THE TOWNSHEND ACTS IN VIRGINIA:
THE DECAY OF ANGLO-VIRGINIAN RELATIONS, 1767-1770

by

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ABSTRACT

In the period from 1767 to 1770 an attitude toward the colonies matured in Britain which changed in no material way until the Carlisle Commission was formed in 1778. Sovereign power over the empire, lodged in Parliament by the Revolutionary Settlement, could not be shared or divided. So widely was this view held to be orthodoxy that no important political faction ever considered altering the relationship between the mother country and the colonies. In short, there was no source in British politics from which compromise with America on this central issue might come. Other factors, somewhat less important, complicated imperial relations. Perhaps the chief of these was simple indifference to and ignorance of what was happening in the colonies. Local issues and factional strife within British politics also affected American policy adversely. Finally, the continuing shift in Britain's colonial policy from pure mercantilism to imperialism introduced new elements into policy formation which complicated relations with America yet more. Linked to the supreme consideration of sovereignty, these factors left little ground for peaceful settlement of differences unless the American colonies would give way.

Yet Virginians, for example, would not give way.
Though they revered the principles of 1688-1689 just as their British cousins did, the influences of a different environing past made Virginians give a different reading to the common Anglo-American intellectual tradition. Reacting against efforts to change their constituted order, the colony's leaders struggled to articulate their understanding of the past. In the course of this process, the Townshend Act episode drove Virginians to assert their sole authority over "internal polity"—the ordinary but vitally important powers of government—leaving only foreign affairs and trade regulation (narrowly conceived) to Britain. The uncertainty of local political power and economic troubles aggravated the colony's discontents.

In the end neither Britain nor Virginia could imagine an acceptable future if the other's policy prevailed. Neither could yield any essential point to the other. There was no real chance of successful compromise. Law, custom, forbearance—none could avail against the dilemma of who should be sovereign. Only force remained,
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In this essay I have examined the colony of Virginia during the Townshend Act crisis to try to learn what fundamental issue was in dispute between the colony and the mother country. Was there room for compromise on that issue, given political preconceptions and other conditions on each side? I have also tried to assess the significance of the crisis over the Townshend Acts for the coming of the Revolution in Virginia. Finally, considering the joint implications of the work of Sir Lewis Namier and Bernard Bailyn, I have been forced to deal with the question of whether the American Revolution was inevitable.

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which I greatly appreciate.

For the sake of clarity I have altered spelling and punctuation in conformity with present-day usage in those passages of quoted material which are set off from the main text, taking care to preserve the original meaning. The responsibility for all opinions and for any errors is of course mine alone.
CHAPTER 1

THE BRITISH BACKGROUND

In 1763 Great Britain was pre-eminent in wealth and power among the nations of Europe. The Great War for Empire, which had flared intermittently since the reign of William III, was over. France and Spain were defeated at last. Yet, in twenty years Britain was to lose the best of those imperial possessions for which her statesmen had so long contended. Some understanding of British politics is essential in order to understand fully even one episode in a single American colony--such as the Townshend Acts in Virginia--during those fateful years.

Britain in the eighteenth century was no longer divided as she had been in the seventeenth over questions such as the extent of royal power or over the proper relations between church and state. True, the king still ruled. All executive powers remained within his prerogative. The king administered the government and ministers were still considered as his personal servants. In addition, the king could still involve himself in patronage and employ the prestige of his crown in political disputes. Thus, his power was extensive. Nevertheless, the monarch had to do certain things. Most important, he had to rule according to parliamentary statutes; and Parliament
established its power over the state by passing specific statutes designed to control the abuses which had threatened its existence during the reigns of the Stuart kings. In short, sovereign power resided in the Crown-in-Parliament, the aggregate estates of the realm which were represented in Parliament by the king, the House of Lords, and the House of Commons. Ecclesiastical affairs, too, had been regulated. The Church of England remained the state church, but the government no longer demanded conformity. Dissent, at least by trinitarian Protestants, was legal.

Ideological difficulties, then, no longer impeded the process of government. The Revolutionary Settlement received general support, from George III not least. Most public men supposed there was a simple, consistent line of conduct for the honest and patriotic to follow which avoided both fawning subservience and formal opposition. Power, the natural commodity of ministers, always threatened liberty and had to be watched. The executive particularly had to be kept from assuming unwarranted powers, though without being harrassed by organized opposition. Consistent opposition was shunned by men as improper, since such a course of action implied dissatisfaction with the achievements of 1688-1689.

The preceding description of affairs might make it seem as though governing Britain was relatively simple. On the contrary the decade of the '60's was a turbulent time. No longer could one operate so successfully as in
the past on the assumptions which had matured with the coming of the Hanoverian dynasty. When George III became king he expected to have little difficulty in governing. He would choose his ministers, implement the policies which—to him—were so evidently necessary, and easily gain the support of all well-intentioned men. Actually, the king's expectations were naive. Party government as known today did not exist, but there were numerous interests or factions which comprised the "political nation"—those elements which shared in governing the country. The West and East India merchants and other tradespeople were one such group. The nobility with their families and adherents formed another. The rural, independent gentry made up a third faction, while placemen and courtiers composed a fourth. In addition, there were "court" and "country" groups which came from many different elements in the "nation". Whoever hoped to govern had to create a majority from among these factions. None was expendable. Once a ministry gained power it attempted to entrench itself through manipulation of places, perquisites, and other benefits in its gift, for they were the currency of politics in the age. Local politics absorbed most attention because it was usually in local benefits that rewards for service were paid or position measured. Naturally each ministry displaced most of those dependent on its foes in favor of its own supporters. At any time that ministries changed frequently,
turbmoil resulted from the rapidity with which these places changed hands. Nearly all political energy was spent upon parochial concerns while larger issues were ignored as much as possible. As Professor Richard Pares has observed, "...The programmes of the parties, were, to say the least, much less conspicuous than their views on patronage."

What George III required for effective government was a corps of servants who could work harmoniously with him and with one another. These men would also have to manipulate patronage efficiently and to present government policy to the Commons in such a way that the ministry could rely on the continued support of the independent back-benchers. This large and vital group, though prone to give government the benefit of the doubt on a measure, could be swayed by persuasive arguments of opposition groups unless the government had able leadership in the Commons such as William Pitt had provided during his time as first minister in the 1750's.

If a ministry could do all the things just cited, it would be politically successful. For several years, however, it seemed as though no one could assemble such a ministry. The king kept William Pitt as his chief minister when he first came to the throne. Pitt soon came to differ from the king and many of his ministerial colleagues over the conduct of the Seven Years' War and finally resigned on October 5, 1761. John Stuart, third
Earl of Bute, began his service as Pitt's successor in favorable circumstances but soon gave up. The king trusted him fully. His ministry concluded the war and could thus capitalize on the gratitude of a war-weary country. Nevertheless, Bute did not escape criticism; and as discontent with the burdens left by the war swelled, he resigned on April 8, 1763. Though Bute was a consummate performer in closet politics, he was disinclined to bear the censure which one in his place must have expected.

George Grenville took Bute's place, largely because he was less objectionable than any other candidate. He was popular enough in Parliament because he favored rigid economy and liquidation of the national debt as quickly as possible. He did not have a large personal following and tried to compensate for this lack of influence by centralizing power so that nearly every aspect of government would be under his personal supervision. In trying to perfect this new system Grenville bitterly offended the king, who, feeling that his personal prerogatives were being unduly abridged, resolved to replace him.

George III turned to the Marquess of Rockingham as a replacement for Grenville, and Rockingham became First Lord of the Treasury on July 13, 1765. Thomas Watson-Wentworth, the second Marquess, was a great magnate, possessed an interest in his own right, and had active leadership of the Duke of Newcastle's followers as well. Apart from these considerable advantages Rockingham planned to form his ministry on very comprehensive principles.
Anyone who would recognize his own mild captaincy and did not try to impose another system on the cabinet was to be welcome. In this way Rockingham planned to attract talented personnel without regard to political attachments. The cordial fellowship which Rockingham wanted did not develop. William Pitt, the despair of any ministry he did not choose to support, refused to join. He did not intend to serve under anyone else, however mild the terms of service. Deprived of necessary support, the Rockingham ministry limped along without any consistent policy or program. Its only success was repeal of the Stamp Act. Finally, the Duke of Grafton, General Henry Seymour Conway, and the Earl of Northington all prepared to abandon Rockingham. Despairing of the ministry, the king asked Pitt to form his own cabinet, promising him full confidence and support. Thus ended six confusing years in which four ministries had tried unsuccessfully to function. Pitt was in on his own terms at last and confidently expected to create a unified ministry able to carry on the work of the government.

After becoming first minister and before illness drove him into virtual retirement, Pitt organized his ministry. He was himself made a peer as first Earl of Chatham and took the post of Lord Privy Seal, thinking to run the ministry indirectly from his seat in the Lords. Augustus Henry Fitzroy, third Duke of Grafton, became First Lord of the Treasury. William Petty, second Earl of Shelburne, was made Secretary of State for the Southern Department.
General Conway became Shelburne's opposite number in the Northern Department and acted as the chief minister for the House of Commons. Charles Townshend was appointed Chancellor of the Exchequer at Grafton's insistence, though Pitt denied him a seat on the cabinet. Charles Pratt, first Baron Camden, became Lord Chancellor while the Lord Presidency of the Council went to Robert Henley, first Earl of Northington. Wills Hill, first Earl of Hillsborough, was appointed First Lord at the Board of Trade. Sir Charles Saunders and the Marquess of Granby became First Lord of the Admiralty and Commander-in-Chief of the Army, respectively. Grafton, Shelburne, Conway, Camden, Granby, and Saunders all followed Chatham, even though the first three had all served with Rockingham. Granby and Saunders were politically negligible quantities. Northington and Hillsborough professed no fixed attachment, vowing only that they wished to do the king such service as they could. Charles Townshend had no fixed attachments or principles.

Having arranged his cabinet, Chatham turned to the great political question of 1766 and 1767—how to regulate the East India Company. During the Seven Years' War the company troops, aided by government supplies and men, had conquered the Bengal, Bihar, Orissa, and Oudh. The public believed that the company would derive vast new riches from these holdings. Robert, Lord Clive, governor of the company, himself thought the company would receive from them about £2,000,000 per year. Chatham determined to
bring the company under more stringent control than hitherto, feeling that its power and size made it too independent of government to remain under its then-existing charter. In addition, he planned to mulct from the company some suitably large sum in return for the aid which the government had made available during the late war. Such a money payment for a new charter would also help the government in its struggle to find adequate revenue to finance the war debt, quite apart from any questions of fairness.

While East Indian affairs were occupying public attention, the first news of fresh trouble in America reached England. There was already much English sentiment for a more rigorous policy toward the American colonies. Britain had incurred many expenses while defending those colonies against the French in the late war, and it seemed only fair that they should pay some of the cost of that defense. In addition, during the war many Americans had traded with the enemy, creating great resentment in the minds of Englishmen. But the recent troubles had even deeper roots, which require a brief overview of British colonial policy for proper explanation. Although the essential elements of Britain's colonial policy existed after the establishment of the Board of Trade in 1696, administration of the colonies was lax for a long time. William III and his successors had scarcely more time to devote to colonial supervision than had James II, whose experiment in centralization and rigor, the Dominion of New England, had failed so completely. Wars with France required co-operation between the home
government and the colonies, and British officials naturally hesitated to apply the Navigation Acts very strictly during such times. In peaceful intervals the condition of machinery for enforcement of the acts and, often, the incompetence of the official personnel charged with responsibility for the colonies added to the difficulty of seeing that the Navigation Acts were obeyed.

Therefore, the colonies were able for a great many years to escape many of the effects of the laws controlling their commerce. The system as they knew it did not prove very onerous. Finally, during the 1750's while the Board of Trade was under the presidency of George Montagu Dunk, second Earl of Halifax, the conception of the proper role of colonies began to change radically. Hitherto, the mercantilist theory that colonies were to be sources of raw materials and markets for finished goods had prevailed. Under this system, it might almost be said that policy was formed by balance sheets; that is, whatever swelled trade was good and should be encouraged. Whatever did not was bad and had to be changed. Now, under Halifax and others a new influence began to be felt. Territorial imperialism, the idea that colonies were desirable in their own right, regardless of commercial value, increasingly prevailed. Britain's decision to take vast, poor Canada rather than the tiny, rich sugar island of Guadeloupe from France in 1763 marked a triumph for the new policy. It did not entirely replace mercantilist calculations for quite some
time, of course; but imperial motives did have increasingly

to be reckoned with.

Specific measures soon appeared. Writs of Assistance, a type of general search warrant seldom seen before in
America, appeared. Captains of British warships on the
American station were authorized to act more broadly in
dealing with smuggling. The system of vice-admiralty courts was strengthened and re-organized. A Court of Appeals was set up at Halifax, Nova Scotia, to reduce the great delays experienced when customs cases were appealed to
England. In 1764 the Sugar Act was passed to reduce the widespread smuggling of rum, sugar, and molasses from the French West Indies. Among other things, this act protected customs officials from civil suits in colonial courts, formerly a favorite means of harassing those officers. Also, customs officials could have a case moved to Halifax if they wished, reducing the ability of local judges to collude with those charged under the customs laws. The restriction of trade with the French islands also cut off an important colonial source of specie at the same time that it required the payment of duties in specie.

Joined to the Currency Act of 1764, which forbade colonies to issue legal-tender paper currency, it caused a great scarcity of stable forms of exchange so necessary to trade. The years 1764 and 1765 also saw resistance to the Stamp Act, Grenville's effort to make the colonies bear some of the costs of operating the empire. The Rockingham
ministry repealed the Stamp Act after bitter and often forcible resistance from the American colonies. However, Parliament insisted on coupling this repeal with the Declaratory Act, a flat assertion of Parliament's power to legislate for the colonies in all matters. In 1766 the Quartering, or Mutiny, Act was passed, which directed that the colonies make certain supplies available to British troops stationed in them. The New York Assembly refused to make any provision according to the act, and Governor Sir Henry Moore reported their flagrant disobedience of the Mutiny Act and denial of the Declaratory Act to his superiors in London. It was this event which set the ground for passage of the Townshend Acts.

Lord Shelburne, who was responsible for American affairs in his capacity as Southern Secretary, wrote Chatham to inform him of events in New York. His letter illustrates the usual status of American problems in the minds of British officials. Though he wrote for the specific purpose of dealing with the problem posed by New York, Shelburne spent most of the letter commenting on debate over the East India problem, calling it "... the matter of greatest import...."

The government had to take some action after learning of New York's disobedience. The policy it formed was prepared by Charles Townshend and not, as might be supposed, by some more senior member of the cabinet. That he should assume such a responsibility was certainly unusual. However,
there was no one active in the government with authority or will to prevent his usurpation. Chatham had fallen ill and was beginning the two-year period of his enforced absence from the ministry. Grafton, who acted in Chatham's place, was too weak and indecisive to take action. Thus, the shaping of this piece of policy passed to the brilliant but erratic Townshend by default. Most accounts of the passage of the duties say that Townshend promised an American revenue on the spur of the moment while maneuvering in parliamentary debate. He himself later said that he made his proposal in response to an evident desire of the Commons to see such a regulation adopted, in order to force America to pay part of the cost of its own upkeep and defense. Not only did he propose the tax, Townshend also boasted that he knew an unexceptionable way of levying it in order to escape the outcry the colonists had raised when the Stamp Act was adopted. He planned to accomplish this feat by trading on the distinction between internal and external taxes which many Britons thought Americans endorsed. According to the theory internal taxes were only to be imposed by colonial assemblies. External taxes, on the other hand, were under Parliament's control. Utilizing this distinction the Chancellor of the Exchequer proposed to levy port duties, presumably a kind of external tax, thus catching the colonies in a trap of their own design. Traditional accounts conclude by explaining that Townshend
was subsequently forced to introduce the duty act because the ministry lost a motion to keep the land tax rate at four shillings in the pound, thus making the American revenue essential to a balanced budget.

Sir Lewis Namier, in his *Charles Townshend*, modified this traditional explanation. He interpreted the acts as the fruition of a plan Townshend had favored since he sat on the Admiralty and Trade boards in the 1750's. This plan so long nourished was to free the crown's officers in the colonies from dependence on assembly grants by paying them from the receipts of customs duties. Namier's explanation is basically sound and offers a better understanding of the Townshend Acts other than the duty acts where older accounts tend to ignore the role planned for all but the duty act proper. However, it still requires some revision while older explanations must be thrown out altogether. It can be shown that Townshend's motive was not to raise a revenue in America (other than incidentally) or to redeem a rash promise. Nor was his plan the fruit of a lifelong design though Townshend would have been sympathetic to such a policy in the 1750's. He would hardly have acceded so readily to the wholesale alteration of his scheme if it had been a lifelong goal. Yet, the plan was introduced by him in quite one form, to emerge from Parliament in quite another. In fact, he himself incorporated most of the changes proposed on his own account. Townshend's main purpose was an assertion of parliamentary
sovereignty in America, an attempt to create an effective civil administration there.

Problems from America were bound to meet an unfavorable reception in Britain because of the opinion, already referred to, that the colonies could and should pay a share of their defense costs and should be brought to a more exact obedience to the Acts of Navigation and the Declaratory Act. A reservoir of ill will definitely existed. The New York Assembly's address denying Parliament's power to pass the Mutiny Act for the American colonies immediately elicited a negative response. Chatham, regarded by Americans as a good friend, told Shelburne that "...their disobedience to the Mutiny Act will justly create a great ferment here, open a fair field to the arraigners of America, and leave no room to any to say a word in their defense..." and went on to attack a petition of New York merchants asking for repeal of most of the Navigation Acts as "...improper,...absurd,...grossly fallacious and offensive...."

Later in January Lord George Sackville asserted that the New York petition had "...soured the minds of people here in general..." and reported that Townshend had said Britain was surely lost if she gave up control of her colonies.

On February 16 Shelburne wrote to Chatham, saying that the cabinet all strongly supported enforcement of the Mutiny Act but could not agree on a way of making
it effective. Shelburne, who was also one of America's great friends, continued, "The infatuated conduct of the Assembly in refusing even present obedience to the act precludes...all consideration of the merits or principles of it by involving a far greater question." That question was, of course, whether Parliament was supreme in the empire. Shelburne closed his letter by asserting that the public's mood required action. Though the problem was sure to be a hard one, the impression was out that the dependence of the colonies was at issue. The cabinet was thus obliged to support parliamentary authority in the face of New York's defiance.

During March resentment of America grew stronger yet. Charles Garth, agent for South Carolina and M. P. for Devizes, informed his correspondents in South Carolina that the New York petition against the Navigation Acts had been a mistake. Tabled without referral to a committee, the petition accomplished nothing in the face of the evident disposition of the House of Commons against such arguments. The administration, Garth continued, was embarrassed and resentful because the petition was followed by New York's refusal to obey the Mutiny Act. Members of the cabinet demanded to know how they could possibly advance American petitions in Parliament when one of its own acts was being openly defied. Opposition members unfriendly to America(such as the Bedfordites and Grenvilleites)
were capitalizing on what they regarded as proof that Americans deserved no indulgence. Many who had formerly supported American claims joined in, calling for Parliament to assert its power sufficiently to insure obedience from the colonies. According to Garth, this group argued that disagreements were acceptable so long as the matter of supremacy was in any doubt. However, since Parliament had declared the law in the Declaratory Act all must submit. Garth concluded plaintively, "...in fine it is not to be conceived what difficulties we are thrown into."

Lord Camden, Lord Chancellor and another of America's supporters in the Stamp Act affray, spoke out in the Lords in April for action to be taken to keep up British authority in the colonies. Isaac Mauduit, writing later that same month to a friend in America, announced that a spirit was up in Parliament which he had never seen before. Everyone seemed to agree that the government's authority would have to be supported or else vanish, and that it would vanish if subjects were allowed to dispute it. Grafton and Shelburne, Mauduit said, had recently assured the House of Lords that Chatham and the cabinet were preparing a plan to preserve the king's authority which would be put into execution.

Whatever may have been Grafton's and Shelburne's assurances to their noble colleagues, a cabinet plan was not easily devised. On April 24 the cabinet met to
discuss New York's disobedience and the course which ought to be taken in dealing with it. No one favored giving the governor there sole authority to quarter troops. Only General Conway advocated levying an extraordinary port duty on the province to meet quartering costs. Charles Townshend proposed that the king be asked to approve no act of New York's until the Mutiny Act was obeyed. To this proposal Lord Northington at once objected that it would best be done under an act of Parliament rather than by prerogative alone. No one paid much attention to the suggestion that the quartering expenses be appropriated from the first revenue paid by the province. Two days later the cabinet met again and decided to seek a bill from Parliament suspending the New York Assembly as Northington had suggested. Shelburne, while these deliberations were in progress, had developed a scheme of his own, though for some reason he did not choose to show it to his colleagues. It is worth detailing here in order to show the sentiments of a man justly regarded as one of the colonies' greatest friends in official circles. Shelburne's plan would have provided for the following: 1) recitation of the Declaratory Act and New York's offense against it; 2) forgiveness of past offenses; 3) treatment of any further challenge to Parliament's right to legislate for the colonies as misprision of treason; 4) treatment of any future refusal to obey
or execute a British law as treason; 5) trial of offenders against the proposed act in the colonies or in Britain, presumably at the discretion of crown officers; 6) use of military force to support civil authority as needed.

With each passing month concern and anger grew as news from America reached Britain. Those factions already unfriendly to America could be expected to react as they did; but many who on former occasions had supported America also determined that the issue was one of supporting Britain's sovereign power against American pretensions. Grafton, Shelburne, Camden, Chatham, Rockingham—not one would accede to what was thought to be the purpose of American claims and arguments. Of course only the colony of New York was involved at first, but the government at home was quick to generalize the imagined danger to the colonies as a whole. Many in the cabinet doubtless wanted to calm America as quickly as possible; some, like Grafton, Camden, and Shelburne, favored lenient measures to that end. The important point is, however, that on the great question of sovereignty not one of the politicians capable of heading a ministry was ready to yield. The attitude of those friendly to America has already been described, and obviously no one could look to members of such anti-American factions as the Grenvillites or Bedfordites for leadership in such a matter. In short, there was no source in political life from which compromise could be
directed; in any case Parliament was in no mood to receive such proposals, even had there been some group to offer them.

In this hostile atmosphere Charles Townshend developed his American policy step by step, changing and expanding it until it reached final embodiment in the Duty Act, Vice-Admiralty Court Act, and the act for suspending the New York Assembly. On January 26, 1767, Lord Barrington moved that the king be granted £405,607 for supporting the army in the colonies in the coming year. George Grenville at once moved to amend Barrington's proposal to require that all except newly ceded colonies such as Grenada pay for the troops stationed in them. He lost his motion, tried again the next day when Barrington's motion was reported, and lost again. However, Townshend, in the course of speaking against Grenville's proposal, made his famous promise to find a revenue in America. He did not, as Grafton was later to claim, give his promise on the spur of the moment for tactical advantage in the day's debate. No surviving account supports such a view. Instead, he attacked the distinction between internal and external taxes as ridiculous, though perhaps useful for exploitation. He continued by approving the principles of the Stamp Act and endorsed taxing America. Thus he abandoned the views of his chief, Chatham, and took up Grenville's instead. Pressed by Lord George Sackville, he then ventured to promise he would bring into
Parliament some plan for raising revenue in America which would eventually be adequate to support the whole establishment there.

Townshend's pledge in the Commons immediately involved him in trouble with his associates. Since he had not indicated that he was speaking as a private member, he was thought to be speaking on behalf of the cabinet. Emphatically he was not. The Chatham ministry was at this time composed of men as friendly to America as any in politics. None of them would sanction a challenge to Britain's sovereignty, but governments at this time tended to think in terms of factional strife. Officials seldom thought out policy in advance, but they defended very strongly the commitments—or mistakes—of the past. Thus the Chathamites tended to favor American requests where possible. Chatham himself had taken a leading part in damning the Stamp Act. Charles Townshend doubly embarrassed his colleagues when he not only spoke without authority to commit the ministry but also abandoned their position on America and took up that of the arch-rival, George Grenville. Consulting no one, Townshend pressed on with his American plans. By February 1, 1767, a scheme was circulating. Once again, however, the cabinet was ignorant of the plan except for a sketch of it which Shelburne sent to Chatham after getting it himself through hearsay. All the cabinet knew was that the plan was said to propose a new revenue from tea and a Customs Board for
America independent of the English one.

The House of Commons again discussed expenses in America on February 18. A motion was made to allow £315,917 to provide for the extraordinary expenses of the army during the previous year. George Grenville renewed his efforts to put the expenses of the army in the colonies on the Americans themselves. On this occasion he offered concrete proposals for doing so. All troops were to be posted as near the sea as possible to reduce the expense of maintaining inland posts. Also, the management of Indian affairs was to be left to the individual colonies. Grenville lost his motion, just as he had lost the one of the previous month. However, his remarks elicited from Townshend another declaration that any effort to distinguish between internal and external taxes was absurd. He also adopted Grenville's plan for abandoning frontier posts. Finally, while expressing great regard for Chatham, he reserved the right to dissent from Chatham's views in public or private.

Charles Townshend's colleagues had not been happy with his high-handed way of proceeding from the first. Grafton, acting as chief of the ministry, tried on March 4 to replace Townshend with Lord North. When North refused, Townshend's position was strengthened. He could demand acquiescence in his policy from cabinet associates who, unable to replace him, could hardly refuse. His ability in debate, which was great when he wished it to be, also helped Townshend, for General Conway had proved unequal
to the responsibility of speaking for the ministry in the House of Commons. On March 12 the cabinet met to prepare the budget and considered how much to ask for American extraordinaries. Townshend named his terms. American expenses must be cut by concentrating troops near the coast, by leaving Indian affairs to the colonies, and by levying a port duty in America. Otherwise he would resign. Townshend had thus adopted the whole of Grenville's proposal, though it should be noted that at this time his ideas still extended only to supporting the army in America.

Budget day, April 15, 1767, saw no hint of Townshend's proposed American duties. However, the budget did reflect one fact which has long been used—erroneously—to explain the adoption of the Townshend Duties. On February 27 the Commons, sitting in the committee of ways and means, had defeated the ministry's efforts to keep the land tax rate at four shillings in the pound and had adopted a three-shilling rate instead, causing a loss of some £500,000 in revenue. Some historians have concluded that the ministry was then forced to levy American duties to supply this deficiency. In the first place Townshend's promise had been made a month earlier when no one had even conceived that the government might lose the land tax motion. Only one report of Townshend's budget speech mentions American taxes. James Harris, writing to Lord Hardwicke, said that
Townshend was left with a deficit of £33,000 which he pledged to make up by better use of resources and an American tax. Even by this account Townshend was not relying on an American tax alone. Moreover, what is known of the nature of the British revenue system at this time suggests that £33,000, if collected, would not have repaired the deficiency caused by loss of the four-shilling land tax rate. George Grenville, the most economical and prudent minister of the decade, had been unable to cut the tax rate to three shillings and still maintain the minimum of essential services. Since his departure from office expenses had risen, not fallen. Nor was Townshend the cheeseparer that Grenville had been. Thus, it seems unlikely that receipts from an American duty would have balanced the budget even if assisted by economies. Whatever means Townshend used to balance his budget, American duties did not play the role claimed for them in traditional accounts.

On May 13, 1767, Townshend introduced the administration's plan for America because General Conway, who should have introduced it in his capacity as ministerial spokesman for the House of Commons, disliked the plan and would not. Taking advantage of the Commons' momentary attention to the colonies, Townshend also referred to his own financial proposals, asserting that crown officers ought to be rescued from any dependence on colonial assemblies for support. He mentioned
several items which he wished to tax and concluded that his proposals might raise £30,000 or £40,000. Surviving accounts of the day's debates show that no one paid much attention to Townshend's hints. Only Grenville spoke of them; he called the scheme inadequate and subversive of the Navigation Acts. Neither Rockinghamites nor Chathamites mentioned Townshend's plan at all.

On June 1 Townshend finally brought his revenue bill into Parliament. Apparently he had met some last-minute opposition from his colleagues over creating independent salaries for government officers in America, for he asked Grafton to press for royal approval of the idea, implying that a refusal would compromise his honor and force him to resign. Of course he got his way. Part of the bill which Townshend introduced provided for a levy on tea of three pence per pound, which was designed to yield about £20,000 in duties annually. However, before introducing his revenue act Townshend had sponsored a successful resolution to allow the East India Company a full rebate on all tea duties paid on tea re-exported to North America or Ireland. The bill provided for a rebate of nine pence per pound to the company, which meant that Treasury receipts would drop about £60,000, more than enough to absorb income from the American duties. This fact provides yet another proof that the Chancellor of the Exchequer did not rely on American duties to balance his budget.
When finally passed the revenue act, in addition to imposing duties on glass, tea, and painter's colors, allowed the highest court in each colony to issue Writs of Assistance as granted by the Court of Exchequer in England. A few days later, the second Townshend Act was passed. It created an independent Board of Customs in America intended to improve the speed and efficiency of customs operations in America. On July 2, a third act was passed to punish New York for its disobedience to the Mutiny Act by suspending the colony's Assembly until it complied with the act.

Townshend's policy was complete. He did not seek to balance his budget with American duties. Indeed, he made it more difficult to balance by some of his plans for America. Nor does his scheme seem as carefully prepared as Namier suggested, though he was doubtless favorably inclined to some such measure because of his attitude toward America. Rather, it is notable that he altered his plan several times to conform to George Grenville's criticism, something he would hardly have done as readily had he been nursing a scheme of his own for many years. At the same time, while probably not of long standing, Townshend's plan was not conceived on the spur of the moment either. Grenville learned from one of his supporters in October 1766 that Townshend was even then mulling over a plan to create an American revenue to support the military establishment there.
If older analyses of Charles Townshend's motives for preparing his program are wrong, what did he actually hope to accomplish? The answer appears in the preamble to the duty act, which reads:

Whereas it is expedient that a revenue should be raised in Your Majesty's dominions in America for making a more certain and adequate provision for defraying the charge of the administration of justice and the support of civil government in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions; we Your Majesty's most dutiful and loyal subjects, the Commons of Great Britain in Parliament assembled have resolved to give and grant unto Your Majesty the several rates and duties hereinafter mentioned...

At one stroke this act, rendered more effective by the supporting acts already referred to, would establish the principle of parliamentary taxation in America, would free royal officers in the colonies from the tutelage of colonial assemblies, and would in part relieve Great Britain of some of the expenses incident upon imperial administration. At the same time, the various acts would assist in the closer, more efficient administration of the colonies which was thought to be so necessary. The acts setting up an American Board of Customs Commissioners and improving the vice-admiralty courts demonstrate this objective very clearly. True, both would also speed determination of cases, long a source of complaint among the colonists. In the hands of an enlarged bureaucracy the acts would also assure
swifter, more rigorous enforcement of the various Navi-
gation Acts, a state of affairs very different from the
lax, lightly enforced system of regulations with which
the colonists were familiar.

On July 2, 1767, Parliament was prorogued and did
not sit again until November 24, 1767. After passage
of the Townshend Acts American affairs largely disappeared
from public discussion. Parliament returned to the
local problems which, during these years, were its
chief concern. However, resentment of America did not
wholly disappear. The Virginia Gazette published a
letter from London dated August 6 which warned that
vigorous efforts were being made to render American
taxation more popular and even to compel explicit
recognition of Britain's right to levy taxes in America.
Arthur Lee, writing to his brother Richard Henry Lee in
November, claimed that no one could rely on the mercy
or justice of Britain. American liberty would have to
be made of American fabric instead, because prejudice
against America in Britain seemed immovable.

Inevitably the full discussion of the adoption of
the Townshend Acts given here has distorted the per-
spective which a Briton reviewing the events of 1767
would have judged proper. I wish to re-emphasize that
American troubles received slight attention from the
British people and government. For one thing, the
question of what to do with the East India Company
absorbed the attention of everyone in politics. For another, the rapid changes of government during the whole decade of the 1760's tended to focus concern on purely local issues even more than usual. Politicians were constantly trying to keep place and power, add to it, or wrest power from someone else. However, as shown earlier, to the degree that America did come to the attention of Britain, it aroused hostility or at least great reserve. The changing conception of empire and of the proper way to administer the colonies has already been described. Men like Grafton or Rockingham were still willing to redress American grievances—-but within definite limits: only. On the question of sovereignty the accepted bounds of thought and conduct were clear and rigid. On this issue there would be no compromise.
NOTES--CHAPTER 1


4 Watson, Reign, 90-94.

5 Ibid., 90-110.

6 Ibid., 113, 115, 120.

7 John Manners, Marquess of Granby (courtesy), was the eldest son of John Manners, third Duke of Rutland.


9 Watson, Reign, 162; Brooke, Chatham Administration, 72.


12 Lawrence Henry Gipson, The Triumphant Empire: The
Rumblings of the Coming Storm, 1766-1770, in Gipson;
The British Empire Before the American Revolution,
XI (New York, 1965), 53, 121-25.

13 Shelburne to Chatham, Feb. 1, 1767, William Stanhope
Taylor and John Henry Pringle, eds., Correspondence of

14 Peter D. G. Thomas, "Charles Townshend and
American Taxation in 1767," English Historical Review,
LXXXIII (Jan. 1968), 33. John C. Miller, The Origins
of the American Revolution (Boston, 1943), 174-81,
and Watson, Reign, 127, both adopt the older view, for
example.

15 Sir Lewis Namier and John Brooke, Charles
Townshend (New York, 1964), 37, 40, 172-79. The main
thesis of this book argues that Townshend's career,
like the rest of his life, was dominated by resentment
stemming from childhood conflicts between Townshend and
his domineering father. The reliability of psychological
biography is still an open question.

16 Chatham to Shelburne, Feb. 3, 1767, Taylor and

17 Lord George Sackville to Lieutenant-General
John Irwin, Feb. 13, 1767, The Manuscripts of Mrs.
Stopford-Sackville (Historical Manuscripts Commission,
Hereafter cited as Stopford-Sackville MSS.

18 Shelburne to Chatham, Feb. 16, 1767, Taylor

19 Ibid.; The Mutiny Act, 5 George III c. 33, is
printed in Merrill Jensen, ed., American Colonial
Documents to 1776, in David Douglas, ed., English
Charles Garth to the South Carolina Committee of Correspondence, Mar. 12, 1767, Joseph W. Barmwell, annotator, "Garth Correspondence," South Carolina Genealogical and Historical Magazine, XXIX (July 1928), 216-19.

Lord Sackville to General Irwin, Apr. 7, 1767, Stopford-Sackville MSS, 27; Isaac Mauduit to Thomas Hutchinson, Apr. 11, 1767, Hutchinson Correspondence, XXV, 177, Massachusetts Archives, Boston. Cited in Gipson, Rumblings of the Storm, 56n.


William Wildman, second Viscount Barrington.

Lord George Sackville (courtesy) was the third son of Lionel, first Duke of Dorset.


Brooke, Chatham Administration, xiv; Pares, George III and the Politicians, 90-91; Grafton, Autobiography, 127; Shelburne to Chatham, Feb. 1, 1767, Taylor and Pringle, eds., Pitt Corr., III, 185.


Philip Yorke, second Earl of Hardwicke.

CJ, XXXI, 192, 196; Watson, Reign, 72-104; Thomas, "Townshend and American Taxation," 43.


Alexander Purdie and James Dixon, *Virginia Gazette* (Williamsburg), Oct. 29, 1767. This newspaper should not be confused with William Rind's newspaper published under the same title in the same city during the period covered in this thesis.
CHAPTER 2

VIRGINIA'S RESPONSE

On April 30, 1767, the Virginia Gazette printed London news of January 31 that a new plan of American taxation was under consideration by the ministry. All during the year news and rumors from other colonies and from Britain continued to appear. At one time eight regiments and a fleet were said to be sailing for America. In June Gazette readers learned of the Duke of Bedford's speech attacking the Massachusetts pardon act, as well as Lord Mansfield's calling for measures to support Britain's authority in the colonies. Almost no issue of the Gazette was without several examples of such information and misinformation. However, the colony seemed calm. Lieutenant-Governor Francis Fauquier's correspondence with Lord Shelburne reflected no concern at any of the events which took place in the colony except for one reference to an acrimonious Assembly session earlier in the year.

Virginia might have seemed one of the colonies least likely to be agitated by the Townshend Acts. The colony was often regarded as one of the most loyal and conservative American plantations. No troops were quartered there. Customs racketeering, whatever its prevalence elsewhere, seldom occurred in Virginia.
Only the duties of the revenue act would affect the colony. The express intent of the act to provide salaries for royal officials with the money thus raised need not have troubled the colony, for it had long supplied an independent revenue to the crown, secured by perpetual tobacco duties, which the home government could use as it wished. In spite of this revenue, Virginia's Assembly had become one of the most powerful in North America. The consequences which many feared from such an independent income had not materialized. Yet, though Virginia felt the effect of the new acts less than most of her sister colonies and had less reason, by her own earlier experience, to fear the design of the acts, the colony reacted forcefully to them. (Perhaps only New York and Massachusetts took as prominent a part in American resistance as Virginia did.) Why? Fundamentally the colony reacted as it did because sovereignty—the locus of power—was at issue. That this great issue was in dispute was not clear to all. However, it was during the Townshend Act crisis that the colony began a long journey which was only to end twenty years later—a journey on which many did not at first know they had embarked.

from a Farmer in Pennsylvania were published there from January 7 to March 30, 1768. To understand the significance of Dickinson's essays and those subsequently presented by Arthur Lee in the Monitor letters, as well as the importance of the petitions presented to and authored by the Assembly in the months to come, one must consider the dominant colonial ideas on the nature of the political world.

Power—its distribution and manipulation—was the chief concern of politics. In its proper sphere, derived from consensual compacts, power was both good and necessary. Yet it was aggressive, constantly tending to overstep prudent limits. Power was always and everywhere a pernicious corruptor. Those who governed, however great their virtue, had to be watched closely for fear they might succumb to its temptations. Liberty, unlike power, was frail and retiring. Only constant vigilance could preserve it from destruction.

Britain, most men felt, enjoyed more liberty than any other state. It was able to do so because of its peculiarly balanced constitution, which associated king, Lords, and Commons in the exercise of power. No single estate could oppress the others because legislative capacity inhered in all three orders acting as a unit. Naturally the executive—the king and his ministers—required special watchfulness, for there was
always tension between liberty and executive prerogative. To better control that tension an independent judiciary was essential. All these assumptions, developed in the struggle with the Stuart kings, had been embodied in the Revolutionary Settlement.

Americans, of course, thought of themselves as Englishmen and constantly emphasized their heritage of English liberty. They, too, cordially approved all the principles just set forth. As a matter of fact, many thought of America as a place where liberty had survived in particularly vigorous form because the colonies had been settled by undefiled English stock when libertarian ideas flourished most fully at home. Now, along with the accepted understanding of the origins of English liberty, there was a set of danger signals which, it was agreed, appeared when liberty and the constitution were in danger. The most alarming of these was a standing army. Attempts to intimidate the judiciary, to collect taxes not levied by a representative body, or to create large numbers of new offices were similarly frightening. Past experience with the Stuarts had been categorized under these major headings; both that experience and logic suggested that the reappearance of any of these threats would be cause for alarm. In addition there was in America a widespread conviction that Britain was sinking in corruption. Increasingly in the years after 1763 the colonists
saw events take place which seemed to promise dangers ahead. Their intellectual heritage prepared them to see, not merely blundering or error, but a formed conspiracy to destroy liberty in America. It came to seem that everything men knew and cherished was under attack. It was the growing consciousness of this process which best explains Virginia's response to the Townshend Acts.

John Dickinson's letters argued that suspension of the New York Assembly and adoption of the Townshend Acts threatened the liberty of every American colony. He found it especially alarming that Parliament had suspended the Assembly by act because this proved the existence of a tendency to set aside colonial assemblies—the only true representatives of their constituents—in favor of Parliament. In short it was a direct attempt to establish virtual representation, the kind of representation which treated each representative as having one purpose—to deliberate for the nation as a whole. (This form of representation had never flourished in the colonies, where representation by attorneyship—the idea that a single representative attended the legislature to protect the interests of his particular constituency before everything else—was universal.) Every requisition from Britain was a tax, Dickinson argued, for the amount required to fulfill it. Virtual representation would leave America open to an endless succession of such exactions, for America could not hope to influence Parliament's actions.
To any who doubted the grounds of his alarm Dickinson pointed out that the act expressly avowed an intent to raise revenue in America to defray the charges of government. Reflecting further, Dickinson developed from events all the danger signals mentioned previously. Obviously colonial assemblies would soon be valueless since their power to influence government by control of revenue was to be taken away. Once in control of money in America rapacious ministers would send a host of idlers and profligates to jobs there. Reorganization of the customs service to create an independent American board showed that tendency plainly enough. The judiciary in America, which had usually served during pleasure anyway, would continue on that basis and would be subject to yet more corruption by ministerial paymasters. Lastly a standing army would doubtless appear. Dickinson observed darkly that the army then had more than seventy regiments, implying that it was large enough for substantial elements to become a standing army in the colonies quite easily.

Perhaps the most important aspect of Dickinson's essays was his speculation on the proper limits of sovereignty. That he should think of limits for it at all was striking and marked a real advance in thought, for orthodox opinion had lodged an illimitable sovereignty in Parliament after the Glorious Revolution. Americans, who had accepted this doctrine as a matter of
course, were now struggling to limit what they felt must be controlled while at the same time trying to find ways to cling to orthodoxy, too. Dickinson simply denied Parliament the power to tax America at all, saying that the supposed distinction between internal and external taxation was rubbish. He believed that Parliament should only be able to levy duties for controlling imperial commerce. Even these levies had to be restricted to prevent their abuse; Dickinson suggested as a test that duties must apply to all the empire rather than to America alone to be regarded as legal. Dickinson was one of the first to propose that Parliament was two bodies, or at least that it sat in dual capacities. In the first it legislated for Great Britain. This function could not legitimately be exercised anywhere else. In America the separate colonial assemblies should perform them. In its second capacity it sat upon the administration of the empire. Here only could Parliament levy taxes upon the colonies, and only then under the restriction of universal application. Thus did Dickinson express coherently what Americans were struggling to define—a division of power which would reserve internal matters to the colonial assemblies. Virginia's House of Burgesses would call this the idea of an "internal polity."

Arthur Lee's Monitor papers followed Dickinson's Farmer, appearing in Rind's Virginia Gazette between
February 5 and April 28, 1768. Lee began the series by lamenting the increase in wickedness and corruption in Britain. He saw a conspiracy among the followers of George Grenville and others who hated America to suppress liberty there by misrepresenting protests over the Stamp Act and subsequent measures as flowing from a desire to separate from Britain. (Doubtless these and other of his pronouncements on the English scene seemed especially credible to many of Lee's readers, for he was then living in London and in Virginia only briefly on a visit to his family.) Next Lee bitterly denounced the theory of virtual representation and defended the right of an electorate to instruct its representatives. No objection had been made to this practice, he said, until evil men in Britain undertook innovations in government. If Britain succeeded in destroying colonial assemblies through virtual representation, no one's property would be safe. Ministers would take as much money as they wished from the colonies and would saddle them with placemen. The influence of money and places would corrupt America as fully as it had Britain.

*Monitor* discussed means of redress more fully than the *Farmer* had done. Lee felt that the colonists ought to bombard the king with endless streams of petitions for relief. Once relief had been obtained, an American Petition of Right should be drafted, explicitly protecting America's traditional liberties for the future. In
order to gain redress non-importation agreements might be necessary and might also serve the useful purpose of strengthening American manufacturing. If non-importation did become necessary, committees should be created in each of Virginia's counties to instruct their representatives on three points: first, that any effort to remove local control over taxation was illegal; second, that a threat to any colony endangered every colony; third, that a Petition of Right was indispensable for America. Lee was optimistic in his essays about the chances of success for his program. But for Grenville, he claimed, America would have enjoyed British support from the first. With more enthusiasm than judgment, Lee contended that American affairs were at last the center of attention in Britain. Once aroused public opinion there would assist the colonies in vindicating ancient Saxon liberties.

In addition to Lee's and Dickinson's essays the Virginia Gazette for 1768 was filled with news of events in other colonies and in Britain. The spread of non-importation associations was reported. At the same time British comments favorable to American claims and those which defended America as an area important enough in imperial commerce to be placated also appeared. Very rarely was an unfavorable comment printed.

Lieutenant-Governor Fauquier died on March 3 and John Blair, President of the Council of State, became
the colony's executive ad interim. The Assembly met as scheduled on March 31 and at once took up discussion of the Townshend Acts. On February 11 the House of Representatives of Massachusetts Bay had dispatched a circular letter to all the other colonies in North America, urging united opposition to the Townshend Acts. On April 2 a copy of the letter was read to the assembled Burgesses and referred to a special committee. That same day a petition was presented from inhabitants of Chesterfield, Henrico, Amelia, and Dinwiddie counties setting forth that the suspension of the New York Assembly menaced all liberty and asking that the Burgesses take steps to secure redress. A petition from Westmoreland County was also introduced. Longer and more complex than the other petition, it argued that the Burgesses were the only constitutional representatives of Virginia and were alone entitled to levy taxes on the colony. The petition expressly repudiated theories of virtual representation. It voiced alarm at the suspension of the New York Assembly, calling that measure a threat to every American's liberty. Underlying all the particular objections was the assertion that these proceedings attacked ancient well-established liberties expressly recognized in charters and by precedents. The petition closed by pleading that the Burgesses ask the king for relief. The Westmoreland petition bears substantial resemblance to the ideas of
Monitor. Richard Henry Lee, one of the Westmoreland Burgesses, was the brother of Arthur Lee, author of Monitor, a fact which doubtless explains the similarity of the two items. On the fourth there appeared a petition from Prince William County. It, too, deprecated suspension of the New York Assembly and the passage of the Townshend Acts as measures subversive of the ancient rights specifically conveyed to the colonies by their charters and hallowed by tradition. The petitioners recommended an appeal to George III for relief. All these documents focused on the issue of unconstitutional taxation and on the danger it posed to their Assembly and others. They also emphasized the invasion of charter rights and precedent by innovative, unconstitutional policies which were quite contrary to what the petitioners took to be established principles.

On April 14 the House of Burgesses considered the report of its special committee charged with making appropriate recommendations on the Massachusetts Bay letter and the various county petitions. Three documents were adopted—a petition to the king, a memorial to the Lords, and a remonstrance for the House of Commons. The petition to the king began by saying that the Assembly had every confidence in the king’s justice and wisdom. However, they were quite sure that some had misrepresented their conduct in the past. After this shot at malign ministerial influence, the Assembly professed to be
devoted to the king and besought him to preserve their ancient rights as Englishmen against the dangerous effects of the Townshend Acts. Most important, the Assembly expressly asserted the colony's right—and that of other colonies as well—

...of being governed by such laws only, respecting their internal polity and taxation as are derived from their own consent with the approbation of their sovereign; a right which, as freemen founding their claim upon the vital principles of the English constitution, they have exercised without interruption, and which, as they humbly conceive, has been frequently recognized and confirmed to them.

The phrase "...internal polity and taxation..." was important. By it the Assembly tried to bar legislation affecting the colony except in the circumscribed sphere of imperial regulation, thus adopting a view similar to John Dickinson's. The orthodox theory of sovereignty was repugnant to the colony's experience. Always Britain had exercised its authority in Virginia. However, this power was generally either appellate or dealt with foreign affairs and other matters manifestly beyond the colony's capacity. For the most part government as it affected Virginians was administered by Virginians. The governor, though certainly linked to British power, could usually be controlled by the Assembly to a considerable extent. Now that system, which alone was familiar to the colonists, seemed in danger; hence, their talk of ancient liberties versus innovations. The constitution, in the sense of the existing arrangement
of institutions and the principles supporting them, was to be altered to no good purpose. Virginia's response to such an effort was, "We will not have the constitution changed," as Arthur Lee said in one of his Monitor essays.

The representation to the Lords and the remonstrance to the Commons were similar. After protesting loyalty to Britain and expressing appreciation for past benefits conferred upon them, the Assembly denounced the Townshend Acts as measures calculated to destroy American liberty by taking property which its owners had not consented to give. Liberty, both documents continued, would surely perish with the consequent withering of colonial assemblies; nor could virtual representation compensate the colonies for loss of charter rights. Raising points omitted from the petition to the king, the Assembly further pointed out that Virginia already provided revenues similar to those the Townshend Duties were intended to raise. In addition, such duties were unjust because they imposed levies on articles which by law could be bought only in England, thus constituting internal taxes such as only colonial assemblies had a right to assess. The remonstrance to the Commons concluded with a veiled threat that, should their petitions be ignored, Virginians would resort to non-importation. President Blair forwarded these resolutions, unanimously adopted by the Burgesses and endorsed by the Council, to the
Earl of Hillsborough, newly installed as the first of Britain's Secretaries of State for the Colonies.

While Virginia's principal concern was with the problem of sovereignty, the colony certainly suffered from less theoretical troubles as well. One of these was economic and resulted from the nature of the imperial connection. Virginia was an agricultural community involved almost wholly in staple agriculture. The colony exported its tobacco to Britain in exchange for finished goods which it could not get in America. Imports always outstripped export credits, so the colony was perpetually in debt. Economic conditions were also aggravated by fluctuations in tobacco prices, a primitive credit system, and the uncertain state of the currency supply. It does not appear that resentment of economic conditions played the major role in Anglo-American estrangement which some historians have claimed, but such problems certainly were irritating.

Factional political struggles also contributed to the difficulties which Virginia faced. Unfortunately, it is impossible to do more than take note of their existence because of the scanty evidence available. One of the few pieces of hard evidence is a letter from Lieutenant-Governor Francis Fauquier in April 1767 describing the Assembly which had just then adjourned as a troubled one, full of private and public dissension. Fauquier did not enlarge upon the particular nature of
those quarrels, but he did report that the old, established leaders had lost their places to new, more radical ones. Fauquier expressed the hope that the old leaders would be able to regain their former eminence but admitted that he did not expect them to do so. Terrence Leon Mahan has given more consideration to the problem of factions in Virginia's leadership during the 1760's than most; but his conclusions, too, are general and tentative. In his view the colony was run by those Fauquier called the old, established leaders until about the time that John Robinson, Speaker of the Burgesses and Treasurer of the colony died in 1765. This leadership group was made up of men from the lower Tidewater counties who usually possessed wealth and prestige. At Robinson's death he was found to have misused huge sums of money put in his care as Treasurer to help friends who were in financial trouble. Mahan believes that, trading upon the way in which old leaders were discredited by the Robinson episode, men like Patrick Henry and Richard Henry Lee were able wrest control into the hands of their supporters from the upper and piedmont counties. Mahan also thinks that the new leaders were able to make the colony take positions more radical than those which John Robinson or his successor as Speaker, Peyton Randolph, 16 would have preferred.

Many questions remain unanswered. To what extent did the old leaders lose control? Seemingly, they did
not suffer a complete defeat, for Peyton Randolph was elected Speaker after Robinson, whose protege he was, and continued to be chosen until he decided not to run in 1775. The backcountry had many legitimate causes for grievances against the pre-1765 leadership such as inadequate representation in the Assembly and inattention to such services as expanded courts and other legal machinery or roads, ferries and the like. It is therefore reasonable to see leaders of the area trying to get more power into their own hands. However, it is also reasonable to look for those in the leadership of this group who might have viewed it as partially or wholly a vehicle for their own advancement. It is possible that Richard Henry Lee was in this category, for he simultaneously applied for the post of Distributor of Stamps under the Stamp Act—a move which would have been to his personal advantage—and took the lead in denouncing the Stamp Act as a usurpation of American liberty. In fact, his denunciation preceded the application by several months! It would seem that he meant to profit from the episode whatever course events might take.

Finally, it may be that Virginia's political factions operated under much the same system as their British cousins. The actions of Richard Henry Lee, for example, would certainly be comprehensible to any British politician who hoped to advance himself in the world. Admittedly, all these questions are hypothetical and very tentative; but
something certainly occurred to make Lieutenant-Governor Fauquier write as he did to Lord Shelburne. It is evident that whatever answers exist to the questions posed have yet to be discovered and that, if indeed they are available, they yet lie in the papers and manuscripts of the day.

However that may be, Virginia in 1768 was compelled to wrestle with the paramount question of how to reconcile orthodoxy, that is, British opinion of the proper relationship between colony and mother country, with the growing conviction of Virginians themselves that to abide by such orthodoxy would harm their interests. In trying to accomplish this difficult feat, the colony was impeded by the secondary problems of economics and politics just briefly described. Driven to reassess their ties with Great Britain, Virginians made it plain that there were issues they would not compromise, traditions and precedents which they would not abandon.
NOTES--CHAPTER 2

1
Purdie and Dixon's Va. Gaz. (Wmsbg), Feb. 19, Apr 30, June 18, July 2, Oct. 29, 1767; Francis Fauquier to Lord Shelburne, Nov. 18, 1766, Colonial Office, Class 5, Volume 1345, Public Record Office (microfilm copy, Fondren Library, Rice University, Houston, Texas); hereafter cited CO class number/ volume number; Fauquier to Shelburne, Nov. 24, 1767, CO 5/1346.

2


4

5
John Dickinson, Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies, ed. R. T. H. Halsey (New York, 1903). On unconstitutional taxation and weakened assemblies see essays I, II, IV, V, VII, X; on the advent of placemen see essays IX, X; for comments on threats to the colonial judiciary see essay IX; essay II treats the likelihood of a standing army; I have used a published collection of Dickinson's essays for reasons of convenience. For a definition of virtual representation see Bailyn, Origins of Politics, 84-85.
6 Dickinson, Farmer's Letters, essays II, IV, V.

7 Arthur Lee, The Monitor, in Clifford K. Shipton, ed., Early American Imprints, 1639-1800 (Worcester, Mass., 1957/microcard), Evans number 11239. See essay II on British corruption; for Grenville's machinations against America, see essay IX; for comments on virtual representation and instruction of representatives see essays III-IV; essay VI deals with the probable result of successful efforts to tax America from Britain. I was unable to use the essays appearing in Rind's Virginia Gazette because those issue in the Fondren Library's microfilm copy of the newspaper were often mutilated.

8 Ibid., IV-VI, VIII-IX.


10 John Pendleton Kennedy, ed., Journals of the House of Burgesses of Virginia, 1766-1769 (Richmond, Va., 1906), 146; hereafter cited Kennedy, ed., JHB; President John Blair to Lord Shelburne, Mar. 21, 1768, CO 5/1346.


13 Arthur Lee, Monitor, VI.


15 Tate, "Coming of the Revolution in Virginia," Wm. and Mary Qly., 3d Ser., XIX (1962), 333-35. The nature of Virginia's economic troubles will be discussed more fully in chapter 4.

16 Lieutenant-Governor Fauquier to Lord Shelburne,

CHAPTER 3

GROWING BRITISH INTRANSIGENCE

The Chatham ministry had changed radically by 1768. Even while Chatham had been active in it, his second ministry had been weak. After Chatham's withdrawal from affairs in March 1767, the Duke of Grafton, though unfit for the task, assumed leadership of the cabinet on the understanding that he was merely to serve while Chatham was absent. He, like everyone else, supposed that Chatham would return and take control again in a short time. Grafton did undertake to strengthen the ministry while in charge. This move was especially necessary because Chatham's plan to break up all factions and use their most talented members had not succeeded. After much jockeying with the Rockingham and Bedford groups, Grafton brought in the latter in January 1768.

1 Viscount Weymouth became Secretary of State for the North in place of General Conway. Earl Gower became Lord President of the Council, displacing the Earl of Northington. Lord North took the vacant Chancellorship of the Exchequer, replacing the dead Townshend. The Earl of Hillsborough was given the newly created portfolio of Secretary of State for the Colonies, thus advancing to a position of much more consequence than he had first held as President of the Board of Trade. Finally, General Conway relinquished...
his assignment as chief minister for the Commons to Lord North though he did remain in the cabinet as a minister without portfolio. This newly strengthened ministry was in theory just the sort which Chatham would have created, but by the end of 1768 its composition had shifted so much that friends of America were in a minority. The Chatham ministry, which was expected to be as friendly as any ministry could be to America, changed so that it was actually dominated by those unsympathetic to America's difficulties and inclined to take a much more rigid course in dealing with them. Gower and Weymouth had both opposed the repeal of the Stamp Act as had Earl Bristol, who replaced Chatham as Lord Privy Seal when the latter finally resigned late in 1768. Hillsborough had supported measures unfriendly to America, too, as had Earl Rochford, Shelburne's replacement in the Southern Department after a long campaign by Grafton drove Shelburne from the cabinet. Neither Rochford nor Hillsborough were Bedford partisans.

Parliament was rushing to conclude business and gave little thought to America prior to its dissolution on March 11, 1768—before news of the resistance to the Townshend Acts reached England. Massachusetts Bay had begun the resistance by preparing a circular letter to all the other North American colonies calling for united action against the Townshend Acts. Alarmed
by the Massachusetts letter the ministry countered with a circular letter of its own, instructing the American governors to use every effort to prevent their assemblies from entertaining the letter. If any assembly did act on the Massachusetts letter it was to be dissolved. If any trouble arose in a colony its governor was authorized to call on General Gage, commander-in-chief of the army in America, for assistance. While this letter was being drafted the pro-American element in the cabinet tried to moderate its tone as much as possible; but Hillsborough, with the king's permission, sent it out only after deleting most of the ameliorative phrases which his minority colleagues had insisted upon including. That Hillsborough was able to do this—-and with the king's actual encouragement— suggested that the king was unlikely to play the role of guardian of American liberty in which the colonies so long tried to cast him.

Though disturbing reports continued to come in from America, the British authorities did not at first worry about Virginia. Official correspondence from the lieutenant-governor reflected only routine problems. However, by July 9 rumors had reached Whitehall of the Virginia resolutions. Hillsborough informed President Blair that there were reports "...of extraordinary proceedings in the Virginia Assembly..." and urged him
to lose no opportunity of corresponding in order
that information about the colony might always be as
full and recent as possible. On July 22 Blair's
letters containing copies of the resolutions arrived.
Hillsborough nearly panicked. He wrote the king at
once to ask permission to prepare warships and
troops for immediate service, adding that he had already
summoned the cabinet. Since Parliament was not then in
session, Hillsborough favored calling it for a special
session in order that conditions in the colonies might
be examined by a full parliamentary commission.
Instead, the cabinet decided to strengthen the governments
in America as much as possible while waiting for
Parliament to convene on November 8, 1768.

Considering the specific case of Virginia the
cabinet decided that the colony needed a resident
governor to restore order, a decision greatly influenced
by the fact that the Virginia Council had joined in
the Burgesses' petitions. Prior to this time, Sir
Jeffrey Amherst, the colony's governor, had remained
in England and had left his job to a lieutenant-governor.
The administration approached Sir Jeffrey to learn
whether he would be willing to go to America immedi-
ately. In the course of these discussions he was
in some way offended and a quarrel broke out. Perhaps
the government doubted his sympathy for its policy.
In any event, Amherst was removed from his post and
Norborne Berkeley, Baron de Botetourt, was selected to replace him. A "king's friend," Botetourt took the post only because he wished to serve the king in whatever capacity the king might think fit to give him, or so Hillsborough averred. However, it is also true that at the time Botetourt was in financial difficulty, and he may have been influenced to take the assignment for that reason, too. His appointment roused unfavorable comments in Britain, where many snorted that Botetourt went to Virginia only because of his financial embarrassment.

Whatever the motives he had for going, Botetourt kissed hands for his office on July 29 and immediately began preparations to depart. Less than a month later special instructions for dealing with Virginia were ready for royal approval. Though not in the form which the cabinet as a whole would have preferred in order to placate Shelburne and Conway, these additional instructions still reflected the intransient feelings which dominated the ministry. Botetourt was ordered to dissolve any Assembly in being at his arrival and to issue writs for election of a new one. Before the new Assembly met Botetourt was to talk with the Councillors and other prominent citizens, sparing no effort to show them the error of their former conduct. When the Assembly did meet, Botetourt was to tell the Burgesses, speaking in the king's name, that the king fully intended to enforce his ancient right of
making laws, with the consent of Parliament, to bind his colonies in every case. The Declaratory Act was to be read. Finally, Botetourt was to tell the Assembly that the king highly disapproved their resolutions and that it was offensive and improper for Virginians to consider laws applying to another colony than their own—referring of course to the act suspending the New York Assembly. If, having done all this, Botetourt saw that the Assembly was still intent upon following its former course, he was to dissolve it and to suspend any Councillors who might join in new petitions or resolutions. Should so many be suspended that no quorum remained, Botetourt might appoint enough new members to fill the quorum until further instructions came from home. If necessary Botetourt was also entitled to call on General Gage for assistance.

At the same time that the additional instructions were drafted, a speech was prepared for Botetourt to make at his first Assembly. In essence it amplified the additional instructions. The possible use of troops was not mentioned, but the speech put extra emphasis on the Declaratory Act. Botetourt was to declare it as the test of Virginia's obedience to the constitution and to government. The speech stigmatized the views expressed by the former Assembly as "...tend[ing] to dissolve that union and subordination between the different
parts of His Majesty's empire upon which its power, nay its very existence does depend." Closing on a somewhat more placatory note, the speech also promised due royal attention to all properly presented grievances and pledged a resident governor for the colony thereafter. In these two documents it is clear that the ministry, with the king's support, had committed itself unequivocally to rejection of Virginia's claims as unreasonable and actively subversive of the empire.

Botetourt reached his station on October 26, 1768, and reported that all seemed peacefully disposed. Parliament, meeting a bare two weeks later, was not. In January 1768 Charles Garth could truthfully say that America had not been much discussed in Parliament. However, news from America trickled home all during the year and could hardly help efforts to compromise American troubles. General Gage wrote frequently to Hillsborough urging a policy of firmness. In his opinion the crown would have had less trouble if it had behaved resolutely in the beginning. Boston had acted first but would wait for support before doing more, he thought. Non-importation was a farce, Gage said, because "...Americans must either import manufactures to clothe themselves with, wear skins, or go naked..." Commodore Sir Samuel Hood, Gage's naval counterpart and commander of the Halifax station,
seconded such sentiments. Writing to George Grenville he argued that had troops been sent to Boston sooner there would have been no petitions or remonstrances. Later he assured Earl Temple that spirited measures would pacify the colonies. Doubtless neither of his correspondents lost time in spreading these expert opinions so congenial to their own judgments.

By September 15 William Knox was reporting to Grenville that all the cabinet except Lord Shelburne had agreed on coercive measures against America. Lord Camden wrote Grafton in October that the Declaratory Act would have to be enforced because Parliament would tolerate nothing else. Parliament met as scheduled and heard the king speak of American affairs. He had hoped, the king said, that America would be calm. It was not. In fact it seemed that some of his subjects there were considering independence. For his own part, the king continued, he had already taken certain steps to strengthen government in America; and he was ready to join with Parliament in taking any additional steps which might be necessary. Lord North, speaking to the Commons for the ministry, warned of anarchy if the Declaratory Act were repealed. Nor did he favor repealing the Townshend Acts. Perseverance was the best policy. The Commons' address of thanks for the king's speech pledged full support for every measure needed to
maintain the legislature's full authority over the empire. The Lords expressed their opinion yet more strongly. On November 8 they, too, promised all assistance in supporting parliamentary authority. On November 15 the Duke of Bedford won passage of an address which thanked the king for placing some American papers before Parliament and approved in general the administration's conduct in America. It also advised the crown to gather information of any treason or misprision of treason in order to bring guilty persons to England for trial under a statute of 35 Henry VIII punishing treasons committed outside the realm. Bedford's 17 motion passed without a division.

These events all show plainly that the ministry was pursuing policies quite conformable to the sentiments of Parliament. Challenges, real or imagined, to the authority of the legislature simply could not have a hearing. Moreover, the ministry's course also testified to the triumph of those favoring a hard line toward America. The leaders who might have given America some concessions were increasingly isolated and driven from the ministry. The accelerating events of 1768 saw the full triumph of men unfriendly to American claims.
NOTES--CHAPTER 3

1 Thomas Thynnes, third Viscount Weymouth.

2 Granville Leveson-Gower, second Earl of Gower.

3 George William Hervey, second Earl of Bristol.

4 William Henry Nassau de Zulestein, fourth Earl of Rochford.

5 Brooke, Chatham Administration, 327-31; Brown, Grafton and North Cabinets, 234; Cobbett, ed., Parl. Hist., XVI, 187, 189, 194, 1014.

6 For an example of the circular letter to the American colonies, see the Earl of Hillsborough to the colony of Connecticut, Apr. 21, 1768, Connecticut Historical Society, Collections, XIX(Hartford, Conn., 1921), 120-121; Hillsborough to the king, Mar. 27, 1768, Fortescue, ed., Corr. of George III, II(1927), 13; the king to Hillsborough, Mar. 27, 1768, Ibid., 14.

7 Hillsborough to Blair, July 9, 1768, CO 5/1346.


13. Ibid.


CHAPTER 4

POLITICS AND NON-IMPORTATION: VIRGINIA IN 1769-1770

For all their concern with matters of constitution and ideology, neither John Dickinson nor Arthur Lee had been unaware of the practical difficulties in which any colony would find itself should it try to separate from Britain. Lee readily admitted that no colony could abandon its British connection without gravely harming itself. Dickinson also affirmed the necessity of having American interests dependent on the mother country. Pointing out the colonies' predominant role as consumers, he argued that they were neither prepared nor able to create the interlocking industrial system which an extensive system of manufacturing designed to replace Britain's would require. Convinced that American prosperity depended on Britain Dickinson asserted that any wound given Britain would cause America to hemorrhage as well. Therefore, he deprecated rash measures and counselled that a non-importation system be adopted if petitions failed, thinking thus to remind Britain of the material advantages which she derived from her North American colonies.

Botetourt warned Hillsborough in early 1769 that
he had little hope of reconciling the colony to Parliamentary supremacy. In America just the opposite view was everyone's creed. Botetourt consoled himself by observing that in his government at least the laws were being observed and the duties paid. Though Virginians were paying the duties, they certainly did not wish to continue doing so; and attention soon turned to the possibilities of non-importation as a weapon against the aggression of the Townshend Duties. As early as January 12, "Lover of his Country," writing in the Virginia Gazette, proposed that a non-importation agreement be put into operation. Apart from guarded references to the idea in the Burgesses' remonstrance to the House of Commons in 1768, this letter marked the first public agitation for such action. As the year advanced, acceptance of the idea grew. For instance, George Washington thought non-importation would be an excellent means of reminding Great Britain of America's importance to the imperial economy. It was, he said, more likely to be effective than mere petitions but less hazardous than armed resistance—a last resort which he hoped to avoid if possible. Non-importation also promised some relief to those who were heavily in debt, whether because they were extravagant or merely unfortunate in managing affairs. A patriotic appeal for non-importation would allow men to reduce their style of living and spending in a way which might for reasons of pride be
impossible in less compelling times. In other words, Washington hoped to secure repeal and at the same time use the repeal movement to liquidate some of the debts which plagued Virginia's economy. As a realistic man, he stipulated that any scheme of non-importation would have to allow for the purchase of some essential goods obtainable only from England. George Mason, to whom Washington explained his ideas, agreed with them and was particularly emphatic in arguing for a system of non-importation which would permit the purchase of essentials. Both Washington and Mason evidently shared Dickinson's opinion on the harmful consequences of complete separation from Britain. The idea was agitated again in May by "Atticus" who wrote two letters to the Gazette promoting non-importation and, as far as possible, an embargo on the export of Virginia produce as well.

While all this agitation was working, Botetourt met his first Assembly and began efforts to conciliate the colony and to bring it to obedience. Evidently he concluded that the speech prepared for him would not serve his purpose, for he discarded it entirely. Instead, he read a very mild speech quite different from the harsh one written in Whitehall in which he dealt with the previous Assembly's actions only by indirection, saying only that:

...I have nothing to ask but that you consider well and follow exactly, without passion or prejudice, the real interests of
those you have the honor to represent. They are most certainly consistent with the prosperity of Great Britain; and so they will forever be found when pursued with temper and moderation.  

In his gentle rebuke Governor Botetourt managed to tell the Burgesses that they had neglected the true interests of their constituents, that they had misconceived the intent of British policy, and that any candid consideration of those interests and that policy would call for an acceptance of existing imperial arrangements.

The Burgesses drafted a reply to the governor's speech which was as seeming-mild as had been his rebuke. It observed only that:

...if, in the course of our deliberations, any matters shall arise which may in any way affect the interests of Great Britain, these shall ever be discussed on this ruling principle, that her interests and ours are inseparably the same.

On its face this statement should have given the governor great satisfaction, for the Burgesses seemed to agree that Virginia and Great Britain had identical interests. However, the 1768 Assembly had clearly asserted its control of internal affairs. Such a view could not be compatible with the British view that Parliament possessed power to regulate every phase of imperial affairs and that there was no meaningful division of power over internal and external affairs. Thus, the
governor and the Assembly did not actually agree with one another at all, promising troubles for the future.

On May 16 the Burgesses unanimously resolved that their body alone could legally tax Virginians; that the colony had an indubitable right to petition the king for redress of grievances or to join with other colonies in doing so; and that any effort to remove Virginians to Britain for trial abrogated their rights as British subjects. A petition was approved the following day which, while protesting the colony's undying attachment to the king, begged his aid against any who might try to carry Americans to Britain for trial, contrary to law and ancient custom. That same day Botetourt learned of the Burgesses' resolutions and the next day, May 17, dissolved the Assembly as he had been ordered to do. Shortly afterward he wrote Hillsborough and offered an assessment of the situation in America. Botetourt stressed that Britain had only a little time left in which to assert its authority against the independent spirit of American assemblies in general. Proclamations and resolutions would no longer serve for that purpose, either. Vigorous measures, not words, were essential. As will shortly appear, Botetourt took his own advice. The ministry did not.

The Burgesses, having been dissolved, met as private persons and chose Peyton Randolph, the former Speaker, as moderator. They then framed, and on May 17 adopted,
a voluntary non-importation association in an effort to gain redress of their grievances. In defense of their action the Associators contended that British debts were already heavy and that the colony had little chance of paying them while the Townshend Acts remained in force. Therefore they proposed to encourage frugality while British merchants, actuated by friendship and self-interest, worked to repeal the unjust measures which had caused so much distress. The agreement of the association bound signers to encourage thrift and industry while avoiding all extravagance. Its members pledged not to import anything taxed by Parliament to raise a revenue in America or to buy such items from others after September 1, 1769. As a rule luxury items, spirits, cloth, leather, and tools were proscribed, although exceptions were made for certain kinds of cloth, paper, and other essential items of inexpensive quality. The shipment of any items from British merchants was to be conditional upon repeal of the Townshend Duties. Finally, after November 1, 1769, no slaves were to be imported. Thus did the associators try to limit their purchases while still providing for the colony's minimum needs.

At first the association was a great success. John Page, Jr., wrote to his British consignment merchant, John Norton, that he had joined the association because he thought Britain could thus be compelled to repeal the duties. False ministers would also be exposed to a newly
wakened British people, too; and Virginians could use the interim to pay off some of their British debts. Thus, for Page the association was a cure for all the ails of the colony. Robert Carter Nicholas, the colony's powerful Treasurer, also corresponded with Norton about the association, declaring that he would endure any hardship rather than abandon it. George Washington wrote in a similar vein to Carey and Company, which supplied the orders of his ward, John Custis, and himself. A month or so after its inception Washington expressed his pleasure at the movement's success in his own and two neighboring counties. Seemingly there was good reason for optimism. Eighty-eight Burgesses had signed the association. Only fifteen did not, and of these some were not present in the Burgesses at its dissolution. Ultimately, however, the association failed, as did a successor formed in 1771 when it became clear that the tea duty was to remain in force. It failed for reasons largely beyond the colonists' control. These reasons were rooted in the nature of Virginia's colonial economy.

Staple agriculture dominated life in Virginia, for the production of tobacco absorbed the energies, talents, and capital of nearly every planter. Most manufactured goods were available only from England. This meant that the colony was constantly in debt to British interests since its exports could never keep pace with its imports.
From about 1750 Virginia had known few "normal" years. Wars, depressions, natural disasters, and civil unrest all combined to create troubled times which intensified the usual economic problems. In the late 1750's the appearance of paper money, added to British defense expenditures in the colony, produced inflation. High prices prevailed for a time. Tobacco brought as much as fifty shillings per hundredweight, and planters produced more and more of it to reap large profits. By the mid-'60's tobacco prices had fallen, however, to fourteen shillings per hundredweight. Crop failures required the purchase of quantities of foodstuffs, adding to the planter's costs. Finally, the shrinkage of the currency as parts of it were periodically retired complicated trade yet more by reducing the available medium of exchange. Sterling money was always scarce because it had to go to England to pay debts, which made the shrinkage of currency even more pronounced and serious. Debts grew during the 1760's and bad times continued. In 1768 the Assembly voted to suspend collection of poll and land taxes during that year in an effort to ameliorate conditions.

Both merchants who bought tobacco by consignment and those who bought through factors residing in the colony were faced by demands for extension of old debts and for new credit, while there were frequent failures to clear
or at least reduce existing debts. Some merchants refused to extend the credit asked for. Samuel Athawes, while conceding that Virginia certainly had financial troubles, attributed them to a general habit of waste and extravagance among the colonists. He prescribed close attention to business and faithful performance of obligations to solve the crisis. However, most merchants grudgingly gave way. The case of the firm of John Glassford and Company, which bought through resident factors, demonstrates the problems faced by that class of business.

Colchester Store

<table>
<thead>
<tr>
<th>Year</th>
<th>Currency Debts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1759-60</td>
<td>£250</td>
</tr>
<tr>
<td>1763-64</td>
<td>£3,000</td>
</tr>
<tr>
<td>1769</td>
<td>£6,900</td>
</tr>
</tbody>
</table>

In the space of ten years the company's debts at this one store had risen nearly ninefold. In much the same manner John Norton and Sons, one of the consignment firms, was plagued by increasing debts among its customers in spite of vigorous efforts to collect old debts and to restrict the creation of new ones. More than £11,000 of debt was on its books in February 1769. Eighteen months later in August 1770 this sum had increased to more than £18,500--an increase of more than 68 per cent at a time when non-importation was in effect.

Perhaps the most revealing figures for a study of the economic conditions in the colony are the customs statistics
for 1769-1771. No imports of china, silver, coaches, furniture, or luxury fabrics occurred. However, the most important part of the non-importation plan had of necessity to do with its handling of prosaic wares which, though not expensive in unit cost, were indispensable to the colony—the items which British merchants sold to best advantage—such as ironwear, leather products, woolens, and coarse fabrics of all kinds.

<table>
<thead>
<tr>
<th>Year</th>
<th>Blankets and Rugs*</th>
<th>Woolen Plains*</th>
<th>Wrought Iron +</th>
<th>Wrought and Unwrought Tanned Leather*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1769</td>
<td>186,000</td>
<td>153,000</td>
<td>618</td>
<td>97,000</td>
</tr>
<tr>
<td>1770</td>
<td>784,000</td>
<td>172,000</td>
<td>2,400</td>
<td>232,000</td>
</tr>
<tr>
<td>1771</td>
<td>243,000</td>
<td>no record</td>
<td>21,490</td>
<td>275,000</td>
</tr>
</tbody>
</table>

* pounds + tons

These figures show that Virginia could not effectively reduce importation of such essentials. The importation of blankets and rugs rose 421.1 per cent from 1769 to 1770. From 1770 to 1771 their importation fell by 320.9 per cent, doubtless in response to new efforts to curb imports; but the quantity of rugs and blankets imported in 1771 still remained 30.6 per cent greater than in 1769. Woolen plains rose by 12.4 per cent even in the face of the non-importation association. Wrought iron purchases showed an amazing rise in each of the three years. Imports for 1771 were 347 per cent greater than in 1769. Leather goods, too, rose steadily in volume of purchase. In 1771 imports had increased by 283 per cent over those for 1769. In only one case, therefore, did imports decrease
during the period of non-importation; and that one item, blankets and rugs, was still imported in greater quantities in 1771 than it had been in 1769.

The case of cheap textiles illustrates the same conditions, as these figures show.

<table>
<thead>
<tr>
<th>Year</th>
<th>Bounty Linen*</th>
<th>British Free Linen*</th>
<th>Irish Bounty Linen*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1769</td>
<td>754,000</td>
<td>278,000</td>
<td>575,000</td>
</tr>
<tr>
<td>1770</td>
<td>837,000</td>
<td>200,000</td>
<td>720,000</td>
</tr>
<tr>
<td>1771</td>
<td>1,265,000</td>
<td>206,000</td>
<td>910,000</td>
</tr>
</tbody>
</table>

*yards

Only British free linen showed a decline and even it regained some ground in spite of non-importation efforts in 1771. Bounty linens increased by 167 per cent while Irish bounty linens increased by 185 per cent. That some of this cloth fell into the category of purchases permitted by reason of necessity did not decrease its cost to the planter or its harm to the association's purposes.

More frivolous items followed a pattern similar to that displayed by the more important purchases, too.

<table>
<thead>
<tr>
<th>Year</th>
<th>Haberdashery and*</th>
<th>Millinery</th>
<th>Hats*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1769</td>
<td>335,000</td>
<td>61,000</td>
<td></td>
</tr>
<tr>
<td>1770</td>
<td>512,000</td>
<td>11,500</td>
<td></td>
</tr>
<tr>
<td>1771</td>
<td>576,000</td>
<td>10,900</td>
<td></td>
</tr>
</tbody>
</table>

*pounds *dozens

Purchases of haberdashery and millinery rose each year until in 1771 the volume was 171 per cent of the 1769 figure.
Hats, on the other hand, behaved as the associators had hoped all the categories would. The number of hats imported dropped steadily until in 1771 Virginians ordered only about one-sixth as many hats as they had in 1769. Unfortunately, successful non-importation could not be built on Virginians' willingness to wear old hats.

As these statistics show, in every category but two Virginia's imports of British goods rose each year from 1769 to 1771 in the face of efforts to enforce non-importation. Luxury items might be largely foresworn; but no one could do without nails, axes, hoes, hammers, hinges, pots, harness, cloth, shoes, and myriad other articles of everyday use. Truly Virginians were trapped in the British mercantile system. As noted earlier the Farmer, Monitor, and, in their various resolutions, the Burgesses all commented on the injustice of levying duties on the colonies for participating in a commercial system from which by law they could not escape; but it was not only laws that constrained them. The nature of the imperial connection imposed upon the colony the troubles it faced. Obviously John Page, Jr., had hoped for too much when he prophesied the defeat of America's enemies and a return of economic prosperity as a result of non-importation. More important yet, even the efforts of experienced, capable men like Washington and Mason could not create a successful middle course which would make economic sanctions effective against Britain while Virginia
still remained within the empire. The disadvantages of her economic position in such a system simply left no room for any maneuvering. If, then, petitions failed and economic pressure proved unworkable, the courses left open for Virginia's leaders were fewer than ever. If redress were impossible within the empire, was not the next step, however reluctantly taken, separation from it?  

The May 1769 session of the Assembly met too briefly to deal with all the colony's problems. Botetourt therefore ordered new elections for an Assembly to meet on November 7, 1769, doubtless realizing that the existence of extralegal bodies did nothing to advance the power which he was to guard and enhance. This new Assembly, which had essentially the same membership as its predecessor, learned of Hillsborough's letter of May 23, 1769, in which he said that:

...His Majesty's present administration have at no time entertained a design to propose to Parliament to lay any further taxes upon America for the purpose of raising a revenue, and that it is their intention to propose in the next session of Parliament to take off the duties upon glass, paper, and colors upon consideration of such duties having been laid contrary to the true principles of commerce.

Having communicated Hillsborough's message, Botetourt made no further reference to the May Assembly's conduct, urging only that public business be temperately conducted. The Burgesses replied in kind,
promising moderation and observing:

...that we shall think ourselves extremely happy if, in conducting the arduous and momentous affairs of this great country we should in the end, receive the approbations of a ruler we so very cordially esteem and honor.

Both the House of Burgesses and the governor re-enacted the part each had taken in May. Though polite and inoffensive on first inspection, the Burgesses' address suggested an order of priorities far from that which any imperial administrator would have thought proper, for they openly described royal approval of their deliberations as a secondary object which might result from consideration of Virginia's needs and interests. Botetourt, sent to Virginia to reassert the primacy of royal authority, could hardly acquiesce in its being treated as anything but a primary goal of the Assembly.

Having grudgingly acknowledged the promise of partial repeal of the Townshend Duties, the Burgesses turned their attention to internal problems. Governor Botetourt readily joined with them in seeking solution to difficulties, strengthening the affection with which he was already regarded. From the preceding narrative, it might seem that the Assembly alone took the initiative in dealing with Anglo-Virginian disputes. Such was not the case. Botetourt was experienced politically when he came to Virginia, having served in the Commons.
for twenty years. Even after reaching Virginia he kept up with home politics. For example, on the very day he wrote Hillsborough to tell him of dissolving the Assembly, the governor also found time to write the joint Postmaster General about borough interests he had retained in Gloucester. Drawing on the extensive political knowledge he had gained, Botetourt began an active policy of conciliation in an effort to control Virginia as he had been ordered to do.

The November 1769 Assembly faced two problems—a shortage of currency and a series of land disputes. The Burgesses tried to solve the currency problem at least in part by asking for a copper coinage. Botetourt was asked to lend his influence to their request, which he readily agreed to do. Writing to Hillsborough, he argued that approval of the copper coinage would enhance his effectiveness in Virginia by demonstrating that he was a person of some influence at home. Hillsborough promised prompt, careful attention to the request; but it was allowed to die after referral to the Board of Trade.

Land problems were especially important in the November Assembly. The Burgesses learned that the king had consented to alter a frontier boundary with the Cherokee Indians so that more of the western lands than originally agreed upon would fall to Virginia. Not satisfied, the Assembly prepared another petition, asking
that the Virginia-Cherokee boundary be altered yet again, hoping to gain yet more of the choice Ohio Valley land excluded under the then-existing treaty with the Indians. A second land problem developed when the Burgesses heard of rumors in England that an English speculating group, the Grand Ohio Company, planned to apply for large grants of land in the area of the Ohio lands already claimed by the colony. Badly frightened, the Assembly hurried off another petition to England opposing any such grant. On both these matters, the Burgesses approached Governor Botetourt; and he supported their petitions on those matters just as he had that on copper coinage. Writing Hillsborough, Botetourt declared that he thought his future effectiveness in Virginia would be determined by the answers he was able to give on the coinage and land matters. Hillsborough again promised quick, careful consideration of Botetourt's requests; but the effort to get more Cherokee land was flatly turned down. The Grand Ohio Company never matured enough to threaten the colony, and that danger passed from the colony's concern.

Botetourt had warned Hillsborough of the need for active measures to support royal authority in the colonies. His own efforts to gain Virginia's requests from the crown were one aspect of his personal efforts to create an active executive in his province. In addition, Botetourt set out to manipulate patronage to reward
those who acted most nearly as he thought proper or who might in some way lend strength to efforts to extend effective royal power in the colony. The first instance of this policy involved John Randolph, Attorney General and Judge of Admiralty for Virginia. In ways never specified Randolph had supported the governor in the May 1769 Assembly. Botetourt recommended to Hillsborough that Randolph receive an increased salary in recognition of his conduct. Hillsborough warmly approved the plan, saying that he would have sent an order to add £200 to Randolph's salary at once had he not feared to embarrass Randolph, whose attitude on the matter Botetourt was to learn at once. The governor was able to assure Hillsborough that Randolph would not be offended by the proposed reward for his faithfulness, and a warrant for the raise was sent at once. Doubtless John Randolph did not act from venal motives in the Assembly. After all, he fled to England in 1775 rather than serve or live under the rebel regime. Nevertheless, his case does show that Botetourt was using the traditional English methods in an effort to build up a pro-British faction in the colony.

Governor Botetourt made his next move in December 1769. A vacancy on the Council gave him an opportunity to nominate someone to the seat, and Botetourt chose to support James Horrocks, Commissary for the Bishop of
London in Virginia. Such a choice seems odd at first. However great his virtues as a cleric may have been, Horrocks had no influence in the colony, having arrived there in 1761 on the king's bounty. True, he had become President of the College of William and Mary; but he owed that elevation to Lieutenant-Governor Fauquier's dislike of John Camm, then the senior priest in Virginia and the logical choice for the post. As required Botetourt had also submitted two other names for the vacant post, those of Lewis Burwell and Dudley Digges. Both were scions of eminent and widely connected Virginia families. Moreover, Digges had not signed the non-importation agreement and might well have expected some recognition of this act of support for the government. Botetourt defended his choice of Horrocks to Hillsborough by saying that he thought the Commissary ought always to be on the Council. Botetourt's choice was a shrewd one. The Commissary enjoyed little power by virtue of his office. A seat on the Council might well add to his prestige when he had to deal with the local clergy. In addition, Horrocks, as representative of the Church of England, might well be reluctant to oppose British policies. If he did oppose them, on the other hand, pressure could be applied through his ecclesiastical superior in London. If necessary he could be dismissed from the Council without offending important local families while neither Burwell nor Digges could be.
Horrocks was, in short, a convenient placeman who could lend service to government or be displaced if the need arose.

Yet another instance of Botetourt's effort to build an effective system of patronage involved the Council. In 1770 Ralph Womeley applied for the next vacancy to occur on the Virginia Council. To Womeley's English friends who made the request, Hillsborough replied that Womeley would have to deal with him through Governor Botetourt. The governor, when he learned of the episode, wrote Hillsborough to thank him for acting as he had done, declaring that the king's interests in Virginia had been well served by Hillsborough's refusal to interfere in employment of Virginia patronage. Botetourt said that he had no objection to Womeley personally, but he did think that Womeley lived too far from Williamsburg to be summoned to Council in emergencies. However, Botetourt had a compromise plan. He suggested that Dudley Digges have the next vacancy. Digges was Womeley's brother-in-law, and his appointment might well placate Womeley to a degree while rewarding Digges for his former conduct in not signing the non-importation agreement—the kind of settlement so dear to English placemongers.

Not content merely to nominate Digges for the next vacancy, Botetourt asked for a blank warrant to use as soon as a vacancy occurred. Hillsborough denied the request, saying that it would be improper to depart from the usual
practice of awaiting an actual vacancy. Had Botetourt been able to establish his innovation as an accepted practice, the governor would have enjoyed a much more direct role in patronage—a result which would have been very useful in Botetourt's efforts to build a "court" party in support of British policy.

It is evident that Governor Botetourt did try to create an active program for strengthening royal power in Virginia. He employed two principal means of doing so. First, as often as possible he urged the suits of the colony on his superiors in England. If he could obtain their major goals for them within the framework of the existing system, their discontent would obviously be lessened. The burden of the newly strengthened imperial system would not seem to be so heavy or so frustrating to the colonists. However, Botetourt did not rely on this possibility alone. He also engaged in an effort to build up a patronage system, using the techniques so familiar to any denizen of eighteenth-century British politics. If he could create a party of men attached to the royal executive and train them to look to that source for the satisfaction of their ambitions, Botetourt would have a useful force with which to contest the designs of more radical colonists. He might well have checked or slowed the drift toward independence on which he commented so presciently to Hillsborough in May 1769. That Botetourt failed in the end is undeniable, but his failure does not reflect
his own incapacity. Rather, it testifies to the state of relations between Britain and Virginia. Even in the hands of a capable executive the tools available in the old colonial system were not equal to their job. Withered remnants of a prerogative power which had already vanished in England, they were unable to withstand the force of efforts to use the common Anglo-American ideology to displace that swollen power in America.

Virginians had settled on non-importation because they believed that it would secure repeal of the Townshend Duties. It did in the end obtain some relief, but retention of the tea duties proclaimed beyond doubt the ministry's intention to maintain exactly those principles which the colony found so distasteful. When non-importation was tested, it did not work as expected. Rather, it emphasized the impossibility of using commercial pressure as a defense against "oppression" as long as Virginia was dependent on Great Britain for finished manufactured goods. The efforts of the affable but shrewd Botetourt to find a way to gratify Virginia's ambitions within the empire also failed. In short, though no one may have been willing to admit it at the time, the chances for compromising the issues between Britain and Virginia were slipping away past recall. The time would come when both those chances and the desire to use them did not exist.
NOTES--CHAPTER 4

1  
Dickinson, Farmer's Letters, II-III; Lee, Monitor, VIII.

2  

3  
Kennedy, ed., JHB, 1766-1769, 189.

4  
Ibid., 200.

5  
Ibid., 214-218; Botetourt to Hillsborough, May 17, 1769, May 23, 1769 (Secret and Confidential), CO 5/1347.

6  
Kennedy, ed., JHB, 1766-1769, xl-xliv.

7  

Thomson, Merchant in Virginia, 312.


Customs statistics derived from CO 16/1 and cited in Thomson, Merchant in Virginia, 335n, 338.

Ibid., 338.

Ibid.


Kennedy, ed., JHB, 1766-1769, 227.

Ibid., 234.


18

Kennedy, ed., JHB, 1766-1769, 278-279; Botetourt to Hillsborough, Nov. 30, 1769, CO 5/1348.

19


20

Botetourt to Hillsborough (Secret and Confidential), Botetourt to Hillsborough, May 27, Sept. 23, 1769, CO 5/1348; Hillsborough to Botetourt (Secret), Hillsborough to Botetourt, July 17, Dec. 9, 1769.

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22

Botetourt to Hillsborough, June 23, 1770, CO 5/1348; Hillsborough to Botetourt, Oct. 5, 1770, Ibid.
CHAPTER 5

REPEAL

British politics in 1769 followed their usual course; that is, America was largely ignored. The foremost issue was John Wilkes. Wilkes had first been arrested on charges of printing a seditious libel of the government in an opposition newspaper, the North Briton, in April 1763. At the time he was a member of Parliament and parliamentary privilege saved him from prosecution for his connection with the anti-administration forces. On January 20, 1764, however, Wilkes was expelled from Parliament at the urging of the government for his share in publication of the famous essay number forty-five.

In February Wilkes was further found guilty of printing the Essay on Woman, which was condemned by the House of Lords as a scandalous and obscene libel. Wilkes had fled to France in December 1763 while his case was still be judged in the Commons; and when he did not appear to answer any of the charges against him, he was declared an outlaw. Forced to flee from his French creditors, Wilkes returned to England in February 1768 and was first elected to Parliament from Middlesex County on March 28, 1768.

Though his outlawry was quashed by Lord Mansfield, Lord Chief Justice of Common Pleas, on technical grounds, Wilkes was sentenced to twenty-two months in prison on sundry of the old charges and was charged a fine of £1000 in
addition. On four separate occasions Wilkes was overwhelmingly elected to Parliament from Middlesex only to be denied a seat or expelled. On the last of these occasions, May 8, 1769, the Commons declared his opponent, Henry Lawes Luttrell, to be the duly elected representative of Middlesex even though he had polled far fewer votes than Wilkes. By this time the issue had embroiled every political group in the strife, and little else was discussed for the remainder of 1769 or early 1770. As if that were not enough distraction, 1769 also saw a dispute over the terms of land tenure. The crown claimed certain lands belonging to the duchy of Portland and secured a ruling that no other claim could stand against the crown's. Because questions of land tenure appealed so universally to the politically powerful, another sharp quarrel soon disfigured the political scene. In the face of competition from these two problems, American affairs met with indifference. A friend of America in the Commons grumbled that seats were hardly available on days when the Wilkes affair was to be discussed. For American affairs, on the other hand, scarcely half as many members appeared.

At length a policy was shaped for America. The Lords had already criticized Massachusetts Bay, whose resistance to the Townshend Acts was particularly strong. In February 1769 the Commons joined in with an address of thanks for the king's speech at the opening session
of Parliament in which they condemned Massachusetts Bay's actions as subversive of the authority of crown and Parliament to pass laws binding the colonies in all cases whatsoever. They also seconded the Lords' suggestion that prosecutions be entered under the statute of treasons of 35 Henry VIII. On February 15 Hillsborough presented to the king for comment certain proposals which he wished to discuss in the cabinet the following week. He claimed support from all his colleagues except Conway and Camden, though he admitted that Grafton was uneasy at the proposed alteration of Massachusetts Bay's Council.

Hillsborough's plan made specific provisions for dealing with Massachusetts Bay and New York. In addition, he suggested some policy changes for use in North America as a whole. In Massachusetts Bay the American Secretary proposed to vest appointments to the Council in the crown rather than continuing their selection by vote of the lower house. Any future act, note, or order entered in the Assembly journals which denied or controverted the sovereign power of Parliament over the empire would become ipso facto grounds for revoking the charter. The governor of the colony was to assemble the next Assembly in Salem or Cambridge rather than in Boston if he thought it best. Hillsborough also recommended that Governor Francis Bernard be made a baronet and called home to report as a mark of royal approbation of his conduct. Finally,
General Gage should be authorized to remove any unnecessary troops from the province. New York was to receive similar treatment. Four Councillors who had joined the Assembly in its latest protests were to be removed. Governor Sir Henry Moore’s reports on the colony were to be put before Parliament, and any member or officer of the New York Assembly who had had a part in questioning Parliament’s supremacy was to be barred from holding any offices in the future.

Hillsborough next recommended several general changes in the Mutiny and Townshend Acts. If any colony failed to provide barracks for royal troops, they were to be quartered in public or private houses. Should a colony’s civil magistrates refuse to quarter the troops, commissioners appointed by the governor for the purpose might do so. However, any colony which passed a quartering act confirmed in England would escape these provisions. Lord Hillsborough also wanted to exempt Virginia and the West Indian islands which already supplied an independent revenue for the crown’s use from the Townshend Duty Act. He would extend the same treatment to any other colony which passed similar laws and had them approved by the Privy Council. Hillsborough’s proposals were an odd mixture. Those dealing with Massachusetts and New York were harsh and would arouse more bitterness than ever since they were to be imposed by act of Parliament. Probably the proposals to let the
colonies impose their own Townshend and Mutiny Acts—subject to crown approval, naturally—passed with Hillsborough for compromise proposals. They indicate just how little British officialdom understood American sentiments, for only someone quite ignorant of colonial ideas could think that the colonies would gladly impose with their own hands the yoke which they were already resisting at the hands of Parliament.

George III accepted only a few of Hillsborough's suggestions without some change or revision. Because he thought the alteration of charters so drastic a step, the king wanted to avoid altering the way of choosing Councillors in Massachusetts Bay. He rejected outright voiding New York's charter, thinking that it would only inflame the colony more than ever. The king did approve Hillsborough's recommendations relating to honors for Governor Bernard, removal of surplus troops from Massachusetts Bay, and alteration of the meeting place of Massachusetts' Assembly. He also agreed that the offending New York Councillors should be removed and an act passed to control that Assembly for the future along the lines which Hillsborough had suggested. Passing over changes in the Mutiny Act in silence, the king added an idea of his own by proposing that the whole commission of the peace be removed in Massachusetts Bay. Finally, he specifically disapproved any plan to grant indulgence to Virginia for its act granting the
crown an independent revenue, asserting that Virginia's actions in the previous year precluded it. However, the king was willing for hints to be given out that those colonies making the provisions for government which were contemplated in the duty act could be relieved of the operation of Parliament's act at some future time. On the whole George III was not quite so ready as Hillsborough to proceed to extremes against the colonies; but he favored rigorous measures nevertheless, as witness his willingness to displace the justices of the peace in Massachusetts Bay and his resentment against Virginia. Most important of all, the king favored retaining the tea duty even in those colonies which passed acceptable acts to accomplish the purposes of the Townshend Act. Obviously the retention of that duty could serve only one purpose—maintenance of the principles of imperial authority over the empire. The whole episode offers yet more proof that any plan which the colonies might base on separating the king from Parliament would not succeed.

The details of ministerial discussions of American affairs are scanty. On May 1 the cabinet met. Some ministers favored a full repeal of the duty act; but the tea duty was retained by a close vote in keeping with the king's express wish. Grafton, Conway, Granby, and Camden lost to Hillsborough, North, Rochford, Gower, and Weymouth. A rough draft based on the cabinet's deliberations was prepared. As was usual the minority included
in it a number of moderating expressions reflecting its position in the cabinet debate. Later a fair draft was composed. On the basis of the fair draft a circular letter was sent out to the American governors informing them that all the duties except that on tea would be repealed; furthermore, no new tax was planned. In the course of preparing the fair draft and circular letter Hillsborough actually ignored the minority ministers' effort to soften the message. Copies of the letter went to all the ministers of course—but only after the American packet bearing copies to the governors had sailed.

Lord Camden was particularly offended by Hillsborough's action. He demanded an explanation and a copy of the rough draft of the minute for comparison with the finished letter. The American Secretary had "lost" the rough draft but sent Camden a copy of the fair draft which he claimed was essentially the same. This draft read in part:

It is the unanimous opinion of the lords present to submit to His Majesty as their advice that no measure should be taken which can in any way derogate from the legislative power of Great Britain over the colonies. But that the Secretary of State in his correspondence be permitted to state it as the opinion of the king's servants that it is by no means the intention of the administration, nor do they think it expedient or for the interest of Great Britain or America, to propose or consent to the levying any further taxes upon America for the purpose of raising a revenue...
Camden first took issue with the initial sentence of the fair draft, which asserted the need to maintain Parliament's supremacy in America, because he did not think it had appeared in the rough draft at all. He was even more unhappy with the circular letter itself because he felt it did not reflect the opinion formed at the cabinet meeting. The completed letter read in part as follows:

What His Majesty is pleased to say in relation to the measures which have been pursued in North America will not escape your notice, as also the satisfaction His Majesty expressed in the approbation his Parliament has given to them, together with his royal opinion of the great advantage that will probably accrue from the concurrence of every branch of the legislature in the resolution of maintaining a due execution of the laws, cannot fail to produce the most salutary effects. From hence it will be understood that the whole legislature concur in the opinions adopted by His Majesty's servants that no measure ought to be taken which can any way derogate from the legislative authority of Great Britain over the colonies; but... His Majesty's present administration have at no time entertained a design to propose to Parliament to lay any further taxes upon America for the purpose of raising a revenue, and that it is at present their intention to propose in the next session of Parliament to take off the duties upon glass, paper, and colors upon consideration of such duties having been laid contrary to the true principles of commerce.

Camden's irritation was well founded for, while the letter did in the end inform the governors that most of the duty act would be repealed, it was worded in
such a way as to take away with one hand the satisfaction offered by the other. The nature of cabinet government at this time was also such that Camden's complaint was very just. It was unusual for the majority to carry affairs with so high a hand, particularly when the majority was so slender. Undoubtedly the minority's contribution should have been retained in the fair copy of the circular letter. However, it is important to remember that Hillsborough had done the same sort of thing in 1768 with the king's encouragement. On that occasion there was no protest. In the second instance he was able to repeat the maneuver despite bitter protest. That he could do so provides yet more evidence of where the sympathies of government lay.

Several efforts were subsequently made to repeal the whole duty act, but without success. The king and cabinet majority had accurately gauged parliamentary sentiment. Probably no political faction desired to damage colonial relations, but misinformation and determination to preserve sovereignty at all costs prevented compromise. William Samuel Johnson, agent for Connecticut, wrote home that many of those in high posts believed American discontent came from a factious few who would quail before firmness. Some others, he said, thought it imprudent to make an issue of the power in dispute; but, seeing no way to avoid it gracefully, they reluctantly acquiesced in the policy of firmness.
According to one report Hillsborough disliked the revenue act himself. However, since Parliament's right to pass such legislation was in dispute, he declared himself in favor of enforcing it if the whole army and navy had to be used. Even Lord North, a much more able and temperate man than Hillsborough, echoed this view, opposing any repeal as long as America was in turmoil. In any case North disliked repeal because he believed America would interpret such a gesture as an abandonment of the British position on the matter of parliamentary right. Others repeated similar beliefs through the year.

In December 1769 William Samuel Johnson again commented on the ministry's attitude toward the American problem. He felt officials were more perplexed than converted, not knowing what to do. Some of the cabinet were well-intentioned, but all wanted to join full exercise of sovereignty to complete enjoyment of liberty—a goal which caused Johnson to doubt the prospects for real peace.

The third session of Britain's fourteenth Parliament opened on January 9, 1770, with a speech from the king admitting that the colonies were still not tranquil. He renewed his former pledge of full co-operation with Parliament in adopting any measures needed to achieve that goal. Beating off 254-138 a motion to call for a full investigation of American affairs, the Commons declared
their own readiness to support any action to that end. Afterwards America dropped from discussion for a time. Edward Montagu, Virginia's agent in London, informed his employers that Parliament was the fullest he had ever seen it but that the Middlesex elections occupied everyone's attention. In February Montagu repeated these assurances. Charles Garth, better informed than his Virginia colleague, told his correspondents in South Carolina that same month that the ministry would insist on retaining the tea duty even though the rest were to be dropped. At last in March the problem surfaced once more. The Earl of Chatham, recovered at last, rumbled in the Lords that, though he loved Americans for their love of liberty, none of their foes would be more implacable than he if they thought to escape the laws of trade and navigation. 'They,' he said, 'must obey, and we prescribe.' On March 5 a petition was presented to the House of Commons from traders and merchants trading to America, claiming that the Townshend duties were having a harmful effect on trade and asking Parliament to repeal such duties as it thought fit. This petition, emphasizing as it did only commercial objections to the act, harmonized nicely with the ministry's plan for repeal; and Lord North took advantage of it at once. He explained to the Commons that he had opposed repealing any duties while there were disturbances in America. However, he had long hoped for repeal on proper grounds and
every gentleman seemed desirous of getting rid of such duties as could not be defended by commercial considerations. Hoping that being known, it would have the desired effect in America, I consented to the letter which was written in the summer May 13, 1769.\footnote{11}

North went on to say that the duty was preposterous. He would have liked to repeal it entirely. However that was impossible because Americans might think Britain was conceding the question of right—on which point there had to be no room for doubt. Therefore, it would be best to retain the duty on tea. To keep that particular duty was reasonable anyway, North continued, because tea was a luxury item. Besides that, the tea duty was to be so reduced that the colonies would hardly be burdened by it. If Britain did give way and repeal all the duties, on the other hand, Americans would probably not be satisfied. Prophetically North said:

\begin{quote}
There will remain a dispute as long as there remains an act asserting the right. If we give it up/we do so in a very disgraceful manner, to be involved in the same difficulty upon another act because the same difficulty will still exist.\footnote{12}
\end{quote}

He concluded by denying the utility of conceding a distinction between internal and external taxes. Only confusion could result from such a course because Britain would identify all duties with control of trade while America would argue that they were all revenue measures. The government had its forces well in hand.
No disquieting questions of right were raised. On the contrary, the ministry was careful to assert its support for parliamentary supremacy throughout the debate while arguing the question of repeal on the basis of commercial prudence and expediency. So it was that the duties on paper, glass, and colors were repealed. Ostensibly, the Townshend crisis was over. However, all the stress and dissension from 1767 to 1770 had accomplished nothing positive for the government. In the end the British adopted the same policy used to end the Stamp Act crisis. Having declaimed at length on the sovereign powers of Parliament, they repealed all the duties but that on tea, which was retained as a tangible symbol of the principle of supremacy. Meanwhile, though a peace of sorts had been patched up, the basic question of sovereignty remained unsolved.
NOTES--CHAPTER 5


4 Ibid., 84.

5 Memorandum by the king, Feb. [15], 1769, Ibid., 84-85.


7 Ibid., 233.

8 Ibid., 232-233; Brown, Grafton and North Cabinets, 234.


11 Ibid., 486.
12 Ibid., 487.
CONCLUSION

In the period from 1767 to 1770 an attitude toward her colonies matured in Britain which changed in no material way until the Carlisle Commission was formed in 1778. Sovereign power over the empire, lodged in Parliament by the Revolutionary Settlement, could not be shared or divided. So widely was this view accepted as orthodoxy that no important political faction ever considered altering the relationship between the mother country and the colonies. In short, there was no source in British politics from which the necessary compromise might come. Other factors, somewhat less important, complicated imperial relations, too. Perhaps the chief of these was simple indifference to happenings in America. Also, Britons at home and in the colonies were largely ignorant of conditions and attitudes prevalent there. When exceptional officials like Baron de Botetourt did know and tried to urge upon the home government policies based on this knowledge, they were largely unheeded. Local issues and factional strife in Britain also affected American policy adversely. Matters such as the debates over the East India Company investigation and the Wilkes affair absorbed public attention, receiving far more notice than American affairs did. Finally, the continuing shift in Britain's colonial policy from pure mercantilism to imperialism
introduced strange new elements into policy formation which complicated relations with America yet more. Linked to the overriding consideration of sovereignty, these ancillary factors provided little ground for hopes of peaceful settlement unless the American colonies gave way.

Yet, Virginians, for example, would not give way. Like their British cousins they revered the great principles of 1688-1689. However, over the one hundred and fifty years since their founding, the experience of living in a different environment had made Virginians give a very different reading to the common Anglo-American intellectual tradition. What was heterodox in Britain became orthodox in Virginia. Reacting against efforts to change their constituted order Virginia leaders struggled to articulate their understanding of the meaning of the colony's past. As a consequence of the Townshend Acts Virginians felt impelled to assert their sole authority over "internal polity," by which they meant most of the ordinary but vitally important powers of government, leaving only control of foreign affairs and imperial trade regulation—narrowly conceived—to Britain. There were in Virginia certain secondary problems which, as in England, made agreement and compromise more difficult. Political power in the colony had shifted so that newer leaders had a share in government; but their position was not yet consolidated. In addition,
economic troubles fed discontent at the colony's mercantile attachment to Great Britain. Non-importation, which many at first thought would secure relief from Britain, failed. As a matter of fact the attempt to use it as a weapon only made clear how feeble the scheme was. With this supposed weapon went one more alternative to complete submission or rebellion.

Both Britain and Virginia saw each other's actions as threats to their respective constitutions and ways of living. Neither could imagine an acceptable future if the policy of the other prevailed. Whatever temporary compromises might be contrived, the issue had become simple. For eight years more many in England and in America would pretend that each side could yield no essential point and yet could live in peace with the other, but that belief was wrong. Neither law, nor custom, nor forebearance, nor fellow feeling could avail anything against the dilemma of who should be sovereign. Only force, the ultimate arbiter, remained.
BIBLIOGRAPHICAL ESSAY


Charles Evans, *American Bibliography...* (Chicago,
1907) gives access to valuable materials often not otherwise available when used in conjunction with Clifford K. Shipton, ed., Early American Imprints, 1639-1800 (Worcester, Mass., 1957-\[microcard\]). Grace Gardner Griffin et al., comps., Writings in American History (Washington, 1902-40, 1948-58) permits convenient access to the voluminous periodical literature of American history. For the gap between 1940 and 1948 and for the years after 1958 one must consult the American Historical Review or the Journal of American History, which carry lists of recent articles in each issue.

Students of Virginia history are fortunate to have Earl G. Swem, comp., Virginia Historical Index (Roanoke, Va., 1934-36), an extensive index of several periodicals and multi-volume reference works dealing with that colony and state. Lester J. Cappon and Stella F. Duff have compiled the equally useful Virginia Gazette Index, 1736-1780 (Williamsburg, Va., 1950) which indexes all available issues of that newspaper, by whomever published.

In preparing this thesis I have made extensive use of microfilmed copies of the original correspondence between Virginia's governors and the various Secretaries of State from 1767 to 1770. This material, held by the Public Record Office under the Colonial Office group, class 5, volumes 1345 to 1348, contains numerous broadsides,
proclamations, writs, and other enclosures submitted to Whitehall. Many of these items are now lost. Most of the governors' letters are preserved. From the time in April 1767 when Lieutenant-Governor Fauquier began to number his correspondence with Lord Shelburne until my researches ended with Baron de Botetourt's letter to Hillsborough of June 30, 1770, fifty-three letters were written from Virginia. Of these only seven have not survived. On the other hand, of thirty-seven letters written from Whitehall in the same period, ten are missing. It is possible to infer some of the contents of the missing letters from subsequent correspondence; but of course inference does not adequately replace the letters themselves.

NEwSPAPERS

There were two newspapers in Virginia during the 1760's, William Rind's Virginia Gazette and Alexander Purdie and James Dixon's Virginia Gazette, both published weekly at Williamsburg. The Fondren Library's microfilmed copy of Rind's Gazette is in poor condition and has numerous missing or mutilated issues. Therefore, since the two newspapers duplicate one another to a great degree anyway, I have relied most heavily on Purdie and Dixon's Gazette, which is in better condition and more complete. These news-
papers are very useful for assessments of domestic conditions in Virginia.

**PAMPHLETS**

John Dickinson, *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies*, ed. R. T. H. Halsey (New York, 1903) was possibly the most influential political pamphlet of the 1760s and was widely read throughout the colonies. Arthur Lee, *The Monitor*, in Clifford K. Shipton, ed., *Early American Imprints, 1639-1800* (Worcester, Mass., 1957) Evans No. 11239, while not as influential as Dickinson's work, reflects much the same concern. Moreover, Lee wrote it while on a short visit to Virginia, stimulated by the conditions and attitudes he found there. Bernard Bailyn, ed., *Pamphlets of the American Revolution, 1750-1776* (Cambridge, Mass., 1965) will prove to be very valuable when publication is completed. At present only volume I, which extends to 1765, is available. It is distinguished by editorial comment of high quality.

**LEGISLATIVE DEBATES AND PROCEEDINGS**

The *Journals of the House of Commons, 1766-1768*, XXXI, and *1768-1770*, XXXII, and the *Journals of the House of Lords, 1766-1768*, XXXI, and *1768-1770*, XXXII, give skeletal accounts of the deliberations of those two bodies.
To learn the substance of the deliberations is more difficult since no systematic account of speeches comparable to today's Hansards was kept. Peter D. G. Thomas, "Sources for Debates of the House of Commons, 1768-1774," Bulletin of the Institute of Historical Research, Special Supplement No. 4 (Nov. 1959) has prepared a day-by-day arrangement of all available reports on the work of the House of Commons during the thirteenth, or "unreported" Parliament. For the preceding Parliament there is, unfortunately, no such tool. Much of Thomas's information came from manuscript records not readily available. However, there are two published compilations which are useful for study of the debates even though their coverage is uneven. Sir Henry Cavendish, Debates of the House of Commons During the Thirteenth Parliament of Great Britain..., ed., J. Wright, I (London, 1841) was especially useful to me for its publication of a private journal kept by John Russell, fourth Duke of Bedford, during the period treated in this thesis. William Cobbett, ed., The Parliamentary History of England from the Earliest Period to the Year 1803, XVI (London, 1813) contains much detailed information of debates and proceedings and reproduces speeches of important figures as well as numerous division lists.

John Pendleton Kennedy, ed., Journals of the House of Burgesses of Virginia, 1766-1769 (Richmond, Va., 1906)
and H. R. McIlwaine, ed., *Legislative Journals of the Council of Colonial Virginia, III* (Richmond, Va., 1919) chronicle the proceedings of those bodies. The journal of the Council is particularly lacking in information and was virtually useless for my purposes. Unfortunately, there is neither a Thomas, a Cavendish, nor a Cobbett to add flesh to the Virginia Assembly journals. It is equally unfortunate that the preface, text and commentary of the journals faithfully ape that of eighteenth-century orthography and type fonts, a piece of preciousness which is highly irritating.

**PUBLISHED MEMOIRS, CORRESPONDENCE, AND PAPERS**

**Britain**

William Stanhope Taylor and John Henry Pringle, eds., *Correspondence of William Pitt, Earl of Chatham, III* (London, 1837) is the only source of Chatham correspondence available to those who have no access to manuscript collections; it is not well-edited. The Duke of Grafton wrote a defense of his public career in Augustus Henry Fitzroy, *Autobiography and Political Correspondence of Augustus Henry, Third Duke of Grafton*, ed. Sir William R. Anson (London, 1898). It is unreliable, for Grafton's recollection of men, motives, and events forty years after the fact is often suspect. The Grenville family was better served than many of the noble houses of
the day. William James Smith, ed., *The Grenville Papers...*, III (London, 1853) offers a much fuller, more reliable insight into that family's activities than do most efforts of the time. Sir John Fortescue, ed., *The Correspondence of King George the Third...*, I-II (London, 1927) is very important for historians of the eighteenth century even though Sir John's editing was not of the first quality. Horace Walpole, *Memoirs of the Reign of King George III*, ed. G. F. Russell Barker, II (New York, 1894) proved of little use; nor was the immense W. S. Lewis, ed.-in-chief, *Horace Walpole's Correspondence...* (New Haven, 1937- ). The very absence of comment on American affairs in the papers of so great a gossip and talebearer as Walpole is suggestive of their usual status in England.


The letters of Charles Garth, agent for South Carolina, are an excellent source of information on English politics relating to America. They may be found in Joseph W. Barnwell, annotator, "Garth Correspondence," *South Carolina Genealogical and Historical Magazine,*
Major-General Thomas Gage's letters to his superiors in Britain give some insight into his reading of affairs in America and are especially interesting because his position as commander of the army in North America afforded him opportunities and information available to few officials in the colony. The correspondence is published in Clarence Edwin Carter, ed., The Correspondence of General Thomas Gage with the Secretaries of State, 1763-1775, I (New Haven, 1931, Yale Historical Series), XI. Frances Norton Mason, ed., John Norton & Sons, Merchants of London and Virginia...(Richmond, Va., 1937) is a valuable source on the workings of the tobacco consignment trade and on economic conditions in Virginia.

Betty Kemp, ed., "Some Letters of Sir Francis Dashwood, Baron LeDespencer, as Joint Postmaster-General, 1766-'81," Bulletin of the John Rylands Library, XXXVII(Sept. 1954), 204-48, and Mrs. E. Stuart-Wortley, ed., A Prime Minister and his Son... (London, 1925) both offer bits of information on the life of Baron de Botetourt.

Various fragments of the Lee family papers are available in printed form. Richard Henry Lee, Life of Arthur Lee..., I (Boston, 1829), and no ed., "Selections and Extracts from the Lee Family Papers,"
Southern Literary Messenger..., XXVIII(Sept. 1858) are both uncritical collections marred by careless arrangement and uncritical commentary. James Curtis Ballagh, ed., The Letters of Richard Henry Lee, I (New York, 1912) is more informative, is rationally organized, and has some intelligent commentary. John C. Fitzpatrick, ed. The Writings of George Washington.... II (Washington, 1931) casts some light on Washington's attitude toward British policy and his opinions of the course Virginia ought to follow, as does Kate Mason Rowland, ed., The Life of George Mason, 1745-1799, I (New York, 1964 (reprint, 1894 edition)) for Mason. Unfortunately, neither volume contains much material from the period of 1767-1770. No. ed., "Proceedings of the Virginia Committee of Correspondence, 1759-70," Virginia Magazine of History and Biography, XII (Oct. 1904), 157-69, is marginally useful. Most of the committee's correspondence did not survive from the period with which I dealt. Wm. P. Palmer, ann. and ed., Calendar of Virginia State Papers and other Manuscripts, 1651-1781, Preserved in the State Capitol at Richmond, I (New York, 1968 (reprint, 1875 edition)) has some small value. It is marred by extensive paraphrasing of documents and contains few documents from the 1760's. Franklin B. Dexter, ed., "Jared Ingersoll Papers....," New Haven Colony Historical Society Papers, IX (New Haven, 1918) is useful because it contains the correspondence
between Ingersoll and one of Connecticut's agents, William Samuel Johnson, who was well acquainted with political events in England. Alexander C. Flick, ed., The Papers of Sir William Johnson, VI (Albany, N. Y., 1928) contains little of use but has a few references to events growing out of the passage of the Townshend Acts.

SECONDARY SOURCES

BOOKS

Britain

John Brooke, The Chatham Administration (New York, 1956) is a thorough, careful study of the ministry from 1766 to 1768. It is necessary reading for anyone who works in the period. Sir Lewis Namier, England in the Age of the American Revolution (New York, 1966) was particularly useful for its judgments on the coming of the revolution--an argument of Namier's which needs further study--in addition to the general excellence which characterizes all this man's work. Sir Lewis Namier and John Brooke, The History of Parliament. The House of Commons, 1754-1790, II (New York, 1964) is an indispensable reference work which has properly displaced all previous efforts to catalogue information about members of Parliament for the years which it covers. Sir Lewis Namier, Charles Townshend (New York, 1964) is the best...
biography of that erratic figure. George Rudé, Wilkes and Liberty. A Social History of 1763 to 1774 (Oxford, 1962) is a useful discussion of the social background of British affairs during the period covered in this essay. It is particularly good in its discussion of the origins of popular unrest. Dora Mae Clark, British Opinion and the American Revolution, in L. W. Labaree, ed., Yale Historical Publications Miscellany, XX (New Haven, 1930) analyses the attitudes of various elements of British society toward the American colonies and their claims in the years just before the Revolution. Though old, Clark's book has worn well. Lawrence Henry Gipson, The Triumphant Empire: The Rumblings of the Coming Storm, 1766-1770, in Gipson's The British Empire Before the American Revolution, XII (New York, 1965) traces all the major and minor episodes in Anglo-American relations during the period of this thesis. Gipson's breadth of reading is amazing, and the footnotes alone repay a perusal for that reason. As is inevitable in dealing with so tangled a theme, the book does seem in places to lack smooth transition. John Steven Watson, The Reign of George III, 1760-1815, in G. N. Clark, ed., The Oxford History of England, XII (Oxford, 1960) is an excellent survey history of Britain during the time indicated. It by no means deserves the criticisms of unreliability leveled at it by some historians.
Bernard Bailyn has written two books indispensable to a proper understanding of the causes of the American Revolution. In *The Ideological Origins of the American Revolution* (Cambridge, Mass., 1967) he has executed a brilliant study of the beliefs and assumptions prevalent in eighteenth-century American politics, has traced the origins of these beliefs, and has used them to make a compelling argument for the ideological and intellectual character of the Revolution. In *The Origins of American Politics* (New York, 1968) Bailyn argues that American politics were latently revolutionary almost from the first due to the formative influence of the assumptions detailed in the *Ideological Origins* and suggests that the Revolution finally occurred when the anomalous powers of the colonial executive and the growing strength of libertarian ideas among the colonies clashed directly with one another in the revamping of the imperial system after 1763. Based on the admittedly small segment of history I have treated in this thesis, I can only agree with his analysis.

Charles M. Andrews, greatest of the imperial school of American colonial historians, wrote two useful books treating the colonies as integral parts of the British empire, believing that no one could properly understand the colonial period who forgot the fact of the colonies' imperial connections. The first of these, *The Colonial Background of the American Revolution: Four Essays in*
American Colonial History (New Haven, 1924) is a convenient summary of Andrews's view that the Revolution resulted from the formation of a mature society in America which diverged radically from its parent in England. These two mature systems were, in Andrews's judgment incompatible; and the Revolution was virtually inevitable. In England's Commercial and Colonial Policy (New Haven, 1938), the fourth volume of Andrews's The Colonial Period of American History, the student finds the best existing analysis of the workings of the British imperial system as it functioned before the American Revolution.

Jack P. Greene, The Quest for Power: The Lower House of Assembly in the Southern Royal Colonies, 1689-1776 (Chapel Hill, 1963) is a careful study of the Southern colonial assemblies' successful struggle to control the royal executive and makes clear the great power of the House of Burgesses in Virginia in the 1760's. George Maclaren Brydon, Virginia's Mother Church and the Political Conditions Under Which It Grew..., II (Philadelphia, 1952) and Edward Lewis Goodwin, The Colonial Church in Virginia... (Milwaukee, 1927) contain information on the Anglican Church in colonial Virginia. Goodwin's book is especially useful for its biographical sketches of clergymen, though other parts of the account sometimes take too sympathetic a view of the Church and its friends and too censorious a view of its opponents.
Articles

Emory G. Evans, "Planter Indebtedness and the Coming of the Revolution in Virginia," William and Mary Quarterly, 3rd series, XIX(Oct. 1962), 511-33, is a good summary of economic problems in Virginia. Samuel M. Rosenblatt, "The Significance of Credit in the Tobacco Consignment Trade: A Study of John Norton and Sons, 1768-1775," William and Mary Quarterly, 3rd series, XIX(Jan. 1962), 382-99, gives further information on Virginia's economy, especially the part played by consignment merchants in it. Thad W. Tate, "The Coming of the Revolution in Virginia: Britain's Challenge to Virginia's Ruling Class," William and Mary Quarterly, 3rd series, XIX(July 1962), 323-43, argues for the primacy of constitutional issues in the quarrel with Britain, explicitly denying that role to economic and social problems without denying their presence. The Quarterly is the premier journal of colonial studies in America. I have used only the third series in this essay; but the first two series, which are confined to Virginia history, can also be of benefit on occasion.

Jack P. Greene, "The Plunge of Lemmings: A Consideration of Recent Writings on British Politics and the American Revolution," South Atlantic Quarterly, LXVII(Winter 1968), 141-75, offers a persuasive argument for the inevitability of the Revolution to which I am especially indebted, for it set me on the search resulting in this thesis.

**UNPUBLISHED MATERIAL**

Lawrence H. Brown, *The Grafton and North Cabinets, 1766-1775* (unpubl. Ph. D. diss., University of Toronto, 1963) is useful for its information on the cabinet quarrels of 1768 and 1769. However, it is too much a chronicle and tends to be tedious. Terrence Leon Mahan, S. J., *Virginia Reaction to British Policy, 1763-1776* (unpubl. Ph. D. diss., University of Wisconsin, 1960) is an excellent introduction to Virginia politics in the decade of the 1760's, or at least it is as good a one as any. However, I am convinced that much remains to be done on that topic. Robert Polk Thomson, *The Merchant in Virginia, 1700-1775* (unpubl. Ph. D. diss., University of Wisconsin, 1955) is an important study of Virginia's economy.

Probably no student is ever satisfied with the sources available to him. I should have liked access to the Gloucestershire County Record Office to search for more material on Baron de Botetourt during his governorship.
The papers of the Dukes of Richmond would have proved interesting for the same reason. In addition, I am intrigued by the problems of studying factionalism in Virginia politics. The answers which still exist lie in manuscripts, I believe; and it is this question which I wish to take up on another occasion.