes from reading his eloquent correspondence, (over one thousand letters in all are extant) especially those to Lord Barrington. This correspondence to his wife's cousin was friendly and confidential, not curt and official, giving it more value to researchers. After returning to England, he wrote letters warning the crown against going to war with the colonies, suggesting instead blockades and individual punishments for dissident elements. During his term, in trying to align a following of his own, he split up long-standing political factions, permanently turning the country party against the crown. In that era, patronage was not a very successful tool in Massachusetts. For one thing, the Governor's Council was elected. In addition, Massachusetts was made up largely of small towns, each of which was expected to send two representatives to Boston. There were simply too many politicians to deal with in the manipulative manner Bernard was using. Besides, government posts did not pay very well, and there were too few lifetime appointments. Much of his political dealing was aimed at building his own fortune, yet if it were not for his avarice, might not Bernard have been a successful governor, even in the 1760s? He was not unintelligent, but his timing and lack of perception in terms of the post and the kinds of people he was using in the era after the French and Indian War led to his downfall.

An elegy to Bernard, unsigned and undated, but thought to be from the late 1770s, contains forty-five quatrains. Some of the more barbed lines read:

Since Pimps destroy their Wishes of Success
And false deceive, though Reason would appear
* * *

When Pride, Ambition, with the stain or Lust,
Base, flattering Idols of a transient Hour!
Strive to o'er whelm a civil STATE and burst
With Baneful gluts of Vanity and Power;
* * *

Raised from low state a BEGGAR on the Earth
Thy Name through Life is tainted with Disgrace
Rever'd by few for Eminence or worth!
Despis'd by MOST, a Scandal to the Race!²⁹

Grasping royal appointees were not that unusual; Governor Shirley (whose term ran from 1741 to 1757) had been soundly denounced by the Boston papers for being crafty, ambitious, and enterprising. And certainly landgrabbing was not exclusive to Bernard. But representatives of the crown such as Francis Bernard attracted the attention of revolutionaries at a critical time when people in Massachusetts were ready to question the social, economic, and political status quo.

29. "Elegy" to Francis Bernard, ms. in Houghton Library, Harvard University.