



The New York Public Library Manuscripts and Archives Division

Guide to the

Joseph Hawley papers

1653-1804

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Compiled by Susan P. Waide, 2015

Summary

Creator: Hawley, Joseph, 1723-1788

Title: Joseph Hawley papers

Date: 1653-1804

Size: .6 linear feet (2 boxes, 1 oversized folder)

Source: Purchased by the Lenox Library from the estate of George Bancroft, 1893

Abstract: Joseph Hawley (1723-1788) of Northampton, Massachusetts, a lawyer, legislator and militia officer, was one of the foremost political leaders of the American revolutionary movement in Massachusetts. The Joseph Hawley papers, dating 1653 to 1804, consist of letters and documents relating to him or members of his family dealing with public and private affairs, especially during the colonial wars and the Revolutionary era. Among these are letters to and from Joseph Hawley and his brother Elisha Hawley; Elisha Hawley's brief journal of the Crown Point expedition, 1755; items pertaining to the ministry of Jonathan Edwards in Northampton; and papers of the Northampton Committee of Correspondence, of which Hawley was chairman. The collection also includes Joseph Hawley's writings on religious, legal and political topics, circa 1740s-1783, notably concerning the Stamp Act and the Massachusetts Constitutional Convention; sermon notes, 1724-1750, taken by Joseph Hawley with his own Bible commentaries, the early notes probably taken by Joseph Hawley's father; Hawley's legal notes on a dispute between a Mr. French and Joseph Allen of Deerfield, [1750]; and two undated texts in Latin, possibly from Hawley's student days.

Alternative Form Available: Entire collection available on microfilm, *ZL-326.

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Processing note: Compiled by Susan P. Waide, 2015 Documents in the Joseph Hawley papers were bound in two volumes in rough chronological order, but with overlapping dates, during the period of George Bancroft's ownership. The documents were partially numbered and listed at the turn of the 20th century, and subsequently disbound. They are now arranged in one chronological order with the exception of some writings.

Related Materials:

Forms part of [Bancroft collection](#)

Creator History

Joseph Hawley (1723-1788) of Northampton, Massachusetts, a lawyer, legislator and militia officer, was one of the foremost political leaders of the American revolutionary movement in Massachusetts.

Joseph Hawley and his brother Elisha (1726-1755) were the only children of prominent Northampton residents Joseph Hawley II (1682-1735) and Rebekah Stoddard (d. 1766), the daughter of Reverend Solomon Stoddard (1643-1729). Stoddard, a popular minister who held the pulpit of the First Congregational Church for sixty years, was succeeded by his grandson, Reverend Jonathan Edwards (1703-1758), a noted American theologian and first cousin to Joseph and Elisha. Through his sermons and ministry, Edwards led his congregation in an early manifestation of the First Great Awakening in 1734-1735. Joseph Hawley II, in great distress over the perceived depth of his own sinfulness, committed suicide in 1735, which Edwards publicly attributed to the work of Satan and the Hawley family's history of mental illness, described as melancholy.

After graduating from Yale College in 1742, Joseph Hawley studied theology. During King George's War (1744-1748) he served as chaplain with a Massachusetts regiment sent to Canada in 1745 with other New England forces to seize the French fortress of Louisbourg. His brother Elisha rose in the ranks of the Massachusetts militia, eventually commanding the frontier outpost of Fort Massachusetts. During the French and Indian War, Captain Elisha Hawley was mortally wounded at the Battle of Lake George on September 8, 1755. Joseph Hawley attained the rank of major in the Hampshire County militia, overseeing enlistments, supplies and local defense, and he remained involved in military affairs throughout his career.

During the 1740s, Joseph Hawley came into personal and religious conflict with Jonathan Edwards. Hawley had become an adherent of Arminianism, which he would reject later in life. Edwards became increasingly alienated from his congregation, stemming from his public chastisement of local youths in 1744 for reading books deemed immoral, and his changing doctrinal views on criteria for full membership in the church. Edwards was dismissed in 1750, although he briefly continued to preach on a supply basis, and an attempt was made by his supporters to install him as minister of a new congregation in Northampton. Joseph Hawley played a leading role in his removal. Hawley would eventually apologize to Edwards for his personal behavior concerning the dismissal, and again after Edwards' death in a letter to Reverend David Hall of Sutton in 1760, published in the press. Also during this time, Martha Root identified Elisha Hawley as the father of her twin children. In 1748 he paid a civil settlement to support the surviving child and was excommunicated by the First Church. In 1749 Joseph Hawley represented his absent brother at a council of ministers, which recommended his return to the church upon confession of sin, without requiring him to marry Martha Root.

After his return home from Louisbourg in 1745, Hawley studied law in Suffield and began practicing law in Northampton in or by 1749, becoming a justice of the peace in that year. He was made a barrister in 1762, enabling him to plead before the Massachusetts Superior Court. In 1752 Hawley married Mercy Lyman (1729-1806). Having no children of their own, they adopted Mercy's nephew Joseph Clarke, who worked in partnership with Hawley and assisted him in family, business and public affairs. Noted law clerks included Levi Lincoln (1749-1820) and Caleb Strong (1745-1819), both prominent American statesmen.

Hawley soon became a leading figure in the legal, civic, political and military affairs of western Massachusetts. Hawley held many important positions in the Town of Northampton, including Town clerk (1751-1760), and for many years, Town selectman from 1747 and moderator of Town meetings from 1759. Beginning in 1751, he was elected by the Town of Northampton to serve in the House of Representatives at Boston, which, with the Council, formed the General Court, the governing body of Massachusetts. The governor, lieutenant-governor and secretary were Crown appointments. He served continuously from 1766 until the General Court was finally prorogued in June 1774; in the Massachusetts Provincial Congress, 1774-1775; and then in sessions of the resumed General Court in 1775 and 1776. Hawley was vice president of the Provincial Congress in 1775.

Joseph Hawley had opposed the Stamp Act with other radical whigs, and in 1766 he appealed the conviction of a Stamp Act rioter, Seth Warren of Berkshire County, before the Superior Court. Hawley's arguments in court and letters to the Boston Evening Post in 1767 concerning the "Berkshire Affair" resulted in Hawley's temporary disbarment at the direction of Chief Justice Thomas Hutchinson.

Serving on important committees during the 1760s and 1770s, he worked closely with Samuel Adams, James Otis, Jr., Thomas Cushing, John Hancock, John Adams and others in directing the statements and defense of American colonial rights, and was an early proponent of independence and military preparedness. In 1774 he declined to represent Massachusetts at the Continental Congress, in favor of John Adams. Also in that year he became chairman of Northampton's Committee of Correspondence, later the Committee of Correspondence, Inspection and Safety, a position he held through part of 1776.

Throughout his adulthood Hawley suffered intermittently from mental and physical breakdowns. He left his legislative seat in late 1776 for those reasons, although he continued to play an active role in public affairs when his health permitted, notably in 1779-1780, at the time of the Massachusetts Constitutional Convention. He was largely responsible for directing and drafting Northampton's response to the draft constitution submitted to the towns for approval. He found the new constitution to be especially flawed in its property requirements for suffrage, and also for imposing a religious test oath for office holders. He declined to serve as state senator, refusing to take the oath.

In the final years of the war, Hawley was greatly concerned with the impact of the failing economy on social stability and the success of the revolutionary cause, reflected in rising poverty and in the difficulties people had in meeting their debts, among them former soldiers who had not yet been paid for their military service. In the spring of 1782 he helped calm unrest when Samuel Ely and his supporters attempted to break up court in Northampton, a precursor to the events of Shay's Rebellion. The year 1783 marked the end of Joseph Hawley's service as town selectman and his active involvement in public affairs. He retired to a private life, cared for by Mercy Hawley until his death on March 10, 1788.

Scope and Content Note

The Joseph Hawley papers, dating 1653 to 1804, consist of letters and documents relating to him or members of his family dealing with public and private affairs, especially during the colonial wars and the Revolutionary era. Among these are letters to and from Joseph Hawley and his brother Elisha Hawley; Elisha Hawley's brief journal of the Crown Point expedition, 1755; items pertaining to the ministry of Jonathan Edwards in Northampton; and papers of the Northampton Committee of Correspondence, of which Hawley was chairman. The collection also includes Joseph Hawley's writings on religious, legal and political topics, circa 1740s-1783, notably concerning the Stamp Act and the Massachusetts Constitutional Convention; sermon notes, 1724-1750, taken by Joseph Hawley with his own Bible commentaries, the early notes probably taken by Joseph Hawley's father; Hawley's legal notes on a

dispute between a Mr. French and Joseph Allen of Deerfield, [1750]; and two undated texts in Latin, possibly from Hawley's student days.

Letters and documents dating 1653 (Old Style) through the 1750s consist largely of correspondence of Joseph Hawley and Elisha Hawley regarding personal, family and military matters, including Elisha's affair with Martha Root, religious and church matters, and defense of the Massachusetts frontier. Notable items pertaining to Elisha Hawley include his copy of the covenant of the people of Northampton, 1741/2, with his comment and signature, 1747; his manuscript plan of a town plot near Fort Massachusetts (1750 September), his brief journal during the Crown Point expedition, 1755, and his letter to Joseph the day of his fatal wounding, 1755 September 8. Other correspondents on military matters include Ephraim Williams Sr., Ephraim Williams Jr., and Philip Schuyler (1747/8 February). Also present are two drafts of Joseph Hawley's letter apologizing to Martha Root dated 1750 August 8. A few items dating prior to the 1740s relate to land and other transactions, notably a petition from Springfield settlers to establish a plantation at present day Northampton dated the 6th day of the 3rd month 1653 (Old Style). Notable items concerning Jonathan Edwards's ministry at Northampton include an unsigned letter from Jonathan Edwards to the Town Precinct meeting concerning his salary, 1744 November 6, his letter to Joseph Hawley of 1754 November 18 giving his opinion on Hawley's role in his dismissal, and Hawley's response of 1755 [January] 21. Samuel Hopkins' letter of 1761 March 21 to Hawley regarding Hawley's published letter to Reverend Hall about the Edwards affair, and Hawley's response to Hopkins April 1 are also pertinent. Additional items are found in undated materials, circa 1740s-circa 1781.

Letters written by Hawley to his wife Mercy at Northampton while attending to legal or government affairs concern the state of his health, personal matters, and general political events as they relate to his plans to return home. There are also a few letters from Joseph Hawley to their nephew and adopted son, Joseph Clarke, regarding family and local matters. Hawley's intermittent periods of mental and physical illness are glimpsed in references he makes in letters to his friends and relatives, and in letters to him expressing concern and good wishes, such as that from Nathan Birdsey (1767 February 18) and James Sullivan (1777 February 19).

Hawley's activities at the colonial General Court, Provincial Congress and the resumed General Court are not well represented. Items reflecting his influence and prestige during the Revolutionary era include colonial agent William Bollen's 1771 account of his work in London, sent to Hawley by Judge Edmund Trowbridge; letters from Thomas Cushing advising him of political developments; and the Congressional appointment of Hawley as Commissioner of Indian Affairs for the Northern Department, 1775 July 13. Although Hawley continued to serve in the General Court in 1776, much of his time from late February 1775 was spent in Northampton, chairing its Committee of Correspondence, Inspection and Safety. Many letters and documents from 1775 through 1779 are directed to or sent by the Committee, either to Hawley as chairman, or his elected successors, including Joseph Clarke. These concern measures taken against loyalists and, notably, documents relating to British naval prisoners of war and American suspects sent to Northampton by George Washington and the General Court. These include signed paroles and protests against conditions at the Northampton goal, some signed by Royal Navy officer Henry Edwin Stanhope (1754-1814), and letters from American officers, such as Horatio Gates and local militia officer Seth Pomeroy, concerning the prisoners. Additional items are found in undated materials. Letters from the communities of Sunderland (1778) and Chesterfield (1779) to the Committee express the need for a constitutional convention. Also from this period are various military documents, including a list of militia companies in Northampton from 1777-1779, and charges against militia officers O. Lyman and D. Pomeroy (1779).

Notable letters written by Joseph Hawley to Ephraim Wright 178[2] April 16 and to Caleb Strong, 1782 June 7 and June 24, describe deep unrest in western Massachusetts over the heavy load of debt borne

by citizens, especially men who had not yet been paid for their Army service. Materials dating 1787-1804 consist of a letter from the daughter of a loyalist, Sarah Troutbeck, and papers of Joseph Clarke relating to the estates of Joseph Hawley and David Turner.

A few documents relating to town meetings such as warrants and minutes, and local legal proceedings, as well as military commissions for Joseph and Elisha Hawley, are interspersed.

Undated letters and documents, circa 1740s-circa 1781, include letters to and from Joseph Hawley, among them a brief note from Jonathan Edwards; religious writings signed by Joseph Hawley including A Covenant with God; incomplete letters written by Thomas Prince and Thomas Foxcroft to Timothy Dwight following Jonathan Edwards' dismissal as minister at Northampton; Elisha Hawley's report on scouting a route from Northampton to Albany, New York, and Joseph Hawley's signed draft of his letter to Reverend David Hall ("Revd. Sr.") concerning Edwards. Items from the Revolutionary War period include a document signed by Joseph Warren listing Parliamentary acts related to a resolve of the Continental Congress; lists of British and other prisoners of war held at Northampton; and a letter from men at Pittsfield, Massachusetts to the Northampton Committee of Correspondence advising of a petition to call a constitutional convention.

Joseph Hawley writings comprise his commonplace book, circa 1740s-circa 1779, a disbound notebook and loose items consisting of quotations and writings, mainly on religious and legal topics; his nearly complete drafts of letters submitted to the Boston Evening Post in 1767 concerning the legal context of the "Berkshire Affair" during the Stamp Act crisis; Hawley's draft of Northampton's response to the Constitutional Convention, circa 1780 May; and a draft of his letter to the Constitutional Convention giving his personal views on flaws in the draft constitution, as submitted to printers Draper and Folsom for publication, dated 1780 June 5. Also, brief legal notes on an arbitration at Deerfield, [1750]; an incomplete manuscript in Hawley's hand of the remonstrance presented to the Council convened at Northampton in May, 1751 regarding Jonathan Edwards; and Hawley's legal opinion on the tenure of Justices of the Superior Court, incomplete, circa 1773; as well as drafts of an act for the recovery of debt, 1782; and a petition for Northampton regarding the Court of General Sessions, 1783.

Sermon notes, 1724-1750 and undated, on folded and stitched signatures, are in two different hands; only a few are dated. The earlier notes, 1724-circa 1734, were probably taken by Joseph Hawley II, with sermons by ministers Stoddard, Edwards (1731), and Hopkins (1731), and a text preached by Edwards on Second Corinthians 11:14 (sermon given in 1734). Notes taken 1741, 1750 and undated are in the hand of Joseph Hawley and include sermons by Whittlesey (1741 December 6) and Edwards (1750 July 15; with a list inside the fold of tenants and rent amounts). Undated notes include Hawley's own commentaries on biblical texts.

Texts in Latin are writings on Graeco-Roman history in two notebooks, possibly from Hawley's student days.

Key Terms

Geographic Names

Berkshire County (Mass.) -- History
Connecticut River Valley -- History
Hampshire County (Mass.) -- History
Massachusetts -- History -- Colonial period, ca. 1600-1775
Massachusetts -- History -- Revolution, 1775-1783
Massachusetts -- Politics and government -- 1775-1783

Massachusetts -- Politics and government -- To 1775
Massachusetts -- Religion -- 18th century
Northampton (Mass.) -- History
United States -- History -- Colonial period, ca. 1600-1775
United States -- History -- French and Indian War, 1754-1763 -- Personal narratives
United States -- History -- King George's War, 1744-1748
United States -- History -- Revolution, 1775-1783
United States -- History -- Revolution, 1775-1783 -- Committees of correspondence
United States -- History -- Revolution, 1775-1783 -- Prisoners and prisons

Genre/Physical Characteristic

Cadastral maps
Commonplace books
Diaries
Military commissions
Military records

Occupations

Clergy
Lawyers
Legislators
Soldiers
Statesmen

Subjects

Congregational churches -- Clergy
Crown Point Expedition, N.Y., 1755
Sermons, American -- 18th century

Names

Bollan, William, -1776
Clarke, Joseph O., 1749-1850
Cushing, Thomas, 1725-1788
Edwards, Jonathan, 1703-1758
Hawley, Elisha, 1726-1755
Hawley, Joseph, 1723-1788
Schuyler, Philip John, 1733-1804
Strong, Caleb, 1745-1819
Trowbridge, Edmund, 1709-1793
Hawley family
Stoddard family
Williams family
Great Britain. -- Stamp Act (1765)
Massachusetts.. Constitutional Convention -- (1779-1780)

Container List

Letters and documents

- b. 1 f. 1 1653-1744
- b. 1 f. 2 1747-1748
- b. 1 f. 3 1749
- b. 1 f. 4 1750-1753
- b. 1 f. 5 1754
- b. 1 f. 6 1755
- b. 1 f. 7 Elisha Hawley journal of the Crown Point expedition 1755 June 26-September 7
- b. 1 f. 8 1756-1759
- b. 1 f. 9 1760-1764
- b. 1 f. 10 1766-1769
- b. 1 f. 11 1770
1771
- b. 1 f. 12 Edmund Trowbridge letter to Joseph Hawley
Undated letter from Edmund Trowbridge to Joseph Hawley enclosing letter of Massachusetts colonial agent William Bollan to Trowbridge, dated London, 1771 September 25. Bollan's letter encloses a memorandum and copies of documents dated 1763-1768 relating to his expenses, for which he hopes to be reimbursed.
- o. 1 William Bollan statement of account with the Province of Massachusetts Bay
Copy of Bollan's statement dated 1763 April 18, enclosed with his letter to Trowbridge.
- b. 1 f. 13 1772, 1774
- b. 1 f. 14 1775 February-June
- b. 1 f. 15 1775 July-December
- b. 1 f. 16 1776 January-May
- o. 1 Edward Webb letter to Joseph Hawley [1776] May 22
Royal Navy midshipman held as prisoner of war in Northampton, Massachusetts.
- b. 1 f. 17 1776 June-October
- b. 2 f. 1 1777-1779
- b. 2 f. 2 Account of military services and payments for Northampton from 1777 to 1779 [1779]
- b. 2 f. 3 1780-1782
Includes a copy of Hawley's letter to the Senate, 1780 October 28, declining to serve as senator.
- b. 2 f. 4 1787-1804
- b. 2 f. 5 Circa 1740s-circa 1781
- b. 2 f. 6 Fragments

Joseph Hawley writings

- b. 2 f. 7 Commonplace book circa 1740s-circa 1779
- b. 2 f. 8 The evidence given in the case between Mr. French [and] Joseph Allen [1750]
Joseph Hawley letter to Elisha Hawley, 1750 December 22, mentions recent attendance at Deerfield on an arbitration of disputes between these men.

Joseph Hawley writings (cont.)

- b. 2 f. 9 **To the Rev[eren]d Ecclesiastick Council now sitting at Northampton [1751]**
 Incomplete manuscript in Hawley's hand of the remonstrance presented to the Council convened at Northampton in May, 1751. The council considered the expediency of allowing Jonathan Edwards to remain as a minister to separated members of the First Church.

Letters to the Boston Evening Post 1767
 Manuscripts of Joseph Hawley's letters to the Boston Evening Post, [1767] and 1767 December 8, concern the so-called "Berkshire Affair." Several men from Lanesborough, Berkshire County, were arrested for violent interference in the arrest of two men in late 1765 for non-payment of debt, and found guilty at the court of General Sessions in April 1766. The dispute arose in part out of difficulties in conducting legal transactions due to the recently imposed Stamp Act. Joseph Hawley undertook the appeal of one man, Seth Warren, before the Superior Court in Springfield later that year. In response to the writings of "Philanthrop" [Jonathan Sewall] in the Boston Evening Post, Hawley wrote a detailed description of the incident and criticism of the court rulings, published in the Boston Evening Post on July 6 and 13, 1767. His letter of December 8, 1767, published in the same paper over the course of several issues (1768 January 11, 18, 25 and February 2) responded to subsequent attacks by Philanthrop with a vindication of his own conduct and further legal arguments.
- b. 2 f. 10 **[1767]**
 Draft of letter published July 6 and 13, 1767. Partially in Hawley's hand with his emendations throughout; includes fragment.

1767 December 8
- b. 2 f. 11 **Draft**
 Partially in Hawley's hand with his emendations throughout, with text inserts.
- b. 2 f. 12 **Fragments**
 Earlier drafts of inserts "G" and "A" (second instance). Insert "A" is written on a brief letter from John Hancock to Joseph Hawley dated 1767 December 12 enclosing "Mr. Hyslop's oath" (not present)
- b. 2 f. 13 **Are the Justices of the Superior Court removable at pleasure, or for just cause only circa 1773**
 Incomplete manuscript attributed to Hawley, providing legal commentary on the subject. References to opinions held by John Adams probably date this to 1773. In that year Adams responded in print to Major General William Brattle's arguments supporting the payment of Superior Court judges' salaries by the Crown.
- b. 2 f. 14 **Town of Northampton response to the Massachusetts Constitutional Convention circa 1780 May**
 Undated draft, partially in Hawley's hand (p. 1-16 with draft postscript), of the Town's response, or return, to the Constitutional Convention, suggesting amendments to the draft constitution submitted to Massachusetts towns in March, 1780 for review by voters. Hawley was a member of the Town's subcommittee charged with drafting the response, which was reviewed by the Town in May, 1780.

This document was published under the title "The Amendments to the Constitution of Massachusetts, suggested by the Town of Northampton" in Mary Catherine Clune's *Joseph Hawley's Criticism of the Constitution of Massachusetts*, Smith College Studies in History, vol. III, no. 1 (October 1917), p. 13-31. It has also been described as "Hawley's Criticisms on the Constitution of Massachusetts, June 5, 1780" as mistakenly noted on an attached title page in the handwriting of George Bancroft.

Joseph Hawley writings (cont.)

- b. 2 f. 15 **Joseph Hawley letter to the Massachusetts Constitutional Convention 1780**
June 5
Joseph Hawley's letter to the Constitutional Convention giving his personal views on flaws in the draft constitution, as submitted to printers Draper and Folsom for publication. It is signed and dated 1780 June 5.
This document was published under the title "Joseph Hawley's Protest to the Constitutional Convention of 1780" in Mary Catherine Clune's *Joseph Hawley's Criticism of the Constitution of Massachusetts*, Smith College Studies in History, vol. III, no. 1 (October 1917), p. 31-52. The published text is transcribed from several documents, reflecting Hawley's practice of reusing paper. The transcription is taken from p. 1-3 (1755 September 10, Governor Phips' commission of Israel Williams, Oliver Partridge and Joseph Hawley to administer oaths to officers), p. 4-5 (quarto sheet), and p. 5-20 (folio sheets in another hand with his emendations). Pages 4-5 and 5-20 are separately foldered here. Pages 1-3 and 7-15, all in Hawley's hand, are written on the backs of letters to Hawley and documents arranged chronologically in this collection as follows: p. 7-9 (1755 February 15, petition to Governor William Shirley); p. 10-12 (1772 March 1, Joseph Eaton letter); p. 13 (1779 October 25, Caleb Strong letter); and p. 14-15 with insertions (1760 December 31, John Merrett letter).
- b. 2 f. 16 **Drafts relating to an act for the recovery of debt 1782**
- b. 2 f. 17 **Drafts relating to a petition respecting the Court of General Sessions 1783**
- b. 2 f. 18 **Fragment circa 1780-1782**
Texts relate to the recovery of debt and the Massachusetts constitution.
- Sermon notes**
- b. 2 f. 19 **1724-circa 1734**
- b. 2 f. 20 **1741, 1750, undated**
- b. 2 f. 21 **Texts in Latin undated**