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Author(s): Michael G. Kammen

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The Colonial Agents, English Politics, and the American Revolution

Michael G. Kammen*

AT the conclusion of the Seven Years' War the North American colonies had been maintaining agents in London for more than a century. These quasi-representatives, however, rapidly acquired new significance after 1763. Simultaneously their task of lobbying and conciliating became increasingly complex and difficult. The heightened importance of the agents as well as the new problems they faced were outgrowths of the prolonged crisis in British imperial relations which culminated in American independence.

When successive ministries in the 1760's attempted to tighten a framework of colonial administration that had been lax for decades, they constricted a system unaccustomed to such pressure. In consequence the formal and traditional mechanisms of Anglo-American government began to give way. As Governor Francis Bernard remarked, "the present disunion has broke thro' many respectable forms."¹ Under these circumstances an extraconstitutional institution such as the colonial agencies might have served as an adhesive element. After the accession of George III, in fact, the agents found themselves in positions of considerable responsibility, sometimes to such an extent that it unnerved them. During the Seven Years' War they had co-operated with the Treasury in handling the apportionment of parliamentary funds for colonial military expenses. Perhaps on the basis of this experience George Grenville indicated a willingness to work through the agents in 1764-65 as an alternative to more orthodox channels of communication. By the same token, the

* Mr. Kammen, a member of the Department of History, Harvard University, read this paper in a different form to the Colonial Society of Massachusetts, Apr. 23, 1964.

¹ Francis Bernard to Henry S. Conway, June 28, 1766, Bernard Manuscripts, IV, 228, Houghton Library, Harvard University. See also Samuel Adams to Dennys De Berdt, Jan. 30, 1768, in Henry Alonzo Cushing, ed., *The Writings of Samuel Adams*, I (New York, 1904), 177-178.

provincial representatives undertook to commit their constituents to a compromise affecting paper currency in 1764. The Stamp Act crisis, above all, proved just how aggressive and effective the North American lobby could be; it showed that the agents were critically needed while revealing their potential value.² But the successes that the lobbyists achieved during the brief Rockingham regime produced in some quarters expectations which were soon to be disappointed. Like other components of the old imperial system, the agencies underwent a gradual decline.

Nevertheless, close scrutiny of their institutional deterioration can broaden our understanding of the coming of the American Revolution. The causes of the agents' plight are to be found in their various relationships: to each other, to their traditional allies in lobbying, to their constituents, to the progress of the constitutional debate, and, most of all, to the English politicians—the hands and servants of power, as Jasper Mauduit called them.³ An examination of these relationships suggests the way colonial affairs were handled in London during the years before independence, for the process by which the agencies declined is symptomatic of the way an entire network of formal and informal lines of transatlantic communication suffered under the strain placed upon them by the factional nature of English politics, the intransigence of the colonists, and the need for financial and administrative reform.

A major element in reducing the agents' effectiveness was the mutability of English public life. Until the accession of George III eighteenth-century politics had been notable for nothing so much as stability; but after 1760 ministries rose and fell in rapid succession, and with them often tumbled the bureaucratic hierarchy that managed the concerns of the kingdom. These were years of transition. Four and one-half decades of Whig preponderance were giving way to nearly half a century of Tory

² Lawrence Henry Gipson, *The Triumphant Empire: Thunder-Clouds Gather in the West, 1763-1766* (New York, 1961), 45-51; Edmund S. Morgan and Helen M. Morgan, *The Stamp Act Crisis, Prologue to Revolution* (Chapel Hill, 1953), 64-66; Lewis B. Namier, *England in the Age of the American Revolution*, 2d ed. (New York, 1961), 252-253; D. H. Watson, *Barlow Trecothick and Other Associates of Lord Rockingham During the Stamp Act Crisis, 1765-66* (unpubl. M.A. thesis, Sheffield University, 1957); B. R. Smith, *The Committee of the Whole House to Consider the American Papers* (January and February 1766) (unpubl. M.A. thesis, Sheffield University, 1956).

³ Mauduit to Samuel White, Feb. 19, 1765, in Alden Bradford, ed., *Speeches of the Governors of Massachusetts, from 1765 to 1775*. . . (Boston, 1818), 31; Jasper Mauduit, *Agent in London for the Province of the Massachusetts-Bay, 1762-1765*, in Massachusetts Historical Society, *Collections*, LXXIV (Boston, 1918), 168n.

reign. Agents attempting to lobby under such conditions found their task becoming progressively more unmanageable. For several generations the operations of their institution had been facilitated by connections which were permanently situated and reliable.⁴ Suddenly all aspects of political life became uncertain. As Benjamin Franklin, agent for several colonies, complained to the Pennsylvania Committee of Correspondence, "'tis a kind of Labour in vain to attempt making Impressions on such moveable Materials; 'tis like writing on the Sand in a windy Day."⁵

The agents were acutely conscious of how the permutations of British ministries served to frustrate their purposes and complicate their work. After the Earl of Bute's administration had given way to Grenville's in 1763, Richard Jackson, agent for Connecticut and Pennsylvania, warned Eliphalet Dyer against making hasty "Applications, as it is very uncertain

⁴ For the development of the agencies in the 17th and 18th centuries there is a considerable literature available. The general studies include Lillian M. Penson, *The Colonial Agents of the British West Indies* . . . (London, 1924); Mabel P. Wolff, *The Colonial Agency of Pennsylvania, 1712-1757* (Philadelphia, 1933); James J. Burns, *The Colonial Agents of New England* (Washington, 1935); Edward P. Lilly, *The Colonial Agents of New York and New Jersey* (Washington, 1936); Ella Lonn, *The Colonial Agents of the Southern Colonies* (Chapel Hill, 1945); Harold W. Currie, Massachusetts Politics and the Colonial Agency, 1762-1770 (unpubl. Ph.D. diss., University of Michigan, 1960); Edwin P. Tanner, "Colonial Agencies in England During the Eighteenth Century," *Political Science Quarterly*, XVI (1901), 24-49; Beverly W. Bond, Jr., "The Colonial Agent as a Popular Representative," *ibid.*, XXXV (1920), 372-392; Samuel J. Ervin, "The Provincial Agents of North Carolina," *James Sprunt Historical Publications*, XVI (Chapel Hill, 1919), 63-77; Marguerite Appleton, "The Agents of the New England Colonies in the Revolutionary Period," *New England Quarterly*, VI (1933), 371-387. Some of the better biographical studies include Appleton's "Richard Partridge: Colonial Agent," *ibid.*, V (1932), 293-309; Robert J. Taylor, "Israel Mauduit," *ibid.*, XXIV (1951), 208-230; Lewis B. Namier, "Charles Garth, Agent for South Carolina," *English Historical Review*, LIV (1939), 632-652; Malcolm Freiberg, "William Bollan, Agent of Massachusetts," *More Books*, XXIII (1948), 43-54, 90-100, 135-146, 168-182, 212-220; Charles L. Sanford, The Days of Jeremy Dummer, Colonial Agent (unpubl. Ph.D. diss., Harvard University, 1952); Alfred Owen Aldridge, "Benjamin Franklin as Georgia Agent," *Georgia Review*, VI (1952), 161-173; J. J. Zimmerman, Benjamin Franklin: A Study of Pennsylvania Politics and the Colonial Agency, 1755-1775 (unpubl. Ph.D. diss., University of Michigan, 1956); Ross J. S. Hoffman, *Edmund Burke, New York Agent* . . . (Philadelphia, 1956); Leonard W. Cowie, *Henry Newman: An American in London, 1708-43* (London, 1956); D. H. Watson, "Barlow Trecothick," British Association for American Studies, *Bulletin*, New Ser. (Sept. 1960), 36-49, (Mar. 1961), 29-39; Nicholas Varga, "Robert Charles: New York Agent, 1748-1770," *William and Mary Quarterly*, 3d Ser., XVIII (1961), 211-235.

⁵ June 10, 1766, in *Pennsylvania Magazine of History and Biography*, V (1881), 355.

at present who will be the persons in Power after the Sitting of the Parliament . . . as the present Ministry are not Suposed to be permanent." Seven weeks later the situation was no more settled, and Jackson informed Franklin that "affairs here never were so mutable." A year and a half later Franklin found colonial affairs "at a total Stop here, by the Present unsettled State of the Ministry." When the Grenvillites in turn gave way to the Rockinghams in 1765, Jackson observed that "one hardly knows who to apply to on any occasion in any department except the Treasury which is the only one fixed, and even there the hurry of business yet so new to Gentlemen little acquainted with business in general leaves little leisure for new subjects of application."⁶

Rockingham and his followers made their exit during the summer of 1766, causing Franklin to comment that "all ministerial Dispositions are extremely fluctuating. . . . all American Affairs, even the Granting of Lands, are now at a Stand." In August the Duke of Grafton headed a new government; and, although he remained nominal leader of his ministry until North replaced him early in 1770, his unwieldy coalition underwent numerous shifts and changes.⁷ These vicissitudes continually slowed the mechanics of colonial administration and the operations of those charged with expediting such affairs.⁸ Late in 1766 Franklin reported a

⁶ Dyer to Jared Ingersoll, Nov. 3, 1763, in Franklin B. Dexter, ed., "A Selection from the Correspondence and Miscellaneous Papers of Jared Ingersoll," in New Haven Colony Historical Society, *Papers*, IX (New Haven, 1918), 287; Jackson to Franklin, Dec. 27, 1763, in Carl Van Doren, ed., *Letters and Papers of Benjamin Franklin and Richard Jackson, 1753-1785* (Philadelphia, 1947), 121; Franklin to Hugh Roberts, July 7, 1765, in Albert Henry Smyth, ed., *The Writings of Benjamin Franklin* (New York, 1905-7), IV, 386; Franklin to Cadwallader Evans, July 13, 1765, Franklin Manuscripts, American Philosophical Society Library, Philadelphia; Jackson to Andrew Oliver, July 26, 1765, Letter book 1763-1773, pp. 100-101, Massachusetts Archives, State House, Boston.

⁷ Franklin to Pa. Committee of Correspondence, June 10, 1766, in *Pa. Mag. of Hist. and Biog.*, V (1881), 355; Franklin to Joseph Galloway, Aug. 22, 1766, Mason-Franklin Collection, Yale University Library, New Haven.

⁸ Charles Garth lamented to his South Carolina constituents that the "Fluctuation of Counsels and of Ministers in this Country is a truly unhappy Circumstance for the People in all Parts of the Dominions; The Ground of Yesterday is no longer to Morrow." Garth to South Carolina Committee of Correspondence, Aug. 14, 1768, in "Garth Correspondence," *South Carolina Historical and Genealogical Magazine*, XXX (1929), 218-223. By 1769 William Samuel Johnson believed England was on the verge of "some very decisive political revolution . . . in the very fluctuating condition we are now in, affairs are every day almost varying, and assuming new appearances." Johnson's alarm intensified as he stayed on in London, watching "their intestine divisions and party squabbles, which . . . actually seem to threaten a dis-

"Ferment at Court; every Day producing Changes or Resignations . . . so that little else has been attended to." The following April he found "daily apprehensions of new changes make it extremely difficult to get forward with business." And in May he remarked that "the ministry . . . has not been looked upon, either by itself or others, as settled, which is another cause of postponing every thing not immediately necessary to be considered."⁹

A series of cabinet resignations and replacements late in 1767 brought about a "fluctuation in the Ministry, during which time no business was done." At this juncture the Southern Department under Lord Shelburne relinquished stewardship of the colonies. "All American affairs will now be thrown into an entire new channel," Connecticut's agent, William Samuel Johnson, observed; "all is to begin anew with Lord Hillsborough; new negotiations are to be commenced, new connections formed, etc., which is an unhappy delay to all who have any affairs of that country [America] to solicit." Johnson had been on the verge of concluding some business with the Southern Department. Now the whole would have to be arranged again with Hillsborough. "Thus it is in all affairs," Johnson wrote. "When you have pursued them almost to a Close and think you are pretty sure of your point some change of System intervenes and over-sets all your plans. So unsteady are their Counsels, so uncertain the Tenure of those in Power!"¹⁰

This instability and uncertainty had unfortunate effects beyond the obvious stoppage of political and administrative business. The agents began to regard these conditions as normal. Some developed a tendency to procrastinate in presenting petitions or to delay applying for redress

solution of the whole political system, and the ruin of the empire." Johnson to William Pitkin, Sept. 18, 1769, in *The Trumbull Papers*, Mass. Hist. Soc., Colls., 5th Ser., IX (Boston, 1885), 362; Johnson to Jonathan Trumbull, Oct. 16, 1769, *ibid.*, 376.

⁹ Franklin to Galloway, Dec. 13, 1766, Apr. 14 and May 20, 1767, William Clements Library, Ann Arbor, Michigan; Franklin to John Ross, Apr. 11, 1767, in Smyth, ed., *Writings of Franklin*, V, 23; Franklin to Cadwallader Evans, May 5, 1767, *ibid.*, 25.

¹⁰ De Berdt to Samuel Dexter, Dec. 23, 1767, in "Letters of Dennys De Berdt, 1757-1770," in Colonial Society of Massachusetts, *Publications*, XIII (Boston, 1912), 328; Johnson to William Pitkin, Dec. 26, 1767, in *Trumbull Papers*, 252; Franklin to Galloway, Feb. 17, 1768, in Smyth, ed., *Writings of Franklin*, V, 97; Garth to South Carolina Committee of Correspondence, Jan. 27, 1768, in "Garth Correspondence," 183-184; Johnson to Dyer, Jan. 22, 1768, in Julian P. Boyd, ed., *The Susquehanna Company Papers* (Wilkes-Barre, 1930-33), III, 8.

in anticipation of a governmental shift favorable to the colonies. Ministries, for their part, became "afraid of changing anything in settled measures," Franklin wrote, "lest something should go wrong, and the opposition make an advantage of it against them." This applied with particular force in 1768 and 1769 after the Bedford faction, least sympathetic to the American view, joined Grafton's administration. Composed of incompatible and mutually mistrustful men, his Majesty's government was weak.¹¹

If ministries were frail in these years, their fragmented opposition—relied on heavily by the colonists and their agents—was even weaker. The great breach in the ranks of those who had united to conciliate America during the Stamp Act crisis first appeared during the winter of 1766-67. At that time Edmund Burke, soon to be New York's agent, and the Rockinghams formally went into opposition, while Henry Conway and other Chathamites chose to remain in office. Early in 1769 William Samuel Johnson learned that the several factions then out of office wished to raise the American question in Westminster but were unable to agree on the best way. By 1771 Henry Marchant, Rhode Island's agent, found it "amazing into how many Parties the political World are divided. The Administration side seem not to be Cordial Friends to One Another—The City are in three or four Divisions, greatly detrimental to the General good—and the Opposition in the Higher Spheres have different Ends in View,—... Their Jealousy destroys One Another—"¹²

Even such a singular organization as the radical Bill of Rights Society in which Arthur Lee, deputy agent of Massachusetts Bay, participated was riven with dissension and unable to settle on the best policies to pursue. If Lee sided with any group in the Society he alienated the rest. Late in 1774 Lee took the petition of the Continental Congress to Chatham for the Great Commoner's approbation. "My object," Lee declared, "Is to unite the heads of opposition under one uniform large ground." He failed. Rockinghams and Chathamites could only join in

¹¹ De Berdt to Thomas Cushing, Feb. 1, 1769, in "Letters of Dennys De Berdt," 356; Franklin to William Franklin, Nov. 13, 1767, in Clarence Walworth Alvord and Clarence Edwin Carter, eds., *Trade and Politics, 1767-1769* (Springfield, Ill., 1921), 104-105; Franklin to ? , Mar. 18, 1770, in Smyth, ed., *Writings of Franklin*, V, 251-253.

¹² Johnson to Ingersoll, Mar. 8, 1769, Johnson Manuscripts, Box 1, Connecticut Historical Society, Hartford; Carl B. Cone, *Burke and the Nature of Politics: The Age of the American Revolution* (Lexington, Ky., 1957), 213-215; Marchant to Ezra Stiles, Sept. 21, 1771, Stiles Manuscripts, Yale Univ. Lib.

castigating the unwise policies of North's administration. Whereas Burke and his cohorts upheld the constitutional supremacy of Parliament, Chatham supported the American denunciation of parliamentary taxation.¹³

Gradually the agents came to realize that their so-called "friends" among the opposition minorities were often motivated by principles and pressures quite removed from any intrinsic sympathy for colonial aspirations. Arthur Lee wrote his brother that Shelburne was the "only one attached to us from principle." The rest were merely "against opposing us." As William Samuel Johnson cynically but astutely observed, the Rockinghams really did not seem so very enthusiastic to repeal the Townshend Revenue Act,

but rather that it should remain to embarrass the present Ministers, and as a means of their destruction, to whom they hope to succeed. They had rather have the honor of doing it themselves, and mean in their turn to govern the Colonies, though in a different way. . . . Indeed, this must be the case with every party, in some degree; the Colonies, therefore, if they are wise, will take care not to become the dupes of any party, nor connect themselves too deeply with any set of men in this country; but, conscious of their own importance, and attentive to their own rights and true interest, will avail themselves, as they may, of the divisions here as they arise, make use of each party in their turns as they find it expedient, but be absolutely subservient to none, and in the end it is not improbable they may be courted by every party, and eventually gain an ascendant over them all.¹⁴

Inscrutable party alignments in the 1760's and the uncertainty of factional ambitions had a peculiarly devastating effect on the functioning of agents because they occurred just when Parliament assumed a major

¹³ Lee to Samuel Adams, June 14, 1771, Apr. 7, 1772, Adams Manuscripts, New York Public Library; Franklin to Joseph Smith, Feb. 6, 1772, Mason-Franklin Collection; Lee to Richard Henry Lee, Dec. 26, 1774, in Peter Force, comp., *American Archives*, 4th Ser., I (Washington, 1837), 1058-1059; Cone, *Burke and the Nature of Politics*, 280-281.

¹⁴ Lee to Richard Henry Lee, Sept. 18, 1769, in Richard Henry Lee, *The Life of Arthur Lee* . . . (Boston, 1829), I, 191; Johnson to William Pitkin, Apr. 11, 1767, Apr. 26, 1769, in *Trumbull Papers*, 226, 338-339. Early in 1767 Rockingham hoped to form an administration that would include both George Grenville and Charles Townshend! (See Lewis B. Namier and John Brooke, eds., *The History of Parliament: The House of Commons, 1754-1790*, II [New York, 1964], 148.) See also William Lee to Samuel Adams, Mar. 4, 1775: "you will readily perceive how little essential good, you are to expect . . . from the opposition here." (Adams MSS.)

role in formulating colonial policy. Heretofore Commons and Lords had viewed imperial government primarily as one aspect of a mercantile mechanism overseen by the Secretary of State for the Southern Department and the Board of Trade. But after 1763, as legislative decisions became more important than executive administration, opportunities for individual negotiation and favor lessened. For nearly a century the agencies had institutionalized accommodating relationships with the various governmental boards and civil servants. After 1763, however, traditional modes of lobbying in Georgian England were wrenched into new and unfamiliar forms. The measure of an agent's capacity and shrewdness became his ability to discern the proper points and persons where pressure could best be applied. As never before the place was Westminster;¹⁵ and in the eighteenth century the House of Lords, where bills were frequently initiated, was quite as important as its elected counterpart. Thus the lobbyist's field of operations broadened greatly, and with it the complexity of achieving Anglo-American understanding.¹⁶

The agents' mission in identifying and influencing the decisive men in Parliament and the shifting ministries was itself difficult enough. But they were also faced in both Westminster and Whitehall with widespread ignorance of the colonies, with general indifference to provincial conditions, and with increasing hostility to America. Henry Cruger, Jr., spent three weeks in London in 1766, "every Day with some one Member of Parliament, talking as it were for my own Life. It is surprising," he observed, "how ignorant some of them are of *Trade* and *America*." "The affairs of America seem very little understood and not all attended to,"

¹⁵ Thus in 1767 Henry Eustace McCulloh reported to North Carolina that "a vast struggle for Power, is expected this Winter." McCulloh had learned there would be a concerted effort "to take the Affairs of the Colonies out of the hands of the Parliament and place them in their old Channel, that is, under the direction of the Crown, and the Great Boards,—by repealing the restrictive Acts." McCulloh to John Harvey, Sept. 13, 1767, in William L. Saunders, ed., *The Colonial Records of North Carolina*, VII (Raleigh, 1890), 517. Nevertheless the legislators clung tenaciously to the responsibilities they had assumed after the war. When Arthur Lee applied to the Secretary of State for the Colonies in 1773, he found Lord Dartmouth had "no power to relieve us in anything. The means of redress for the rest of our complaints, he [said], only parliament can minister." Lee to Samuel Adams, Dec. 22, 1773, Adams MSS.

¹⁶ A. S. Turberville, *The House of Lords in the Eighteenth Century* (Oxford, 1927), passim. For a discussion of these alterations in general terms by a political sociologist, see Samuel E. Finer, *Anonymous Empire: A Study of the Lobby in Great Britain* (London, 1958), 21-23.

complained Henry Eustace McCulloh, North Carolina's agent. And William Samuel Johnson heard "a respectable Counsellor at Law ask Mr. [Richard] Jackson gravely in the Hall whether Philadelphia was in in [*sic*] the E. or West Indies and said he had a Notion it was upon the Coast of Sumatra. Such is their Knowledge of America." After Johnson returned to Connecticut Thomas Pownall warned him not to expect any action to be taken regarding the colonies "because few think and of those who do think on these matters 'tis by piece meal and not upon system." The ultimate indictment came in 1773 from a frustrated Franklin: "The great Defect here is, in all sorts of People, a want of attention to what passes in such remote Countries as America; an Unwillingness even to read any thing about them if it appears a little lengthy, and a Disposition to postpone the Consideration even of the Things they know they must at last consider, that so they may have Time for what more immediately concerns them, and withal enjoy their Amusements, and be undisturbed in the universal Dissipation."¹⁷

Difficulties the agents encountered in London as a result of English ignorance of America were compounded by the suspicion with which the successors to the Rockingham ministry viewed them. In 1768 Dennys De Berdt, agent for Massachusetts Bay, reported that the Grafton ministry found the concerted efforts of the North American lobby "disagreeable." The next year he communicated to the same confidant Hillsborough's "disapprobation to all Agents"; and Franklin noted "the Plan here at present being, to have as little to do with Agents as possible." In 1771, early in North's government, Franklin related to his constituents a still more serious development. "Under the present American administration, [agents] are rather looked on with an evil eye, as obstructors of ministerial measures; and the Secretary would, I imagine, be well pleased to get rid of them, being, as he has sometimes intimated, of opinion that agents are unnecessary, for that, whatever is to be transacted

¹⁷ Henry Cruger, Jr., to Henry Cruger, Feb. 14, 1766, in *Commerce of Rhode Island, 1726-1800* (Mass. Hist. Soc., *Colls.*, 7th Ser., IX [Boston, 1914]), I, 139; McCulloh to John Harvey, July 15, 1768, in Saunders, ed., *Col. Recs. of N. C.*, VII, 757; entry for Nov. 27, 1769, in William Samuel Johnson's London journal, Johnson Manuscripts, Conn. Hist. Soc.; Pownall to Johnson, July 31, 1772, Johnson MSS., Box 2; Franklin to Samuel Cooper, July 7, 1773, in Smyth, ed., *Writings of Franklin*, VI, 93. See also John Wentworth to Daniel Peirce, Feb. 15, 1766: "It is notorious, that we are scarcely known and not considered but in the most diminutive way." (Peirce Papers, Portsmouth Athenaeum, Portsmouth, N. H.) Wentworth was then in London as New Hampshire's agent.

between the assemblies of colonies and the government here, may be done through and by the governor's letters, and more properly than by any agent whatever."¹⁸

By the beginning of the 1770's the provincial representatives were also meeting with heightened resistance in other spheres of British life. Such traditional allies in lobbying as the editors, publishers, merchants, and some important Dissenters became more and more reluctant to commit themselves to a cause that seemed politically hopeless and intellectually unreasonable.¹⁹ The problem was succinctly evoked in a letter to John Adams from a relative abroad: "I agree with you, sir, absolutely that America suffers to an inexpressible degree for want of proper connections in England. But when you ask me to procure you a friend or an acquaintance here, you put me, sir, to a very difficult task indeed." This dilemma is central to the coming of the Revolution, and the circumstances of the agents are a significant manifestation of the problem. Through them it is possible to observe and gauge the waning influence of America and Americans in London. Relying on information from New York based on Edmund Burke's letters, Adams noted in his diary that the English "Nation is against us, that we cannot depend upon any Support of any kind from thence, that the Merchants are very much against us," and so on.²⁰

Among the interest groups lost to the lobbyists, none was so sorely missed as the British mercantile community. The briefly joined alliance of West Indian and North American merchants that was so instrumental in procuring repeal of the Stamp Act collapsed in 1766. After 1770 the colonial nonimportation agreements lost their political and economic leverage and it became apparent that the American commercial classes could not sustain the boycott without breaches that undermined its ef-

¹⁸ De Berdt to Richard Cary, Nov. 15, 1768, Mar. 29, 1769, in "Letters of Dennys De Berdt," 342, 370; Franklin to Joseph Galloway, Jan. 9, 1769, in Carl Van Doren, ed., *Benjamin Franklin's Autobiographical Writings* (New York, 1945), 186; Franklin to Thomas Cushing, Feb. 5, 1771, in Smyth, ed., *Writings of Franklin*, V, 295; Letter from the Provincial Agent, Apr. 3, 1769, in Allen D. Candler, ed., *The Colonial Records of the State of Georgia*, XV (Atlanta, 1907), 26-27.

¹⁹ See Michael G. Kammen, *The Colonial Agents, English Politics and the American Revolution* (unpubl. Ph.D. diss., Harvard University, 1964), chaps. 11 and 12.

²⁰ Isaac Smith, Jr., to Adams, Sept. 3, 1771, in Lyman H. Butterfield and others, eds., *Adams Family Correspondence*, I (Cambridge, Mass., 1963), 79-80; Entry Aug. 22, 1774, in Lyman H. Butterfield and others, eds., *Diary and Autobiography of John Adams*, II (Cambridge, Mass., 1961), 107.

fectiveness. By the end of the 1760's British trade no longer depended upon North America as it had earlier. New markets opened to the East and the depression that unsettled Britain after the Seven Years' War disappeared.²¹ Therefore the ultimate crisis initiated by the Boston Tea Party in 1773-74 found many of Britain's merchants unresponsive to the agents' efforts to activate them. "It is a capital mistake of our American friends to expect insurrections here," wrote Samuel Curwen from London. "The manufactories are in full employ, and one of the warmest of the friends of America told me that letters from Manchester expressed joy that no American orders had been sent, otherwise there must have been disappointment somewhere."²²

As antipathies toward America grew and colonial allies in and out of Parliament defected or became powerless in the decade before the Revolution, the agents met with one obstruction after another in their attempts to perform their traditional functions. Members of Parliament and ministers reacted to American resistance by making themselves less available to the agents and by invoking procedural technicalities to inhibit the agents' activities. For generations before the Seven Years' War there had been many accessible and often corrupt means of circumventing orthodox lines of procedure. But between 1766 and 1775 the system of colonial administration developed a disconcerting devotion to proprieties. All manner of long forgotten and ignored regulations were invoked in order to suppress the provincial voice in the Great Debate. In Westminster standing orders of the Houses of Parliament were revived to obviate the agents' petitions; and in Whitehall the various departmental heads relied upon quibbling points to invalidate the agents' requests for hearings. As Franklin was prompted to observe, refusing to hear "complaints, from punctilios about form, had always an ill effect, and gave great handle to those turbulent, factious spirits who are ever ready to blow the coals of dissension."²³

²¹ Lucy S. Sutherland, "Edmund Burke and the First Rockingham Ministry," *Eng. Hist. Rev.*, XLVII (1932), 46-70; Charles M. Andrews, "The Boston Merchants and the Non-Importation Movement," in Col. Soc. Mass., *Publ.*, XIX (Boston, 1918), 250 ff.; Johnson to Jonathan Trumbull, Dec. 5, 1769, in *Trumbull Papers*, 384-385.

²² Quoted in Namier, *England in Age of American Revolution*, 254-255; see also Edmund Burke to Rockingham, Aug. 23, 1775, in George H. Guttridge, ed., *The Correspondence of Edmund Burke*, III (Chicago, 1961), 191.

²³ Franklin to William Franklin, Nov. 9, 1765, Mason-Franklin Collection. For the ease with which lobbying was facilitated in the 17th and 18th centuries, see

A strong feeling developed within governmental circles that for any business there was a "regular official Method" of effecting it. Ministers and their myrmidons frowned upon any alternative as "irregular and disrespectful." Before 1766, for example, issues of prime importance might be managed by the First Lord of Trade independently of his board. This permitted the lobbyist to avoid excessive red tape and hindrances. After that date, however, it became increasingly difficult to avoid procedural problems in search of prompt solutions to pressing questions.²⁴ When Hillsborough refused to recognize the authority of agents chosen by assemblies alone, Edmund Burke lamented to his New York employers: "this I consider in Effect, as a destruction of one of the most necessary Mediums of Communication between the Colonies and the parent Country. The provinces ought in my opinion to have a *direct* intercourse with Ministry and Parliament here, by some person who might be truly confidential with them who appoint him. Who might be entrusted with the strength and weakness of their Cause in all controverted points; and who might represent their own Sentiments in their own way."²⁵

Factions and coalitions hostile to the colonies had at their disposal various ways of making life miserable for the agents and effective lobbying all but impossible. The Grenvillites, for example, even while in opposition, could stir up in Parliament a "general rage" against America. Thus a politician's views on provincial questions became "one of the distinctions of party here," Franklin remarked. Members of the opposition who stood against measures to tax the colonies "would be stigmatized as Americans, betrayers of Old England, etc." When Tories out of office seized upon reports of the disreputable "conduct of the Assemblies of

Increase Mather, *A Brief Account Concerning Several of the Agents of New-England, Their Negotiation at the Court of England . . .* (London, 1691); entry for Nov. 6, 1735, in Beverly McAnear, ed., "An American in London, 1735-1736," *Pa. Mag. of Hist. and Biog.*, LXIV (1940), 387; Stanley N. Katz, *An Easie Access: Anglo-American Politics in New York, 1732-1753* (unpubl. Ph.D. diss., Harvard University, 1961).

²⁴ Franklin and others to Edward Biddle, Dec. 24, 1774, in *Boston Gazette and Country Journal*, Mar. 27, 1775; Aldridge, "Franklin as Georgia Agent," 168; Franklin to Charles Thomson, Feb. 5, 1775, in Smyth, ed., *Writings of Franklin*, VI, 303; Lord Hyde to Lord Dartmouth, Aug. 13, 1765, Dartmouth Manuscripts #78, William Salt Library, Stafford, England; Privy Council, Class 2, Vol. 114, pp. 212-213, 225-226, 229, 234-235, 245-246, 248-249, Public Record Office, London.

²⁵ Burke to James De Lancey, Dec. 4, 1771, in Lucy S. Sutherland, ed., *The Correspondence of Edmund Burke*, II (Chicago, 1960), 291. Italics are Burke's.

New York and Boston . . . in order to distress the friends of America in the present ministry, nothing so little interesting to them as our application can get forward," Franklin wrote.²⁶

The mildest means a ministry might employ was simply to ignore agents and unpleasant issues they raised. The Grafton-Chatham coalition squelched Jackson, De Berdt, and Johnson in this fashion in 1767 when they sought favor for the New England fishery interest. Again in 1768, Charles Garth, South Carolina's agent, related that administration refusal to push repeal of the Currency Act brought lobbying to a halt: "Paper Currency they decline meddling with, the Agents dare not stir in it, unless the Ministry will adjust in promoting the Measure."²⁷

After 1770 the new North ministry anxiously sought to achieve permanence and power. Therefore it became critically important to by-pass imperial questions that might be unsettling.²⁸ Very soon after taking office North's government attempted to intimidate the agents by warning them "that any further opposition to the Ministry will induce the Government to withdraw the several bounties paid for the encouragement of American produce or importation to Great Britain." The admonition was repeated whenever the situation seemed to warrant, and it undoubtedly put a damper upon excessive prodding of North and his cabinet by the agents.²⁹

²⁶ Benjamin Franklin to Joseph Galloway, May 20 and Aug. 8, 1767, William Clements Library; Smyth, ed., *Writings of Franklin*, V, 41-42; Franklin to John Ross, Apr. 11, 1767, *ibid.*, 23.

²⁷ Johnson to Pitkin, Mar. 19, 1767, in *Trumbull Papers*, 219-220; Garth to South Carolina Committee of Correspondence, Jan. 27, 1768, in "Garth Correspondence," 183-184.

²⁸ William Samuel Johnson warned Connecticut's governor in 1771 that "the general state of things here is extremely calm. The Ministry, in perfect plenitude of power, seem to wish for nothing so much as to possess that power in peace, and to continue undisturbed in their offices. To this end, they avoid, as far as possible, everything that may tend to awaken the attention, to unite the force, or increase the strength of that Opposition they have so surprisingly and so unexpectedly vanquished and dissipated." Johnson to Trumbull, Mar. 15, 1771, in *Trumbull Papers*, 476; see also Arthur Lee to Samuel Adams, Oct. 13, 1773, in Lee, *Life of Arthur Lee*, I, 236; Garth to South Carolina Committee of Correspondence, May 4, 1773, Garth Letter book, South Carolina Archives, Columbia, S. C.

²⁹ *Boston Evening Post*, May 28, 1770, Nov. 1, 1773. In 1774 stories persisted that the administration unjustly persecuted friends of the colonies. A year later Arthur Lee reported the rumor in London "that if any one is proceeded against here for corresponding with the people of America, or befriending them here, [the Continental Congress] will immediately seize upon all those in America who correspond with or act for the Ministry. Without such a declaration their friends, and especially

Apart from these assorted pressures, ministerial politicians consistently relied on four weapons to keep the agents in check after 1767. Parliament could exclude them from the galleries, and it could avoid hearing remonstrances they tried to present. Administrations could refuse to recognize the legitimacy of an agent's appointment, and they could gain access to his mail through spies and control of the postal system.³⁰ These weapons used in combination proved effective in undermining lobbying and restricting the efforts of the agents toward conciliation.

Early in 1773 Franklin wrote his son that he had grown weary of endless ministerial obstacles to negotiation and accommodation. He wanted to return to Philadelphia. A year later, after his public condemnation by Alexander Wedderburn in the Cockpit, the Doctor poured out his irritation and discouragement to Thomas Cushing, Speaker of the House in Massachusetts Bay.

When I see that all petitions and complaints of grievances are so odious to government, that even the mere pipe which conveys them becomes obnoxious, I am at a loss to know how peace and union are to be maintained or restored between the different parts of the empire. Grievances cannot be redressed unless they are known; and they cannot be known but through complaints and petitions. If these are deemed affronts, and the messengers [i.e., agents] punished as offenders, who will henceforth send petitions? And who will deliver them? It has been thought a dangerous thing in any state to stop up the vent of griefs. Wise governments have therefore generally received petitions with some indulgence, even when but slightly founded. Those who think themselves injured by their rulers are sometimes, by a mild and prudent answer, convinced of their error. But where complaining is a crime, hope becomes despair.³¹

By 1775 the agents found they must operate only through the Secretary of State for the Colonies, "that being the regular official method, and the

their Agents here, will be at the mercy of the most unprincipled Administration that ever disgraced humanity." Lee to Francis L. Lee, Apr. 2, 1774, in Force, comp., *American Archives*, 4th Ser., I, 237; Lee to ?, Sept. 5, 1775, Lee Manuscripts, II, #62, Houghton Library.

³⁰ For illustrations and the development of these sanctions, see Kammen, *Colonial Agents and the American Revolution*, 205-227.

³¹ Franklin to William Franklin, Mar. 15, 1773, in John Bigelow, ed., *The Complete Works of Benjamin Franklin* . . . (New York, 1887-88), V, 116-117; Franklin to Cushing, Feb. 15, 1774, *ibid.*, 302-303.

only one in which we might on occasion call for an Answer." Yet by that time responsibility for colonial administration had shifted from the ineffectual Lord Dartmouth to other hands.³²

The impediments encountered by the agents and the handicaps under which they operated were not entirely the making of English politics, however. The agencies as an institution suffered from inherent weaknesses which were exacerbated by the deepening crisis in imperial relations. Their effectiveness as a pressure group was governed as much by the demands and attitudes of their constituents as by the political scene in London where they functioned. In the seventeenth and eighteenth centuries the agencies had developed—and logically so—as discrete extensions of each colony's government in Britain. The lobbyist was conscious only of a relationship to his particular employers; and when the interests of two colonies came into conflict, as over a boundary, the representatives of these colonies customarily re-enacted the dispute in London, like marionettes responding to some remote manipulators. The agencies were indeed provincial. Their frailties partially grew out of the fact that their fealties had long been parochial and local. Too often their own personal concerns and those of their respective colonies barred the way to co-ordinated efforts.

Nevertheless, between 1763 and 1770 they nearly transcended the limitations of their institutional background. During these years they averaged one joint consultation per month (exclusive of the holiday and adjournment seasons of government). During the next three years, however, they hardly conferred at all; and the last two years before independence saw only moderate improvement.³³ "*Juncta juvant*," wrote William Bollan, agent for the Council of Massachusetts Bay, in 1773, "and when

³² Franklin to Charles Thomson, Feb. 5, 1775, in Smyth, ed., *Writings of Franklin*, VI, 303; John Pownall to William Knox, July 23, 1773, Oct. 10, 1775, in Historical Manuscripts Commission, *Report on Manuscripts in Various Collections*, VI (Dublin, 1909), 110, 122.

³³ This calculation discounts those occasions when administrative boards required the presence of the agents at a hearing. Only meetings initiated by the agents and attended by more than three have been included. Undoubtedly conferences occurred that went unrecorded in diaries, letters, and public documents. But I believe the trend indicated here is essentially accurate. Charles Garth's communications with the South Carolina Committee of Correspondence faithfully span these years and provide a rough measure in gauging the lobbyists' decline as a unified pressure group. Garth's Letter book is in the South Carolina Archives. Part of it has been printed in the *S. C. Hist. and Gen. Mag.*, XXVIII-XXXIII.

vested with ample authority I have gone in to the Lords of the Treasury at the head of seven or eight agents of so many colonies, but now they seem a rope of sand."⁸⁴

As the character of American radicalism became transformed after 1766, many of the agents who were English by birth and residence found themselves out of sympathy with the constitutional claims of their constituents. Others who were ardent colonials were forced to recognize the devastating impact political controversy and rigid constitutional positions could have on their attempts at expedient mollification and adjustment. As the preplexed agents seemed to be achieving less than the colonists hoped for, the latter in certain cases became disenchanted with the institution. The representatives, in turn, discovered that they were increasingly hampered by their employers' inadequate support. Without sufficient authority and funds, the lobbyists' effectiveness was considerably reduced.⁸⁵

Caught between their constituents and the imperial government, the agents were hamstrung by the attendant inflexibility on both sides. The truculent positions maintained by the colonies as the Great Debate progressed proved to be dangerous stumbling blocks for lobbyists whose sole concern was with practical achievements. On countless occasions the agents might have successfully pressured for repeal of undesirable legislation; but they were tightly bound by instructions sent by men who would only accept their goals cloaked in the guise of "inalienable right." William Knox, formerly agent for Georgia, summed up the problem lucidly in 1768. "I have been told that the colony agents were sent for lately by Lord Hillsborough, and acquainted that if they would wave the point of right, and petition for a repeal of the duties as *burdensome and grievous*, Administration were disposed to come into it. The agents, however, declared they could not leave out the point of right, consistent with their present instructions, but should inform their respective colonies, and so it rests."⁸⁶ In 1769 Dennys De Berdt remarked to his employers that "in the repeal of the Stamp Act it was a very different application from the present, in the former the whole Ministry were on our side but now it is the reverse[.] when ever these Acts are repealed, the question of right

⁸⁴ Bollan to James Bowdoin, Sept. 29, 1773, in *The Bowdoin and Temple Papers*, in Mass. Hist. Soc., *Colls.*, 6th Ser., IX (Boston, 1897), 320. See also De Berdt to Richard Cary, Feb. 2, 1769, in "Letters of Dennys De Berdt," 358.

⁸⁵ Kammen, *Colonial Agents and the American Revolution*, 149-158, 161-165.

⁸⁶ Knox to George Grenville, Dec. 15, 1768, Additional Manuscripts 42086, fol. 167, British Museum, London.

must be kept out of sight . . . and the repeal must be on the foot of inexpediency."³⁷

Those agents who wholeheartedly supported the colonial constitutional position responded to the hardening of British attitudes toward America by undergoing a deepening disaffection from imperial authority and from England herself. These provincial representatives were repelled by what Franklin considered "the extream Corruption prevalent among all Orders of Men in this old rotten State. . . . Here Numberless and needless Places, enormous Salaries, Pensions, Perquisites, Bribes, groundless Quarrels, foolish Expeditions, false Accounts or no Accounts, Contracts and Jobbs, devour all Revenue, and produce continual Necessity in the Midst of natural Plenty."³⁸ The lobbyists vocally conveyed such sentiments to their correspondents; and by injecting these harangues into the hostile climate of colonial opinion, reinforced the agitated provincials' sense of alienation from Britain—an important ingredient of the rapidly developing patriotism in America.³⁹ In John Adams's words, a "Period shall arrive that an entire Allienation of Affection and a total Opposition of Interests shall take Place, And War and Desolation shall close the melancholly Prospect."⁴⁰

After 1770 many of the agents began urging their constituents to look to their own strengths and be self-sustaining in every way. As James Bowdoin put it, the colonists had been induced "to think that they had nothing to hope for but from themselves." In 1773 Arthur Lee in-

³⁷ De Berdt to Thomas Cushing, Jan. 2, 1769, in "Letters of Dennys De Berdt," 350-351.

³⁸ Franklin to Joseph Galloway, Feb. 25, 1775, in Smyth, ed., *Writings of Franklin*, VI, 311-312. See also Franklin to Galloway, Apr. 20, 1771, Mason-Franklin Collection.

³⁹ See, for examples, the diatribes Henry Marchant sent his friends in Rhode Island. In the metaphor he devised, London was swelling like the head of a rickety child, while the body was fast wasting. "Thus the Head feeding upon the Body, without procuring any supplies to it, will sooner or later become all Head and no Body, when Louis Baboon and his Continental brothers will make a Foot Ball of it for their Cubs." "What a pity it is," he regretted, that "our Americans stay in England too long." Marchant to Ezra Stiles, May 14, 1772, Stiles MSS.; entry for Jan. 29, 1772, in Franklin Bowditch Dexter, ed., *The Literary Diary of Ezra Stiles* . . . (New York, 1901), I, 315. See also entries Jan. 18 and 25, 1772, Marchant's London "journell," owned by Miss Alice Clarke (copy in the Rhode Island Historical Society, Providence); Marchant to William Greene, Feb. 25, 1772, Peck Manuscripts, III, R. I. Hist. Soc.

⁴⁰ Adams to Isaac Smith, Jr. [1771?], in Butterfield, ed., *Adams Family Correspondence*, I, 82.

structed his correspondents from London not to trust "the persons who may be in power here." "Happily America is capable of working her own salvation," he added two years later, "or the influence of corruption and dissipation here would render her escape from the hand of Tyranny extremely doubtful."⁴¹

The differences that developed between the patriot agents and their more moderate and conservative colleagues, like Richard Jackson, Charles Garth, Edward Montagu of Virginia, the Mauduit brothers, and others, demonstrate many of the cleavages that divided political society on both sides of the Atlantic. By emphasizing and exemplifying the most divisive elements within the Empire, the agents revealed that their institution offered no hope of averting the ultimate breach. Prodded by their representatives the colonists looked inward, their backs up and wills stiffened. Henceforward they would cultivate the seeds of independence that had been stimulated, if not planted, by a group of North American agents in London.

Through one of those coruscations of irony that makes history fascinating, a root was already growing where life ebbed steadily from an old plant. The expiring agency was nourishing its progeny, the foreign service of a new nation.⁴² The beginnings of American lobbying are not to be found in the national period, but before the Revolution when lobbying and diplomacy were intimately related. Just as Samuel was simultaneously the last of the Biblical judges and the first of the prophets, so Arthur Lee was the last of the colonial agents and the first national diplomat. As the agencies became consolidated into the hands of a few, these patriots ceased to be parochial "men of business" and became in embryo exactly what Whitehall had proclaimed eighty years earlier they must not be, namely, "plenipotentiaries from a sovereign state." In 1771

⁴¹ Bowdoin to Alexander MacKay, Nov. 29, 1770, in *Bowdoin and Temple Papers*, 243; Lee to Thomas Cushing, June 10, 1773, Colonial Office Papers, Class 5, Vol. 118, foll. 90-91, Public Record Office; Lee to Benjamin Franklin, July 6, 1775, Franklin Manuscripts, Amer. Phil. Soc. See also William Lee to Josiah Quincy or Samuel Adams, Apr. 6, 1775, Adams MSS.

⁴² Almost no author who has treated the history of the United States diplomatic corps has probed previous to the Revolution in search of origins. See, e.g., Tracy Hollingsworth Lay, *The Foreign Service of the United States* (New York, 1925); William Barnes and John Heath Morgan, *The Foreign Service of the United States . . .* (Washington, 1961); for a weak exception see Carl Russell Fish, *American Diplomacy*, 4th ed. (New York, 1923), 21-22.

Franklin had notified his Massachusetts Bay constituents that when the colonies "come to be considered in the light of *distinct states*, as I conceive they really are, possibly their agents may be treated with more respect, and considered more as public ministers." Eighteen months later the Doctor confided to his son that "several of the foreign ambassadors have assiduously cultivated my acquaintance, treating me as one of their *corps*, partly I believe from the desire they have, from time to time, of hearing something of American affairs, an object become of importance in foreign courts." Early in 1774 the Earl of Buckinghamshire remarked that Franklin "was here [in England], not as an agent of a province, but as an ambassador from the states of America. That he could not compare his embassy to any thing but that sent by Louis XIV. to the republic of Genoa, commanding the doge to come and prostrate himself at Versailles, to appease the resentment of the grand monarque."⁴³

In the last year of America's subordination to Britain, Franklin, Lee, and Bollan looked about. They saw that nearly half the colonies now lacked agents, and that most of the remainder refused to participate in the final negotiations between Britannia and her offspring. Then the realization came that each agent must serve for and in liaison with *all* and not just his own particular colony. America, and not merely Massachusetts or Pennsylvania, had become their constituency. In consequence they sent a copy of their letters to every colony so that each would be apprized of proceedings in Westminster and Whitehall.⁴⁴

When the Olive Branch negotiations collapsed in the late summer of 1775, Arthur Lee became the confidential correspondent in London of the Continental Congress, and later their secret envoy in Paris. The whole irony turned back on itself following American independence. When an exchange of ministers was proposed to George III, he rejected the suggestion outright: "As to the question whether I wish to have a Minister

⁴³ "Extract from the History of the New-England Colonies, concerning the Charter of William and Mary," in Mass. Hist. Soc., *Colls.*, 1st Ser., IX (Boston, 1804), 273; Franklin to Thomas Cushing, Feb. 5, 1771, in Smyth, ed., *Writings of Franklin*, V, 295; Franklin to William Franklin, Aug. 19, 1772, *ibid.*, 414; Arthur Lee to Samuel Adams, Feb. 8, 1774, in Lee, *Life of Arthur Lee*, I, 241.

⁴⁴ See, e.g., their general letter to the speakers of the colonial assemblies, dated Dec. 24, 1774. Franklin's draft is in his manuscripts (#268) in the Library of Congress, Washington. The agents' circular letter of Feb. 5, 1775, was also given wide distribution in America. For an anticipation of this development see Denny De Berdt's letter to George Wylls, Jan. 16, 1766, in "Letters of Denny De Berdt," 311.

accredited from America, I certainly can never say that it will be agreeable to Me, and I should think it wisest for both parties if only Agents were appointed.”⁴⁵

⁴⁵ George III to Charles James Fox, Aug. 7, 1783, in Sir John Fortescue, ed., *The Correspondence of King George the Third . . .*, VI (London, 1928), 430. See also Charles R. Ritcheson, *British Politics and the American Revolution* (Norman, Okla., 1954), 274.