

= Sir Francis Bernard , 1st Baronet =

Sir Francis Bernard , 1st Baronet (bapt . 12 July 1712 ? 16 June 1779) was a British colonial administrator who served as governor of the provinces of New Jersey and Massachusetts Bay . His uncompromising policies and harsh tactics in Massachusetts angered the colonists and were instrumental in the building of broad @-@ based opposition within the province to the rule of Parliament in the events leading to the American Revolution .

Appointed governor of New Jersey in 1758 , he oversaw the province 's participation in the later years of the French and Indian War , and had a generally positive relationship with its legislature . In 1760 he was given the governorship of Massachusetts , where he had a stormy relationship with the assembly . Early actions turned the colony 's populists against him , and his responses to protests against Parliament 's attempts to tax the colonies deepened divisions . After protests against the Townshend Acts in 1768 , Bernard sought British Army troops be stationed in Boston to overawe the colonists . He was recalled after the publication of letters in which he was critical of the colony .

After returning to England , he continued to advise the British government on colonial matters , calling for hardline responses to ongoing difficulties in Massachusetts that culminated in the 1773 Boston Tea Party . He suffered a stroke in 1771 and died in 1779 , leaving a large family .

= = Early life = =

Francis was born in Brightwell @-@ cum @-@ Sotwell , (then in Berkshire , but part of Oxfordshire since 1974) , England to the Rev. Francis and Margery (Winslowe) Bernard and was christened on 12 July 1712 . His father died three years later . His mother remarried , but died herself of smallpox in 1718 . He was thereafter probably raised by an aunt for several years , since his stepfather was forced by a failed courtship to flee to Holland . His stepfather , Anthony Alsop , returned to Berkshire a few years later , and continued to play a role in the boy 's upbringing . Bernard 's formal education began at Westminster in 1725 , and he then spent seven years at Oxford , where Christ Church granted him a master of arts in 1736 . He read law at the Middle Temple and was called to the bar in 1737 , after only four years (instead of the typical seven) of study . He settled in Lincoln , where he practiced law and took on a variety of municipal posts . Among his neighbors in Lincoln were the Pownalls , who had one son (John) serving in the Colonial Office , and another , Thomas , who went to the North American colonies in 1753 and was appointed governor of the Province of Massachusetts Bay in 1757 .

Bernard married Amelia Offley , daughter of the sheriff of Derbyshire , in December 1741 , and the couple raised a large family : by 1757 the couple had eight living children . Because his prospects for further income to support this large family were unlikely in Lincoln , he apparently decided to seek a posting in the colonies . John Adams later described Bernard as " avaricious to a most infamous degree ; needy at the same time , having a numerous family to provide for . "

= = Governor of New Jersey = =

Bernard 's wife was cousin to Lord Barrington , who became a Privy Councillor in 1755 . Probably through his connections to Barrington and the Pownalls , he secured an appointment as governor of the Province of New Jersey on 27 January 1758 , a post that became available upon the death of Jonathan Belcher . Leaving some of his children with relatives , the couple sailed for North America with four of their children , arriving at Perth Amboy on 14 June .

The colonies were in the middle of the French and Indian War at the time of Bernard 's arrival . He established a good working relationship with New Jersey 's assembly , and was able to convince the province to raise troops and funds for the ongoing war effort . He signed the Treaty of Easton , an agreement between New Jersey and Pennsylvania on one side , and a group of Indian tribes (the Lenape being of principal concern to New Jersey) fixing boundaries between colonial and Indian lands . This effort was important , for it reduced raiding on the frontiers and made possible the reallocation of provincial military strength to the war with New France . It and other agreements

negotiated by Bernard extinguished all of the remaining Indian titles to New Jersey . Negotiations with the Lenape also resulted in the establishment of the first formal Indian reservation , Brotherton , near present @-@ day Indian Mills . This reservation was only sparsely populated , and was abandoned in 1801 when its remaining inhabitants joined the Stockbridge Indians in upstate New York .

= = Governor of Massachusetts = =

Through the influence of his connections in the Colonial Office , Bernard was appointed governor of the Province of Massachusetts Bay in late 1759 . Delays in communications and slow travel were such that Bernard did not arrive in Boston until 2 August 1760 . Although initially warmly welcomed , his tenure in Massachusetts was difficult . Bernard sought to vigorously enforce the Navigation Acts , in part because crown officials (including the governor and the customs officials) received shares of the proceeds from the seizure of ships that were caught violating the acts . The legal actions involving these seizures were heard in a jury @-@ less admiralty court before a Crown @-@ appointed judge , and were extremely unpopular . Bernard also made an early opponent of James Otis , Jr. by appointing Lieutenant Governor Thomas Hutchinson to be chief justice of the province 's highest court , a post that had been promised by several previous governors to Otis ' father . Upset over the snub the younger Otis resigned his post as advocate general (i.e. the Crown 's representative , equivalent to a government prosecutor) before the admiralty court , and devoted himself instead to arguing (sometimes pro bono) on behalf of the merchants in defense of their ships . These early actions during Bernard 's tenure drew a clear dividing line between the " popular party " (exemplified by the Otises) opposed to British colonial policy and the " court party " (exemplified by Hutchinson) who supported it .

Bernard 's difficulties were compounded when , after the death in late 1760 of King George II , it became necessary to reissue writs of assistance to customs tax collectors . These writs , which were essentially open @-@ ended search warrants , were judicially controversial and so unpopular that their issuance was later explicitly disallowed by the United States Constitution . Hutchinson , who approved the writs in one of his first acts as chief justice , saw his popularity fall , and Otis , who argued the writs violated the Rights of Englishmen , gained in popularity . He was elected to the provincial legislature in May 1761 , where he was well placed to continue his attacks on Bernard 's policies . In the 1761 session of the assembly Otis engineered the gift of Mount Desert Island to Bernard , a partially successful stratagem to divert Bernard 's attention from ongoing customs seizures .

Bernard 's unpopularity continued through other tax measures , including the Sugar Act (1763) and the Stamp Act (1765) . While the passage of both acts occasioned protest , the response to the Stamp Act included rioting in the streets , and united many factions in the province against the governor . In 1767 the passage by Parliament of the Townshend Acts again raised a storm of protest in the colonies . In Massachusetts the provincial assembly issued a circular letter , calling on the other colonies to join it in a boycott of the goods subject to the Townshend taxes . Bernard was ordered in April 1768 by Lord Hillsborough , who had recently been appointed to the newly created office of Colonial Secretary , to dissolve the assembly if it failed to retract the letter . The assembly refused , and Bernard prorogued it in July .

Maier says that his letters to London greatly influenced officials there , but they " distorted " reality . " His misguided conviction that the ' faction ' had espoused violence as its primary method of opposition , for example , kept him from recognizing the radicals ' peace @-@ keeping efforts Equally dangerous , Bernard 's elaborate accounts were sometimes built on insubstantial evidence . " Warden argues that Bernard was careful not to explicitly ask London for troops , but his exaggerated accounts strongly suggested they were needed . In the fall of 1767 he warned about a possible insurrection in Boston any day , and his exaggerated report of one disturbance in 1768 , " certainly had given Lord Hillsboro the impression that troops were the only way to enforce obedience in the town . " Warden notes that other key British officials in Boston wrote London with the " same strain of hysteria . " Four thousand British Army troops arrived in Boston in October 1768

, further heightening tensions . Bernard was vilified in the local press , and accused of writing letters to the ministry that mischaracterized the situation . Although he was challenged to release those letters he refused . Opposition agents in London were eventually able to acquire some of his letters , which reached members of the Sons of Liberty in April 1769 . They were promptly published by the radical Boston Gazette , along with deliberations of the governor 's council . One letter in particular , in which Bernard called for changes to the Massachusetts charter to increase the governor 's power by increasing the council 's dependence on him , was the subject of particularly harsh treatment , and prompted the assembly to formally request that " he might be forever removed from the Government of the Province . " He was recalled to England , and Lieutenant Governor Hutchinson became acting governor . When Bernard left Boston on 1 August , the town held an impromptu celebration , decorated the Liberty Tree , and rang church bells .

His accomplishments in Massachusetts included the design of Harvard Hall at Harvard University and the construction of a summer estate on Pond Street in Jamaica Plain .

= = Return to England = =

Upon his return to England , he asked for and received a hearing concerning the colonial petition against his rule . The Privy Council in February 1770 considered the petition , and after deliberation dismissed all of the charges as " groundless , vexatious , and scandalous . " Despite this vindication , Bernard resigned as governor in 1771 . He was confirmed in the ownership of Mount Desert Island , a recognition he had been seeking since it was awarded to him in 1761 . Although he had been promised a baronetcy and a pension of £ 1 @, @ 000 for his service , he learned after his return that the pension had been reduced to £ 500 (the baronetcy , of Nettleham , was awarded at crown expense) . His appeals on the matter were at first rejected , but when Lord North became Prime Minister in 1770 , the pension was raised , but shortly after replaced by an appointment as commissioner on the Board of Revenue for Ireland , which paid the same amount .

Bernard became an advisor to the North administration on matters concerning the colonies . He generally took a harder line than his predecessor Thomas Pownall , who advocated for colonial interests in Parliament . Proposals he made in 1771 included ideas central to the 1774 Massachusetts Government Act , which severely constrained colonial political power , including a council appointed by the governor rather than one elected by the assembly . Bernard may also have played a role in the difficulties Benjamin Franklin had in being recognized as a colonial agent ; after Franklin 's credentials were refused by the colonial secretary , he encountered Bernard in an antechamber . Biographer Colin Nicolson observes that Bernard 's presence as an advisor to the ministry " cast a shadow over virtually ever American measure regarding Massachusetts " that the ministry considered , because of Bernard 's role in breaking trust between the colonists and the London government and the subsequent radicalization of Massachusetts politics .

In 1774 , when the North government was considering how to respond to the Boston Tea Party , Bernard published *Select Letters on Trade and Government* , containing proposals on how to deal with the ongoing difficulties in the colonies . He proposed to reconcile the constitutional grievances of the British and radical Americans by the possible introduction of American representatives into the Parliament of Great Britain . In the *Select Letters* , which included the essay *Principles of Law and Polity* which he drafted in 1764 , he laid out a point @-@ by @-@ point exposition of his viewpoints concerning imperial governance . Some of his ideas were enacted , notably those enshrined in the Massachusetts Government Act ; the outrage in London even sparked the sympathetic colonial advocate Thomas Pownall to propose the closure of Boston 's port , which was enacted in the Boston Port Act .

= = Decline and death = =

In late 1771 Bernard was bequeathed the manor at Nether Winchendon upon the death of a cousin to whom he had been close since childhood . Combined with other uncertainties about where various family members would reside after he received the Irish appointment , the stress of the

situation led Bernard to suffer a stroke . His mobility was impaired , but he took the waters at Bath , which appear to have helped his recovery . He applied for permission to resign the Irish post , and settled first at the Nether Winchendon manor ; in 1774 his resignation was accepted and his pension restored . He was well enough in 1772 to travel to Oxford , where he received an honorary Doctor of Civil Law from his alma mater , Christ Church . Because of his health he moved later in 1772 to a smaller house in nearby Aylesbury . He died on 16 June 1779 , after an epileptic seizure , at Nether Winchendon .

= = Legacy = =

Bernard never believed the difficulties he had in Massachusetts were personal : instead of accepting some responsibility , he blamed his problems on the policies emanating from London that he was instructed to implement . John Adams wrote that Bernard 's " antagonistic reports " of matters in Massachusetts were instrumental in turning British government policymakers against colonial interests . Bernard 's name headed a list drawn up in Massachusetts after the American Revolutionary War broke out of " notorious conspirators against the government " , and most of his property there was confiscated . Mount Desert Island was not entirely taken ; Bernard 's son John , who resided in Maine during the war and sided with the victorious Americans , was able to receive Massachusetts title to half of the island .

Upon the election of James Bowdoin to be Governor of Massachusetts in 1786 , Reverend William Gordon in his sermon warned Bowdoin that he ignored the state 's legislature at his peril , as Bernard had .

Vealtown , New Jersey , a town first settled around 1715 and located in Bernards Township , was renamed Bernardsville in Bernard 's honour in 1840 . Bernardston , Massachusetts was incorporated during his Massachusetts administration and is named for him . Bernard also named Berkshire County , Massachusetts (after his county of birth) and Pittsfield , Massachusetts (after British Prime Minister William Pitt) .