

The Passy Press[®]

Letters to the Editor

From: John MacMurray <johncurtismacmurray@undisclosed.com>
To: Nick Gardiner <enpg@thepassypress.com>
Sent: 17 December 2017 at 19:38:21 CET
Subject: Peter Barnet Essay, October 2017

Dear Sir:

There is a delicious double irony in Peter Barnet's good essay on the subject of "fixing" fake news, in that Benjamin Franklin's Passy Press was in one famous instance itself an exemplar of the genre, flying in the face of the Franklin quote with which the Barnet essay begins.

I refer to the 1782 Passy Press publication of a purported supplement to a Boston newspaper (see below), revealing the complicity of English colonial authorities in Indian scalping of colonists — men, women and children. The article gets granular in the accounting of bales of scalps, nicely color coded to distinguish sex and children.

It was all a Franklin invention. A hoax. He circulated the article among Englishmen at large, supposing that it would make them feel "ashamed", and thereby soften public support of England's objectives in settling the American peace.

Franklin was no dummy, and clearly embraced the principle that the end justifies the means in his case, regardless of how reprehensible he might have considered such fakery for other purposes. And who would disagree with him?

Also, Franklin was no stranger to pseudonyms, and his brother was jailed for refusing to reveal him as the source of articles deemed offensive by the incumbent governor.

Knowing what we do about him, I think Franklin would have been revolted by the notion that the First Amendment's prohibition of Congress making any law abridging the freedoms of the press or speech might be viewed to tolerate any government intervention and curtailment of those freedoms in the name of truth, and in the interest of saving Americans (or some of them) from being victimized by hoax's, half truths and outright lies.

I doubt he would have given an inch in defending both freedoms, unfettered by supposed protections of Congress.

It may be that the full dimensions of those freedoms include speaking and publishing falsehoods for whatever purposes, deeming the resulting injuries to those affected to be

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the lesser hurt, as compared to setting a minimum standard of accountability in the the exercise of free speech or free press—a standard to be based on adherence to truth or disclosure of sources, to be reviewed by bureaucrats, tried by judges and sanctioned by legal penalty.

That would be a true slippery slope.

Sincerely,

John MacMurray

REFERENCES BELOW:

Text of first paragraphs of fake article

Numb. 705. Supplement to the Boston *Independent Chronicle*, Boston, March 12

Extract of a Letter from Capt. Gerrish of the New-England Militia, dated Albany, March 7

“The Peltry taken in the Expedition [See the *Account of the to Oswegatchie on the River St. Laurence, in our Paper of the 1st Instant.*] will as you see amount to a good deal of Money. The Possession of this Booty at first gave us Pleasure; but we were struck with Horror to find among the Packages, 8 large ones containing SCALPS of our unhappy Country-folks, taken in the three last Years by the Senneka Indians from the Inhabitants of the Frontiers of New-York, New-Jersey, Pennsylvania, and Virginia, and sent....”

Commentary on Franklin’s fake article.

[Note: Notice reference to Passy Press at end.]

“The form of the hoax was nearly perfect, from the newspaper’s number (No. 705 of Boston’s actual *Independent Chronicle and Universal Advertiser* was issued in March, 1782) down to the convincingly worded notices of land for sale in Medford and of a missing horse in Salem. The typography would attract no attention except to the most discerning reader, who might have noticed that the type was French rather than English. When he added the John Paul Jones letter, however, Franklin could not resist a subtle clue that would have piqued the curiosity of any printer: he set several elements in the unique italic script that Fournier had cut exclusively for him, and which, unbeknownst to the British, was a hallmark of his Passy Press.”

John MacMurray is a retired lawyer, and a graduate of Princeton University and Columbia Law School. He has worked as a teacher, served on supervising boards of several schools and is a member of the advisory board of Legal Outreach, New York, NY. He resides in East Chatham, NY.