

**King and Colony:  
The Colonial Politics of Whig Kingship**  
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As the Religion, Liberty, Property, and a due Execution of the Laws, are the most valuable Blessings of a free People & the peculiar Privileges of this Nation, it shall be My constant Care to preserve the Constitution of this Kingdom, as it is now happily established in Church and State inviolable in all its parts; and to secure to All My Subjects, the full Enjoyment of their religious and civil Rights. — His Majesty's Most Gracious Speech to Both Houses of Parliament, on Tuesday the 27<sup>th</sup> day of June, 1727.<sup>1</sup>

These Sir, we beg Leave to assure you, are the only Sentiments of our Hearts; and, thus animated, we will unite in every Means our Power can reach, to promote the Interest of our Country, and to give the amplest Proof of our Duty and Affection to His Majesty King *GEORGE*, and our Zeal to maintain the Succession of the Crown, in His Royal House; the surest Bulwark of our Religion, the best Guardian of our Liberties, and the strongest Support of our happy Constitution: Thus, endeavouring to deserve that favourite and amiable Character, so justly, from these Motives, acquired by our Ancestors, of Loyal Subjects, and True Patriots. — Address of the Virginia House of Burgesses to the Governor, February 21, 1745.<sup>2</sup>

The protection-allegiance covenant was an integral part of colonists' understanding of the workings of their government. According to the covenant interpretation, among the king's principal constitutional duties was his obligation to protect his subjects from any who would threaten their lives, liberty, property or religion. The English king ruled over a free people, and both reveled in and protected their freedom. New York Governor William Burnet described this aspect of the covenant when he met with the leaders of several local Indian tribes at Albany in 1721:

The Great King of Great Britain . . . will always be a kind father to you as he is to your Brethren on the other side of the Great Lake . . . His greatest pleasure is the happiness of his people their liberty is dear to him he loves and values you because you are a free People and will lose your lives rather than be slaves.<sup>3</sup>

In return for the king's solicitude and protection, his subjects, and most especially those who had been placed in positions of authority in his realms, were obligated to show their sovereign loyalty and obedience, and to support his prerogatives. Virginia Governor William Gooch reminded the Burgesses that the first among their chief duties was to support their king, because "by Him and His Family, next under God, is our happiness secured."<sup>4</sup> Gooch observed that even in the American wilderness, the liberties of Englishmen were secure "while we live under a Prince who esteems it his greatest Glory to rule over a free People" and who protected his subjects' rights and properties.<sup>5</sup> In 1754, Charles Knowles, the Governor of Jamaica, told his Assembly that it was their duty to promote both "the Prerogative of the Crown and the Liberties of the People" and to do other than both would ultimately be destructive to the

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1 *New England Weekly Journal*, September 18, 1727.

2 *Journals of the House of Burgesses of Virginia, 1742-1747, 1748-1749*, H.R. McIlwaine, ed. (Richmond: Virginia State Library, 1909), 156.

3 "Conference Between Governor Burnet and the Indians, September 7, 1721," *N.Y.C.D.*, 5:635.

4 *Journals of the House of Burgesses, 1727-1740*, 4. For similar, see "Governor Belcher to the Massachusetts Assembly," *New England Weekly Journal*, June 3, 1734.

5 *Journals of the House of Burgesses, 1727-1740*, 58.

“Rights and Property of the Inhabitants” of the colony.<sup>6</sup> The Maryland House of Delegates responded similarly in 1755, noting that they held “a just sense of [the king’s] paternal Care of all his Subjects, however remote from the happy Influence of his more immediate Protection.” In the same sentence the House pledged both their loyalty to the king and their “steady Adherence, and immoveable Attachment to the true Interests, Rights and Privileges, of those from whom our Power of forming Resolutions is delegated.”<sup>7</sup>

A central tenet of the contract between the king and his subjects in the Hanoverian Age was that the king ruled by the laws settled upon by custom and tradition and legislated by the people through their representatives. It was thus the duty of legislatures to make laws that were both in the best interests of the people and conformable to the prerogatives of the ruler. Hence colonists understood that their representative assemblies had the right to legislate for them, and that the king was obliged, so long as legislation did not overstep the bounds of the prerogatives or threaten the peoples’ liberty, property or religion, to assent to, honor, and enforce the colonial legislation. As an English country judge would have it:

Allegiance from the People to their Sovereign, and the Prince’s Protection to his Subjects are reticproccally [sic] stipulated by laws: For as by Laws the Prerogative of the Prince, and the Peoples’ Liberty, are a support and Security to each others, when moving in their proper Spheres.<sup>8</sup>

The protection-allegiance covenant was a central feature in relations between the colonial government and royal authority. Since the covenant idea made it possible for colonists to conclude that the first goal of both the king and his provincial governments was the preservation of the liberties of his subjects, the king became a potent symbol that provincial political leaders could employ in support of their arguments in the various political controversies that arose in the American colonies after 1715. Most of these controversies centered around the question of power in the colonial constitution. They were essentially domestic in nature, challenging the authority, powers, and independence of the royal governor within the structure of colonial government, rather than the power or prerogatives of the king over his provinces in North America. Over the course of the eighteenth century, the powers of royal governors tended to diminish while those of the colonial assemblies increased. Colonists reasoned that their assemblies, as popular representative bodies, were best qualified to legislate in the interests of the freeholders whom they represented. This development of democratic institutions in America did not, of necessity, imply any diminution in loyalty or dependence toward the king among his colonial subjects.

Colonists considered their assemblies to be the fundamental guardians of their liberties. This role was shared throughout the branches of government, but the assembly, as the peoples’ representatives, was understood to be the most able to judge the needs and rights of those whom they represented. Assembly members argued an intimate alliance of purpose with the king “whose interest, and that of his posterity are inseparable from his People’s.”<sup>9</sup> The colonial assemblymen understood it to be their role to provide a balance between royal power and the good of the people of the colony. This was not a competition in which one side was seen to lose when the other won, because the goals of both the king and his colonial assembly were viewed as identical—the protection of the lives, liberties, property and religion of colonists. Thus the Lieutenant Governor of South Carolina could tell the assembly to “dispatch all of the affairs that come before you, in such a manner as shall demonstrate, that . . . [the] Royal Prerogative, and

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6 “Speech of His Excellency Charles Knowles, Captain General and Governor, &c. to the Hon. Assembly . . . November 8, 1754,” *Maryland Gazette*, January 16.

7 “Humble Address of the Maryland House of Delegates, June 25, 1755,” *Maryland Gazette*, June 26, 1755. See also “To the Author,” *New England Courant*, May 28, 1722.

8 “Some Paragraphs from the Charge of James Montague, esq., to the Grand Jury of Wilts, 1720,” *New York Weekly Journal*, January 20, 1734. See also “A Short *Eulogium* on his Present Majesty King George II,” *Maryland Gazette*, December 31, 1746; “Americo-Britaneus,” *Maryland Gazette*, June 4, 1748; “On the Happy Nuptuals of His Royal Highness the Prince of Wales,” *Virginia Gazette*, October 1, 1736.

9 “Massachusetts House of Representatives Reply to Governor Burnet, August 30, 1729,” *Pennsylvania Gazette*, September 29, 1729.

the Welfare of this Province is what we have nearest to Heart.”<sup>10</sup> The South Carolina Assembly replied similarly that “we are met with Hearts full of Zeal to Dispatch the Affairs that come before us, with a full regard to the Duty we owe his most sacred Majesty and the Welfare of this Province.”<sup>11</sup> As defenders of both the Royal prerogative in the colony and the peoples’ rights, colonial assemblies could, and often did, claim a tacit royal consent to their legislation and to their resistance to the demands of royal governors, even when the policies that they resisted were demanded by the Crown itself.

Assemblies, as the representatives of the people, claimed their obedience and loyalty to the king and assumed his support in their endeavors, even when they were actively engaged in thwarting his purposes. The perennial conflicts between assemblies and governors were thus not viewed by the former as disloyalty to the Crown, even though the latter was the royal representative in the colony. The purpose of the assembly in the colonial constitution was to preserve the interests of the people. Since this was also the primary object of the king, then no conflict of interest between the king and the representatives of his subjects was conceivable. Royal governors were sometimes mystified when they attempted to get the colonial assembly to enact legislation requested by the king, only to find that the assemblies opposed the legislation and claimed the king as an ally in opposition to it. Governors often accused the colonial assemblies of disobedience to the king, or of duplicity when the legislature claimed loyalty and obedience to the monarch while actively thwarting his royal will.<sup>12</sup> Assemblies, in turn, often accused royal governors of serving the interests of neither the king nor the people—of “making the general good and welfare of the Province subservient to [their] own private particular interest.”<sup>13</sup>

Between 1700 and 1750 several issues prompted conflicts between royal governors and the colonial assemblies. Among these were appointments of the speakers, adjournment of the assemblies, auditing of expenditures, payment of quitrents, and the question of a permanent salary for the governor. The popular parties within the assemblies demanded that they have the powers to appoint their own speaker, to adjourn themselves, to monitor government spending to prevent the governor from using public revenues to benefit himself, and to control the governor’s salary, hence keeping him dependent upon the will of the people. In most instances, when one of these conflicts arose, the Crown, through the Privy Council or Board of Trade, sided with the governor and sent instructions requiring the assembly to conform to the wishes of the Crown. The assembly ignored royal instructions while sending loyal remonstrances to Whitehall in which they often explained that they were taking contrary action out of loyalty to the king and in the interests of his obedient subjects.<sup>14</sup>

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10 “Speech of Thomas Broughten to the Commons House of Assembly,” *South Carolina Gazette*, November 29, 1735.

11 “Address of the Commons House of Assembly,” *South Carolina Gazette*, November 29, 1735. For similar exchanges between governor and assembly, see “William Burnet to the General Assembly,” and “The Congratulatory Address of the House of Representatives,” *New England Weekly Journal*, July 29, 1728; “Governor John Montgomerie to the New York Assembly, June 21, 1728,” and “Reply,” *New England Weekly Journal*, August 19, 1728; “Speech of James Glen,” *Pennsylvania Gazette*, April 5, 1744, and “Address of the Assembly of South Carolina to His Excellency James Glen,” *Pennsylvania Gazette*, April 12, 1744.

12 For a few examples, see, “His Excellency’s Reply,” *New England Weekly Journal*, September 9, 1728; Speech of Governor John Montgomerie to the New York Assembly, June 23, 1728,” *New England Weekly Journal*, August 19, 1728; “Governor Belcher to the Assembly of Massachusetts, September 9, 1730,” *New England Weekly Journal*, September 14, 1730; “Governor Burnet’s Last Message to the General Court, September 7, 1729,” *Pennsylvania Gazette*, October 2, 1729; “Lieutenant Governor Dummer to the General Court, September 20, 1729,” *Pennsylvania Gazette*, October 9, 1729.

13 Francis Wilks and Jonathan Belcher to the King, 1729, *Cal. St. P.*, 36:489. See also “Answer of the House to Governor Burnet, September 3, 1728,” *New England Weekly Journal*, September 9, 1728; “Extract of a Letter from Mr. Dummer, London, March 25, 1729,” *Pennsylvania Gazette*, July 10, 1729; “North Carolina Council and Assembly’s Address to Gabriel Johnson,” *South Carolina Gazette*, February 22, 1733.

14 See Bushman, 111-120.

During these and other controversies between the colonial legislatures and Crown officials, both sides represented themselves as acting out of loyalty to the king. Both sides felt their actions and loyalty justified because their understanding of their own functions under the constitution confirmed their rightness. The assemblies perceived it their duty to protect the king's subjects from the avarice of officials who, according to prevailing political wisdom, would, if unrestrained, fill their pockets at the expense of both the Crown and the people. The governors assumed their duty to lie in following royal instructions and protecting colonial subjects by maintaining the balance of government against an unrestrained, and hence dangerously democratic, popular legislature.

The controversy over fixed salaries for colonial governors exemplified this formula. In most of the royal colonies in North America, governors were dependent on acts of the colonial legislature for their support.<sup>15</sup> By 1700, the authorities in London had come to the conclusion that this practice was open to abuse by both governors and provincial assemblies. On the one hand, a sufficiently avaricious governor might use his authority to coerce funds from the colony over which he ruled. On the other, colonial assemblies could grant or withhold funds from the governor as they saw fit, rewarding those who acquiesced to legislation, and essentially starving those who would not submit to their will.<sup>16</sup> On rare occasions lower houses simply ignored their fiduciary obligation to support their governors. This was the case with unpopular executives like New Jersey's first royal Governor, Lewis Morris. The New Jersey legislature refused to pass any legislation for support of the colonial government until the Council and Morris assented to their paper emission bill.<sup>17</sup> Morris complained that "there is nothing more common in the mouths of the populace than, Saying . . . that if the Governor doth not Assent to such Laws as are Offr'ed for his Assent, the Assembly are Justifyable in not raising a support for his Majesty's Government."<sup>18</sup> Sometimes colonial legislatures deprived even popular governors of support. This appears to have been almost the rule with several royal governors of North Carolina. In 1746, for instance, the respected Gabriel Johnston complained that he had not received any pay during the previous eight years of his tenure.<sup>19</sup> By withholding the governor's salary, the provincial legislature might force the king's most important colonial representative to become a mere cipher.

In response to the first problem, that of corrupt governors, the Lords of Trade under Queen Anne required that no money be granted directly to the governor by the assembly, but that grants be voted to the Crown with the request that the monies be put to the governor's use should the queen see fit to do so.<sup>20</sup> In response to both problems, from 1703 on governors received instructions from Whitehall requesting that they urge their legislatures to settle a permanent, fixed salary on them during their tenure in the province

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15 Some exceptions existed. Virginia governors received a fixed salary from tobacco taxes after 1682. See Labaree, *Royal Government*, 315. In 1720 the governor of South Carolina was guaranteed an annual income as commander of an independent company of infantry in the province. See Labaree, *Royal Government*, 330. In 1730, an annual salary of £700 was authorized by the Board of Trade for the governor of North Carolina to come from provincial quitrents, but as these rents were inefficiently collected, they rarely yielded more than a fraction of the revenues necessary to actually pay the salary. See Labaree, *Royal Government*, 332-333. For specific coverage of colonial governors' incomes, see Beverly McAneer, *the Income of the Colonial Governors of British North America* (New York: Pageant Press, 1967), *passim*.

16 See Labaree, *Royal Government*, 312; Evarts Boutell Greene, *The Provincial Governor in the English Colonies of North America*, *Harvard Historical Studies*, Vol. VII (New York: Longman, Green and Co., 1907), 167; Draper, *A Struggle for Power*, 38-41.

17 See *Documents Relating to the Colonial History of the State of New Jersey* Frederick W. Ricord and William Nelson, eds. (Trenton, New Jersey: John Murphey Publishing Co., 1891), 15:81-83, 15:200-201 (henceforth cited as *N.J.C.D.*).

18 *N.J.C.D.*, 15:272.

19 See Charles Raper, *North Carolina: A Royal Province, 1729-1775* (Chapel Hill: The University Press, 1901), 19.

20 Greene, *The Provincial Governor*, 168.

and forbidding them to accept any gifts from the colony under pain of the royal displeasure.<sup>21</sup> These instructions, and various governors' attempts to implement them, gave rise to the "salary question" that plagued several royal colonies into the middle of the century. The arguments that royal governors and colonial assemblies put to each other over the question yield significant evidence of the understanding of each *vis à vis* their respective relationships, real or imagined, with the king. Massachusetts provides the best illustration of the controversy, because there the debate that lasted over thirty years was played out, at least in part, in the local newspapers.

A series of governors from 1704 to 1728 confronted the Massachusetts General Court with requests for a fixed salary, and all of them eventually surrendered to the assembly.<sup>22</sup> The request became a sort of annual ceremony in which the governor dutifully asked the legislature for a permanent salary as per his Majesty's instructions, and the Assembly responded with the enactment of either an annual or temporary grant to defray the governor's expenses. The grant was often the last piece of legislation considered, and, on rare occasions, the General Court refused to give any grant of support until the governor had assented to the bills enacted during the session.<sup>23</sup> Perhaps the most blatant and extortionate example occurred in 1721, when a committee of the General Court made Governor Shute's salary contingent upon his approval of the bills and appointments made by the Massachusetts Assembly during the current session.<sup>24</sup> By 1721, the state of affairs in Massachusetts was such that Whitehall despaired of exercising any real control over that province at all. The Lords Commissioners wrote to the king that:

the unequal Balance of their constitution having lodged too great a power in the Assembly, this province is & is always likely to continue in great disorder. They do not pay a due regard to your Majesty's Instructions; they do not make a suitable provision for the maintenance of their Governor, & on all occasions they affect too great an independence on their Mother Kingdom.<sup>25</sup>

In 1728, this by now traditional state of affairs was challenged when William Burnet became governor of the Bay Colony. Burnet was determined to force the colonial assembly to comply with the king's will and enact a permanent, fixed salary for his tenure in the province.

Massachusetts gave Burnet a warm welcome with the usual pomp—cannon, flags, parades, and so forth—and the House of Representatives produced a glowing congratulatory address dwelling on his excellent lineage (his father, the Bishop of Salisbury, had been among those who invited William of Orange to England) and the new Governor's past accomplishments.<sup>26</sup> Perhaps the assemblymen should have paid closer attention to Burnet's first address that preceded their welcoming speech. In it, the new Governor noted that the "excellency of the *British Constitution*" depended on each branch being "able to support its own Dignity and Freedom."<sup>27</sup> Significantly, Burnet caused his Majesty's 23<sup>rd</sup> Instruction, which required the Massachusetts Assembly to grant a fixed salary for the governor's upkeep, to be printed in same issue of the *New England Weekly Journal* that carried his first address to the Assembly.<sup>28</sup> In his next address, Burnet informed the Assembly that, in granting him a permanent salary, it did no

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21 *Ibid.*, 168-169; Larabee, *Royal Government*, 318. In reference to New York, see McAnear, *Income*, 17.

22 For Massachusetts governors from Joseph Dudley (1703) to William Shirley (1768), and their attempts to promote a fixed salary, see Labaree, *Royal Government*, 346-348, 355-370. Labaree covers the salary controversies in several colonies, both in North America and the West Indies (312-372).

23 See Governor Burnet to the House of Representatives, *New England Weekly Journal*, November 18, 1728; Governor Burnet to the House of Representatives, *New England Weekly Journal*, September 8, 1729.

24 See Larabee, *Royal Government*, 357; Draper, *A Struggle for Power*, 58.

25 "State of the British Plantations in America, in 1721," cited in Draper, *A Struggle for Power*, 58.

26 "Congratulatory Address of the House of Representatives to William Burnet," *New England Weekly Journal*, July 29, 1728.

27 "Speech of William Burnet to the General Assembly," *New England Weekly Journal*, July 29, 1728.

28 *New England Weekly Journal*, July 29, 1728.

more than the Parliament did when it granted each new king a civil list for his reign. The Assembly replied that “we do not put as much Confidence in the Governour as the Parliament do in our most Gracious Sovereign.”<sup>29</sup> It asked, “is it reasonable or possible that we should confide in any Governour whatsoever so much as in our most Gracious King the Common Father of all his Subjects?”<sup>30</sup> The king was “known to delight in nothing so much as the Happiness” of his subjects, and his “Interest and Glory,” and that of his progeny, were “inseparable from the Prosperity and Welfare of his People.”<sup>31</sup> On the other hand, a governor had a real interest “neither [in] the Prosperity nor Adversity of a People” and his tenure was ephemeral; he had no stake in the long term happiness, prosperity or freedom of those over whom he governed.<sup>32</sup> Burnet responded by accusing the House of “ill grace” toward the king and reminded the Assembly that the salary was not to go directly to him but to the king, for the use of his Majesty’s servant.<sup>33</sup> Should Burnet betray the king’s trust and abuse the people of Massachusetts, the Governor assured the General Court that “upon just complaint” the king would remove him.<sup>34</sup> Burnet concluded that, should the House disregard the king’s request, his Majesty would certainly look “upon it as a manifest Mark of your Undutiful Behavior to himself.”<sup>35</sup> The Assembly responded that to fix a salary in the governor defied precedent. It was “an untrodden Path which neither we nor our predecessors have gone in & we cannot certainly foresee the many Dangers there may be in it.”<sup>36</sup> The Assembly also noted that the Governor, by attempting to coerce a settlement, violated the right of the peoples’ representatives to raise monies “of their own free accord, without compulsion . . . the undoubted right of all Englishmen by *Magna Charta*.”<sup>37</sup> Finally, it reported that the power to grant fixed salaries went beyond the scope of the colonial charter which empowered the Assembly to make laws for the “good & welfare of the Inhabitants;” to enact salary legislation that was not specifically allowed by the charter “might justly be deem’d a betraying of the Rights and Priviledges” of the people, and might thus “justly incur the King’s Displeasure.”<sup>38</sup> The House protested their unfailing loyalty to the king and voted Burnet a gift of £1,700 to enable him to “manage the Affairs of Government.”<sup>39</sup> The Governor rejected the grant, explaining that his Majesty’s instructions forbade him to receive gifts from the colony.<sup>40</sup>

At the same time that the Massachusetts government was wrangling over the salary issue, the General Court promoted a money emission scheme to raise £60,000. Burnet advised the House that the king would most certainly veto the bill but might assent to it if part of the interest were to go toward the governor’s salary.<sup>41</sup> The House responded that, if it did as Burnet suggested, it would, in effect, fix a permanent salary upon the governor, “which is concluded by this House to tend very much to the hurt of

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29 “Answer of the House to Governor Burnet Respecting a Fixed Salary,” *New England Weekly Journal*, September 3, 1728.

30 *Ibid.*

31 *Ibid.*

32 *Ibid.*

33 “Governor Burnet’s Reply to the House, September 3, 1728,” *New England Weekly Journal*, September 9, 1728.

34 *Ibid.*

35 *Ibid.*

36 *New England Weekly Journal*, September 16, 1728.

37 *Ibid.*

38 *Ibid.*

39 *New England Weekly Journal*, September 23, 1728.

40 See Larabee, *Royal Government*, 361.

41 “Burnet to the House of Representatives,” *New England Weekly Journal*, October 7, 1728.

the People of this Province.”<sup>42</sup> Burnet replied that the House displayed a spirit “better adapted to the Republic of Holland than the British Constitution” and, to avoid exposing the representatives to the highly charged anti-salary political atmosphere of Boston, moved the General Court to Salem until they should comply with the king’s instructions.<sup>43</sup> The House vowed to do no business until returned to Boston. To do so, it argued, was prejudicial to the rights and liberties of the people, and certainly “detrimental to the peace of the King and his Subjects in the Province.”<sup>44</sup> Until early September of 1729, Burnet and the General Court wrangled over the salary question. The House continued to maintain that a fixed salary violated the liberties of the people, and that, since the king’s interests and the peoples’ were the same, such a step would amount to disloyalty to the king.<sup>45</sup> Burnet continued to accuse the Assembly of disloyalty and ungratefulness toward their sovereign. The General Court had the last word in the argument with Burnet. In a reply published after his death, the House reproved the Governor for implying that it displayed a want of duty to the king. The House and the people, it responded, “will ever remain and appear to be sincerely and heartily Loyal to our most gracious and rightful Sovereign King George; and they have and always will seek the true Interest and Welfare of this People.”<sup>46</sup>

The Board of Trade chose Jonathan Belcher to replace Burnet. Belcher was a native of Massachusetts, a Congregationalist, a member in good standing of the Boston merchant community, and a well established local politician whose career was associated with the popular party.<sup>47</sup> In 1728, he was chosen by the Assembly to represent their interests in London and to assist the official agent, Francis Wilks. Belcher’s chief purpose there had been to promote the Assembly’s side in the debate over permanent executive salaries. The Council refused to appropriate funds for Belcher because he was not a legitimate agent but only a lobbyist for the popular majority in the Assembly. So, the Assembly raised the needed funds by popular subscription.

Belcher’s tenure as governor of Massachusetts provides another good example of the relationship between viceregents and the Massachusetts Assembly. Once appointed governor, Belcher changed his position on the salary question and convinced the ministry that he wielded sufficient influence and prestige in the colony to achieve a permanent salary for the royal governor and to exercise control over the popular elements in Massachusetts who wanted a more inflationary monetary policy.<sup>48</sup> Belcher was appointed to the position in November of 1729. He received royal instructions that stipulated that he prevent inflationary money policies in Massachusetts and settle the question of a permanent salary for the royal governor once and for all. The Board of Trade stipulated that if Belcher should fail in obtaining a permanent salary, he was to return to London and a new governor would be appointed who, presumably,

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42 “House of Representatives Reply to Governor Burnet,” *New England Weekly Journal*, October 28, 1728.

43 “Governor Burnet to the House of Representatives,” *New England Weekly Journal*, November 4, 1728; “Governor Burnet to the House of Representatives,” *New England Weekly Journal*, November 18, 1728.

44 “House of Representatives to the Governor,” *New England Weekly Journal*, December 9, 1728.

45 See “House of Representatives to the Governor,” *New England Weekly Journal*, December 9, 1728; “Belcher’s Message to the House, 3<sup>rd</sup> Instant,” *New England Weekly Journal*, September 15, 1729.

46 *New England Weekly Journal*, September 22, 1729. For Burnet’s obituary, see *New England Weekly Journal*, September 15, 1729.

47 For a recent biography of Jonathan Belcher, Michael C. Batinski, *Jonathan Belcher: Colonial Governor* (Lexington, Kentucky: University Press of Kentucky, 1996).

48 Belcher convinced the Board of Trade that the salary conflict in Massachusetts was primarily the result of colonial officials’ and representatives’ acrimony toward Burnet rather than any specific constitutional differences between the Crown and Bay Colonists. See Labaree, *Royal Government*, 364; Bushman, 68.

might be expected to use means other than prestige and influence to achieve the king's purpose.<sup>49</sup>

In February of 1730, the province learned that the king had appointed Jonathan Belcher to replace Burnet as Governor of Massachusetts. The newspapers in Boston celebrated the royal choice, noting that Belcher had always "manifested a hearty concern for the Civil and Religious Interest [sic] of this People."<sup>50</sup> The colony celebrated Belcher's arrival with parades, cannonades, entertainments and sermons of thanksgiving. Bay Colony leaders observed that his Majesty's choice of a well respected native of their colony to lead them provided further proof of "the Paternal care of our good and gracious King for the Welfare and Happiness of his Subjects."<sup>51</sup> One local poet even compared the new Governor with William III:

Immortal Nassau! How Angelick Great!  
That Could Retrieve Three Sinking Kingdoms' Fate.  
How Justly too, shall Belcher's Deathless Name,  
Shine Bright for ever in the Rolls of Fame.  
Three destin'd Provinces, that erst deplor'd  
Their Bleeding Liberties, has He restor'd.<sup>52</sup>

After the usual ceremonies of installation were concluded, the celebration of the new Governor moved to the streets where a "vast multitude of Spectators without, express'd in their united shouts, an unusual Joy and Elevation of the Soul."<sup>53</sup> Next Belcher received the blessings of the Boston clergy, who evinced pleasure that a Congregationalist of known piety had been selected to be the new governor. Benjamin Colman, pastor of the prestigious Brattle Street Church, announced, "the King could not have chosen any One" of the colony's "*Sons*, more worthy to represent His Royal Person," and stressed the new governor's piety and traditionalist faith.<sup>54</sup> Belcher, in turn, assured the clergy that he had agreed to the position, not from self interest, "but from a hope of advancing His Majesty's Service, and the Interest and Prosperity of this Country."<sup>55</sup>

The honeymoon ended rather abruptly, however, when the new governor announced to the Assembly on September 9 that he, like his predecessors, in keeping with the desires of his Majesty, required a fixed and permanent salary, and threatened to quit the province and return to England if it were not forthcoming.<sup>56</sup> Belcher's arguments in favor of a permanent salary were both more complimentary to the Assembly and more sophisticated than those of his predecessors. At first, he refrained from accusing

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49 In addition, the Board stated that, should Belcher fail to gain the requisite salary, on his return the matter would be brought before Parliament and settled there. Labaree notes that both Belcher and the Massachusetts Assembly rightly assumed that "the threat of parliament's intervention was nothing but a colossal bluff" (Labaree, *Royal Government*, 364).

50 *New England Weekly Journal*, February 9, 1730.

51 *Ibid.* See also the "Speech of Lieutenant Governor William Taylor, June 30, 1730," *New England Weekly Journal*, July 17, 1730.

52 "A Congratulatory Poem to his Excellency Governour Belcher; At His Arrival," *New England Weekly Journal*, August 17, 1730. See also "A Letter to \*\*," *New England Weekly Journal*, August 11, 1730.

53 *Boston News-Letter*, August 6-13, 1730.

54 Benjamin Coleman. *Government the Pillar of the Earth*, ii. See also "Address of the Reverend Dr. Cutler, Minister of Christ Church . . . to His Excellency Governour Belcher, August 11, 1730," *New England Weekly Journal*, August 17, 1730; "Address of the Select Men of the Town of Boston," *New England Weekly Journal*, August 17, 1730; and "Address of the Merchants of Boston, August 19, 1730," *New England Weekly Journal*, August 24, 1730.

55 *Boston News-Letter*, August 6-13, 1730. Cited in John Langdon Sibley, *Biographical Sketches of Graduates of Harvard University, in Cambridge, Massachusetts . . .*, 4 vols. (Cambridge, Massachusetts: C.W. Sever, 1873-1919), 4:441.

56 "Speech of Governor Belcher," *New England Weekly Journal*, November 9, 1730.



the House of disloyalty to the king. He made his appeal not only as the king's servant, but as a native of the province who was thus sympathetic to the interests and needs of the people. "Ye are my Brethren: Ye are my Bones and my Flesh," announced Belcher, "& I have no Interest separate from your true and real Interest."<sup>57</sup> The new Governor could reasonably argue that unlike his predecessors who were strangers, he shared a long-term interest in the prosperity of the colony and the liberties and privileges of its people.<sup>58</sup> Belcher stated that he would say little more upon the subject of a permanent salary because he had already made the king's will on the matter known to the province, and he himself was not a party in the dispute which was really between the king and his subjects in Massachusetts. He could only convey his hope that the Assembly would comply out of loyalty and obedience to the king and end the contention that had "turned out to the great Loss and Disadvantage of the good People of the Province."<sup>59</sup> In a statement that would have warmed the heart of any "True Whig," Belcher informed the General Court:

How happy should we be, if there might be no Parties or Contentions among us for the future, but who shall approve themselves the best of Patriots, by their steady Loyalty and Obedience to the King, as well as by their just and prudent care of the Liberties and Properties of this People.<sup>60</sup>

Faced with Belcher's veiled accusation that the General Court had become a factious body that acted in the best interests of neither the people nor the king, the Assembly tried to frame its own reasons for non-compliance with royal instructions so as to deny the Governor's charges, yet contrive to show a friendly face toward the popular and respected Belcher. The General Court voted the new Governor a grant of £1,000 for his support and stated that this act complied with the spirit of his Majesty's Instruction, but pleaded that more than that it could not do. Loyalty to the king and a "high respect for the great Confidence in" the Governor made the Assembly "willing to do everything consistent with the Safety, Rights, and Priviledges of His Majesty's free-born Subjects." In voting a temporary grant, it had done everything possible "in faithfulness to His Majesty's good People here, whose real Good, conformable to His Majesty's glorious Example, we hope your Excellency will ever seek and desire."<sup>61</sup>

It was ultimately the controversy over inflationist policies rather than constitutional issues that brought Belcher's tenure to a close. When the governor refused to give ground on the subject, popular leaders combined with Belcher's enemies in other colonies to wage a war of petitions both in the colony and in London, in which he was accused of oppression and corruption. The war was not very successful because Belcher's reputation for honest dealings and his personal fortune of some £60,000 made charges of avarice and corruption less credible both in Boston and Whitehall. Finally, according to Thomas Hutchinson, political machinations over Parliamentary elections in Britain led to Belcher's dismissal and replacement in 1741 by William Shirley.<sup>62</sup> The governor, who had achieved something of a favorite son status early in his tenure, thus left office considerably less popular for having attempted to follow his royal directives. "It is the duty of governors and rulers," he stated in his defense "to stand upon the watch towers and warn their people of their danger and to hide them from evil. A tender parent wont let a foolish, mad child run into a fire."<sup>63</sup>

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57 "Governor Belcher's Speech to the Assembly of Massachusetts, September 9, 1730," *New England Weekly Journal*, September 14, 1730.

58 *Ibid.*

59 "Governor Belcher's Speech to the General Assembly, October 2, 1730," *New England Weekly Journal*, October 2, 1730.

60 *Ibid.*

61 "Extract from the Journal of the House of Representatives, December 31, 1730" *New England Weekly Journal*, January 11, 1731.

62 Hutchinson, *History of Massachusetts Bay*, 2:398-9. For details of Belcher's recall and London politics, see Henretta, "Salutory Neglect": *Colonial Administration Under the Duke of Newcastle* (Princeton: Princeton University Press, 1972), 208-215.

63 Cited in Sibley, *Harvard Graduates*, 4:441.

The debate over a permanent salary between Governors Burnet and Belcher and the Massachusetts Assembly provides an excellent illustration of the different understandings of the constitution that were held by both sides. The Assembly argued in an address to the king that distance and misinformation made it impossible for the king to assess the performance of his representatives in all of his colonies. Thus, it was in the king's best interest "and very necessary to the tranquility and flourishing of this your Province, that the Governor should be induced by his own interest, as well as duty to your Majesty, to consult the interest and welfare of the people."<sup>64</sup> This, they argued, might best be effected by voting the governor an annual, rather than permanent salary. An annual salary would link the chief executive of Massachusetts to the people of that colony, and since the chief object of British government was the good of the people, the Crown would also be well served.

Burnet replied that the key to good government under the British constitution was the separation of powers. The British government was made up of "three distinct Branches of the Legislature, preserved in a due Ballance, . . . [and if] any one of these Branches should become less able to support its own Dignity and Freedom, the Whole must inevitably suffer by the Alteration."<sup>65</sup> The independence of the royal branch of colonial government could only be preserved if the governor received a permanent salary that rendered him independent of the other branches of government and responsible only to the Crown. The Assembly replied that, on the contrary, the "mutual Dependence of our King and Parliament is the only support, and great Happiness of our Constitution," and if either might subsist without the other, "our Constitution is at an end."<sup>66</sup>

Ironically, Burnet's argument that government best protected the governed when the branches of government were independent of each other echoed Bolingbroke and other country party thinkers, while the Assembly argued for that very interdependency of the branches of government that Country Whig writers condemned as the root of constitutional corruption. No matter what the source of their constitutional thought, however, both argued that their actions were motivated by loyalty to the Crown. The Assembly thought they could best serve the king's interests if the governor were restrained; the governor reasoned that he best served his royal master's interest, as well as those of the people of the province, if he remained independent of democratic influences. Similarly, Jonathan Belcher's arguments had a decidedly "Real Whig" flavor when he accused the assembly of factional interests and politics, and reminded the Massachusetts representatives that true "patriots" eschewed party causes and contention for service to the king and the people.

Well versed in colonial politics, Jonathan Belcher understood the precarious nature of a colonial governorship. While he might be treated with deference by Bay citizens, feted, praised and complimented, he had little real authority beyond personal suasion to dictate the legislative agenda of the colony, regardless of his instructions from his royal master. Other colonial governors who had less experience with the nature of the office were often mystified by the apparent contradictions between their theoretical and actual authority.

In February of 1731, George Burrington arrived in North Carolina to assume his duties as that province's first royal governor. He was quite pleased with his reception and must have assumed that the enthusiastic welcome boded well for his future relations with the colonial government. He wrote the Board of Trade that he had been received "with the Greatest Demonstrations of Joy by the People of the Province" at his installation, but evinced shock that, in spite of his good reception, the assembly refused to pass any of the acts required by the king's instructions, "which were only designed for the Ease of the People, and their own Good."<sup>67</sup> The king had instructed Burrington, among other things, to enact legislation to regulate quitrents and paper emissions within the colony and to settle adequate salaries on

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64 "Address of the House to the King, Nov. 22, 1728," *Cal. St. P.*, 36:311.

65 *Journals of the House*, VIII, 246. Cited in Bushman, *King and People*, 125.

66 *Extract from the Political State of Great Britain, for the Month of December, 1730*. (Boston, 1730), 14-15.

67 *The Colonial Records of North Carolina*, William L. Saunders, ed. (Raleigh, North Carolina: P.M. Hale, 1886), 3:331. Cited hereafter as *C.R.N.C.*

royal officials.<sup>68</sup> At first, the North Carolina Assembly's response to the Governor's recommendations was cordial. It complimented Burrington on his zealous care for the welfare of the province, pledged loyalty and obedience to the king, promised to consider Burrington's and the king's proposals with all due weight and gravity, and to do all that it could to demonstrate its "Duty and Loyalty to his Majesty, Zeal and Affection for your Excellency, and the Welfare of the Province."<sup>69</sup> In ensuing meetings, however, the Assembly refused to pass any of the recommended legislation. It declared them "contrary to Law," "an Oppression of the Subjects, . . . disagreeable to the known Justice of his Sacred Majesty" and "hurtfull to the just Freedom of the subjects" of North Carolina.<sup>70</sup> Burrington's personality was such that he took the conflicts with colonial representatives and magistrates personally. Ultimately his relations with North Carolina and its government became so acrimonious that, in response to the complaints of the colonists, he was recalled by London authorities.<sup>71</sup>

By 1730, the colonial assemblies had taken their cues from the British Parliament and its Whig masters. They had learned to employ the protection-allegiance covenant idea to promote their own interests and those of the colonists that they represented, often at the political expense of the Crown. The employment of the Whig idea that the king's interests and those of his subjects were inseparable gave the assemblies leverage in provincial affairs and made it possible for colonial representative bodies to effect the gradual erosion of Crown authority in the colonies in the king's name. Colonial laws, justice, and power were all derived from the sovereign authority of the king; yet increasingly, because of the link assumed to be inherent between the British Sovereign and his people, it was the popular assemblies, rather than the king's direct representative, the royal governor, that exercised those powers. Royal governors' powers within their colony were greater, at least in theory, than those of the king over England, where statute, politics and custom had all eroded royal authority. Governors took great risks, however, should they actually try to exercise their authority in order to restrain the colonial assemblies. They were impotent to do more than refuse their assent to legislation and did even that at some risk. A governor who consistently failed to go along with his colonial assembly quickly became the object of complaints from the colony to London. Colonial agents and memorials would accuse him of corruption and avarice, and of disloyalty to the Crown. Where the governor's support fell to the whim of the colonial legislature, the price of serving the interests of the king was often penury. A governor, like Burrington, who consistently impeded the colonial legislature faced recall from London and the possible loss of future promotion in government service. Even governors like George Burrington and Jonathan Belcher, who had ample support in London and who were directly appointed by Lord Newcastle himself, could not weather a storm of well organized protests from influential colonists and their supporters in London and entreaties of suitable replacement candidates who also claimed political favors from Whitehall.<sup>72</sup>

Colonial governors' authority was increasingly undermined not only from within the colony, but also from without, as influential members of the government in London jockeyed to get places for their own favorites, often at the expense of sitting governors. In this way, Jonathan Belcher's tenure was threatened by the influential Board of Trade member, Martin Bladen, who disliked Belcher and perhaps, more importantly, was the friend of Belcher's political adversaries in New Hampshire.<sup>73</sup> Similarly, New York Governor William Cosby found himself the target of an alliance of Board of Trade officials and the "Morris faction" in his colony in the late 1720s. His career was saved when Newcastle himself persuaded

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68 For Burrington's account of some of his instructions and his comments on the Assembly's treatment of them, see Burrington to the Duke of Newcastle, July 2, 1731, *C.R.N.C.*, 3:142-156.

69 *Ibid.*, 3:296-297.

70 *Ibid.*, 3:297, 3:304-305.

71 See Raper, 11-15. For a summary of Burrington's complaints against the Chief Justice of North Carolina and other "nefarious" political opponents, see "Memorial of Govr. Burrington, 15 Nov. 1732," *C.R.N.C.*, 3:373-375.

72 For the case of Burrington's recall and the subsequent promotion of Gabriel Johnson to the governorship of North Carolina, see Henretta, *Salutary Neglect*, 151-154.

73 See Olson, *Anglo-American Politics*, 129-131.

Robert Walpole to support the Governor against his political adversaries.<sup>74</sup> A royal governor who consistently opposed the colonial assembly faced recall at the behest of colonists and their London political allies, and a governor who was too conciliatory toward his assembly might be recalled for dereliction of duty. Only an individual with reputation and connections might sail, as it were, between both obstacles, and survive long as a royal governor. One such was William Gooch, perhaps the most well-liked Governor that ever served in American colonial administration. During his long tenure as chief executive of Virginia (1727-1749), Gooch consistently gave his assent to laws that did not meet with the immediate approval of the Board of Trade or the English merchants. He was a consummate diplomat and had enough influence at London to gain the support of London merchants, courtiers and politicians.<sup>75</sup> Gooch was also able to survive numerous disputes with influential London officials like William Keppel, the Duke of Albemarle (the absentee Governor of Virginia), and Anglican Commissary James Blair, representative to the Bishop of London.<sup>76</sup> Gooch “acquiesced gracefully,” indeed, even tacitly encouraged, the steady constitutional growth of the Virginia House of Burgesses and thus remained popular among his subjects in Virginia. At the same time Gooch was reasonably safe from political fallout in London because his family and Robert Walpole were neighbors and old friends in Norfolk, his brother was the Bishop of Norwich, and he was well liked by such minor luminaries in colonial affairs as Martin Bladen.<sup>77</sup> Gooch was certainly the exception and not the rule in colonial politics.

It was not only the governor who might become embroiled in domestic controversies with colonial assemblies over the welfare of the people and the prerogatives of the Crown.<sup>78</sup> In 1744 the Royal Council of New Jersey appointed Robert Hunter Morris, a councilman and son of the Governor, to be chief justice of the province.<sup>79</sup> The Lower House responded, “that our Governour’s own Son should be Chief Justice and at the same time one of his Majesty’s Council . . . may be very prejudicial to the Interest of the People.”<sup>80</sup> The Assembly resolved that it was inconsistent with the constitution of the colony that an individual should be both a legislator and a chief justice at the same time.<sup>81</sup> Interestingly, the Assembly appeared to attribute little significance to the fact that Morris *père* was the governor. The chief thrust of its complaint was over separation of the powers of the Council and judiciary and the possible growth of conflicts of interest between branches of government that made laws and those that enforced them.<sup>82</sup>

The Morris appointment touched off a long and bitter debate between all of the branches of New Jersey colonial government. The Council responded to the Assembly’s allegations that it was “his Majesty’s undoubted right and prerogative” to appoint anyone he desired to the highest bench, even a Councilor, that the two positions were in no way incompatible with the rights and welfare of the people of

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74 *Ibid.*, 133-134.

75 See Richard L. Morton, *Colonial Virginia*, 2 vols. (Chapel Hill: University of North Carolina Press, for the Virginia Historical Society, 1960), 2:507-510, 2:512-513, 2:519-510.

76 For Gooch and Albemarle, see Olson, 132, Blair, see 138. Olson notes that James Blair’s political activities in the Southern colonies were infamous, even prompting complaint from his master, the Bishop of London: “Commissary Blair managed to unseat three, possibly four, Virginia Governors, and at one time was even acting governor of the colony himself” (Olson, 94). For more on Blair, see Morton, 2:467-469, 2:481, 2:532, *passim*; Daniel Esten Motley, *The Life of Commissary Blair*, *Johns Hopkins University Studies in History and Political Science*, Ser. 19, No. 10 (October, 1901).

77 Olson, 132.

78 For an overview of the various controversies within New Jersey colonial government under Morris, see John E. Pomfret, *Colonial New Jersey: A History* (New York: Charles Scribner’s Sons, 1973), 147-152.

79 See Labaree, *Royal Government*, 390.

80 *N.J.C.D.*, 15:371.

81 *Ibid.*, 15:371-372.

82 *Ibid.*, 15:371.

the province, and that the Council, as the king's representatives might make the appointment in the king's name.<sup>83</sup> The Council further alleged that the Assembly's challenge ought to be looked upon "as an attack on the prerogative of the Crown . . . [and] a publick attempt to alter the Constitution."<sup>84</sup> The Assembly countered the Council's arguments by voting down a supply bill and other legislation that the governor and Council wanted.<sup>85</sup> At that point Governor Morris rather tactlessly joined in the fray in support of the Council. In his address to the first sitting of the Assembly of 1745, Morris noted, with some justice, that it was not uncommon for colonial council members to sit on the judicial bench, even in New Jersey, and that no conflict of interest existed between the two positions.<sup>86</sup> The Governor stated that no such restraints lay upon English Peers, who might also be judges, "and would it not be strange," Morris queried, "that this incompatibility, or inconsistency should never be discovered either in England or in America, till hit upon by our late Sagacious Assembly, tho' founded in Nature?"<sup>87</sup> Morris accused the Assembly of exposing the Council, "which is the Great Guardian of the Liberties and properties of the People" and the prerogatives of the king, to popular contempt.<sup>88</sup>

The judicial controversy was, in fact, only a minor issue, even something of a red herring, as the New Jersey Assembly's response to Morris's address indicated. The new Assembly stated that it had wanted to put the acrimony of the past behind it and move on to legislation that the province needed for the welfare of the people. "We cannot think ourselves accountable for the Transactions of former Assemblies," observed the new Speaker, "neither can we believe that Our King intended, or that our Country ever expected that we should be called together, to enter into unnecessary Disputes with any other Branch of the Legislature."<sup>89</sup> Then the Speaker got to the crux of their complaints. Past Legislatures had promoted numerous bills for the good of the colony, only to have them quashed by either the governor or the Council before "his Majesty's Pleasure should be known."<sup>90</sup> The Assembly alleged that the other branches of the colonial government had interfered with the legislative relations between the representatives of the people of New Jersey and the king. The Speaker stated that the New Jersey Assemblies had always zealously supported the king and that they had never forgotten the duty that they owed to the Crown.<sup>91</sup>

The controversy between the Assembly and the other branches of the New Jersey government, at least in part, centered on the question of assent to bills from the popular legislature. In November of 1744, a committee of the Lower House complained to Governor Morris that, in the past sessions of the New Jersey government, the Assembly's legislation created "out of tender regard for the welfare" of the colonists, had been repeatedly rejected by the Royal Council.<sup>92</sup> While the Assembly admitted that the Council had the right to disallow legislation, it argued that it did so far too often and to the detriment of the public welfare. The Council also denied the king his right to review and give his assent to the laws of his colony. The Assembly stated that if its bills had not been disallowed before they could be seen in London and properly represented there, "from his Majesty's known Candour and Goodness," the Assembly had "the utmost reason to think" that the king would have assented to their legislation and

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83 *Ibid.*, 15:375.

84 *Ibid.*, 15:375.

85 *Ibid.*, 15:389, 15:395.

86 *Ibid.*, 15:405.

87 *Ibid.*, 15:406.

88 *Ibid.*, 15:405.

89 *Ibid.*, 15:411.

90 *Ibid.*

91 *Ibid.*, 15:414.

92 *Ibid.*, 15:369-371, 15:379.

redressed their grievances.<sup>93</sup>

The principals in these provincial controversies—assemblies, councils and governors—employed general arguments about the nature of their colonial constitutions and governmental authority that were prevalent in political discourse in England at the same time. The representative assemblies generally argued that the government that governed best was comprised of branches that were interdependent and that the English system of government protected the people because the various branches of government were bound, within the constraints of their constitutional functions, to cooperate with each other in the creation and enforcement of law. “The glory of the *British Constitution*,” the Massachusetts General Court observed, was “that every Part of it had a mutual Relation to and Dependence on each other according to the different Powers and Privileges respectively belonging to each.”<sup>94</sup> According to this interpretation of the English constitution, the various branches of government made up a “Natural Body,” each part functioning in concert with the others and none capable of exercising sole authority without imperiling the whole.<sup>95</sup> This organic notion of government was virtually identical to that of the English Whig oligarchs like Robert Walpole, whose *London Journal* noted similarly that “‘tis necessary” that the legislative and executive branches “in order to the due exercise of government, that the powers which are distinct, and have a negative on each other, should also have a mutual dependency and mutual expectations.”<sup>96</sup> Increasingly into the Augustan Age, establishment Whigs explicitly denied that complete independence and separation of the branches of the government were a requirement for good governance.<sup>97</sup> As one historian of Parliament observed during the period:

Ours is a mixed government, and the perfection of our Constitution consists in this, that the monarchical, aristocratic, and democratical forms of government are mixt and interwoven in ours, so as to give all the advantages of each without subjecting us to the danger and inconvenience of either.<sup>98</sup>

Ironically, colonial governors, appointees of such institutional Whig luminaries as Walpole and Newcastle, found themselves framing arguments that might have been cribbed from Viscount Bolingbroke or other “True Whigs” in order to defend their master’s instructions from colonial assemblies. Both institutional and Country Whigs understood that, in the normal workings of government, some independence existed between the branches of government. As *The Craftsman* would have it, “an Independent House of Commons, or an Independent House of Lords is as inconsistent with our Constitution as an Independent, that is absolute King.”<sup>99</sup>

The independence of the colonial executive was not the whole issue when the governor’s authority and autonomy from the assembly came into question. The actual chief executive of each royal colony was the king, whose distance from his province, sovereignty, wealth and prestige made him theoretically incorruptable. But the king’s first minister in the province was another matter altogether. William Burnet stated that “His Majesty is the Head of the Legislature here,” just as he was in England, and “the Governor is but an officer to act by his Instructions, and to have no Inclinations, no Temptations, no Byass, that may divert him from obeying his Royal Master’s Commands.”<sup>100</sup> A governor who could be

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93 “Extracts from the Votes of the House of Assembly of the Province of New Jersey, Thurs., Nov. 22<sup>nd</sup>, 1744,” *Pennsylvania Journal*, December 20, 1744.

94 *Journals of the Massachusetts House of Assembly*, cited in Bushman, 126.

95 *Ibid.*

96 *Ibid.*, 127.

97 See Dickinson, *Liberty and Property*, 144-148; and Isaac Kramnick, *Bolingbroke and His Circle: The Politics of Nostalgia in the Age of Walpole* (Cambridge, Massachusetts: Harvard University Press, 1968), 123-127, *passim*.

98 *IX Parliamentary History*, cited in Kramnick, 124.

99 *The Craftsman* No. 258, June 12, 1731.

100 “Speech of William Burnet to the General Assembly,” *New England Weekly Journal*, July 29, 1728.

reduced to beggary by the provincial assembly or who was beholden to another branch of the government for his daily bread was perforce the creature of that branch and could not be expected to fulfill his duties to his king. He was corrupted and dependent, a slave to those who sustained him. According to this “Country” interpretation of the colonial constitution, if the Assembly rendered the governor, the king’s most intimate representative, ineffectual, then it also divorced the king from his sovereignty in the colony. The king was excluded from government when his eyes, ears, and hands, as manifested in the form of his governor, were reduced to serving the assembly. Here was the “True Whig’s” complaint. It was not the constitutional separation and balance of powers, or the normal interdependency of the branches of government that led to tyranny, but the subversion of any one branch of government to another by means of importune influence or corruption. In essence, colonial governors argued that any undue influence that the colonial legislature might assume over the executive subverted the colonial constitution.<sup>101</sup>

Assemblies were not always Walpolean in their arguments, nor governors consistently “True Whig.” These were the rhetorical conventions available to them in English political culture of the eighteenth century, and so they essentially chose the language, the rhetorical construction, that best lent themselves to their particular argument. Occasionally, as in the case of the New Jersey Assembly and its controversy with Lewis Morris and the Royal Council, the legislature made a “True Whig” argument about the possible corruption of the judiciary by sitting a Council member on the bench, then argued in Walpolean fashion that frequent vetoes of bills by the Council had a tendency to exclude the king from his just place in provincial legislation, thus separating the king from his assembly.

Perhaps as significant as the actual debates within the colonies was the extent to which all sides reflected the protection-allegiance idea in their rhetoric. Both governors and assemblies assumed that the preservation of the peoples’ welfare was the chief object of the king and his colonial governments and that the provincial assembly should do nothing that might overstep the bounds of the protection-allegiance covenant and weaken the king’s authority or prerogatives. Time and again, governors addressed their assemblies with statements that stressed their shared duty to the king “in support of His Just Honour and Authority, in seeking the Welfare and happiness of His good People.”<sup>102</sup> Gabriel Johnson observed in his speech to the North Carolina Assembly that the king’s “grand and constant design of his whole auspicious Reign” was “the happiness and prosperity of all his Subjects, and that no one should ever “presume to make a distinction between the Interest of the Crown and the Interest of the Country.”<sup>103</sup>

Assemblies, whatever their disagreement with the other branches of colonial government, struck the same note as their governors when it came to their understanding of the relationship between the king and his people, and their duties to both. Assemblies increasingly claimed precedence in the legislative matters of their respective colonies and employed the “king in parliament” analogy to their own situation in provincial government. If the king ruled Britain through his Parliament there, it was not such a stretch

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101 Bushman claims that the arguments of Massachusetts governors were primarily concerned with the separation of powers within the colonial constitution, but fear of corruption by colonial assemblies was also a tenet of governors’ arguments. Short term payments and legislated salaries dependent upon the *quid pro quo* of executive assent certainly had the look of attempts, sometimes rather baldfaced, to subordinate the colonial executive to the assembly. See Bushman, 125.

102 “Governour Belcher’s Speech to the New Jersey House of Assembly, March, 16, 1746,” *N.J.C.D.*, 16:134. For similar examples, see “Governor Gooch to the Virginia House of Burgesses, February 1, 1727,” *Journals of the House of Burgesses, 1727-1734, 1736-1740*, 4-5; “Governour Belcher’s Speech to the Massachusetts House of Representatives, February 10, 1731,” *Pennsylvania Gazette*, March 11, 1731; “The Speech of His Excellency James Glen, esq., Captain-General Governor, over the Province of South-Carolina, January 4, 1744,” *Pennsylvania Gazette*, April 5, 1744; “Speech of Lft. Governour Robert Dinwiddie,” *Maryland Gazette*, January 10, 1754; “Speech of His Excellency Charles Knowles, . . . to the Hon. Assembly [of Jamaica], November 8, 1754,” *Maryland Gazette*, January 6, 1755; “Governour of New York’s Speech to the General Assembly, April 15, 1741,” *General Magazine*, April, 1741; “Speech of Thomas Broughton, Lft. Governour, to the Council and Assembly,” *South Carolina Gazette*, May 31, 1735; “Speech of George Thomas, Lft. Governour of Pennsylvania to the House of Assembly, January 1, 1739,” *South Carolina Gazette*, February 15, 1739.

103 “Governor Gabriel Johnson’s Speech to the General Assembly of North Carolina, January 17, 1735,” *C.R.N.C.*, 4:77-79.

to infer that the same system must apply in each royal colony in America. After all, as the Council of South Carolina put it, “it is the opinion of this House that His Majesty does allow the Commons House of Assembly, the same Privileges as the House of Commons doth enjoy in England.”<sup>104</sup> As one newspaper editor stated, the British king was “pleased to invest his Subjects with [the] Power necessary to make Laws for their Welfare and good Government” in a manner comparable to the role of the House of Commons. “But at the same time,” this editor observed, in the interests of preserving the constitution, colonial subjects, like their English counterparts, were “Duty bound to support and maintain the just Prerogatives of the Crown.”<sup>105</sup>

From the accession of George I until the 1760s, these assumptions about kingship and colonial government met no serious resistance from the British government. Colonial legislation, it was true, frequently received royal disallowances, usually through the agency of the Board of Trade or the Privy Council, but these acts only confirmed the constitutional link between king and colony in the minds of American colonists. The king had an undisputed right to disallow any laws in any of his realms that he saw fit. This was one of the constitutional prerogatives of the king, and, if anything, the manner of the exercise of the royal veto only made the analogy between the English House of Commons and the provincial legislatures stronger.<sup>106</sup> The good relations between the king and his people in his provinces of North America endured, and, in the perception of the colonists, the Empire prospered under the paternal protection of the best of kings through the first two Hanoverian rulers. Colonists’ assumptions about the nature of English kingship and their own place within the British Empire were rarely challenged until the reign of George III.

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104 “Report from the Upper House of South Carolina,” *South Carolina Gazette*, April 28, 1733. For a study of the development of parliamentary privileges in American colonial legislatures, see Mary Patterson Clarke, *Parliamentary Privilege in the American Colonies* (New Haven: Yale University Press, 1943). See also Breen, *Character of a Good Ruler*, 199; Bushman, 125; Jack P. Green, “Political Mimesis: A Consideration of the Historical and Cultural Roots of Legislative Behavior in the British Colonies in the Eighteenth Century,” *Negotiated Authorities*, 192-202, *passim*.

105 *South Carolina Gazette*, May 8, 1736. For similar sentiments, see Philanthropos, “Postscript,” *Maryland Gazette*, Mat 8, 1748; “Humble Address of the Maryland House of Delegates, June 25, 1755,” *Maryland Gazette*, June 26, 1755

106 See Richard Bland, *The Colonel Dismounted*, Bailyn, *Pamphlets*, 322-323.