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Edmund Burke: Representative of Bristol and New York Agent

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EDMUND BURKE: REPRESENTATIVE OF BRISTOL AND NEW YORK AGENT

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ABSTRACT

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Edmund Burke, the eighteenth-century philosopher and politician, participated as a member of the Marquis of Rockingham's political faction, as a member of England's Parliament for Bristol from 1774 to 1780 and as an agent for the colony of New York from 1771 to 1775. The purpose of this inquiry is to describe the relations between these two cities, Burke's motivations, his rationalization of his convictions and his prior allegiance to his patron in dealing with his constituencies during his ten years in service to these two cities. As a leader Burke was contradictory and inconsistent following Rockingham's leadership or independently working for his own program and principles, and ignoring his constituents or energetically attending to their instructions and interests. He was influential not so much for his power with Rockingham or as a representative or agent as he was as a party propagandist promulgating his ideas of empire which were sometimes confused with those of his patron, Rockingham.

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CHAPTER I

Introduction

Purpose of Study

Edmund Burke, the eighteenth-century philosopher and politician, was born in 1729 and died in 1797, leaving a legacy of writings and speeches which are still being scrutinized and debated by historians. His career in English government, fashioned in Whig philosophy, lasted from 1755 to 1797, which were important years for revolution of the American colonies, consolidation of the empire, and laws of political and economic reform. He prolifically wrote letters, speeches and pamphlets which manifest a well-developed philosophical theory and the actions of a public politician, but which do not reveal his personal life or private opinions. One historian, Ross J. S. Hoffman, describing Burke's circumspect manner has written "he was always full of discretion, cautious in uttering opinions of men, saying little about himself and never allowing anyone to know what was no one's business but his own."[1] His letters, speeches, and philosophical pamphlets were not written for the purpose of

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[1]Ross J. S. Hoffman, ed., Edmund Burke, New York Agent with His Letters to the New York Assembly and Intimate Correspondence with Charles O'Hara 1761-1776 (Philadelphia: The American Philosophical Society, 1956), p. 1.

personal reflection. Except for a few remaining personal letters, Burke's writings were solely for the purpose of promoting public associations and obstreperously emphasizing his political arguments in justification of his party.

Burke commenced his Parliamentary career in 1765 under the auspices of the Marquis of Rockingham, who led a faction of Whigs which later opposed the North ministry from 1770 to 1780. During this period Burke represented New York as an agent and Bristol as a representative in Parliament. In addition to his agency and representative position he was a secretary to the Marquis and responsible for his party's organization and strategy.

Recent historians and Burke's constituents in Bristol and New York have argued about Burke's intentions, methods and theories. His constituents complained of his aloofness and constant attention to the affairs of Empire rather than local issues. Historians have debated his consistency on reform and his political efforts in the offices he held. During his years as agent for New York and representative for Bristol he wrote numerous disquisitions concerning his efforts specifically for these constituents and about the reform politics of his party. Although he formulated policy on problems in his constituencies, he emphasized empire politics since this was the concern of both ministry and opposition in an era of colonial expansion.

While Burke was associated with Rockingham, he was representative for Bristol from 1774 to 1780 and an agent

for New York from 1771 to 1775. As agent of New York he was representative to the Board of Trade, and as spokesman for the city of Bristol he was representative to the House of Commons. His position with the Rockingham Whigs afforded him an opportunity to represent an influential Whig faction and two important port cities.

New York and Bristol were part of the mercantile system of trade between England and her colonies in America. Bristol was the second largest port in England and New York was the largest port in America. How was this trade important in the relationship between the cities? Were the merchants of Bristol sympathetic to the concerns of merchants in New York? What influence did the merchants have on their representatives? During Burke's tenure of office what were his activities in behalf of these two cities? These are relevant questions on the political and trade relationship between Bristol and New York.

An important orator for the Rockingham Whigs, Burke pleaded in the House of Commons for a change in trading restrictions to conciliate the American colonies while promoting a mercantile relationship.[2] The Rockingham Whigs opposed the taxation policies of Grenville and North. They also diverged from Chatham who was the most sympathetic leader for redress of American grievances. During the 1770's

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[2]G. H. Guttridge, English Whiggism and the American Revolution (Berkeley: University of California Press, 1963), p. 3, noted that Whigs were particularly interested in the financial and commercial classes.

Bedford, Grafton, Newcastle, and Shelburne usually aligned with one of the leading ministers to achieve political ascendancy in Parliament. The Rockingham Whigs received praise from the colonies for the party's efforts to abolish certain taxes but Burke's colonial constituents opposed English governmental right to tax.[3]

The Rockingham Whigs opposed Parliamentary reform including the right of instructing representatives which was supported by John Wilkes and his associates. Chatham supported the reform movement while the North ministry opposed Wilkes and his supporters. This issue of eighteenth-century politics was important to Bristol and New York because they wanted to gain some control over their own affairs as well as national issues.

Considering Burke's position as representative of Bristol and agent of New York, one might question whether he represented these cities to their satisfaction and what particular problems he neglected or solved. The relationship between merchants in Bristol and New York was significant to the proceedings on taxation and issues of Parliamentary reform. Burke's strategy and motivations in managing his relations with the factions in these cities was crucial to the commercial and political position of New York and Bristol. Any discussion of Burke's accountability to his constituents must also be one of accountability of the Rockingham Whigs. The

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[3]John Cannon, Parliamentary Reform 1640-1832 (Cambridge: At the University Press, 1973), p. 80, described the place of the Rockingham's in reform politics.

relationship of the government to the localities of Bristol and New York was important in the development of policy for these localities and the empire as a whole.

Bristol was represented in the government by two members of the House of Commons whose strength depended on the theory and practice of their representation in Parliament. Bristol was represented "actually," that is by representatives in the House of Commons. The city had influence in the conduct of its affairs, but in eighteenth-century England it was limited by the power of its representatives and their stature in their faction. The voters, although represented directly in Parliament, were also represented "virtually," that is in accord with the interests of the Empire rather than the wishes of the electorate.

This theory of representation was of some concern to the voters in Bristol since Burke disagreed with those who endorsed instructions to their representatives to gain greater voice in their affairs. The size of the electorate was particularly important in a city which purported to instruct its representatives. Bristol had a fairly wide voting franchise comprised of 5000 forty shilling freeholders, freemen and clergy. Unlike the pocket boroughs, the vote was not supervised by a Lord in Parliament. A Bristol seat was prestigious because it had a wide voting franchise and it was an important city in England.

New York was represented "virtually" and indirectly by an agent to the Board of Trade and Privy Council who

performed lobbying efforts for the colony.[4] The strength of this agent depended on his prestige and on the relationship of the various levels of the colonial government to the central government. The New York colonial assembly included representatives who were responsible to an English colonial governor. The governor reported to the Secretaries of State, the Board of Trade, and wrote letters to members of Parliament. New York Colony was not represented by a member in Parliament and did not have as much political or economic strength as an English city such as Bristol. New York was nevertheless an important colony to serve as agent, for it was considered loyal to England and had considerable favor with the members of Parliament.[5]

Edmund Burke contributed prestige to his seat for Bristol and his agency for New York because he was a frequent speaker in the House of Commons and a known proponent of commercial reforms supported by the Rockingham Whigs. It is questionable why Burke wanted to serve these two cities which might have conflicting interests. He sustained recognition, however, by representing such important cities

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[4]Michael G. Kammen, A Rope of Sand: The Colonial Agents, British Politics and the American Revolution (New York: Cornell University Press, 1968), p. viii, theorized the lobbying efforts of agents in British politics deteriorated because of factional contention, rapid economic growth, and the need for financial and administrative reform.

[5]William Cobbett's Parliamentary Debates 1775, p. 643. Debate in the Commons on the Representation and Remonstrance of the General Assembly of New York, May 13, 1775, presented by Burke. Lord North commented "greatly in favor of New York and said that he would gladly do everything in his power to show his regard to the good behaviour of that colony."

and his effectiveness in each office elevated his position in English government.

Burke was one of the "ordinary men" responsible for the organization in party and representing his constituencies. He was not the leader of his party, nor was he the only person representing the affairs of Bristol or New York. His representation of these two cities at the same time is worthy of attention to question how powerful he was in government. Burke has been scrutinized more for his application of his philosophy to his minor positions and day to day activities were germane to the affairs, needs and protests of two large cities.

How was Burke responsible, as an instrument of the government, for the relationship between the Empire and its mercantile cities, Bristol and New York? In addition, what was the political and trade relationship between Burke's constituencies and how did it determine the status of each in the Empire? It is significant in this revolutionary period to determine the relationship of empire to colony and in particular England's relation to the mercantile cities of Bristol and New York. The answers to these questions can be found in Burke's polemical writings, in his actions and in the political protests of these two cities of the eighteenth-century British empire.

The Framework of Burke's Philosophy

Burke's philosophy of government developed from his

early education, his literary works, and his first occupation in Irish politics. Born in Dublin, far from the center of politics, he later attended a variety of schools including Ballitore, Trinity College, and the Middle Temple. This path eventually led him to London where he became enthralled with the literary and political environment. Both his theory of government and statements on party practices were explicated in numerous literary essays during his career. In addition, his letters recount his public and private associations and commentary on his daily activities. It is relevant to know some of the details of his philosophy and coadjutants, the people whom he supported, and who patronized him, to understand that the philosophy he developed in early life formed the basis for the actions and polemics of his political career.

One of his first literary efforts was an essay entitled Philosophical Inquiry into the Origin of our Ideas of the Sublime and Beautiful in which he described a psychological delineation of the human mind. He questioned what produced emotions and did not posit an ultimate cause but a chain of causes yielding emotions and other effects. The human mind and passions were explainable in certain discoverable micro causes. He stated his thesis in a classical Socratic question or inquiry rather than in the eighteenth-century form of a scientific question and answer based on observable evidence. This treatise was an explication on observable evidence deduced by syllogistic argumentation.

He wrote on scientific discovery. . .

> When Newton first discovered the property of attraction, and settled its laws, he found it served very well to explain several of the most remarkable phenomenon in nature; but yet with reference to the general systim of things, he could consider attraction but as an effect, whose cause at that time he did not attempt to tract.[6]

Instead of a Newtonian scientific effect, Burke offered a final cause in God: "The great chain of causes, which links one to another, even to the throne of God himself, can never be unravelled by any industry of ours."[7]

Burke's Inquiry is not only a limning of the mind but also a delineation of his political philosophy which is comparable to Plato's classicial philosophy. His description of the mind is like Plato's theory of forms. In the Republic Plato wrote that there is a world of forms known only in thought which are nonphysical, nonspatial and nontemporal. In Book X of the Republic Plato wrote that "art is mere imitation of an appearance of reality."[8] The artist "portrays the actual, not the ideal."[9] Burke accepted this classical interpretation of ideas and poetry, as well as the classical explanation of the political world. Plato speaking through Socrates posited that the best worldly

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[6]Edmund Burke, The Works of the Right Honourable Edmund Burke, Vol. I (London: Henry G. Bohn, 1854), p. 143.

[7]Ibid., p. 143.

[8]Eric H. Warmington and Philip G. Rouse, eds., W.H.D. Rouse, trans., Great Dialogues of Plato (New York: New American Library, 1956), p. 124.

[9]Ibid.

government "will only be realised by a philosopher-king"[10] and that the effete forms of constitution were timocracy, oligarchy, democracy and tyranny. Like Plato, Burke theorized that the ideal government was a monarchy with a sustentive aristocracy and not a democracy.

Burke's early works comprise historical essays as well as philosophical dictums of the mind and government. In 1757 he wrote Essay towards an Abridgement of English History which began with the Roman invasions by Julius Caesar and ended with the reign of King John. On contemporary affairs, he collaborated with his kinsman, William Burke[11] in writing An Account of the European Settlements in America. His first published historical work, A Vindication of Natural Society or a View of the Miseries and Evils arising to Mankind and every species of Artificial Society, appeared in 1756. He postulated that the cause of wars was political society: "I now plead for natural society, against politicians, and for natural reason against all three,"[12] which are atheists, divines and politicians. In this essay he dissented from his contemporary Edward Gibbon who wrote that religion was partly responsible for barbarism in the world.

Burke's biographers have declared A Vindication of Natural Society and several of his later pamphlets to be

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[10] Ibid., 123.

[11] It is unclear just what relation William Burke was. He was either a remote cousin or of no familial relation at all.

[12] Burke, Works, Vol. I, p. 32.

written in the style of Bolingbroke.[13] Burke's historical thinking, however, was not based on Bolingbroke's philosophy but was a criticism of his ideas on party government. Although Burke was proud of his literary and historical writings, he is best known as a political philosopher. Indeed his historical philosophy may be at variance with his role as a political leader since he was a member of the political society which he so freely castigated.

As an editor of the Annual Register, a yearly review of history, politics, and literature, Burke continued to exercise his literary flair throughout his years as a Parliamentary representative. He kept his authorship in this periodical secret, consistent with his protective nature about his private thoughts, letters, and political dealings. He wrote in the Annual Register not for the purpose of espousing his political views as he did in the House of Commons but to instruct his readers in an historical perspective.

Burke the political leader and Burke the man of letters may be interpreted as two distinct facets of the same character. He was a politician but his first calling was the world of literature and in this role he was a sensitive creature of learning and creator of art which he described in the Sublime and Beautiful. His political role was as outspoken as his literary role was contemplative. His

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[13]Isaac Kramnick, Bolingbroke and His Circle (Massachusetts: Harvard University Press, 1968), p. 177, 262.

political thoughts are more evident in his years as a servant of government than in his early writings. Burke's later pamphlets and letters are examples and expositions of political practice.

King, Cabinet, and Parliament

Burke's philosophy was predicated in his support of Whiggism which had evolved from the conservative Revolution of 1688. In his aristocratic thinking revolution was not an idea to be considered because of need in society but out of constitutional justification. Written in 1791, An Appeal from the New to the Old Whigs acclaimed the liberality of the Revolution of 1688 and the inheritance of the Whigs of a satisfactory constitution and denied that this upheaval was for preserving aristocracy. He wrote

> The Revolution and Hanover succession had been objects of the highest veneration to the old Whigs. They thought them not only proofs of sober and steady spirit of liberty which guided their ancestors, but of their wisdom and provident care of posterity.[14]

This was a statement of theoretical justification for revolution but what in fact was accomplished in governmental change by this revolution?

Two significant constitutional developments beginning with the Glorious Revolution and augmented through the eighteenth-century were the change in the role of Parliament and the evolution of the cabinet system relative to the

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[14]Burke, Works, Vol. III, p. 72.

executive position of the monarch. The Revolution of 1688 shifted the balance of power from the monarchy to Parliament and advanced religious and literary freedom, but contention did not cease. The reform of the monarchy and Parliament were of explicit importance to Burke and his Whig contemporaries of the 1770's.[15] Although Parliament and particularly the Commons had increased in importance, politics were dominated by the aristocratic families holding the power of representation, a political limitation affirmed by Edmund Burke and defined by his political treatises on reform.

The crown's authority was limited by the Bill of Rights of 1689 which declared the rights and liberties of the subject and settled the succession of the crown. This bill stated that the policies of King James II were responsible for Parliament's actions and it recognized the right of succession of William and Mary. The new King and Queen agreed to several provisions including "That the pretended power of suspending laws, or the execution of laws, by regal authority, without consent of Parliament is illegal."[16] The Bill of Rights also provided that no English King could legally exercise autocratic power. There were further acts in Parliament which protected the rights stated in this

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[15]Guttridge, Whiggism, p. 7, wrote that Whiggism changed from the Glorious Revolution in theories of "contractual resistance to the justification of Parliamentary supremacy."

[16]E. Neville Williams, ed., The Eighteenth Century Constitution 1688-1815; Documents and Commentary (Cambridge: At the University Press, 1960), p. 28.

first settlement.

The government was not altered, however, to disinherit the less than one-hundred aristocratic families which dominated Parliament. The House of Lords composed of temporal peers and twenty-six ecclesiastical peers influenced the House of Commons by ownership of boroughs, a restricted franchise, and by nominating members. The composition of the House of Commons derived from elections, and appointments determined the party in power. The peers had considerable influence over the elections which affected the strength of party faction, and the election of the king's ministers. Usually the leading members of the Commons and the ministers comprising the Cabinet were peers, or were rewarded with the title of peer. The extent of the peers' authority over borough elections resulted in governments based on alliances between groups of peers who controlled certain members of the Commons by ownership or ascendancy in the borough which the member represented.[17]

The faction in power did not necessarily dominate the elections. There were only twenty-five or thirty boroughs where elections were controlled by the government. The Treasury, Admiralty and Ordnance boroughs were subject to the government since they held crown offices which they supported for their own benefit. There were few placemen

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[17]Richard Pares, King George III and the Politicians (Oxford: At the Clarendon Press, 1959), p. 36; Betty Kemp, King and Commons 1660-1832 (London: MacMillan and Co. Ltd., 1957), p. 92.

from Treasury boroughs and these placemen were elected by a narrow suffrage of the mayor and corporation freemen who held local office in the Board of Customs and Excise.[18] Burke's party when in power could thus assert some influence through those connected with customs and the trading concerns and reward them with offices in government.

The government procured its support in the Commons primarily by distribution of crown patronage and the management of crown placemen.[19] Peers who received favoritism from the ascendant faction tried to control the passage of bills in the Commons but were sometimes thwarted by the influence of those peers in opposition. The placemen in Parliament were important in asserting control, and when an administration changed, it had to withstand the opposition of the number of placemen remaining in office from the previous administration.[20] The number of placemen in office, however, was limited by the Succession to the Crown Act of 1707 and succeeding Place Acts.[21]

The place offices included about two hundred possible

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[18]Kemp, King and Commons, p. 93; Sir Lewis Namier, The Structure of Politics at the Accession of George III, 2nd ed. (London: MacMillan and Co. Ltd., 1957), p. 358.

[19]Sir Lewis Namier, England in the Ages of the American Revolution (New York: St. Martin's Press, 1961), p. 228. Namier wrote that not all who held place offices were dependent on the government but among these not included as placemen there were many who were bound to the government to serve it; Kemp, King and Commons, p. 94.

[20]Kemp, King and Commons, p. 95.

[21]Williams, ed., Constitution, pp. 188-189.

seats which were divided among the First Lord of the Treasury, the Chancellor of the Exchequer, a Secretary of State, the Secretary of War, law officers of the crown, and junior members of the Treasury Board, the Admiralty Board, and the Board of Trade.[22] As a member of the Rockingham faction, a member of Parliament, and agent for New York, Burke had ample opportunities to attract support from members of the government for his constituents.

Nevertheless, the administration did not have complete control of the Commons through the offices of placemen. Frequently placemen were aligned with non-ministerial factions depending on the success of the ministerial or opposition parties in elections. While the Rockingham faction was in opposition it attracted power through these offices. During North's administration a total of eighty-three placemen were re-elected to Parliament between 1770 and 1780 including thirty-eight in the parliament of 1770, thirty-eight in the parliament of 1774 and seven in the parliament of 1780.[23] Only fifty of these eighty-three place members were ministerial out of a total of one hundred and seventy or one hundred and eighty placemen making the opposition factions a strong voice against the ministry. The Rockingham faction took advantage of this situation, debating and blocking

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[22]Kemp, King and Commons, p. 96.

[23]Ibid., p. 99.

certain bills in opposition to the North ministry.[24]

The king's ministers or cabinet were responsible for controlling the passage of government measures through the House of Commons. The cabinet, interested in acquiring support, was susceptible to overtures from commercial or industrial interests who supported ministerial bills. For example, the first Rockingham administration procured the support of the commercial interests to achieve the repeal of the Stamp Act.[25] The ministry's policy was subject to the King's approval since the King chose the cabinet from various factions. In the 1770's King George III voiced his support of his minister Lord North and his policy on the American colonies.[26] Although the cabinet was a policy-making body separate from the legislature, it was also a liaison between the crown and Parliament, and was instrumental in securing approval for governmental policy from the executive and legislative branches of the government.

The power of the cabinet to control government policy was achieved through appointment of ministers and patronage

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[24] Parliamentary Debates, 1775, p. 992. Lord North presented a petition from the merchants of Bristol in November, 1775, complaining of the hardships they would suffer if the bill passed.

[25] L. S. Sutherland, "Edmund Burke and the First Rockingham Ministry" English Historical Review (1952), 46; John P. MacIntosh, The British Cabinet, 2nd ed. (London: Stevens and Sons Ltd., 1968), p. 65; Namier, England in the Age, p. 283, wrote that there were few sympathetic to Americans' problems in the House of Commons and that only London and Bristol returned members from America.

[26] Pares, George III, p. 151; MacIntosh, Cabinet, p. 67.

in the Commons favorable to the administration. These appointed positions were of varying importance. The First Lord of the Treasury achieved the greatest power because his office gave him the duty of apportioning patronage in the Commons and he became known as the Prime Minister.[27] The First Lord of the Treasury was also the leader in framing financial policy, which was the responsibility of the Commons. The Chancellor of the Exchequer was a member of Parliament through whom the Prime Minister managed financial matters. During Rockingham's Ministry William Dowdeswell, an ardent supporter of the Marquis, was appointed Chancellor of the Exchequer. Lord John Cavendish was one of the Lords of the Treasury, another strategic appointment because of Cavendish's consistent alliance with Rockingham. The Prime Minister's success depended not only on wise distribution of patronage but also on personal leadership.

The weakness and brevity of ministries in the 1760's was a result of poor relations between cabinet and crown and an increasing competition for power among political factions. George III thought his prerogatives included the right to veto and choose ministers.[28] Between 1762 and 1782 he chose seven ministries including that of his personal friend Lord Bute, George Grenville, Lord Rockingham, William Pitt, the Duke of Grafton, Lord North, and Lord Rockingham for a second ministry.

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[27]Kemp, King and Commons, p. 100.

[28]Pares, George III, p. 350; MacIntosh, Cabinet, p. 67.

The factions led by these men were responsible for varying and conflicting policies which led to some turbulence and inconsistency in relations between the government and the localities. The factions were divided in the Commons among one of these powerful party leaders and cooperated only to achieve power in the Commons or control of the cabinet. There were, however, wide differences among the members of these opposition groups particularly with respect to American colonial policy and reform of Parliament in its relations with its constituents and the crown. The years of Burke's agency and representation of Bristol were important in the development of party factions and their assertions of strength in determining administrative policy. The Rockingham faction exhibited strong administrative favoritism toward merchants' interests in New York and Bristol.[29]

The theory and practice of ministerial government changed from the time of the Revolution of 1688 to the reign of George III. In the early eighteenth century the King's minister did not attempt to establish policy which was in conflict with the aims of the crown.[30] At the beginning of George III's reign, ministerial government was well established and the king chose his ministers from peers or commoners who retained the greatest power. By the end of the 1780's the monarch had lost some of his power to the cabinet and parliament which left him with less disposition

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[29]Sutherland, "First Rockingham Ministry", p. 58.

[30]MacIntosh, Cabinet, p. 69.

to risk losing face over a decision rejected by the cabinet.[31] For example in 1782 Rockingham forced the king to approve Burke's Economic Reform Bill and in 1783 the Duke of Portland insisted on the King's acceptance of his nominations to the cabinet.[32] In the eighteenth-century the function of the cabinet grew from administering the policy at the discretion of crown prerogative to instigating policy and appointing ministers with nominal approval of the crown. The position of the cabinet in practice was an evolving one and was discussed theoretically by Burke and his precursor Henry St. John, Viscount Bolingbroke.

Eighteenth-Century Theory of Government: Burke vs. Bolingbroke

Burke wrote several pamphlets referring to Bolingbroke's theory of the relations among the crown, its first minister, and Parliament. He asserted that George III had not achieved Bolingbroke's ideal of a monarch, the patriot king who ruled for the "good of the people."[33] Burke was not so presumptuous as to flagrantly accuse King George III of tyranny but he indirectly attacked the relation between the King and his inner circle of court friends, particularly

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[31] Ibid.

[32] Ibid., p. 63.

[33] A. Hassall, ed., Letters on the Spirit of Patriotism and in the Idea of a Patriot King (Oxford: At the Clarendon Press, 1917), p. 74.

Lord Bute, who lacked political strength in the House of Commons.[34] Burke emphasized that this relation between King and minister was not in the interest of Parliament and was unworthy of the rights established by the Revolution of 1688. Although he condemned George III's practice of ministerial government, he defended the theory of cabinet and party government.[35]

Burke's conception of cabinet and party government was opposed to Bolingbroke's more conservative ideas envisioning good government through the leadership of a Patriot King. According to Bolingbroke in Idea of A Patriot King, Walpole's ministry threatened good government because he usurped the power of the crown. In contrast with Walpole's practice in government Bolingbroke defined good government under a Patriot King

> The good of the people is the ultimate and true end of government. Governors are, therefore, appointed for this end, and the civil constitution which appoints them, and invests them with their power, is determined to do so by the law of nature and reason, which has determined the end of government, and which admits this form of government as the proper means of arriving at it. Now, the greatest good of a people is their liberty: and, in the case here referred to, the people has judged it so, and provided for it accordingly. Liberty is to the collective body, what health is to every individual body. Without health no pleasure can be tasted by man: without liberty no happiness can be enjoyed by society. The obligation, therefore, to defend and maintain the freedom of such

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[34] Burke, Works, Vol. I, pp. 306-381.

[35] Ibid.

> constitution, will appear most sacred to a Patriot King.[36]

The Patriot King ruled above factions, parties and ministers. According to this philosophy parties claimed to promote the public good but their real objective was power, favoritism and spoils. Bolingbroke distinguished party from faction but condemned both when he wrote that a party was a national body whose strength was sanctioned in elections, whereas a faction consisted of a few representatives who joined together to support each others interests. The minister was the emissary of party and faction and not responsible to constitutional government but only to private interests.

The concept of cabinet government changed as the factions in Parliament became more assertive of their rights over the crown. Bolingbroke's ideas were inapplicable to the 1760's and 1770's. The cabinet's power over the crown which Bolingbroke saw as so opposed to the defense of constitutional government by a patriot king was increasing during Burke's years as a member of the Rockingham party. By contrast, Burke espoused a government under the Rockingham party which provided the leadership of a minister from Parliament to protect the constitution from a group of peers unconcerned with the government but only attentive to their position in the king's court.

In 1770, Burke published a pamphlet, Thoughts of the Causes of the Present Discontents, which hailed the necessity

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[36]Hassall, Patriot King, pp. 74-75.

of party and disagreed with Bolingbroke's premises in Idea of a Patriot King. He wrote that George III was not ruling well and that the power of the crown was unwieldy. He denied that "The power of the crown, almost dead and rotten as Prerogative, has grown up anew, with much more strength, and far less odium, under the name of influence."[37] Burke argued that there existed a double cabinet consisting of the court leaders and the ministry. The court leaders obtained their power through influence with the King. The ministry of powerful political leaders obtained their power from the House of Commons. Burke argued that this separation and concealment of power was also responsible for the discontent of the colonies. "The colonies know that administration is separated from the court, divided within, itself, and detached by the nation."[38] Burke referred to the relationship between George III and Lord Bute in castigating the influence imposed by this court minister over the recommendations and leadership of the ministry.

He discussed the ideal state of the constitution and pointed out existing weaknesses. He wrote "I am no friend to aristocracy";[39] however, his political thought was centered in the necessity of aristocracy, for he contradicted this statement when he wrote

He is but a poor observer, who has not seen,

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[37]Burke, Works, Vol. I, p. 313.

[38]Ibid., p. 340.

[39]Ibid., p. 323.

> that the generosity of peers, far from supporting themselves in a state of independent greatness, are but too apt to fall into an oblivion of their proper dignity, and to run headlong into an abject servitude. Would to God it were true, that the fault of our peers were too much spirit.[40]

He also thought that the government should be founded on an administration from the legislature and that the government was derived from the people.[41] He supported this idea with the statement that it was

> the first duty of Parliament to refuse to support government, until power was in the hands of persons who were acceptable to the people, or while factions predominated in the court in which the nation had no confidence.[42]

He also wrote "the King is the representative of the people; so are the lords; so are the judges. They are all trustees for the people, as well as the Commons."[43] Although Burke's rhetoric was that of a representative of the people, he was not suggesting that democracy was an ideal form of government or that the people in practice ought to have control of the government.

Instead of representation of all people he suggested that representation was best which was virtual; or, in other words, that members of the House of Commons represented the affairs of any constituency even though it had no actual

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[40] Ibid.

[41] Ibid., p. 333.

[42] Ibid.

[43] Ibid., p. 348.

representation. He wrote, "the virtue, spirit, and essence of a House of Commons consists in its being the express image of the feelings of the nation."[44] Burke concluded that the discontents would not be allayed or tempered until the ministry was accountable to the House of Commons and this body accountable to its constituents.[45] Since his party was in opposition surely this rhetoric was aimed at the ministry in power (the Duke of Grafton terminated his ministry January 1770 when Lord North became first minister), and he claimed his protest was substantiated by the support of his constituency. The accountability of this representative to his constituents ironically became an issue while he was representative for Bristol and agent for New York.

Burke and the Rockingham Whigs

Burke was interested in the affairs of empire and the relationship of the portions of the empire to the central government including Bristol and the American colony of New York. Although he began his political career in Irish government, he expanded his political role to become a member of the English Parliament and he wrote polemical expositions on the practice of his chosen faction toward the parts of the empire. He needed a sponsor to help him obtain a position in the government since he had no property

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[44] Ibid.

[45] Ibid., p. 381.

and was from a family without political importance in Westminster. In July 1765, William Burke, his kinsman, introduced him to Lord Rockingham with whom he continued as a member of Rockingham's faction until 1782.

The Marquis of Rockingham known for his integrity rather than his oratorical ability headed the ministry for George III from 1765 to 1766 which repealed the Stamp Act and redressed some of the grievances of the American colonies. He became leader of the opposition until his second administration in 1782 which proposed peace with the American colonies. The Marquis condemned the policies which provoked revolt but he did not support the American Revolution and did not accept the ideas of the revolution. According to Rockingham's biographer Ross J. S. Hoffman, he was not pro-American and he did not agree with the rhetoric of the colonies which was inconsistent with British constitutional principles.[46] Colonial cooperation was extremely important in maintaining England's position in the world. It was necessary to sustain a balance of power with continental Europe to preserve British national security, and since military coercion of America would overextend for the British forces, a revolt in the empire might induce the Bourbon monarchies of France and Spain to combine against Great Britain.[47] He feared that if the colonies were lost,

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[46]Ross J. S. Hoffman, The Marquis: A Study of Lord Rockingham 1730-1782 (New York: Fordham University Press, 1973), p. ix.

[47]Ibid., pp. ix-x.

the commercial strength of Great Britain would suffer. Burke agreed with his patron's premises and wrote pamphlets to espouse the cause of his faction.

The Marquis of Rockingham commanded Burke's allegiance through years when Rockingham had no Parliamentary dominance. Some historians, notably Rockingham's first biographer, the Earl of Albemarle, considered the Marquis a background figure controlled by his secretary Edmund Burke. The Earl of Albemarle possessed an eighteenth century view which in political necessity required that he humble his political colleagues. Interestingly, Burke turned down ministerial offers to continue his opposition role in cooperation with the Marquis of Rockingham. He was not powerful enough to abandon the support of his patron in the House of Lords. Nor, did he have the political strength that his patron, Lord Rockingham possessed. He was Rockingham's secretary not his master.

Rockingham was the leader of a party faction which attached a great deal of significance to political friendship and alliances among peers.[48] Burke's position in this party was not as the leader but as an outspoken orator, a follower of the Marquis. Rockingham attracted the friendship of numerous Parliamentary leaders including Sir George Savile, Attorney General John Lee, Charles James Fox, Admiral Augustus Keppel, Lord William Cavendish, George

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[48]Pares, George III, p. 74.

Montagu, and Lord John Cavendish.[49] Burke agreed with the Marquis' stance on the American Revolution more than he did with the leaders of other factions such as the Earl of Chatham's faction[50] on one political extreme, or Lord North's faction[51] on the other political extreme. Burke was the outspoken orator of his party and the Marquis was the organizer of political strategy and coalition.

On the departure of Grenville as head minister, George III entreated Rockingham to head a new administration which lasted only from July 1765 to July 1766. Burke needed a patron in order to obtain a seat in Parliament, and he procured the help of Lord Verney who controlled Wendover.[52] Thus Burke's first seat in Parliament during Rockingham's administration was as member for Wendover. His acquisition of aid from Verney as well as Rockingham demonstrated his ability to win the associations in the House of Lords necessary to become a more powerful member of the House of

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[49]Guttridge, Whiggism, p. 30; Robert H. Murray, Edmund Burke: A Biography (Oxford: Oxford University Press, 1931), p. 133.

[50]John Brooke, The Chatham Administration 1766-1768 (London: MacMillan and Co. Ltd., 1956), p. 97. The Rockingham faction did not agree with the Chatham faction on the passage of the Declaratory Act or the City Radicals.

[51]Parliamentary Debates, 1774, p. 177. Burke in a speech to the Commons condemned the practices of the North Administration for not conciliating with the colonies.

[52]Great Britain. Parliament. House of Commons. Members of Parliament, Return to Two Orders of the Honourable The House of Commons dated 4 May 1876 and 9 March 1877 London: H. Hansard, 1878-91. Part II, pp. 123, 137.

Commons.[53]

Burke praised the activities of the Rockingham party in Short Account of a Late Short Administration including the repeal of the Stamp Act, the American Duties Act and the Free Port Act of the West Indies. The affairs of this administration set the tone for Burke's later activities of the 1770's. He wrote in a letter to his acquaintance from government in Ireland, John Hely Hutchinson, on his participation in the Rockingham faction in May 1765 "There never was a season more favourable for any man who chose to enter into the carrier of publick Life."[54] Indeed Burke established sentiment for his recognition as a powerful spokesman. L. S. Sutherland averred that Burke was one of the most vigorous organizers of Rockingham's party to achieve beneficial ends for the commercial class.[55] Burke made speeches in the House of Commons castigating the American Stamp Act, propounding its poor reception in America, and pleading for redress to allay the non-importation enforced by the colonies.[56]

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[53]Edward Porritt, The Unreformed House of Commons; Parliamentary Representation Before 1832, Vol. I (New York: Augustus M. Kelly, Bookseller, 1963), pp. 310, 311.

[54]Thomas W. Copeland, ed., Correspondence of Edmund Burke, Vol I (Chicago: The University of Chicago Press, 1958), p. 200.

[55]Sutherland, "First Rockingham Ministry", pp. 46-72.

[56]Charles Z. Lincoln, ed., Messages from the Governors of New York 1623-1775 (Albany, 1909), p. 711. A Letter from Lieutenant-Governor Cadwallader Colden to Secretary Conway mentioned mobs and riots over the Stamp Act. New York participated in non-importation against the Stamp Act; Burke, Works, Vol. I, pp. 382-437.

Correspondingly, to reinforce the honor of the British Empire he spoke out in favor of the Declaratory Act, which asserted the legislative power of Parliament. Although his rhetoric on the Declaratory Act was in variance with the aims of the colonies, and was less acclaimed than his position on the Stamp Act, Burke's oratorical skill came acutely to the attention of the leaders of the government, the protesting Americans and the merchants and trading interest in England.[57]

The merchants in England, America and the West Indies were extremely efficacious in establishing support and the necessary propaganda to force Parliament to accept reform in commercial policy.[58] Writing retrospectively in 1766 in A Short Account of a Late Short Administration, Burke emphasized the administration's meetings with trading interests:

> that administration was the first which proposed and encouraged public meetings and free consultations of merchants from all parts of the kingdom; by which means the truest lights have been received; great benefits have been already derived to manufactures and commerce; and the most extensive prospects are opened for further improvement.[59]

Burke's frequent contact with merchants was exemplified in his letter to the Marquis of Rockingham in January 1766 in

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[57]Ross J. S. Hoffman, ed., Burke's Letters, p. 194. Burke wrote a letter to John Cruger of the New York Assembly thanking them for their approval of his endeavors to serve the colonies June 9, 1771.

[58]Guttridge, Whiggism, p. 3, noted that a part of Whig interest was the financial and commercial classes.

[59]Burke, Works, Vol. I, p. 183.

which he wrote "the Glasgow Merchants are to breakfast with me upon Business."[60] The Rockingham ministry organized the merchants to propagandize their aims and consequently they developed confidence in their political power to achieve their interests.

Burke enthusiastically cultivated the attention of the West Indies merchants who strongly opposed the opening of free ports in the West Indies which might reduce the effectiveness of their monopoly in trade.[61] The West Indies merchants were also alarmed at the non-importation agreements of the American merchants since they depended on these ports for their food supply.[62] Acquiring the attentive ear of the Rockingham faction, the commercial interests deplored the acts of the Grenville administration,[63] and Rockingham became the new champion of their cause.

The creation of the trading interests to such attention from the Ministry was predictable. Upon the repeal of the Stamp Act on March 18th 1766 the victory was celebrated

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[60] Correspondence, Vol. I, p. 235.

[61] Sutherland, "First Rockingham Ministry", p. 58; The mercantile classes tried to influence policy under Grenville but their opposition was unsuccessful; Edmund and Helen Morgan, The Stamp Act Crisis: Prologue to Revolution new rev. ed. (New York: Collier Books, 1963), p. 57, wrote that Grenville invited the colonists to tax themselves but he ignored their attempts to do so.

[62] Sutherland, "First Rockingham Ministry", p. 50.

[63] P. Langford, The First Rockingham Ministry 1765-1766 (Oxford: Oxford University Press, 1973), p. 116, noted that economic problems in the port cities brought reaction against the Grenville ministry.

in Bristol with a meeting of notables:

> A number of Gentlemen spent the evening at the Nag's-Head Tavern where Samuel Sedgely and Henry Cruger Esqrs were invited and most heartily thanked for their zeal and Assiduity in their successful Attendance in Parliament to sollicit (sic) the Repeal of the Stamp Act. Many loyal Healths were drunk.[64]

The Bristol Society of Merchant Venturers also resolved to send a letter of thanks to the Marquis of Rockingham for his services to the trade of England and the colonies during his administration.[65] A letter in a local newspaper in Bristol exhorted a moderate policy toward the colonies.[66] Rockingham and his comrades were justified in their boasts that the administration tried to satisfy the needs of the commercial interests when they received addresses of thanks from many towns.[67] Although it is conjectural whether all commercial interests were satisfied, it is clear that the strength of this faction of the Whigs was in mobilizing and redressing the grievances of the commercial interests. The administration fell, but the repeal of the Stamp Act was an outstanding achievement for the administration and the

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[64] C. M. MacInnes, A Gateway of Empire (David and Charles Ltd., 1968), p. 279, quoted from Felix Farley's Bristol Journal March 29, 1766.

[65] Ibid., p. 273, from a letter of the Society of Merchant Venturers.

[66] Ibid., p. 275, quoted from Felix Farley's Bristol Journal August 20, 1768.

[67] P. Langford, Rockingham, p. 264, noted the reception Rockingham received from Liverpool, Manchester, Wakefield, Leeds, Sheffield, Halifax and Hull.

effective tactics of this era were continued during the years of opposition.

Although Burke lacked the prestige of being a member of the party in power in 1768, he purchased an estate at Beaconsfield to live in the proper station of a country squire and one who had achieved renown in government. He wrote to Richard Shackleton his friend in Ireland, on May 1, 1768,

> I know your kindness makes you wish now and then to hear of my situation. It is politically, just what is was; there is nothing to alter the position of our party; which is (or rather keeps itself) at some distance from the Court. . .As to myself, I am by the kindness of some very singular friends in a way very agreeable to me. I am again elected on the same interest, I have made a purchase with all I could collect of my own, and the aid of my firends to cast a little root into this County. I have purchased an house, with an Estate of about 600 acres of land in Buckinghamshire 24 miles from London; where I now am; It is a place exceedingly pleasant; and I propose, God willing, to become a farmer in good earnest.[68]

Burke was indebted to his relatives and friends for the funds to make the purchase which was well beyond his means as secretary to Rockingham, a member for Wendover, and editor of the Annual Register. William Burke subscribed as much to the purchase as did Edmund.

He was also speculating in East India stock at the

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[68]Richard Shackleton Correspondence, Leadbetter Papers (Malone College Library). The interlibrary loan section of the Malone College Library and Ms. Jan Mitchell of the ODU interlibrary loan office have very kindly provided copies of Burke's letters to Shackleton, many of which are of a personal nature rather than public correspondence.

time which contributed to his extravagances. William Burke wrote to Charles O'Hara on October 4, 1766, referring to his cousin's dabbling in this investment:

> You will be glad to know that in this we have no division of our Obligations, all this. Like as the all before we owe to Lord Verneys wonder ful goodness and friendship; in one word the necessary rise of value of East India stock was foreseen, before the price rose or increased dividend was talked of. . .who agreed to pay such a price at that particular day happened not to answer his speculation; so that no one could with safety venture on buying with safety but those who could actually pay down their money, and keep their stock in their possession quietly till the dividend was increased, This Lord Verney could you know easily do.[69]

Thus Burke received monetary backing even in this endeavor and was thus obligated to Lord Verney not only for stocks purchased but also for the acquisition of Beaconsfield. He wrote to Shackleton on April 19, 1770, that he had taken no support "except my seat in Parliament, from the Patronage of any man; Whatever advantages I have had, have been from firends on my own level."[70] Despite these protestations he received monetary aid from Lord Rockingham amounting to £30,000 which was cancelled as a debt at the death of the Marquis.[71] Burke was not a man to live within his means and his extravagances obviously were not paid for by his earnings from employment. His mode of living allowed him to entertain

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[69] Correspondence, Vol. I, p. 269.

[70] Correspondence, Vol. II, p. 131.

[71] Murray, Burke, p. 160.

in the style of an important government official and country squire which was the demeanor he meant to portray to his colleagues. He also attained stature by mobilizing the commercial interests to abolish certain acts and by investing in speculative ventures; the merchants reciprocated with their petitions and the East India Company with financial return.

Burke supported his party not only with his oratorical ability but also with his polemical writings. His first pamphlet after the demise of the Rockingham Administration was A Short Account of A Late Short Administration, published in 1766, which stated the accomplishments of the administration in commercial reform. He enumerated these reforms as follows: The Stamp act was repealed, the cider tax was repealed, the "liberty of the subject was confirmed by the resolution against general warrants,"[72] a resolution was passed for condemning the seizure of papers, the American duties act repealed "certain duties, and encouraging regulating, and securing the trade of this kingdom, and the British dominions in America,"[73] and an act was passed to open ports in Dominica and Jamaica. He concluded that the removal of the Rockingham faction from power was not premature since it was in office long enough "to accomplish many plans of public utility."[74] This pamphlet was not a

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[72]Burke, Works, Vol. I, p. 182.

[73]Ibid.

[74]Ibid., p. 184.

postulate of political theory but rather of the political practice of the Rockingham faction. He justified the practice of the ministry and faction which he also favored in theory.[75]

In 1769 Burke published Observations on a Late Publication Intituled 'The Present State of the Nation' which was a statement of political theory and contained his disagreements with the policy of George Grenville's ministry. In 1768 Grenville and William Knox had published Present State of the Nation Particularly with Respect to its Trade, Finances, etc. etc. In this publication they wrote that

> the ability of the colonies to raise a revenue of 22,000l is evident from many circumstances but there are two which deserve to be particularly mentioned. At the end of the war, viz in 1763, the colonies stood indebted in their respective public capacities to the amount of 2,600,000l and in the year 1766 they were indebted no more than 767,000l Consequently they had in three years paid off 1,800,000l of debt which required a revenue of 600,000l a year to do it with besides providing for the ordinary expenses of their respective civil governments. . .The other proof of their present ability arises from their distress for paper currency: They complain they have no medium for circulation; a want they never found during the war, nor would have now, if they had any considerable sums to raise, either for the payment of debt, or as provision for current services. . .Their wants of paper for circulation is, therefore, an evidence of their having no public debts outstanding.[76]

Grenville and Knox cited all the reasons why taxation was

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[75] Ibid., pp. 306-33; Burke wrote affirmatively on party government.

[76] William Knox, Present State of the Nation Particularly with Respect to its Trade, Finances, etc. (London: J. Almon, 1768), p. 36.

needed and justified in the American colonies. On the other hand, the colonies protested that the taxation policy of the English government and the welfare not only of England but also of her colonies had to be considered since they formed a single empire and trading unit in the world.[77]

Burke wrote in his Observations that it was a necessity to consider America's welfare:

> North America was once indeed a great strength to this nation, in opportunity of ports, in ships, in provisions, in men. We found her a sound, an active, a vigorous member of the empire. I hope by wise management, she will again become so. But one of our capital present misfortune is her discontent and disobedience . . .Ten Canadas cannot restore that security for the peace, and for everything valuable to this country, which we have lost along with the affection and the obedience of our colonies. He is the wise minister, he is the true friend to Britain, who shall be able to restore it.[78]

Parliament had not only to restore peace in America but taxation had to occur only "by their freest and most cheerfull consent."[79] Burke wrote these words even though he firmly believed that the English government was the final agent to decide matters of taxation as prescribed by the Declaratory Act. His statement of political theory was contradictory. Surely where the Americans disapproved of

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[77]Thomas C. Barrow, Trade and Empire: The British Customs Service in Colonial America 1660-1775 (Cambridge, Massachusetts: Harvard University Press, 1967), p. 256, wrote that the customs service played a "central role in the coming of the Revolution."

[78]Burke, Works, Vol. I, pp. 204-205.

[79]Ibid., p. 259.

the measures of the Parliament, their protests would be ignored, subject to a higher arbiter, the Parliament. Burke's difference with Grenville over taxation was not whether the Americans should be taxed but what specific duties should be enacted. Burke asserted that the mercantile community should not be ignored but that they should be abetted.

Burke's party was particularly attentive to the mercantile community which reciprocated with statements in favor of the Rockingham's faction both when it was in control of the cabinet and when it was in opposition. The constituents of Bristol and New York were, however, a varied group and not all supported the Rockingham party.[80] The manner in which Burke represented Bristol and New York was debated by his constituents, particularly on the grounds that he did not perform in his offices of agent and member of Parliament in a manner which they believed represented their interests.[81] The nature of the offices of agent and representative of Parliament were a point of disputation by Burke and his constituents, and that was implicit in his conduct of the affairs of these two cities.

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[80] P. T. Underdown, Bristol and Burke (Issued by the Bristol Branch of the Historical Association: the University of Bristol), p. 7; Carl L. Becker, The History of Political Parties in the Province of New York 1760-1776 (Madison: the University of Wisconsin Press, 1960), p. 51, noted that New Yorkers were divided into radical and conservative political groups.

[81] L. S. Sutherland, "Edmund Burke and the Relations Between Members of Parliament and Their Constituents", Studies in Burke and His Time 10 (Fall, 1968), pp. 1006-1007.

CHAPTER II

Burke: New York Agent

The Concept of Agency

Edmund Burke was first proposed for agent in the New York Assembly in 1769 by Phillip Schuyler and James DeLancey, who were landowners, merchants and Assembly members.[1] Burke was later appointed an agent of the Colony of New York in May 1771 as an instrument of the Assembly to several departments of the English government.[2] As an agent he communicated with a committee of legislators appointed by the Assembly, including James DeLancey, Robert Livingston and John Cruger who represented various political factions in New York.[3] Burke's advocacy, however, was determined by his concept of agency, the legislators he favored and his support of the Rockingham party.

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[1] Correspondence, Vol. 2, p. 215; Calvin Stebbins, "Edmund Burke, His Services As Agent of the Province of New York" American Antiquarian Society Proceedings, new series IX (1893), p. 91, wrote that Lieutenant Governor Colden wrote to Pownall that New York was dissatisfied with Robert Charles.

[2] Hoffman, ed., Burke's Letters, p. 103.

[3] Beverly W. Bond, Jr., "The Colonial Agent as a Popular Representative" Political Science Quarterly XXV (1920), p. 372, wrote that popular control of the agent was more important in a proprietary colony than a royal colony since a proprietor directed the administration. New York was a royal colony.

The role of the agent was debated early in Burke's term of employment when Lord Hillsborough, the Secretary of State for Colonial Affairs and first Lord of the Board of Trade, proposed to the Board of Trade that the governor and council have a voice in the election of New York's agent. Burke informed his correspondents that Hillsborough was ruminating on an act to "admit the votes of the Governor and Council in the appointment of your Agent in Great Britain, or at least their negative upon your choice. This mode of appointment. . .will add to the weight and authority of your agent in his negotiations with office."[4] Burke explained to James DeLancey in a letter dated December 4, 1771, that John Pownall, Secretary of the Board of Trade, had solicited Burke's sentiments on the concept of agency. He wrote

> I told him I looked upon the Agent for a colony under whatever name he might be described as in effect agent for the House of Representatives only; that is a person appointed by them to take care of the interests of the people of the province as contradistinguished from its executive government.[5]

According to Burke's letter to DeLancey, Pownall differed with him on the election of the agent. He wrote that Pownall

> is of the opinion that the Governor and Council ought to have their part in the nomination of the provincial Agents, or at least a negative on the choice of the Representative assembly. He thinks as the Agent is called, not the agent of the Assembly but of the Province, the consent of all the parts which

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[4]Hoffman, Burke's Letters, p. 204.

[5]Ibid., p. 201.

> compose the legislature proper, in order to invest him with the complete authority of the body he is intended to represent.[6]

Hillsborough and Pownall were trying to reduce the effectiveness of the colonial assemblies and gain greater authority for the administration in power through the office of agent.[7]

The question of election to agency was never handled officially by all members of the Board of Trade.[8] Evidently Hillsborough and Pownall discussed the matter privately preparatory to an official discussion of Board members and addressed Burke to solicit his opinion as a representative of the views of the colony of New York. Burke did not hear from his correspondents in New York on the election of an agent until the summer of 1772.[9] The official and the unofficial deliberations on the election of the agent contained no requirements from the Assembly of New York and the fate of the Assembly's representation was left to the mercy of unofficial discussion in England. The ramifications of the Assembly's disagreement with Hillsborough's proposition can only be construed from Burke's responses to his correspondents. He wrote to the Committee on June 30, 1772,

> I acquainted the office with your resolution

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[6] Ibid.

[7] Ibid., p. 107. Hoffman suggested that Hillsborough wanted to obtain jobs for placemen.

[8] Great Britain. Board of Trade. Journals of the Commissioners for Trade and Plantations 1768-1775 (London: His Majesty's Stationery Office, 1937), pp. 98-323.

[9] These letters were destroyed in a capitol fire in 1911 and are not available for inspection.

> relative to the scheme for a new mode of appointing an agent. I was told that in time their principle will be found necessary in case the Agent is to give his consent to any agreement or other public act terminated here in the name of the Province; that then the validity of his power must necessarily come in question. I do not imagine, however, that they mean at present to proceed any further in that business.[10]

The assembly disagreed with the intention to limit its authority in the selection of its agent. Deliberations on this issue, however, were completed by the time Burke represented the views of the Assembly to the Board of Trade. The Assembly was too distant to communicate its immediate views and had to rely on the sense and acquiescence of its agent. Burke's representation of the Assembly members' views must have reasonably satisfied them since there was no contention over the matter between 1770 and 1772.

In his letters to DeLancey, Burke did not reveal any fear that his right to office would be nullified as a result of these deliberations, but surely the challenge to his right to office impaired his ability to represent New York effectively. There is no official mention of Burke attending the Board of Trade from February 1771 to June 1772 and so his meetings must have been on an unofficial basis.[11] His deliberations were soley on the election of the agent

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[10]Hoffman, Burke's Letters, p. 211.

[11]Hoffman, Burke's Letters, p. 105. Hoffman differs with this explanation. He stated that Burke met with the Board of Trade for a decision on a boundary act, however, there is no record of any meeting in the records of the Board as he states in his footnote.

and he had to assert his rights in this office before he could lobby for any of New York's claims.

Sir Henry More, the Governor of New York, also had a stake in the appointment of an agent. He addressed the Council and the General Assembly in April 1769:

> The present method of appointing an agent to solicit the affairs of this colony in England being liable to many objections, I have it in command to recommend to you the role observed in the West India Islands, Virginia, Carolina, and Georgia as the only proper and constitutional mode by which any person can be sufficiently authorised to represent the Province and to act for it in all matters which concern its interest in general. This had been usually done by an act of the Governor, Council and Assembly, specially passed for that purpose. . .[12]

More conferred with the Board of Trade on acts passed by the New York Assembly,[13] both in person and in letters, but he regarded his participation in the election of the agent as necessary to increase his power in the colony.

Burke necessarily supported the right of the Assembly to elect the agent because he was their representative. In addition he feared that his office would become subject to control from the administration in power in England through the influence of the Governor and Council over the agent. He wrote to the Committee of Correspondence on December 4, 1771:

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[12]Charles Z. Lincoln, ed., Messages from the Governors of New York, Vol. I (Albany: J. B. Lyon Company, State Printers, 1909), p. 732.

[13]Journals of the Board of Trade, 1769-1772, pp. 98-323.

> If you admit the plan, the outlines of which I have the honour to communicate to you, and that by such means your agency should become, in part at least, an appointment by Ministry, it will not be in my power consistently with my notions of honour to be officially charged with your business. I cannot act in my present situation except under the clearest and most satisfactory evidence that my employment is a matter wholly detached from administration.[14]

Burke's support of the right of the Assembly to elect the agent was consistent with his views on the idea of the right of every part of the empire to be represented.[15] He did not represent the Assembly according to their instruction, however, because of the distance and communication difficulties involved in correspondence between England and New York. In addition, he did not agree with the idea of instructions to an agent or representative,[16] and he did not want to offend Rockingham or his constituents in Wendover or Bristol by representing New York's interests in conflict with empire interests.[17] He did, however, represent the acts passed by the Assembly and communicated with the Committee of Correspondence on deliberations affecting New York. Thus his concept of agency was limited by his efforts for his party

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[14]Hoffman, Burke's Letters, p. 204.

[15]Burke, Works, Vol. 3, p. 334.

[16]Burke, Works, Vol. 1, pp. 446-7; L. S. Sutherland, "Edmund Burke and the Relations Between Members of Parliament and their Constituents" Studies in Burke and His Time (Fall, 1968), p. 1006, noted that this was a generally accepted view.

[17]Hoffman, Burke's Letters, p. 202. Burke wrote to Delancey that he feared becoming involved in what he regarded ministerial affairs.

in England, and he could not be an advocate of the colonial goals as could the American agents such as Benjamin Franklin for Massachusetts and the other colonies he served as agent.[18]

There was noticeable difference in the friendliness Burke exuded in his letters to Livingston and DeLancey.[19] In April 1771 Burke wrote tersely to Livingston

> It is impossible I should have any party views or party sentiments on your side of the water. I scarcely know what your parties are, and I am sure that when I become better acquainted with them, I shall be as little disposed, as I am now qualified, to enter into the passions of any of them.[20]

This answer must not have been sufficient to assure Livingston that his party's interests would be represented. Burke's concept of his role as agent was in variance with the hopes and aims of the moderate members of the assembly.

In contrast to Burke's correspondence with Livingston is his letter to DeLancey on June 9, 1771 in which he wrote

> I take it for Granted that I am entitled to open my mind fully and confidentially to you on the subject of our correspondence. In

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[18]E. P. Tanner, "Colonial Agencies in England during the Eighteenth Century" Political Science Quarterly XVI (1901), p. 38, wrote American agents were preferred; Jack M. Sosin, Agents and Merchants: British Colonial Policy and Origins of the American Revolution 1763-1775 (Lincoln: University of Nebraska Press, 1965), p. 119, wrote that Franklin was the agent during various periods for Pennsylvania, Georgia, New Jersey and Massachusetts.

[19]Hoffman, Burke's Letters, p. 103, noted that Burke's correspondence with Livingston was only civil; New York Colony, Council Calendar of Council Minutes 1668-1783 (Albany: University of the State of New York, 1962), p. 9.

[20]Hoffman, Burke's Letters, p. 195.

> doing so, I shall certainly take great, but I hope not improper liberties; in this way, and in this way only I may be of some service to the Province; I have an opportunity of knowing something of. . .the politics of the people here; and not being so deeply and warmly engaged as yourselves, I may be able sometimes to give you hints on which your own maturer sense may build something that may be useful to you in your affairs.[21]

Burke obviously favored DeLancey, and most of his letters were to DeLancey, the Committee of Correspondence or John Cruger, who was Speaker of the Assembly. DeLancey's friendship with Rockingham apparently influenced Burke to be more receptive to DeLancey. Burke only wrote once to Livingston, April 2, 1771, and his terse statement refusing to consider Livingston's political faction reflected his attitude and practice until 1776.

The concept of agency which developed in the New York Colony and Assembly centered around certain obligations which the agent accepted, in return the agent received a salary provided by the Assembly. Although some royal colonies such as New Jersey had an agent controlled by the governor, council and assembly, New York's agent was supervised entirely by the Assembly. Consequently the agent may be considered a representative of the colony's interests rather than a subject of royal control.

The particular duties of the agent were to represent the colony before the Privy Council, Board of Trade, and Parliament. Ideally an agent was a lawyer since he had the

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[21] Ibid.

legal power to argue the various acts passed by the Assembly before the courts of law in England.[22] It was essential that the agent obtain information about the political situation and parties favorable to the colony in England. In addition the agent handled the financial affairs of the colonial government. In this role he was responsible for payments to persons in England, for money transferred from England to the colony, for paying for the favor of politicians, and for borrowing money for the colony.[23] In return for the performance of his duties the Assembly paid Burke an annual salary of £500.[24] This was a high salary for an agent. Evidently New York solicited many favors from its agent.

Burke's concept of agency did not include being the representative of the entire Assembly or of the conflicting elements in the colony. His particular affiliations limited his performance of duty. Certainly his close association with the Rockingham faction precluded his involvement in disputes between colonies because of the necessity of Burke's performing according to English governmental decisions and according to Rockingham's strategy in Parliament and his

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[22]Tanner, "Colonial Agencies", p. 35.

[23]Ibid., pp. 36-7.

[24]New York Colony, The Colonial Laws of New York from the Year 1664 to the Revolution, Vol. 5 (Albany: J. B. Lyon, State Printer, 1894-96), p. 338; Stebbins, "Edmund Burke", p. 91, wrote that this was the same salary which Robert Charles received; Tanner, "Colonial Agencies", p. 31, wrote that earlier agents received £100 salaries and that £150 and £200 were common, £500 paid to Montague of Virginia and the New York agent were high salaries.

prejudices and connections with colonial political leaders. In the midst of colonial politics Burke's agency was the sole representative effort on behalf of the popular Assembly, and his attention to their affairs were limited by his concept of agency.

Political Factions and Merchant Groups

In the 1760's the Assembly of New York was controlled by DeLancey and Livingston political factions which identified at various times with either "court" and "British" party politics or "popular" and "anti-British" party politics. There is some disagreement among historians whether party allegiance was determined by personal and marriage ties which was basically medieval in nature and that the only difference between factions was their dispute with the governor, the Becker thesis, or whether there were differences of a political and economic character between the factions.[25] These historians of New York political history agree that the DeLanceys and Livingstons were not always consistent in their principles and that they used popular

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[25] cf. theses contrary to Becker's thesis: Roger Champagne, "Family Politics Versus Constitutional Principles: the New York Assembly Elections of 1768 and 1769" William and Mary Quarterly (1963), pp. 57-79; Bernard Friedman, "The New York Assembly Elections of 1768 and 1769: the Disruption of Family Politics" New York History (January, 1965), pp. 3-19; Milton M. Klein, "Democracy and Politics in Colonial New York" New York History (July, 1959), pp. 221-241; Bernard Friedman, "The Shaping of the Radical Consciousness in Provincial New York" The Journal of American History (March, 1970), pp. 781-801.

unrest to serve their own political ambitions. These family factions also used the agent of the colony to serve the interests of the party in power.

The DeLanceys were attached to the Church of England, usually supportive of King and Parliament, and aligned with mercantile interests.[26] Members of the DeLancey family included Peter DeLancey who sat in the Assembly, Lieutenant-Governor James DeLancey, and Oliver DeLancey who was a member of the Council. Other members of the faction included William Walton, Abram Walton, James Jauncey, Jacob Walton, Hugh Wallace, and Henry Cruger.

The Livingston party led the great manorial families, lawyers, and dissenters. They were at times sympathetic to the English Governor.[27] There were several Livingstons important in New York politics in the 1760's and 1770's including Philip Livingston, a New York city merchant and Speaker of the Assembly, and Robert Livingston, one of the most powerful politicians in the colony. William Smith, John Morin Scott, and Theodore Van Wyck were supporters of the Livingstons.

The DeLancey party controlled the Assembly and the agent from 1763 to 1765. During this period the Assembly and the populace reacted with protests to measures of the Grenville Ministry which reorganized the customs system to

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[26]Becker, New York, pp. 18-19; Bonomi, Factious People, p. 283; Harrington, Merchants, p. 41.

[27]Hoffman, ed., Burke's Letters, p. 87.

increase taxes and passed the Revenue or Sugar Act. The Assembly rejected any form of Parliamentary taxation. The Currency Act of 1764 was also unfavorable to New York because it forbade the issuance of paper money as legal tender. The agent, Robert Charles, refused to present a Memorial against this act, warning of unseemly behavior.[28] Robert Charles also refused to defend Americans' claim to the right to tax themselves.[29] Charles was aligned not only with the DeLancey's but also with court politics; however, Charles' criticism was of popular rioting rather than orderly and polite remonstrances from the Assembly.

In 1765 the Stamp Act riots and a weakening of the DeLancey party permitted the Livingston party to gain control of the Assembly and the committee of correspondence in the Assembly whose role it was to advise and instruct the agent. This party tried to displace Robert Charles but was unsuccessful. There were popular riots over the Stamp Act, particularly in New York City and Albany.[30] Merchants in

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[28]Nicholas Varga, "Robert Charles: New York Agent, 1748-1770" William and Mary Quarterly (April, 1961), p. 231.

[29]see Varga, p. 233 for Charles' motivation.

[30]Beverly McAnear, "The Albany Stamp Act Riots" William and Mary Quarterly (October, 1947), pp. 486-498; Irving Mark and Oscar Handlin, eds., "Land Cases in Colonial New York 1765-1767" New York University Law Quarterly Review (January, 1942), p. 183; P. U. Bonomi, A Factious People Politics and Society in Colonial New York (New York: Columbia University Press, 1971), wrote that riots spurred by the Stamp Act riots occurred in 1766 which were agrarian conflicts stirred from the removal of the French obstacle at the close of the Seven Years War on the colonies in 1763. New Englanders migrated to New York to rent land from New York patent proprietors.

New York agreed to restrict importation to a few specified items in reprisal for the Stamp Act. In 1767 Parliament passed Charles Townshend's Revenue Act on articles America imported from Britain and Parliament suspended the New York Assembly which refused to comply with the Quartering Act. This suspension of the Assembly and dispute between the governor and Assembly is one of the sources of disagreement which Becker noted in his theories on New York politics. Intermarriage between political factions and the Governor's family constituted the source of political strength. Although these intermarriages were a basis of alliance, the parties were at odds with each other as well as with the Acts of Parliament.

In 1768 and 1769 the DeLancey faction triumphed in the elections for the Assembly.[31] Their allies, the Sons of Liberty, tried to displace Charles again but the DeLanceys were opposed to this effort.[32] In 1769 the Townshend duties were repealed and New York's complaint against the Quartering Act brought conciliation from the North ministry which allowed the act to lapse. This conciliatory act inaugurated a period of calm prior to renewed popular unrest in response to the Tea Act of 1773.

Robert Charles died in 1770 and was replaced by

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[31]Friedman, "The New York Assembly Elections", p. 801, wrote that family politics lost its importance in 1768-69 in favor of issues such as the Tea Act of 1773.

[32]Varga, "Robert Charles", p. 233.

Edmund Burke who probably appeared an attractive appointee not only because he was a member of the Rockingham ministry of 1765-66 which repealed the Stamp Act but also because DeLancey had connections with Rockingham and members of his party. A suggestion for Burke's agency was made to Governor Cadwallader Colden, in 1761, by John Pownall, Secretary of the Board of Trade; however, there is no apparent linkage between this prior recommendation and the later solicitation of Burke by members of the DeLancey party in 1771.

Burke was more closely aligned with DeLancey than with the Livingston faction. James DeLancey was a friend of the Marquis of Rockingham[33] and Burke may have favored this faction through Rockingham's influence. The DeLancey's political conservatism and close ties with the English government were in agreement with the attitudes of Burke and his patron the Marquis of Rockingham .

The New York Assembly established voting qualifications in an act of 1701, declaring that an elector had to be a 40 shilling freeholder.[34] Nevertheless, freemen as well as freeholders were admitted to vote in municipal and provincial elections and could hold municipal office.[35] The privilege of voting could be bought for a variety of sums depending upon one's occupation. Contrary to Becker's

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[33]Hoffman, Burke's Letters, p. 87.

[34]Nicholas Varga, "Election Procedures and Practices in Colonial New York" New York History (1960), p. 249.

[35]Klein, "Democracy and Politics", p. 233.

assertion that a small number of freemen voted, Milton Klein has stated that a significant number of freemen voted.[36] The voters came from occupations such as merchants, carmen, parters, painters, fishermen, boatmen, gardeners, yeomen, mariners, and laborers. More freemen voted in Albany and New York City than on the landed estates. The tenant farmers who rented from the owners of landed estates were also permitted voting rights; however, the number who voted is unknown.[37] Voting was oral and lasted only a few hours. In some elections the list of candidates was read and the crowd merely shouted its approval.[38]

There were a variety of religious denominations which existed in New York. Most New Yorkers were Anglican, Dutch Reformed, Presbyterian, or Quaker, but in New York City there was a more cosmopolitan group of religious sects which included Dutch Calvinists, French Calvinists, Dutch Lutherans, Sabbatarians, Antisabbatarians, Anabaptists, Catholics, and Jews. All of these religious groups could vote except for Catholics and Jews.

In 1773 the DeLancey and Livingston factions, although still predominant in the Assembly, did not control evolving political developments. New political groups emerged, labelled as radicals, moderates, and conservatives based on their reactions to and dissatisfaction with English

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[36]Klein, "Democracy and Politics", p. 235.

[37]Varga, "Election Procedures", p. 268.

[38]Ibid.

commercial policy. These new groups indirectly claimed the agent's attention. Burke, however, maintained ties with only the DeLancey faction and chose to remain aloof from the fluid political situation in New York. These new political groups influenced Burke only insofar as they were represented in the DeLancey faction.

The radicals, moderates, and conservatives, were identifiable at the time of the protests against the Stamp Act, but they became less active after the repeal of the Townshend duties until 1773 when the populace responded with protests to the newly passed Tea Act of 1773.[39] The Committee of Fifty-One, an extralegal committee not associated with the Assembly, was elected in May 1774 in reaction to the Tea Act and the Coercive Acts. This Committee represented a victory for conservative thinking since the committee was controlled by conservative leaders and voted against complete non-intercourse.[40] The Continental Congress in Philadelphia called for non-importation until all acts of Parliament passed since 1763 in violation of American rights, liberties, and privileges were repealed.[41] The purpose of this Congress may be termed conservative in that it favored restoration of pre-1763 relations with Great Britain. Non-importation directed against Great Britain,

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[39]Schlesinger, Merchants, p. 262-63; Becker, New York, p. 95.

[40]Becker, New York, p. 117.

[41]Hoffman, Burke's Letters, p. 152.

Ireland, India, and the West Indies was, however, radical. New York did not support this proposition. Livingston Whigs, radicals and mob action forced the election of a new committee of sixty.

In January 1775 acting Governor Colden convened the Assembly to make proposals for conciliation which might be supported by the administration of the colonies. Colden threatened to prorogue the Assembly if it did not keep its proposals within constitutional limits; however, he did follow through, fearing such action would provoke reprisals in the provincial committee.[42] The Assembly controlled by the DeLancey faction proposed a memorial to the House of Lords, a remonstrance to the House of Commons. The Assembly voted to complain of the Declaratory Act of 1766 contrary to the wishes of the DeLancey faction which proposed to acknowledge Parliament's right to regulate the trade of the colonies. This view of the Declaratory Act was contrary to Burke's beliefs as a member of the Rockingham faction which was responsible for the Declaratory Act; however, Burke did present the remonstrance in the House of Commons. The Assembly also protested encroachments upon trial by jury, the Restraining Act of 1767, Parliamentary prohibition of the Assembly's passing laws for the emmission of paper currency as legal tender, and the Quebec Act.

The Governor prorogued the Assembly from April 3

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[42] Ibid., p. 153.

until June 7 in 1775. During this time the extralegal committee of One Hundred became the provisional government of the city. In January 1776 Governor Tryon, who had returned from England, issued writs for a new election for an assembly on February 14, but this election was not held. When the Second Continental Congress called for votes on independence in July 1776 the New York delegates were instructed by the Provincial Congress to refrain from committing New York to independence.

According to a survey of merchants from 1773 to 1775, most were sympathetic to the DeLancey party. In party alignments 23% were conservative, 52.7% were moderate, and 16.4% were radical.[43] Thus the largest bloc of merchants was moderate, whereas Burke's correspondents in the DeLancey party were conservative. Political differences were therefore greatly censored from their correspondence with him.

Burke was the representative of the Assembly of New York, rather than the representative of the new alignment of political groups in the delegation to the Continental Congress. The representation to the Continental Congress in 1774 reflected the opinion of radicals and in 1775 radicals participated in making decisions for the colony and in sending grievances to England.[44] Burke chose to ignore the changing political climate in New York because the radical

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[43]See Appendix A.

[44]Schlesinger, Merchants, p. 335; Becker, New York, p. 141.

position was in disagreement with his own philosophical views, particularly his view that the unfranchised classes should not be represented.[45] In addition, he did not want to harm his relations with DeLancey and Rockingham.[46] Burke believed that it was his duty as agent of the colony to heed only the instructions of his employers in the Assembly and not those of all classes in the colony.[47]

Burke's Activities for New York

Burke's activities for New York were limited to solicitation for adjusting the boundaries of the colony, against the Quebec Bill and Coercive Acts, the allowance of certain laws passed by the New York Assembly and in presenting remonstrances to Parliament.[48] Although his letters show that he conferred about New York's interests unofficially with members of the Board of Trade and Parliament, it is unclear what took place in these meetings since his letters provide only vague and edited references to these unofficial meetings.[49]

His New York correspondents stated their instructions

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[45]Burke, Works, Vol. 3, p. 334; Hoffman, Burke's Letters, pp. 244-48.

[46]Hoffman, ed., Burke's Letters, p. 191.

[47]Ibid., pp. 194-95.

[48]Discussed in Chapter 4.

[49]Hoffman, Burke's Letters, p. 203.

on the issues and solicited Burke's counsel on English governmental decisions. Clearly they wished to understand their position with the government so that they might approach the proper representatives and solicit in an appropriate manner. Burke answered their letters by describing the details preceding a decision and his activities on the Assembly's disputes but according to the Assembly adding little embellishment of the details of his activities or the status of affairs in England.[50] In addition he avoided concurrence with the efforts of the other colonial agents.[51] Burke clearly planned to remain as impartial as possible to the politics of the colony and to colonial conflicts with English policy. His method of resolving his conflicts with colonial politics was based on his status as a member of Rockingham's faction and as an English governmental official.

1. Boundary Disputes

Burke first met unofficially in 1772 with members of the Board of Trade to discuss the appointment of the agent and to hear the point of view of the Board on boundary disputes.[52] His unofficial discussions were with Secretary Pownall and Solicitor Jackson of the Board of Trade. He recorded no discussions with Hillsborough, the first Lord

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[50] Ibid., p. 215.

[51] Ibid., p. 272.

[52] Ibid., pp. 198-99.

of the Board of Trade, and probably solicited little from him since Hillsborough was unsympathetic to the Rockingham party. When Dartmouth was appointed first Lord of the Board of Trade in 1772, however, Burke had in him a powerful ally, and a friend of the Rockingham party with whom he conferred not only in the Board of Trade but also in Parliament on behalf of New York.[53] These unofficial meetings are more responsible for Burke's success in deliberations on boundary disputes than his official meetings. Burke was, nevertheless, very zealous in his official meetings with the Board presenting New York's case.[54]

In August 1772 Burke met with the Board to discuss the boundary act officially.[55] The act for establishing the boundaries between New York and Quebec had already been presented to the Board in April, leaving Burke sufficient opportunities to solicit for New York unofficially. On May 6, 1772, he wrote to the committee of correspondence informing them that the boundary act was being considered and solicited their instructions concerning Monsieur Lotbinière's claims to land between Canada and New York. He expressed some doubts about the favorability of the Board of Trade toward New York's claims.[56] Although Burke had no instructions from New York he had already achieved an agreement

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[53] Ibid., pp. 198-99.

[54] Journals of the Board of Trade, 1772, p. 323.

[55] Ibid., pp. 299, 323.

[56] Hoffman, Burke's Letters, p. 206.

with Pownall that nothing would be decided on the boundary act until Burke had received his instructions and collected the evidence necessary to oppose Lotbinière's claims.[57]

Responding to Burke's request for instructions, the Committee of Correspondence approved James Duane's letter stating the colony's position and provided maps of the extent of New York's land holdings.[58] James Duane in addition to being a member of the New York Assembly was also a land speculator in the disputed area. Burke's acceptance of the colony's claims was truly an acceptance of the claims which James Duane so assiduously suggested.[59] The New York Assembly was bound to protect its claimants to disputed property, and James Duane was one of the most prominent speculators.

Burke wrote to his correspondents in December 1772 that his unofficial discussions with members of the Board of Trade yielded some success.[60] In his duscussions with Lord Dartmouth, now first Lord of the Board of Trade, and with John Pownall, Burke pointed out that it was in the interests of Great Britain to solve the dispute in favor of New York rather than in favor of France. He

> found them very reasonable and well disposed in the matter. . .But it seems the French grantees. . .are very urgent for their confirmation and press for an

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[57] Ibid.

[58] Ibid., p. 219.

[59] Ibid., p. 220.

[60] Ibid.

immediate hearing.[61]

Evidently the Board of Trade was persuaded to postpone the hearing to receive the claims of Sir George Younge, a member of Parliament who held land in the disputed region.[62] The New York claimants profited from this postponement leaving Burke time to acquire Dartmouth's favor.

The Board of Trade met in July 1773 with Burke present to discuss the New York-Canada boundary.[63] He wrote to his correspondents the results of the Board's decision. The New York grantees "were free to defend themselves at Law" and "no step could be taken towards giving the French titles any sort of effect, without manifest prejudice to those persons who claim under New York."[64] The final decision was to be made by the Privy Council.[65]

It is significant that Burke changed the opinion of the Board away from the French grantees and to his New York

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[61] Ibid.

[62] Ibid.; Journals of the Board of Trade, p. 323.

[63] Journals of the Board of Trade, p. 366.

[64] Hoffman, Burke's Letters, pp. 229-30.

[65] Ibid., p. 231; not recorded in Privy Council Acts in 1772, Great Britain. Privy Council. Acts of the Privy Council of England, Colonial Series, Vol. X, 1772, ed. J. Munro (London: His Majesty's Stationery Office, 1912); Thomas C. Barrow, Trade and Empire: The British Customs Service in Colonial America 1660-1775 (Massachusetts: Harvard University Press, 1967), p. 111, wrote that legally the Board of Trade was only an advisory body; Oliver M. Dickerson, American Colonial Government 1696-1765 (New York: Russell and Russell, Inc., 1962), p. 234, wrote that the Privy Council was the final arbiter and might dissallow colonial laws to make them coincide with English laws.

employers. His argument that it was in the best interests of the empire and individual grantees including a member of Parliament,[66] was convincing to the members of the Board who were appreciative of efforts to aid themselves as well as the empire. It made Burke's task easier to lobby at the Board of Trade with the assistance of Lord Dartmouth ally of Rockingham and the most important member of the Board. New York representatives such as DeLancey had reason to be supportive of the Rockingham party since they were indebted to several members of this faction for decisions in their favor.[67] Although James Duane was a member of the Livingston faction, he never mentioned any political differences in New York, preferring to rely on Burke who could persuade the members of his party to favor New York interests.[68] Thus both the Livingston and DeLancey factions recognized the expediency of quelling their differences to obtain whatever support Burke could solicit through his party connections in England.

Burke kept the members of the committee of correspondence informed of the developments on the disputes over boundaries with New Jersey, New Hampshire, and Massachusetts Bay. He did not meet officially with the Board of Trade about these disputes although he was in consultation with

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[66]Hoffman, Burke's Letters, p. 220.

[67]Ibid., pp. 212, 270, 507.

[68]Hoffman, Burke's Letters, pp. 218-19.

Dartmouth, Jackson, and Pownall on the developments.[69] Dartmouth was present at the decisions on all of these boundary disputes.[70]

On July 15, 1773, Dartmouth presented a letter from the Governor of New York about the dispute between New York and Massachusetts Bay.[71] Burke's consultations on these disputes were limited to informing the committee of decisions, leaving any support for New York to the official sanction given by Lord Dartmouth.

The only influence Burke had on the decision on the New Jersey boundary was to urge Mr. Jackson that the decision be expedited.[72] The Governor of New York, William Tryon, also participated in canvassing for the decision, and he wrote to the Assembly that a decision in their favor was forthcoming.[73] Burke, however, was diligent in explaining the details of the decision to his correspondents.[74]

Burke did not invite the opinion of his correspondents on the New Hampshire dispute although James Duane

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[69] Journals of the Board of Trade, 1773, pp. 323, 341, 342, 366.

[70] Ibid., 1773, p. 366.

[71] Ibid.; Messages, pp. 747, 752, 754, 757; Leonard W. Labaree, ed., Royal Instructions to British Colonial Governors, Vol. II, (New York: Octagon Books, 1967), pp. 578-579.

[72] Hoffman, Burke's Letters, pp. 228, 226; Journals of the Board of Trade, pp. 360, 323, 421.

[73] Messages, pp. 747, 748; Colonial Laws, Vol. 5, pp. 183, 196.

[74] Hoffman, Burke's Letters, p. 228.

had claims in this region[75] and no doubt made his influence felt on the decision for the New York grantees. Governor Tryon sent letters on behalf of New York grantees which were heard at the Board of Trade.[76] These letters were the only supplications in behalf of New York since Burke did not appear before the Board or mention any participation in the lobbying effort in his letters to the Assembly. The tone of his statement about the decision was designed to placate his correspondents on the issue although he wrote that the decision was inconclusive and was not entirely a decision in New York's favor.[77] Burke reported the solutions to these disputes in a very bland manner stating that the decisions were in the best interests of the colonies concerned.[78] He did not offer his correspondents any hope of his lobbying in their behalf on the claims and left the decision to the discretion of the King and the officials of the Board of Trade.

One historian suggested that Burke consulted with John Pownall in behalf of New York to win adherence to the Connecticut River boundary. Burke's letter however, does not suggest that he actively lobbied in New York's behalf but only reported that Pownall informed him that the Board

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[75]Hoffman, Burke's Letters, p. 228.

[76]Messages, pp. 757, 758; Journals of the Board of Trade, 1773, p. 323.

[77]Hoffman, Burke's Letters, p. 228.

[78]Ibid., p. 226.

adhered to the Connecticut River boundary.[79] The New York grantees were not satisfied with the results and the Assembly voted a declaration on the subject.[80]

Burke neglected to mention the decision in the dispute with Massachusetts Bay,[81] and he was not present when it was concluded on July 16, 1773. The Earl of Dartmouth, nevertheless, was in attendance, and he presented letters from the Governor of New York on the subject.[82] Although Burke unofficially received Dartmouth's assistance his constituents were aware of only limited support from their agent.

2. Wawayenda Patent

Burke was more attentive to the decision on the Wawayenda patent act which had to do with the separation of lands in the patent of Wawayenda in Orange County.[83] Since he had received instructions from his correspondents perhaps Burke was more careful to concern himself with the official decision.[84] He informed his correspondents that

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[79] Ibid., p. 119.

[80] Ibid., p. 228.

[81] New York Colony. Journal of Votes and Proceedings, (January-March 1773), pp. 62, 64, 90-118; Hoffman, Burke's Letters, p. 119.

[82] Hoffman, Burke's Letters, pp. 228-236.

[83] Journals of the Board of Trade, 1773, p. 366; Messages, pp. 747, 752, 754, 757.

[84] Colonial Laws, Vol. 5, pp. 438-440.

he had solicited the support of Lord Dartmouth on the subject.[85] In addition he explained in detail that he had obtained the aid of an attorney.[86] Burke further suggested that the Assembly send some remuneration to sway the Board of Trade when he wrote "proper instructions to counsel are no less necessary to them than their fees."[87] Burke wrote to DeLancey on August 2, 1773, stating that the Board had approved the act.[88]

Burke's method of solicitation for the boundary disputes differed markedly depending upon which colony was New York's adversary. Attending faithfully to the Canadian disputes, Burke achieved the praise of his correspondents.[89] This dispute, however, was concerned with the claims of French grantees and Burke could legitimately oppose the rights of foreign claimants in English territory. On the other hand Burke paid little attention to the disputes between New York and other American colonies. This method typified Burke's decision to stay out of the political differences in the colonies.[90] In addition his relations with Rockingham might have suffered if he had too strongly

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[85] Hoffman, Burke's Letters, p. 211.

[86] Ibid., p. 219.

[87] Ibid., p. 277; Journals of the Board of Trade, p. 363.

[88] Hoffman, Burke's Letters, p. 212.

[89] Ibid., p. 232.

[90] Ibid., p. 230.

supported New York's dispute with New Hampshire since Rockingham supported his kinsman John Wentworth Governor of New Hampshire in a case before the Board of Trade and Privy Council accusing Wentworth of illegal conduct.[91]

He attended to the Wawayenda patent act at the request of the Assembly but he never requested the instructions of his correspondents on disputes with the American colonies. Although Burke conferred with Pownall, Jackson and Dartmouth on the American boundary disputes, he left the decisions to the discretion of Lord Dartmouth, a higher ranking official and member of the Rockingham party. The letters from the New York Governor and the grantees to the Board were the only instructions from the colony.[92] The Governor and grantees obviously realized that they would have to state their own case since Burke did not encourage their instructions but merely relayed a brief description of the decisions.

3. The Tea Act

New York merchants reacted with varying degrees of opposition to the Tea Act of 1773 which granted the East India Company a monopoly in the tea trade. This Act, fostered by the North administration, withdrew import duties on tea the company brought into England; relinquished the

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[91] Ibid., p. 194.

[92] Hoffman, The Marquis, p. 285.

government's right to payment from the company; advanced a government loan to the company; and permitted the company to export to America tea which it had previously sold to English and American middlemen.[93] This act was formulated to help the East India Company sell its surplus tea and enforce the collection of the Townshend tea duty. New York merchants opposed this monopoly which infringed on their trade in English tea and made Dutch tea which they also traded more expensive than the East India Company's tea.[94] Typical of the protest was a letter from a tradesman in Rivington's New York Gazeteer which related that "the last act of Parliament does not so much as mention the American Revenue Act. It absolves the East India Company from all duties and customs whatever with which they had been charged when they imported tea."[95] In New York the passage of the Tea Act resulted in the creation of a committee of correspondence and later the Committee of Fifty-One which combined radical, moderate and conservative factions.[96]

The East India Company agitated the American middlemen by appointing several American companies to be consignees of the tea trade. The firms of Abram Lott and Co., Henry White, and Pigou and Booth were the designated

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[93] Messages, pp. 747, 752, 757.

[94] Schlesinger, Merchants, p. 263; Becker, New York, p. 97; Harrington, Merchants, pp. 343-45.

[95] Harrington, Merchants, p. 344; Colonial Laws, p. 493.

[96] Rivington's Gazette, November 18, 1773.

consignees in New York. The ship Nancy owned by the Cruger family traders in New York and Bristol was the first ship to bring in the infamous tea.[97] John Cruger, the Speaker of the Assembly, having an interest in this trade appealed for acquiescence from the Assembly, and Cadwallader Colden, the Lieutenant governor, pleaded for moderation and attention to the protests of the colonists.[98] Prominent merchants discussed their opposition in the committee of correspondence and Committee of Fifty-One.[99]

Conservative members of the Assembly joined in expressing dissatisfaction by writing to Burke to request that he contact Henry Cruger, a representative for Bristol and join with him in presenting grievances to officials in England. These conservative members of the Assembly including DeLancey further agreed to send members to a Continental Congress.[100] The members of the Assembly's committee of correspondence received a letter from Burke stating that there was sentiment in Parliament for immediate action to quell the turbulence in America, however, the ministry was deaf to colonial petitions. He wrote

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[97]Becker, New York, p. 111; Schlesinger, Newspaper War, pp. 265, 277, 178, wrote that the purpose of the Whig newspaper propagandists was not to destroy the East India Company consignments but to nullify the act through public opinion.

[98]Becker, New York, p. 102.

[99]Messages, pp. 759, 760.

[100]Becker, New York, pp. 112-118; Hoffman, Burke's Letters, p. 138; Schlesinger, Merchants, p. 330.

> Lord North's speech on the first opening of the matter turned on the absolute necessity of doing something immediate and effectual. . .the popular current, both within doors and without, at present sets strongly against America. . . Mr. Bollan, Agent for the Council of the Massachusetts Bay, desired to be heard against it. His petition was not received by the House of Commons. . . Nobody can long more earnestly than I do to see an end put to those unfortunate differences.[101]

Burke did not refer to his own activities or his party's activities on American affairs.

In his correspondence Burke mentioned the East India Company's financial affairs but he neglected to comment on the Tea Act in which the New Yorkers were acutely interested. It was out of design to conceal his own position as well as to criticize the ministry that Burke commented in July 1773 that

> The East India Company's political and financial affairs are put into the hands of the Crown, but I am much afraid with little benefit either to the Crown or to the public, if the mere increase of Court influence is not to be reckoned a national advantage.[102]

His remarks were prior to public protest of the Tea Act, but he made no mention of New York interests relative to this act in his letters in the fall of 1773 or the spring of 1774. He wrote that "Mr. Fuller's motion for repeal of the tea duty had been rejected."[103] But he neglected to explain

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[101] Hoffman, Burke's Letters, pp. 139, 140.

[102] Ibid., pp. 245, 248.

[103] Ibid., p. 231.

his own position on the tea duty or the Tea Act which he expressed in his speech on American Taxation on April 19, 1774.[104] Indeed his sentiments although unsupportive of the ministry were also absent of proposals which would permit smuggling activities to continue, and he advanced no exhortation to allow the American middlemen to continue in the tea trade.[105]

One historian suggested that Burke thought the Tea Act was beneficial to the East India Company; however, his speech on American Taxation did not intimate that the Act was beneficial either to the company or to the Empire.[106] Burke protested in his speech on American Taxation about the tea duty, "Why did you repeal the others given in the same act, whilst the very same violence subsisted?"[107] He further posited that the East India Company had influenced the Parliament not to repeal the tax on tea and "you manifestly showed a hankering after the principle of the act which you formerly had renounced."[108] According to Burke the Tea Act allowed "a revenue not subsisted in the place of, but superadded to, a monopoly; which monopoly was

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[104] Ibid., p. 251; Parliamentary History, 1774, p. 1210; Parliamentary Debates, 1774, p. 170.

[105] Burke, Works, Vol. I, p. 400; Parliamentary History, Vol. 17, pp. 1210-1269.

[106] Burke, Works, Vol. I, p. 400.

[107] Hoffman, Burke's Letters, p. 124; Burke, Works, Vol. I, p. 400.

[108] Burke, Works, Vol. I, p. 400.

enforced at the same time with additional strictness, and the execution put into military hands."[109] Thus he objected to the use of the military to enforce the tea duty and the East India company's monopoly in the tea trade.

A repeal of the tea duty would have eliminated the need for smuggling, contrary to the aims of American merchants who were profiting from smuggling. Although they protested the duty it provided a need for lower priced tea which they imported by smuggling. Burke did not suggest that the Tea Act which was a most irritating measure to the New York merchants should be repealed.[110] The tea duty made the East India Company tea less expensive than the Dutch tea and eliminated the New York merchants from profitting from this trade. Thus New York merchants would not have favored Burke's speech.[111]

Only John Cruger, one of his correspondents in the Assembly, was protected since he was a consignee for the East India Company. In addition the Crugers in Bristol would have been satisfied with their company's participation in the monopoly. Indeed Henry Cruger, representative for Bristol did not protest the monopoly in Parliament.[112]

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[109] Parliamentary History, Vol. 17, pp. 1210-1267; Burke, Works, Vol. I, p. 400.

[110] Parliamentary History, Vol. 17, pp. 1210-1269; Burke, Works, Vol. I, p. 409.

[111] Burke, Works, Vol. I, p. 409.

[112] Schlesinger, Newspaper War, p. 172, noted that New York loyalist newspaper Rivington's New York Gazetteer complained about the East India Company.

Burke protected his Bristol consitutents as well as their New York counterparts. Yet his seat for Bristol conflicted with his agency on this occasion. Burke would have displeased most of his correspondents with his statements on the tea duty and the East India Company's monopoly and thus he avoided any statement about the monopoly or the tea duty.

Burke and his patron, the Marquis of Rockingham speculated in East India Company stocks and had reason to protect their investment.[113] The party did not take a stand on the Tea Act although Burke's pamphlet on American taxation suggested that the military support of a monopoly in the tea trade was vexatious to American merchants.[114] Rockingham and Burke confined their efforts to the repeal of the tea duty which was consistent with their opposition to the Ministry's repeal of the other Townshend duties but not the duty on tea which Burke stated served only to arouse further opposition in America.[115] The party refrained from taking a stance on the Tea Act since it did not serve their interests in the East India Company and would only make them appear to support American violence.[116]

The object of the Rockingham party was to gain the

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[113] Parliamentary Debates, 1774, p. 170.

[114] Hoffman, Burke's Letters, p. 279; L. S. Sutherland, The East India Company in Eighteenth Century Politics (Oxford: At the Clarendon Press, 1952), pp. 241-42, 248.

[115] Burke, Works, Vol. I, p. 409; Parliamentary Debates, 1774, p. 859.

[116] Parliamentary Debates, 1774, p. 174.

ministry again since Burke stated that the policy of that party during their term of office was the only sensible road to conciliation.[117] The East India Company's affairs, however, were of interest to the party as they were to many of the opposition parties.[118] Rockingham wanted to cultivate the image of having the most sensible plan for conciliation with America and Burke was intent upon his purpose to support his party's East India Company interests as well as their methods of conciliation in America. The Rockingham faction was not interested in joining with any other party in East India affairs or on American conciliation.[119] The factions were far too concerned with their own political ascendancy to allow an issue to be more important than their policy and their allies in the government.[120] Thus New York's interests were of minor importance to Burke compared to his party's political position and he was not prepared to explain views to his correspondents which the newly forming radical, conservative and moderate political factions in New York would have opposed.

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[117] Parliamentary History, Vol. 17, p. 1269; Burke, Works, Vol. I, p. 437.

[118] Parliamentary History, Vol. 17, p. 1350. Rockingham argued in the House of Lords that his ministry's policy was the best one.

[119] Sutherland, East India Company, p. 240.

[120] Neill R. Joy, "Burke's Speech on Conciliation with the Colonies; Epic Prophesy and Satire" Studies in Burke and His Time (Fall, 1967), p. 758, wrote that Burke and the parties of his century were given to compromise, however, the parties were only interested in their own power.

4. Coercive Acts and the Quebec Boundary

After the passage of the Coercive Acts in 1774 Burke wrote to his correspondents to inform them of the tone of Parliament against the colonies.[121] He mentioned that he and his colleagues, Dowdeswell, Barré, Fox, Saville and Conway, opposed the measures, but many others, mainly North's supporters, supported the measures.[122] In his speech to Parliament Burke said that the acts were unjust because they punished the colonists too severely.[123] Commenting on the speeches delivered in Parliament, Burke warned that newspapers provided unreliable accounts. "They are rarely genuine; they are for the most part extremely misrepresented, often through ignorance, often through design."[124] In Parliament the agents were not well accepted and Burke cautioned his constituents to send their own pleas.[125] He wrote "I am to inform you that a Mr. Bollan, agent to the Council of Massachusetts Bay, offered another petition. The house refused to receive it. . .It was

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[121]Pares, George III, p. 84, called office an end in itself.

[122]Hoffman, Burke's Letters, p. 246; Journals of the House of Commons, Vol. XXXVII, p. 12; Guttridge, Whiggism, p. 73, wrote that the coercive acts brought more unity in opposition but the Rockingham party found some of its leaders supporting the ministry.

[123]Hoffman, Burke's Letters, pp. 249-50; Parliamentary Debates, 1775, p. 1214.

[124]Parliamentary History, Vol. 17, pp. 1182-1186.

[125]Hoffman, Burke's Letters, p. 250.

asserted that no temporary assembly could give general powers of agency. . ."[126] Although Burke suggested that he had little influence on behalf of New York he continued to represent them in Parliament and to the Board of Trade until his final correspondence on October 3, 1775.[127]

The Committee of Correspondence received a letter from Burke in June 1774 which explained that the Quebec Act had some effect on the boundaries and political situation in New York. He promised to join with Governor Tryon, newly arrived in England, in opposing the bill.[128] He belatedly wrote in August 1774 what had transpired in Parliament on the bill. The ministry according to Burke wanted to prevent the American colonies from expanding westward and North any farther than they had already asserted claims. He wrote that

> it is true that a few lords, and Lord Rockingham in particular, objected to the idea of restraining the colonies from spreading into the back country. . .for by stopping the extent of agriculture, they necessitated manufactures, contrary to the standing policy of colonization.[129]

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[126]Michael Kammen, A Rope of Sand; The Colonial Agents, British Politics and the American Revolution (New York: Cornell University Press, 1968), p. viii; Thomas C. Barrow, Trade and Empire: The British Customs Service in Colonial America 1660-1775 (Massachusetts: Harvard University Press, 1967), p. 111, wrote that legally the Board of Trade was only an advisory body.

[127]Hoffman, Burke's Letters, pp. 271-272.

[128]Ibid., pp. 252-53.

[129]Ibid., p. 251.

Burke emphasized that his party supported the rights of the colonies in this opposition to the ministry. Burke explained that he consulted Pownall, Dartmouth and North on the boundary question and determined that on the west side of New York there was some danger of encroachment since the Quebec rights were undetermined and according to the act, the land was to belong to Quebec.[130] The boundary line Burke proposed was accepted and he wrote with pride that his proposal was received well and that he was sure he had acted with assiduity.[131] Although Burke was pleased with this accomplishment he received no instructions from New York and may have differed from their surveys of the boundary.[132]

The Quebec boundary was discussed in the Council and Assembly of New York first in 1770 and again in succeeding years and a survey was performed prior to the passage of the Quebec Act. Governor Tryon reported to the Assembly in 1772 that a survey was begun by the Commissioner appointed by former Governor Dunmore and Lieutenant Governor Cramahe.[133] The survey continued until 1774 when Governor Tryon reported that "the survey party exhausted their provisions short of the boundary termination point."[134] Burke had the counsel of the Governor to determine satisfactory arrangements for

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[130] Ibid., p. 272.

[131] Ibid., pp. 252-53.

[132] Ibid., p. 121.

[133] Ibid., p. 258.

[134] Ibid, p. 260.

New York, and without the assembly's instructions he was well informed of the proposals of his employers.

Justifiably Burke commended himself to his correspondents that he had acted strategically and "with great rectitude of intention and a good deal of assiduity."[135] Burke did not discuss the politically flammable issue of the Act which recognized the Catholic Church in Quebec.[136] Apparently he did not want to arouse the sensibilities of his correspondents hoping that conciliation which was the proposed strategy of his party would be achieved by his successes in winning an acceptable boundary. Urging discretion on the part of his employers, Burke proposed that they follow a policy for conciliation rather than delivering remarks about the new land which would be inflammatory.[137]

5. Governor's salary, Quartering troops, Bills of Credit

Burke chose to ignore several issues which were important in New York politics and on which the Board of Trade sent instructions to the governor of the colony. Between 1770 and 1775 the Governor declined a salary which

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[135] Messages, pp. 755-757; Journals of the Board of Trade, 1774-75.

[136] Messages, p. 744.

[137] Messages, pp. 755, 747. The Quebec and New York surveyors began the line from Lake Champlain in the 45th degree North Latitude to the Connecticut River and plotted the line to the St. Lawrence.

the assembly offered each year.[138] The Assembly offered this salary to obtain control of the Governor, and the Governor refused because of instructions which provided that his payment would come from England. This was obviously a disagreement Burke would not want to become involved in since it was an issue of control from England which the Assembly challenged.

The quartering of the King's troops was provided for in the Assembly but disapproved in 1773 by public clamor because of the troops' support of the tea duty and the East India company's monopoly.[139] Burke never represented this issue to the Board of Trade since he did not want to be described as supporting the American mob. In addition the issue was not disapproved in the New York Assembly officially and Burke's correspondents did not complain about the troops.

Burke did not present to the Board the Act for emitting Bills of Credit or the act for promissory notes and made no mention of supporting these acts probably because he was too occupied with opposition efforts in the

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[138]Hoffman, Burke's Letters, pp. 260, 146, 129; Parliamentary Debates, 1775, p. 1357; Guttridge, Whiggism, pp. 74-75, wrote that all opposition factions opposed the Act and the Quebec Bill was moderate and based on commercial and constitutional interests; C. R. Ritcheson, British Politics and the American Revolution (Norman: University of Oklahoma Press, 1951), pp. 167-68, wrote that Burke was unaware that he was inflaming the New York constituents, however, this was not the case.

[139]Messages, pp. 738-745; Labaree, Royal Instructions, Vol. I, p. 10; Labaree, Royal Government, pp. 337, 340.

House of Commons.[140] A more pressing reason for his actions, however, was that he supported the conformity of the colonies to the laws of England and deferred to the opinions of his superiors on the Board of Trade and Privy Council on issues which conflicted with the colony's claims.

6. Efforts to Gain Political Support

Burke repeated his conciliatory position from his speech in March 1775 when he wrote to James DeLancey, "I congratulate you on the success of your endeavors and hope they will have the desired effect of leading to that conciliation for which they were so honestly intended and so earnestly purseue."[141] Burke hoped that his correspondents might control the divisions in the colony. Trying to convince his correspondents of his good relations with Cruger he wrote in March 1775 that "I have not had hitherto an opportunity of congratulating you on Mr. Cruger's seat for Bristol being confirmed by the election committee. I wrote to Mr. Cruger the Speaker to congratulate him upon the original election."[142] Although differing in political factions with Cruger, Burke was interested in cultivating

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[140] Messages, pp. 737, 741, 748, 753; Labaree, Royal Instructions, Vol. I, p. 193; Hoffman, Burke's Letters, pp. 219-272; Later the issue was debated over the Coercive Acts; Debates, 1774, p. 1353.

[141] Journals of the Board of Trade, 1773-1775, pp. 366-437; Acts of the Privy Council, 1773-1775, p. 638; Colonial Laws, p. 638; Royal Instructions, Vol. I, pp. 227-28.

[142] Hoffman, Burke's Letters, p. 262.

the support of his correspondents for conciliation and consequently wanted to imply sympathy with his co-representative for Bristol. Burke apparently wanted to appear closer to New York and American colonial sympathies through this association with Cruger. His remarks, however, were totally contrary to his relation with Cruger and Bristol radicals.[143]

In 1775 Burke emphasized to his correspondents that the ministry reacted to protests in the colonies with a strategy to secure support of loyal factions in the protesting colonies.[144] He was more careful in these last letters to explain the details of New York's position in Parliament than he had been in his early letters.[145] In 1771, 1772 and 1773 when he stated that newspaper reports should satisfy their request for detailed accounts of political developments, he was intent upon concluding that the North ministry was responsible for the agitation which recent laws had aggravated and that the colony's interest was still represented by his efforts and Lord Rockingham's opposition.[146] In March 1775 he wrote,

> I find that Ministry place their best hopes of dissolving the Union of the colonies and breaking the present spirit of resistance, wholly in your Province. I wish that the bills which I transmit may be found well adapted to cooperate with your pacific

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[143] Ibid., p. 263.

[144] See Chapter 3.

[145] Hoffman, Burke's Letters, p. 263; Parliamentary Debates, 1775, pp. 644-45.

[146] Hoffman, Burke's Letters, pp. 214, 265.

system.[147]

Supporting this supposition he explained that the ministry had passed the Restraining Act on trade and fisheries for the New England colonies of Newfoundland and that New York was omitted from this restraint of trade.[148] On the 7th of June 1775 he explained that he and members of his party had offered New York's Remonstrance to be read in the House of Lords and House of Commons.[149] Unfortunately Lord North opposed the reading of the Remonstrance although "he declared that the conduct of the colony of New York had his hearty approbation."[150] Burke further explained that their memorial was supported by several peers including the Duke of Manchester, the Duke of Richmond, the Marquis of Rockingham, Lord Camden, and the Earl of Effingham who were all Rockingham's supporters. Burke said that he had presented their memorial and Remonstrance to the Board of Trade, but he had not printed it because of Mr. Pownall's advice who he asserted leant an approving ear for New York.[151]

He was eager to convince his clients that he had some influence over their affairs in the Board of Trade;

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[147] Ibid., p. 263.

[148] Ibid., p. 264; Parliamentary Debates, 1775, pp. 379, 421.

[149] Hoffman, Burke's Letters, p. 268; Journals of the House of Commons, Vol. 35, p. 376; Journals of the House of Lords, Vol. 34, p. 461; Parliamentary Debates, 1775, p. 643.

[150] Parliamentary Debates, 1775, p. 644; Hoffman, Burke's Letters, p. 269.

[151] Hoffman, Burke's Letters, p. 270.

however, his recent efforts for the Cheesocks Act were unproductive and significant of the increasing lack of sympathy held by members of Parliament and the Board of Trade where Burke represented New York.[152] Burke apparently represented the ministry's position more candidly in 1775 than in his early letters[153] because he was trying to stir support for conciliation which would benefit his efforts as well as his party's strategy. His remarks were skewed to infer that the Rockingham party patronized New York's position in their Remonstrance. The presentation of Remonstrances from New York was an effort which Burke stirred to support the conciliatory pleas and this was a counter effort to North's strategy to gain New York's sympathy for the ministry.[154] Rockingham, however, was interested in New York only insofar as its pleas supported his petitioning strategy.[155] Burke solicited New York's political sanction belatedly, apparently not recognizing the benefits of their political support until 1775 and even then ignoring the existence of new political strength in the delegation to the Continental Congress.

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[152] Ibid., p. 266; Journals of the Board of Trade, 1774, p. 383; Kammen, Agents, pp. viii, 249.

[153] Contrary to his previous rebuff of their inquiries about the political situation in England; Hoffman, Burke's Letters, p. 214.

[154] Parliamentary Debates, 1775, p. 644; Parliamentary History, Vol. 18, 1774-75, p. 643, North spoke of the loyalty of the colony.

[155] Parliamentary History, 1774, p. 1350.

Limitations of Burke's Agency

Burke tried to persuade his New York correspondents that his efforts in their behalf were in their interests and that his connections on the Board of Trade as well as in the Rockingham faction were of great benefit to their claims.[156] Actually he did not know enough about their claims to lobby strictly for their interests.[157] This lack of knowledge was the fault of poor communications, distance, and his indifference to New York's particular needs.

Burke apparently wanted the agency for the salary which in a minor way helped his finances, but more practically he wanted to increase his prestige and connections with the Rockingham party.[158] He was least of all considerate of the aims of his employers since the agency might have conflicted with some of Rockingham's efforts. Rockingham took an interest in New York's remonstrances in 1775 but was uninvolved in Burke's New York connection other than for his petitioning movement.

Burke's attention to New York's boundary disputes indicates that he attended to small matters in a very excessive way, ignoring more pressing problems which

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[156] Hoffman, Burke's Letters, pp. 260, 269, 220.

[157] Ibid., pp. 234, 243, 260, 272.

[158] His salary was £500 and his debts were in excess of £30,000; Murray, Burke, pp. 160-161; Tanner, "Colonial Agencies", p. 31.

developed in the colony.[159] He solved some of his correspondents' land claims as well as some English aristocrats' land claims. He never mentioned trade problems to his correspondents, probably deferring to the managers of companies based in Bristol.[160] Obviously his actions on the Tea Act were designed to concur with the Cruger merchants in Bristol and New York.

He was remiss in opposing the monopoly of the East India company in the tea trade from the New York merchants' point of view, and no doubt his connections with the company prevented his acting in their behalf.[161] Rockingham's views probably also prevented Burke from challenging the company. He was nevertheless aiding the monopoly when he did not oppose the Cruger's involvement in the affair. His speech on American taxation was not directed specifically to help New York but his views were certainly to emphasize his disapproval of monopoly. The discussion of monopoly, however, was mostly ignored since it was a favorite charge of any faction against business interests but was seldom investigated.

Burke frequently abandoned his participation in New York's problems to Dartmouth, the first lord of the Board

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[159]Changing politics, Tea Act, Acts approved by the New York Assembly.

[160]Hoffman, Burke's Letters, pp. 194-272.

[161]Murray, Burke, p. 161; Hoffman, Burke's Letters, p. 272.

of Trade and Rockingham's ally.[162] He was, on a personal level, trying to obtain Dartmouth's friendship to boost his position with Rockingham and on an impersonal level, trying to get support for future party efforts. His position as agent and a member of the House of Commons prevented him from having as much prestige in lobbying New York's position as a peer had on the Board of Trade or in Parliament, however, the agency might have served to hurt his position of power since agents were increasingly ignored by the English government.[163] Burke probably surmised that Dartmouth was better able to accomplish his aims than he was and consequently appeared very remiss in his duties.

Burke was arbitrary in his handling of his agency but he cannot be termed ineffective in his job or inattentive to his New York employers. Indeed, his employers criticized his behavior only once, requesting additional information about New York's position in England. They reaffirmed his agency with the same salary and on one occasion remitted an extra allowance.[164] Although Burke certainly ignored the radical and even moderate elements in the colony, especially the Livingston Whigs, he was attentive to his correspondents, the DeLanceys, who controlled the Assembly.

It was not unusual for the controlling faction in

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[162]Hoffman, Burke's Letters, p. 230.

[163]Kammen, Agents, p. 243.

[164]Hoffman, Burke's Letters, p. 277; Journals of the Board of Trade, 1775, p. 383.

the New York Assembly to control the agent for the colony.[165] Burke's attentiveness to the DeLancey faction was not, therefore, responsive to the colony or to the Assembly as a whole, but did reflect his rightful concern with those who were in power in the Assembly.

Burke attended to specific requests from his employers, as, for example, concerned the boundary disputes, the Tea Act, and the Coercive Acts, in the same manner as the previous agent, Robert Charles. Burke was, however, more successful in winning a conclusion to the boundary disputes than Charles. It might be concluded that he was very effective in dealing with this issue which was so very important to New York claimants during his agency. Burke ignored certain issues, such as the disputes concerning the Governor's salary, the Quartering of troops, and Bills of Credit; however, he incurred no criticism for this decision from his employers.

Burke had better connections in the Board of Trade and House of Commons than the previous agent, Robert Charles. Burke's employers were consequently rewarded for their choice of him as their agent with a successful conclusion to their boundary disputes in the Board of Trade and Privy Council. In the House of Commons, New Yorkers' grievances against the Coercive Acts, Quebec Act, and Quartering Act were represented by Burke and other members of his party, while other agents during the 1770's had difficulty in even

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[165]Varga, "Robert Charles", p. 218.

gaining access to Parliament. In addition, Burke presented the Assembly's Memorial and Remonstrance in 1775, although he personally and politically disagreed with their exceptions to the Declaratory Act.

Burke had prior commitments to his party and to the empire, before he became involved with New York, which precuded his participation in affairs which might be politically damaging to him. Burke concluded to his correspondents with his final letter on October 3, 1775, stating that he could not support the Olive Branch Petition because

> the Assembly of New York, by whom alone I have been authorized to act for any public body in America, not having thought it expedient to send new deputies to the Congress, or to approve the conduct of the deputies before sent thither. . .I could not as Agent to that Assembly present the acts of the Congress to the King or his Ministers.[166]

He had previously described his position as a representative for the colony as follows

> On my part I have been much occupied in business which surely is most interesting to the British Empire, and in this I have taken that part which in my judgement appeared to be most conducive to the benefit of the whole.[167]

Philosophically and practically Burke declined to represent certain issues for the colony which varied with his sentiments and his strategy as a member of the Rockingham opposition and also his attention to political expediency.

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[166]Hoffman, Burke's Letters, p. 272.

[167]Ibid., p. 264.

Reaction to Burke

His New York correspondents expressed displeasure with Burke's inspecific descriptions of their affairs in England. Accordingly, Burke responded to DeLancey in 1772 that he could not give detailed explanations of political developments

> I am extremely sorry that my correspondence had not been so pleasing as I could wish to the gentlemen of the committee. . . .It is, however, impossible that I should gratify them in the particulars you mention. . . Almost all matters of public concern get immediately into the newspapers. It would not be very respectful to them, to transcribe what had before appeared fully in print; and whatsoever news I might chance to hear, which had not got abroad in so public a manner, it might be either so insufficiently authenticated or so confidentially communicated, that it would be against all prudence and decency to make it the subject of a correspondence of office.[168]

Burke's credibility as an English governmental official might have suffered if he divulged the private discussions he had participated in with officials at the Board of Trade, in Parliament, or especially with his party. His cautious approach to divulging the situation of New York was somewhat curious, however, since he could have profitted from explaining details in his favor and in his party's favor as opposed to exposition in the newspapers which did not contain the intimacies of the conduct of affairs which might affect New York. The newspapers generally were uninformed on the

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[168] Ibid., pp. 214-15.

details of the colony's relation with the Board of Trade and with specific officials in Parliament.[169] Burke was evading his correspondents' request to assume a less polemical position. He preferred to state his polemics in specific speeches on Taxation and Conciliation rather than in his letters which might be published publically in newspapers and produce criticism in England.[170]

The Whig and Tory newspapers in New York inaccurately depicted Burke as a champion of the colonists right to govern and tax themselves. They recorded nothing of his activities as agent of the colony but rather depicted him only as a member of Parliament and the Rockingham party.

The Whig and loyalist newspapers commented on Burke's activities in a general manner and perhaps contrived from imagination rather than from his actual speeches. The New York Journal, a Whig newspaper, editorialized "This gentleman's distinguished abilities and firm attachment to the American cause will, no doubt, render his appointment very disagreeable to our enemies at home."[171] The New York Gazette in 1770 printed a speech supposedly written by Burke which was not typical of his sentiments expressed in

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[169]Rivington's Gazette; New York Gazetteer.

[170]Henry Cruger's supposed letter to New York was criticized in Felix Farley's Bristol Journal, 1775 (hereafter called FFBJ).

[171]Rivington's Gazette, December 29, 1771; March 18, 1775; April 27, 1775; May 4, 1775; July 13, 1775.

his speeches on America:[172] "the Americans are contending only for an inalienable right; the right of taxing themselves, which is inseparable from every country that boasts the least degree of freedom."[173] These sentiments are more likely the words of the editor than Burke. The New York Mercury printed the proceedings of the British Parliament in July 1774 which are more similar to Burke's style"

> Mr. Edmund Burke. . .in a debate relative to the repeal of the duty on tea in America, spoke for more than two hours; he first shewd the inutility of the tax, and its mischevious consequence to the liberties of America and to the trade of every part of the British Empire. . .[174]

This excerpt is typical of the description of Burke's position in Parliament and served to influence the view of the newspaper's readers that Burke was sympathetic to the rights of the colonists.

The information about Burke neglected his activities as agent but reported incidents of his activities and strategy of his party in Parliament. The New York Mercury carried on February 5, 1776, a letter from a Bristol Merchant, Mr. Hayes, along with Burke's response that he presented the merchants' petitions and that his colleague William Baker also presented petitions from the merchants'

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[172]Rivington's Gazette, November 8, 1777.

[173]Hoffman, Burke's Letters, p. 102, from New York Journal, January 7, 1771; Carl B. Cone, Burke and the Nature of Politics in the Age of the American Revolution (Kentucky, 1957), pp. 58-59.

[174]Burke, Works, Vol. I, pp. 382-437.

interest.[175] The Rockingham party was well known for its efforts presenting petitions from English merchants which opposed the ministry's taxation policy as well as other trade restrictions. The readers were aware of these efforts in which New York merchants participated but they were largely unaware of his activities as an agent probably due to the censoring activities of the Assembly's correspondents who wanted to quell any increase in mob activity which direct publishing of Burke's letters might have inspired. Burke encouraged his correspondents to describe the conciliatory efforts typical of his party.[176] The Loyalist newspapers were in agreement with a policy of neglecting the more inciting activities of Parliament; however, both the Whig and Loyalist newspapers had little detailed information from England of the unofficial deliberations with which Burke was familiar. Any unofficial deliberations such as those about Burke expressed in newspapers were written with little support and veracity.

Reports on his activities from Bristol were quite numerous after 1774 and some of the attitudes of this English port were evident from articles and letters both in support of and opposed to Burke.[177] The New York readers read much news from Bristol because Burke was their

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[175]Hoffman, Burke's Letters, p. 102, from New York Gazette, April 30, 1770.

[176]New York Mercury, Hugh Gaine, July 11, 1774.

[177]New York Mercury, February 5, 1776.

representative but also because it was a port with which New York traded. Prior to the outbreak of revolution there were only favorable accounts of Burke from Bristol, but the revolution precipitated letters deriding Burke for his apparent support of American hostilities.[178] Thus the colonists view of Burke as a supporter of their protests against the English government were reinforced by these inaccurate reports.

In 1777 a letter ridiculing Burke's speeches on the American colonies appeared in Rivington's Gazette, a loyalist newspaper. The letter from Bristol criticized Burke and his patron Rockingham.

> It is true, indeed you have been raised from indigence and obscurity but it is by such means, as would make an honest man wish to be forgotten. In the plain title of Mr. Burke, a private gentlemen, there is not anything of which an ingenious mind ought to be ashamed, but in the appellation of Lord Rockingham's dependent, there is that which the city of Bristol may lavish away upon you, palliate its infamy. . .Whenever the want of principle has been objected against you it has been the fashionable sentiment of your party to represent the offers from Government which you have had, and refused. While you daily hold forth the blessing of unanimity and peace you are sowing the seeds of discord and sedition; opposing the arts of Government and constitution yourself secure only in your insignificance--the reformer of the age.[179]

This letter promoted the idea that Burke was the champion of American rights, but it also made the readers aware that

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[178]Hoffman, Burke's Letters, pp. 254-260.

[179]Rivington's Gazette, November 22, 1777.

there were sentiments in Bristol which were opposed to the colonial claims.

There were no articles in New York newspapers which opposed Burke or reacted unfavorably to his activities in Parliament or as New York agent. The lack of any comments in opposition to Burke is representative of the propagandizing nature of the articles which depicted Burke in such a favorable mode to the colonists. Due to his correspondents' protective attitude about their requests of Burke and his responses, opinion could more readily be controlled in favor of the conservative and moderate faction which hoped to ameliorate differences with England rather than submit to the violence which radicals proposed. Opinion in New York was developed from the ignorance of New York newspaper writers and fostered by the information which Burke's correspondents delivered depicting Burke's policy and the Rockingham faction as representing views and petitions of the colony.

CHAPTER III

Burke: Representative of Bristol

Concept of a Representative

Richard Champion, an influential merchant in Bristol, first mentioned Burke's name for candidacy as an MP to the corporation of the city in 1774. He wrote to Burke to explain his sympathy with the Rockingham party and his assessment of the political scene in the city and to ask him to consider running for election.[1] He explained the situation in these words:

> In short the State of Parties now in this Town is this. Many or most of the Gentlemen are for Lord Clare and Mr. Brickdale, and look on the former as certain--the remainder have not declared, since no one but Mr. Cruger appeared, and who. . .will not declare without some person of greater Consequence appearing. These lay a stress on the necessity of a Gentlemen of Interest and abilities representing the Town--but these the name of Mr. Burke so entirely answering that character, would be an entire Attraction. The Tradesmen in general are highly discontented and will go I think with any opposition. . .The graver Sort among the Dissenters would indisputably declare for you. . .The lower sort of Freemen, who are very numerous, depend mostly on their masters.[2]

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[1] Correspondence, Vol. 3, pp. 42-47.

[2] Ibid., p. 47.

Thus Champion assured Burke that there was ample reason to foresee a victory from a field of four candidates--Burke, Clare, Cruger, and Brickdale.[3] Burke entreated Champion for his opinion on a method for procuring the nomination.[4] Clearly Burke depended on Champion for his political information and for his influence to bring political support.

There were several radicals who were interested in Burke's candidacy[5] identified as a group in Champion's letter and further confirmed by a letter proposing candidacy from Dr. Thomas Wilson, a known supporter of radical politics. Dr. Wilson wrote Burke on 1 July 1774. "A contest in place of that magnitude is a serious affair to all parties and in a maritime Town a court candidate has great advantages."[6] Dr. Wilson hoped that Burke would provide support for the trading interests of the town since he was a member of the Rockingham party which was known for its organization of the merchant community in petitioning the government.[7] The polls opened on October 11 and closed on November 2 with

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[3]Felix Farley's Bristol Journal, November, 1774 (hereafter FFBJ); G. E. Weare, Edmund Burke's Connection with Bristol From 1774 to 1780 (Bristol: William Bennett, 1894), pp. 1, 44.

[4]Correspondence, Vol. 3, p. 54.

[5]Weare, Burke, p. 26; P. T. Underdown "Henry Cruger and Edmund Burke: Colleagues and Rivals at the Bristol Election of 1774" William and Mary Quarterly (1958), pp. 14-34.

[6]Correspondence, Vol. 3, p. 3.

[7]Underdown, "Colleagues and Rivals", p. 29.

the following result: Cruger, 3565; Burke, 2717; Brickdale, 2456; Clare, 283.[8] Many radicals as well as undecided Tories and Whigs who expected to obtain commercial support found him to be a most suitable nominee.

Burke had excellent associations with the majority Dissenter group in Bristol. Richard Shackleton, a Quaker, and Burke's boyhood friend, recommended Burke to Champion, also a Quaker, stating that he was a man of integrity and a protestant.[9] Burke's most frequent Bristol correspondent was Richard Champion who had solicited Burke's candidacy.[10] Champion was a prominent merchant who dealt in the American and West Indies trade, and was a sponsor of the Bristol Library Society, and of the Bristol Infirmary, of the Bristol Society for the Relief and Discharge of Persons confined for small debts.[11] In addition he seems to have had some esteem with the Corporation of the City since he explained Burke's position to the Corporation and the instructions of his constituents to Burke.[12] Champion approved of Burke's views on the merchants' needs, radical politics, and on

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[8] FFBJ, November 2, 1774.

[9] Correspondence, Vol. 3, p. 65.

[10] G. H. Guttridge, ed., The American Correspondence of a Bristol Merchant 1766-1776; Letters of Richard Champion (Burkeley, 1934), p. 55; Correspondence, Vol. 3.

[11] Dictionary of National Biography, Vol. X, pp. 34-35; P. T. Underdown, "Burke's Bristol Friends" Transactions of the Bristol and Gloucestershire Archaeological Society, 77 (1958), p. 129.

[12] Champion's Letters, p. 5.

government controlled by the aristocracy.[13]

After his election Burke also communicated with several other merchants whose politics were similar to Champion's. Burke communicated with the Farrs, prominent merchants and members of the Common Council and Society of Merchant Venturers on the American and West Indies trade and he presented petitions to favor their trade.[14] Burke also corresponded with John Noble who was a Newfoundland merchant and member of the Common Council and the Society of Merchant Venturers.[15] A large part of Burke's correspondence was on trading matters with merchants who became his closest associates in Bristol.

The politically important Sheriffs of Bristol and the Society of Merchant Venturers corresponded with Burke to promote Bristol's trading interests.[16] Although Burke directed his comments to these two groups, more frequently Champion was his go-between and this relationship allowed Burke to pay greater attention to Champion who also supported the Rockingham party. Burke's attention to Champion's business problems was indicative of an alliance between trading interests in Bristol and the Rockingham faction which hoped to acquire support for a possible ministry of their

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[13] Ibid., pp. 1, 4.

[14] Correspondence, Vol. 3, pp. 232, 248.

[15] Ibid., p. 174.

[16] Correspondence, Vol. 3; W. E. Minchinton, Politics and the Port of Bristol in the 18th Century, Vol. 23 (Bristol Record Society: University of Bristol).

faction to replace a ministry of Lord North.[17]

As a representative in Parliament Burke proposed measures on trade which would help his constituents, particularly those who promoted his candidacy in the House of Commons. He acted as a lobbyest for their interests to the Board of Trade, Admiralty, Treasury, Privy Council and Customs house.[18] He was expected to represent them as a policy maker, organizer for petitions, advisor, and solicitor in all areas of the government, and Burke's party connections helped him to obtain the support he needed. Although he derided the idea of a representative serving as an agent, his lobbying in the departments of government was the action of an agent for Bristol's interests. It was thus important what interests he supported.[19] In general he was most closely attuned to the merchant community but specifically to the needs of his supporters--Champion, the Farrs and Noble.

In the 1774 election there was dissension between opposing factions on specific instructions to be given to their representatives. Instructions to representatives was

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[17] Parliamentary Debates, 1775 (pp. 168, 180); 1776 (p. 1298); 1777 (pp. 3, 51, 362).

[18] Correspondence, Vol. 3, pp. 292, 259, 362, 301; Acts of the Privy Council, Vol. XI, 1774, p. 40; Journals of the Board of Trade, 1768-1775, p. 416; Hugh Owen, Two Centuries of Ceramic Art (Gloucester, 1873), p. 225; Burke, Works, Vol. 2, pp. 127-172.

[19] W. E. Minchinton, "The Merchants in England in the 18th Century" Explorations in Entreprenurial History X (1957), p. 130.

an issue of reform politics which Burke opposed.[20] As a member of the Rockingham party Burke was philosophically opposed to a wider voting franchise or to popular control of the vote.[21] In order to explain his position on instructions Burke made a speech to the electors of Bristol on November 3, 1774.[22] This speech foreshadowed the manner in which Burke represented Bristol and his views were implicit in the disagreement he later had with his constituents on the concept of representation. He stated that

> authoritative instructions; mandates issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgement and conscience--these are things utterly unknown to the laws of the land, and which arise from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a deliberative assembly of one nation, with one interest, that of the whole. . .[23]

Those who identified with aristocratic politics commended Burke's address apparently overlooking his diplomatically stated opposition to instructions. The influential radical faction was outraged. Later, however, his representation came into question with many of those who supported

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[20] L. S. Sutherland, "Edmund Burke and the Relations Between Members of Parliament and their Constituents" Studies in Burke and His Time (1968), p. 1007.

[21] I. R. Christie, Wilkes, Wyvill and Reform; the Parliamentary Reform Movement in British Politics 1760-1785 (London: MacMillan and Co. Ltd., 1962), p. 75; J. Cannon Parliamentary Reform 1640-1832 (Cambridge: At the University Press, 1973), p. 62.

[22] Burke, Works, Vol. 1, p. 446.

[23] Ibid., pp. 446-47.

him and his position on instructions was detrimental to his acceptance in Bristol.[24] His constituents were accustomed to this view of instruction on issues not directly effecting Bristol; but on issues of particular interest to Bristol and to the radical factions his words attracted active opposition. Even Burke's close friend Richard Champion had to vindicate Burke to another of his supporters, Thomas Farr, over Burke's affirmation of the Declaratory Bill in 1776 which was contrary to the temper of opinion in Bristol.[25]

Burke's colleague Henry Cruger also met with opposition over his supposedly pro-American attitude to the revolution. Thus the issue over instructions to candidates affected all members in the House of Commons including radical representatives. The words that Burke spoke were orthodox to representatives of Parliament who maintained their right to represent their constituency in accordance with their predisposition. The necessity of hearing instructions of constituents was a well-known practice from the middle ages;[26] however, in 1774 members of Parliament were ostensibly aware of demands of the constituents of all factions on reform politics and the American Revolution.[27]

Burke's position on supporting commercial grievances

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[24]Underdown, "Colleagues and Rivals", pp. 15-16.

[25]Correspondence, Vol. 3, pp. 253-55; Debates, 1778, p. 1010; Parliamentary History, Vol. XIX, pp. 563, 1010; Guttridge, Whiggism, p. 97.

[26]Sutherland, "Edmund Burke and Relations", p. 1007.

[27]I. R. Christie, Wilkes, pp. 62, 65.

was particularly attractive in this second largest port city in England. The merchant interests were the ones which most energetically solicited Burke. He was, however, a representative of the empire rather than one constituency or interest as he explained in his speech at the Conclusion of the Poll,[28] and this concept was different from what many of his constituents wanted in a candidate. Burke was most favorable to their commercial interests and they helped him procure the support he needed to petition Parliament to repeal certain trade duties which inhibited Bristol's trade.[29] Burke found this role as representative for commercial interests compatible with his views and political statements on American commercial grievances.

Political factions and Merchant Groups

Bristol obtained a charter as a city in 1373 in the reign of Edward III. The city was divided into 12 wards with aldermen presiding over each of them,[30] and the corporation of the city consisted of 12 aldermen including the mayor and recorder, two sheriffs and forty-three common councillmen. The voters numbering 5000 to 6000 in 1774

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[28]Burke, Works, Vol. 1, p. 447.

[29]Minchinton, Politics, p. xviii; Sutherland, "First Rockingham Ministry", p. 59.

[30]Edward and Annie G. Porritt, The Unreformed House of Commons, Vol. 1 (Cambridge: At the University Press, 1963), p. 17; T.H.B. Oldfield, The Representative History of Great Britain and Ireland, Vol. IV, (London: Baldwin, Craddock, Toy, 1816), p. 411.

were forty shilling freeholders and freemen. Freedom was acquired by birth, purchase, apprenticeship or marriage to the daughter of a freeman.[31]

The Sheriffs of Bristol nominated the candidates for representative of Parliament. Voting was not secret, lasted several weeks and was recorded publicly.[32] Usually one of Bristol's members was a local merchant and the other a politician with national party connections and a knowledge of economic policy.

The state of political parties in 1774 shifted as a result of an emergence of the radical movement.[33] Champion described the political parties to Burke in his letter on 1 October 1774 in which he said most of the Tories and some Whigs supported Lord Clare and Mr. Brickdale but there was a discontented group which might swing either to Burke or to the radical candidate.[34] Previous to this election

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[31]John Corry, in The History of Bristol Civil and Ecclesiastical Including Biographical notices of Emminent and Distinguished Natives, Vol. 2 (Bristol: Shepherd Exchange, 1816), pp. 22, 30; wrote that although there were between 7000 and 8000 voters registered only 5000 to 6000 voted; Patrick McGrath, ed., Bristol in the Eighteenth Century (David and Charles, 1972), p. 15, see in this volume Underdown's "Bristol and Burke"; Oldfield, Representative History, Vol. IV, p. 415.

[32]Oldfield, Representative History, Vol. IV, p. 415; R. Pares, King George III and the Politicians (Oxford: At the Clarendon Press, 1959), p. 193.

[33]Weare, Burke, pp. 9-12; I. R. Christie, The End of North's Ministry (London: MacMillan and Co. Ltd., 1958), p. 139; Sir Lewis Namier, Structure of Politics at the Accession of George III (London: MacMillan and Co. Ltd., 1957), pp. 88-90.

[34]Correspondence, Vol. 3, p. 43.

the Tories were known as the Steadfast Society and the Whigs were known as the Union Club.[35] After the emergence of radicals in national and local politics, Samuel Peach, Henry Cruger and Joseph Harford formed the Independent Society in Bristol to lead this faction. The Bell Club led by Richard Champion, William Hale, Paul Farr and others formed after the 1774 election and was composed of those who supported the Whig movement but were not radicals.[36]

The Independent Society drew its strength from the tradesmen and artisan class and was generally aligned with the national radical faction. This party nominated Henry Cruger a wealthy merchant with trading interests in America and the West Indies.[37] Curger attracted the support of both merchant and artisan interests and commanded the largest vote of all of the candidates.[38]

As a leader in the House of Commons Burke stood an excellent chance of winning the support of many who recognized the need of party connections in an opposition faction. Many Bristol voters in 1774 were interested in any opposition to the ministry of Lord North. Their representative, Lord Clare was considered a supporter of this unsatisfactory ministry because he appointed placemen to the Customs

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[35]Minchinton, Politics, pp. xxv, xviii; Underdown, Bristol and Burke, p. 5.

[36]Guttridge, Champion's Letters, pp. 6, 43; Owen, Two Centuries, p. 227.

[37]Underdown, Burke and Bristol, p. 6.

[38]FFBJ, November, 1774.

department.[39] Burke actively sought the seat as a result of an understanding from Champion that his Whig connections and leadership in the House of Commons were admired in Bristol.[40]

It was an advantage for a candidate to obtain the support of the politically important Society of Merchant Venturers.[41] Although this group did not endorse a particular candidate the support of individual members was very important since the merchants carried on the livelihood of the city and presented petitions from the merchant community.[42] The members of this society also held important positions in the corporation.[43] Champion, Harford, Noble and Farr were all important and wealthy merchants in Bristol and Harford, Noble and Farr held positions in the corporation. The Society did not give its endorsement to any one candidate but many members were interested in the commercial help Burke provided.

There were a variety of occupations which had voting members in this large port city. Some of the occupations

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[39] Correspondence, Vol. 3, p. 43.

[40] Ibid., p. 54.

[41] John Latimer, The History of the Society of Merchant Venturers of the City of Bristol (J. W. Arrowsmith, 1903), pp. 224, 225.

[42] Minchinton, Politics, pp. 130-156.

[43] P. T. Underdown, "Edmund Burke as a Member of Parliament for Bristol: A Study of his relations both with his constituents and of the Political situation in the City during the Years 1774-1780" (Unpublished Dissertation, University of London, 1954), p. 2.

were clergyman, gentleman, esquire, blacksmith, barber, labourer, victualer, cordwainer, carpenter, felt maker, pipe maker, watch maker, merchants and many others. Many from the artisan class obtained the right to vote which increased support for the radical movement in the 1774 election, however, Tory and opposition Whig political groups also claimed supporters from many occupations.[44]

There were a variety of religious affiliations in Bristol. Among those who were also voters were members of the Church of England, Baptists, Congregationalists, Methodists, Presbyterians, Moravians, Quakers and Huguenots.[45] Most of the voters who were affiliated with a church were Dissenters and of those most supported Cruger and Burke. Most Church of England voters supported Brickdale. Thus there was a clear delineation between ministerialists who also attended the Church of England and the opposition and Whig voters who were Dissenters.[46]

The retail and wholesale merchants[47] were divided into Ministerialists Tories, moderate opposition Whigs and radical opposition Whigs. Of those merchants whose affiliation is known prior to 1774 about 5.3% were ministerialists, 28.1% moderate or Rockingham opposition whigs and 8.8%

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[44]Bristol Poll Book, 1774, p. 214; Guttridge, Champion's Letters, pp. 36-37.

[45]Minchinton, The Merchants, pp. 64-66.

[46]Underdown, "Burke as a Member of Parliament", p. 444.

[47]Weare, Burke, pp. 4-7; Minchinton, The Merchants, p. 64.

radical opposition Whigs.[48] Some of the moderate opposition Whigs voted for Brickdale or Clare and some voted for Burke or Cruger.[49] Thus there was a large swing vote which made the election unpredictable. The majority vote, however, was for the opposition of one stripe or another and the ministerialist candidates had little chance. Burke's support came overwhelmingly from the moderate opposition group although he also needed radical and Ministerialist assent since there were several candidates representing each faction. The merchants were a large and politically important group in the election of 1774. They were especially interested in obtaining favorable trade measures in Parliament and Burke was an attractive candidate for these ends.

Burke's Activities for Bristol

Burke's representation for Bristol centered around the merchant and trading interests. His Parliamentary correspondents included the Marquis of Rockingham, the Duke of Portland, Lord Dartmouth, Charles James Fox and other members of the opposition but usually members of the Rockingham faction on matters of interest to Bristol.[50] Much of Burke's time as a representative of the empire was

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[48] See Appendix A.

[49] See Appendix A.

[50] Correspondence, Vol. 3, pp. 42-465.

involved in conciliation with the American colonies and this concerned the trading interests of the city of Bristol. He also attended the concerns of his friend, Richard Champion, John Noble, the Soapmakers and members of the African trading Company. Certain issues such as Licensing of the Bristol Theatres, Irish trade, Habeas Corpus, and the Soapmakers claims were problems which produced aggravation among Burke's constituents. He was greatly occupied with his representation of Bristol; however, in the Parliament of 1774 to 1780 American problems were most important for opposition groups and the ministry.[51]

Burke supported the interests of Bristol against other cities especially London. Bristol expanded its trading interests in the eighteenth century and was in great competition with London.[52] In three instances Burke was called upon to promote Bristol's interests over those of London and other cities. In friendship and through political association with Richard Champion Burke lobbied for Champion's right to a patent for the manufacture of china over the claims of Staffordshire merchants.[53] In 1777 and 1779 the affairs of the African Company dealing in the slave trade were questioned before the House of Commons and Burke was embroiled in a controversy among London,

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[51] Parliamentary Debates, 1774-1780; Parliamentary History, Vols. XVIII-XXI.

[52] Minchinton, Politics, p. 130.

[53] Correspondence, Vol. 3, p. 153.

Liverpool and Bristol merchants who were members of the company.[54] The Soapmakers requested in 1777 that he attend to a matter of customs duties which were favorable to London merchants at the expense of Bristol merchants.[55] Trading problems were of prime interest to Burke and he was usually attentive to the requests of his constituents; however, he was occasionally negligent to the details of some issues since he was more concerned with broader issues than disagreements between Bristol and other cities.

1. Champion's china patent

Edmund Burke as well as his patron Lord Rockingham sponsored a bill to allow Champion's china patent which was opposed by Josiah Wedgewood and Staffordshire potters.[56] Burke explained in a letter to Adam Smith on May 1, 1775 that Wedgewood

> goes this day into Staffordshire to stir up the Potters there to petition against us. This he does now, at the close of the Session though our petition has stood unopposed in the house from the 2nd of February. I should be very much obliged to you if you could apply to the Duke of Buccleugh that he may keep his mind open to the merits of this Cause. . .[57]

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[54] Parliamentary History, XIX, p. 314; Correspondence, Vol. 3, pp. 341, 345.

[55] Correspondence, Vol. 3, p. 360.

[56] Owen, Two Centuries, p. 229; Correspondence, Vol. 3, p. 153.

[57] Correspondence, Vol. 3, p. 153.

Wedgewood had supporters including Lord Gower and Sir William Bagot. The bill to continue Champion's patent passed the House of Commons but there was insufficient time for it to be heard in the House of Lords before the prorogation of Parliament.[58] Consequently, Champion's supporters proposed that Lord Rockingham and Lord Gower meet to arbitrate the matter. Burke wrote to William Eden, Undersecretary of State and a member of the committee to present the bill for Champion's patent, that "the China Bill is compromised and that according to the agreement amendments are to be made in the House of Lords."[59] After reaching an agreement Rockingham wrote to Burke that Champion's patent would be extended providing that a specification of his materials was presented to the Lord Chancellor.[60]

Burke expressed uncertainty in his letters that "if the compromise does not frustrate all the most beneficial Consequences of the Bill I sincerely rejoice at it."[61] Rockingham was confident that his ally in the ministry, Undersecretary of State William Eden, would assure his success in negotiating with Wedgewood's supporters. Rockingham wrote to Burke that the specification was to be filed with the Lord Chancellor and as a precaution "the Specification should be delivered to the Lord Chancellor--

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[58] Ibid., p. 157.

[59] Ibid.

[60] Ibid., pp. 158-59.

[61] Ibid., p. 158.

sealed--and not to be opened till after the Act was at least actually passed."[62] Wedgewood continued to protest the unfairness of the patent in his pamphlet The Case of the Manufacturers of Earthenware in Staffordhire claiming that a monopoly was established.

Champion was fortunate to have the support of the Rockingham party in confirming his patent.[63] The bill for the china patent was promoted as much by Burke as it was by Rockingham. Champion's patent was an interest of Burke's not only because it promoted Bristol as a manufacturing port and his friends business interests but also because his attention promoted support for his party.[64] Rockingham recognized the importance of promoting Champion's patent since his faction might gain supporters in Bristol when they realized that an important political faction promoted their interests.

Although Burke was responsible for the bill's success in the House of Commons, Rockingham was responsible for its ultimate success.[65] The Marquis' agreement that a specification be established on the patent also precluded any arguement that a monopoly was established since the patent

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[62] Ibid., p. 159.

[63] Guttridge, Champion's Letters, pp. 506.

[64] Weare, Burke, p. 99.

[65] Correspondence, Vol. 3, p. 157; Hoffman, The Marquis, pp. x, xi, noted that Rockingham was very politically astute and highly influential rather than simply Burke's puppet.

was created for Champion's specific designs in china and porcelain. Burke was concerned with the charge of monopoly and this agreement was highly satisfactory to his desires to help Bristol and also satisfy his sense of duty to prevent monopoly. The entire affair promoted great cooperation between Burke and his party to satisfy the particular needs of his constituency.

The relationship between Burke and Rockingham over the China bill was indicative of their positions as member and leader of an important political faction. Burke was not the decision-maker but was instrumental in influencing Rockingham's policy.[66] In the last analysis, Rockingham's prestige and amicable connections afforded him the greater power. He was obviously the decision-maker and arbiter on the china patent bill. Burke was the instigator and promoter of his party and infinitely energetic in promoting Bristol's interests. He was the liaison in communicating among the various party members and took William Eden, the Undersecretary of State, into his confidence on the promotion of the bill in urging his support.[67] Burke no doubt noted the importance of Bristol's political support to Rockingham for future party moves, and Rockingham cooperated with this enterprise although his interests lay more heavily in conciliation with the American colonies.[68] Champion was

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[66] Correspondence, Vol. 3, pp. 158-59.

[67] Ibid., p. 158.

[68] Parliamentary History, Vol. XVIII.

pleased with the results of this party effort and was a more ardent supporter not only of Burke but also of his patron, Rockingham.

2. The African Company

Unlike Champion's patent which attracted Rockingham's assistance, Burke was the sole attendant to Bristol merchants' interests in the African Company. From the seventeenth-century to 1750 London traders held a monopoly in the slave trade.[69] Bristol merchants protested this condition requesting that the trade be opened to anyone; however, Parliament denied this request and many of Bristol's merchants dealt in illegal trade.[70] In 1750 a new regulated company was formed consisting of traders from Bristol, Liverpool and London and governed by a committee of nine from the three posts.[71] Bristol consistently occupied a median position while London and Liverpool vied for dominance. According to its charter the company was to hold a monopoly in the slave trade and anyone who wanted to participate had to become a member of the company.[72] The problem of

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[69]McGrath, Bristol, p. 168, see MacInnes' essay "Bristol and the Slave Trade"; K. G. Davies, Royal African Company (New York: Octagon Books, 1975), p. 152.

[70]Minchinton, Politics, p. xxvii.

[71]P. T. Underdown, "Edmund Burke, Commissary of His Bristol Constituents" English Historical Review (1958), p. 259.

[72]Ibid., p. 259.

dominance in the company precipitated a parly in the House of Commons in which Burke was an important participant in 1772, 1.77, and 1779.[73]

Although he wrote to Rockingham about his difficulties with the African Company, Burke did not request or receive any help from his patron.[74] He became involved in the disagreements in the Company in 1772 prior to his election to a seat for Bristol and was concerned with the charter of the company rather than any of its activities. His interest was apparently to prevent a monopoly achieved by any one of the cities whose merchants held interest in the company. In 1772 he was not involved in defending any one city and retained his greatest interest after he became a member for Bristol.

London complained in 1772 that Liverpool's Bill to limit the trade to those participating would establish Liverpool's dominance since this city had the largest number of ships and merchants in the trade.[75] Burke supported London's claim and was somewhat uncomfortable with this stance after he became member for Bristol since Bristol merchants supported Liverpool. He corresponded with John Bourke, a member of company's committed, and Michael Miller, Chairman of the Society of Merchant Venturers.[76] Thus he

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[73] Parliamentary History, Vols. XVII;XIX.

[74] Correspondence, Vol. 3.

[75] Underdown, "Commissary", p. 260.

[76] Correspondence, Vol. 3, pp. 341, 345.

was concerned to protect those who were his greatest supporters.

Burke's activities for the African Company in 1777 and 1779, however, were more for the purpose of protecting his constituents in Bristol and he was somewhat cautious in his dealings with them because of his handling of the company in 1771. In 1777 the House of Commons deliberated on the condition of the trade, the state of disrepair, and mismanagement.[77] Burke wanted to protect the character of his Bristol constituents in this affair. Although he presented their petition he was not particularly zealous to become involved in the problem. He wrote to John Bourke on May 21, 1777, "I really wish John Bourke to take care of his Character whatever may become of the African committee."[78] Burke addressed Lord North to "postpone an examination" and reinstate the "payment of the advances which the Servants of the African Company have made according to course for the service of the current year."[79] North concurred with Burke's request and the issue was defferred until 1779 when the affairs of the company were again scrutinized. A postponement of the investigation would have benefitted his Bristol correspondents since London members of the company were calling for the investigation and reorganization of

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[77] Correspondence, Vol. 3, p. 346; Underdown, "Commissary", p. 259.

[78] Correspondence, Vol. 3, p. 342.

[79] Ibid., p. 345.

the company. Lord North's acquiescence was apparently to prevent any difficulties for his administration.

In 1779 London requested that the charter be changed to provide for control by a joint stock company with London's domination.[80] By this time Burke was more confident in stating his position which was to help Bristol constituents and prevent a return to London's monopoly in the trade. He wrote to Michael Miller

> To put the Forts into the immediate management of the Crown, did not appear to me (whatever else such a Scheme might have to recommend it) to be very promising as a plan of oeconomy. . .And as to the institution of a monopoly, whether intended for the further improvement of a flourishing Trade, or for the reestablishment of declining Commerce, it sees in either case to be a very injudicious, and a very dangerous Course.[81]

Burke was trying to prevent a return to the former joint stock Royal African Company which London merchants controlled. He spoke in Parliament on June 2 against revising the state of the trade to protect his Bristol constituents.[82] This position was not exactly what his constituents hoped for which was free and unregulated trade.[83] Historians have

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[80]Underdown, "Commissary", p. 261.

[81]Correspondence, Vol. 3, p. 61.

[82]Parliamentary History, Vol. XIX, p. 313.

[83]Davies, Royal African Company, p. 152, wrote that the change to the company of traders in 1750 was a victory for free trade; however, this company was regulated by the rules of the company established in Parliament and in future decisions in the late eighteenth-century. This trade, therefore, cannot be described in 1772 to 1779 as free trade.

debated whether Burke's position on this issue was in favor of monopoly.[84] His position was not promoting free trade since he supported the company which was a regulated company but he was preventing the return to London's monopoly. He had not changed his position on monopoly and his handling of this issue was to protect his constituents and maintain their status in the trade.

In advancing Bristol's claims he was supporting dominance in behalf of Liverpool and Bristol since these two cities dominated the trade.[85] It was his premise to prevent monopoly in whatever scheme as he had protested the East India Company's monopoly in the tea trade.[86] Nevertheless, in 1777 and 1779 he was mainly concerned with helping his constituents and particularly those who were a part of the company. His handling of the affair was not designed to establish a balance in the trade nor to become too involved in Bristol's problems. He was concerned in addition to cultivate their support since he neglected to make public his pamphlet "Negro Code" which stated certain ethics of the slave trade and was a precursor of the

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[84]See views of Underdown, "Commissary", p. 26; and MacInnes, "Bristol and the Slave Trade", pp. 168-69 (in McGrath, ed., Bristol in the Eighteenth-Century).

[85]MacInnes, Bristol and the Slave Trade, p. 169, wrote that Liverpool had the highest number of ship departures and the largest cargo.

[86]Parliamentary Debates, 1770, p. 859; Parliamentary History, Vol. XVIII, pp. 1210, 1351.

Anti-Slave movement.[87] This pamphlet would have aggravated his constituents and been contrary to his support of a postponement to the inquiry into the state of the company's affairs. Burke was already in trouble with his constituents for his handling of several other issues and he was interested in cultivating their support in the face of an impending election.

Burke had an obligation to support his constituents and his actions cannot be described as purely self-promoting. If he had neglected their interests he could not claim any of their support and rightfully could be dismissed in a future election for inattention to their needs. But he was less than admirable for neglecting to investigate the African Company and in particular for concealing his views on the slave trade. The result of his actions was simply to maintain the status quo and give no real assistance to Bristol's problems or provide an inquiry into the slave trade.[88] For his efforts he did achieve the support of some consitutents but this issue was largely unimportant in the election and indeed in the Parliament in 1777 and 1779.[89] If he had investigated more thoroughly the charges of monopoly and the affairs of the company the issue might

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[87]Burke, Works, Vol. 5, p. 539.

[88]C. M. MacInnes, A Gateway of Empire (David and Charles, 1968), p. 273, suggests that Burke was against the slave trade; however, he was more concerned about humanitarian treatment than abolishing the trade.

[89]Parliamentary Debates, 1772, 1777, 1779; Parliamentary History, Vol. XVIII-XXII.

have been an important one for his party as well as the opposition to Lord North's government.

3. The Soapmakers' claims

Burke was normally very attentive to his correspondence with Bristol constituents and carried their pleas for assistance to various branches of the government. Nevertheless he aroused the indignation of some of his supporters, the Bristol soapmakers when he overlooked their request to attend to a bill relating to duties on soap.[90] The Bristol Soapmakers opposed a petition from the London soapmakers who proposed a method of collecting the duty which might benefit London at Bristol's expense. The subject came to Champion's attention and he wrote to Burke about his oversight. Burke replied to Champion and to the master of the Society of Merchant Venturers apologetically, "The Bill in the multiplicity of Business very much escapes my attention but if the Gentlemen concerned will favor me with thier instructions for next year, I shall be wanting in no endeavors to procure redress for them."[91] Later Burke explained that "it does not strike me that there is any thing very essential in the Bill."[92] Apparently he was unaware of the Soapmakers' particular dissatisfaction and

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[90] Correspondence, Vol. 3, p. 360; Underdown, "Commissary", p. 262.

[91] Correspondence, Vol. 3, p. 360.

[92] Ibid., p. 363.

felt that the bill did not hurt their interests.

The soapmakers concern over the bill indicated a rivalry between Bristol and London. Burke was noticeably remiss in his duty to Bristol. This was probably due to his apparent prior favor of London.[93] Although Burke's negligence was an affront to those who supported him and politically inexpedient the issue was not an important one in the election of 1780.

4. The Newfoundland Trade

John Noble, one of Burke's political supporters requested Burke's aid in 1775 for his enterprise in the Newfoundland fishery.[94] Burke had previously expressed interest in this commerce and he wrote about it in his pamphlet Observations on a Late Publication Intituled the Present State of the Nation.[95] Burke posited that the Newfoundland trade was the "most valuable branch of trade we have in the world."[96] He also suggested that the trade was a benefit to the empire since it was trade within the

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[93] cf. Burke's support of London in 1772 in the African trade.

[94] Correspondence, Vol. 3, p. 364; P. T. Underdown, "Burke's Bristol Friends" Transactions of the Bristol and Gloucestershire Archaeological Society (1958), p. 148; Underdown, "Commissary", p. 265.

[95] Burke, Works, Vol. I, pp. 222-23.

[96] Ibid., p. 222.

empire rather than an import from a foreign market.[97] When John Noble requested support to protest his commerce Burke was eager to assist since this was not only a need of his constituent but also because he believed it was in the best interests of the empire.

Burke corresponded with Noble between 1775 and 1777 about problems resulting in the trade from restrictions on American commerce and the Revolution.[98] The Quebec Act was a source of aggravation to Noble since it recognized French claims to the fishery. Burke lamented that, although he had addressed Lord North on the problem, "I found that the Ministry were resolved to make no sort of alteration in the Quebec Bill or in any provision it containd."[99]

The Ministry's American colonial strategy in 1775 was to restrict trade with two Acts, New England Restraining Act and the Prohibitory Act.[100] The Restraining Act prevented New England's participation in the Newfoundland fishery and cut off food supplies from the colonies to Newfoundland.[101] The Prohibitory Act embargoed American trade

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[97] Ibid., pp. 222-23.

[98] Correspondence, Vol. 3, p. 334; Underdown, "Burke's Bristol Friends", p. 149.

[99] Parliamentary History, 1775, p. 655; Correspondence, Vol. 3, p. 174.

[100] Parliamentary History, Vol. XIII, pp. 1056, 1065; Sessional Papers, Vol. VIII, p. 266; Parliamentary Debates, 1776, p. 1103.

[101] Guttridge, Champion's Letters, p. 66; Sessional Papers, Vol. XI, p. 347.

on empire ports and called for seizure of American ships. These two acts provided great inconveniences to the survival of British merchants on the Newfoundland coast.[102] With ensuing revolution Noble requested assistance to protect his ships in the struggling fishery. Burke responded, "When I left the Admiralty today they were preparing a Protection for your ship and the moment it is receivd it will be transmitted with this."[103] The assistance Burke gave Noble was a boon to all the English merchants in the Newfoundland trade although many of their grievances were not allayed in the face of the ministry's colonial policy and the revolution.

Burke thought the Newfoundland trade should receive equal consideration with English port trade. He noted that commercial statistics on imports and exports were interpreted as foreign trade and he said that this interpretation was incorrect since the fishery was a boon to English commerce and handled by English merchants.[104] Burke espoused this view to the ministry, to the House of Commons, and to the Admiralty; however, it was never an issue which Rockingham adopted and the ministry was far more concerned with American colonial disturbances.

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[102] Underdown, "Commissary", p. 266.

[103] Correspondence, Vol. 3, p. 424.

[104] Burke, Works, Vol. I, pp. 222-23.

5. The Irish Trade Bill

The critical state of the war in America in 1778 prompted members of the House of Commons to make a proposal for a relaxation in commercial restrictions on Ireland to prevent Irish hostilities.[105] A relaxation in restrictions, however, met with dramatic opposition in English ports such as Bristol because the restrictions benefitted Bristol merchants such as the cloth manufacturers.[106] The Master of the Merchants Hall, Samuel Span addressed Edmund Burke and Henry Cruger that "The City are greatly alarmed at the Measure and intend to oppose it all in their power. . ."[107] Burke answered the objections of a variety of constituents including his most ardent supporters. Only Champion continued with unflagging support for Burke.[108]

Samuel Span, John Noble and Messrs Harford, Cowles and Co., expressed their concern and offered an alternative to which Burke responded with a lengthy explanation of his views of government, trade and the dangers of Irish hostility. Harford Cowles and Co., iron merchants, requested that Burke

propose to Ireland a Union with Great Britain--

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[105] Journals of the House of Commons, Vol. XXXVI, pp. 986-96; Parliamentary History, Vol. XIX, pp. 1124-26.

[106] Minchinton, Politics, p. xxxii.

[107] Correspondence, Vol. 3, p. 429.

[108] Correspondence, Vol. 3, p. 439; Latimer, Merchant Venturers, p. 194.

> Let us be one People under one Government, Laws and Taxes, Enjoying the same privileges and immunities. Then most of the Possitions will be defensible and Just If Ireland declines such an offer, nothing can be more clear, than that, they would wish all our Advantage of Trade in Common, but none of the burthens which declination should Instantly form a negative upon these Bills.[109]

Burke responded that "a great Empire cannot at this time be supported upon a narrow and restrictive scheme either of commerce or government."[110] He supported the relaxation of restrictions proferring the argument that Ireland

> has consequently no other means of growing wealthy in herself or in other words of being useful to us but by doing the very same thing which we do, for the same purposes. . .in order to limit her, we must restrain ourselves, or we must fall into that shocking conclusion, that we are to keep our yet remaining dependencey under a general and indiscriminate restraint, for the mere purpose of oppression.[111]

He answered the assertion that Ireland did not pay equal taxes with the argument that with restricted trade she could not afford to pay more taxes than she already paid. He promised to consider the proposal of union, but he did not introduce it in the House of Commons.[112] There was little in his correspondence which placated his constituents,

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[109] Correspondence, Vol. 3, p. 445; Weare, Burke, p. 143; Parliamentary History, Vol. XIXII, pp. 15-24.

[110] Correspondence, Vol. 3, p. 426; Latimer, Merchant Venturers, p. 195.

[111] Correspondence, Vol. 3, p. 433.

[112] Correspondence, Vol. 3, p. 434; J. Latimer, Annals of Bristol in the 18th Century (J. W. Arrowsmith, 1893), p. 433.

and to his closest friends he unwittingly questioned the opposition he received.

Burke sought the compliance of his constituents with the bill to relax trade restrictions for Ireland rather than representing their instructions to the House of Commons. He seemed to believe that they would support him when they realized the need for the bill. He wrote to Harford Cowles and Co. that "my sentiments, which form my justification, may be equally general with the circulation against me."[113] Rather than comply with Noble's instructions he requested that "I wish those letters if you please, to be read at the Bush and Bell Club."[114] Burke was more interested in maintaining his conviction than collecting support for an impending election. Rockingham was not directly involved in Burke's arguments with Bristol; however, the problem was one party associates considered. William Baker wrote to Burke, "I would hope that the narrow prejudices of a part of your constituents may not make it necessary to publish it [Burke's letter to the Merchants hall in Bristol] in Defense of your conduct."[115] The Irish Trade Bill was Burke's particular interest rather than a party policy and for his convictions he risked the opposition of all political factions in Bristol as well as his closest admirers.

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[113] Correspondence, Vol. 3, p. 444.

[114] Ibid., p. 439.

[115] Ibid., pp. 439-40.

One historian has suggested that Burke was on the defense in explaining his illadvised actions and that he was tactless and politically naive in his handling of his constituents' unanimous reproach.[116] Burke was characteristically tactless on an issue pertaining to the land of his birth. His actions, however, were offensively motivated to convince his constituents of the necessity to allow colonies in the empire to grow rather than suffer retardation at the hands of the Mother Country. He wrote lengthy explanations of his position propagandizing his ideas on Irish trade which he thought should be a part of the government's policy. His plan was to convince his constituents of an unpopular but more realistic course of government and economics for the empire. Such a campaign could not have been waged by submitting to the demands of his constituents. He did not agree with their instructions and he maintained his conviction for a plan he considered to be for the good of the empire.

6. Bankruptcy and the Disruption of the Business Community

In 1778 a Commission of Bankruptcy was appointed to handle increasing numbers of insolvent debtors.[117] Some of Burke's closest supporters were suffering from financial

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[116] Underdown, "Burke as a Member of Parliament", pp. 358, 367, 368.

[117] Correspondence, Vol. 3, p. 451; Minchinton, Politics, p. 136; Minchinton, Trade of Bristol, p. 189.

difficulties resulting from the American Revolution.[118] Champion appealed to his creditors for restraint and to the Duke of Portland for assistance. Burke responded that "the Duke of Portland. . .is much disposed to serve you--but you must settle the whole plan yourself; when you have (. . .) he will not hesitate to give a real helping-hand."[119] Richard Thomas and Paul Farr, merchants and political allies were also facing an impending bankruptcy. The debtors' problems were debated in the House of Commons on a bill for insolvent debtors. Bristol constituents protested because they mistakenly thought he was in favor of the bill on insolvent debtors.

Although Burke was unable to prevent declining trade resulting from the American Revolution, he assisted his constituents in achieving favorable duties on their goods. Burke wrote to Champion that he petitioned the Treasury Board for favorable duties on John Jacob Zomlin's and John Ralph Battier's turpentine business.[122] Burke's political friends, however, were monetarily unable to support his election in 1780. The merchant community which was the mainstay of Burke's political machine was financially and

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[118]Latimer, Annals, p. 417.

[119]Correspondence, Vol. 3, p. 451.

[120]Guttridge, Champion's Letters, p. 7; Correspondence, Vol. 3, p. 451.

[121]Burke, Works, Vol. 2, p. 131; Parliamentary History, Vol. XX, p. 1404; FFBJ, January 22, 1780.

[122]Correspondence, Vol. 3, p. 451.

politically restrained from their former position in the election of 1774 and was probably why the voters in 1780 were so oblivious to Burke's unending consideration for their interests.

7. Habeas Corpus, Licensing the Theatres, Religious Toleration

Burke received opposition on several issues which did not receive an overwhelming reaction from his constituents but his inconsideration of their views were nonetheless aggravating. Two of these issues, Licensing of the Bristol Theatres and Religious Toleration, were inflammatory to dissenters who were in the majority in Bristol. Burke's constituents also opposed his position on the Habeas Corpus Bill which provided for a suspension of the Act and consequently a suspension of the right to trial by jury. His constituents wanted their instructions and petitions to be represented and Burke was unresponsive because he was poorly informed or politically motivated to reduce tensions over differences of opinion on potentially inflammatory issues.

Champion wrote to Burke in February 1777 that his actions on the Habeas Corpus Bill were arousing opposition.[123] His constituents were opposed to the suspension of trial by jury and they were angry that Burke did not attend the debate. Burke's explanation was that he did not attend the

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[123] Correspondence, Vol. 3, p. 330; Guttridge, Whiggism, p. 93; Owen, Two Centuries, p. 212.

debate on the bill which his constituents opposed "because I know I can do no sort of good by attending; but think and am sure I should do the work of that faction, which is ruining us by keeping up debate. . ."[124] Burke followed the decisions of his party to avoid the debate.[125] Although he was in agreement with his constituents, they were concerned over his non-attendance and his convictions. This issue was probably stirred by his opponents to damage his reputation and his reaction showed that he was trying to illicit a factional response from his constituents, if not for his party then for his prestige.

The Licensing of the Bristol Theatres was opposed by the Quaker and Dissenter elements in Bristol; however, Burke was unaware of their sentiments. Initially he supported the bill at the request of his friend David Garrick, the playwright.[126] This problem produced religious fervor as well as reproachment from his closest friend Champion and other supporters. Consequently he changed his position explaining that "I have again had such instructions as in wisdom, and indeed in common decency, I cannot wholly resist. You know that I cannot set my face against those to whom I owe my seat, unless the Cause they espouse is indeed a bad

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[124] Correspondence, Vol. 3, p. 330.

[125] Ibid., p. 331.

[126] Latimer, Annals, p. 439; P. T. Underdown, "Religious Opposition to Licensing of the Bristol and Birmingham Theatres" Birmingham Historical Journal (1958), p. 150.

one."[127] Although Burke was favorably disposed toward plays, he did not regard their Licensing a great enough issue to differ with his Bristol friends. He was motivated to change positions because the Quaker and Dissenter voters had supported him in 1774 and an affront to them might have served to irritate their attitude over his Catholic connections.

In 1780 just prior to his rejection for office Burke explained his position about religious toleration. He wrote "I have been a steady friend, since I came to the use of reason to the cause of religious toleration, not only as a Christian and protestant, but as one concerned for the civil welfare of the Country."[128] The issue never aroused great passions although it was fertile ground for his opponents to criticize him.

8. Burke's political machine

During Burke's term of office he corresponded about ministerialist and radical opposition since he needed a coalition with these groups to win the next election and to gain support for his position on bills in the House of Commons. Burke corresponded with some members of these

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[127] Correspondence, Vol. 3, p. 336; Underdown, "Licensing", pp. 152, 153.

[128] Correspondence, Vol. 4, p. 261; Weare, Burke, pp. 63, 153, 159; Parliamentary History, Vol. XXI, p. 700; Ernest Barker, Burke and Bristol: A Study of Relations Between Burke and His Constituency During the Years 1774-1780 (Bristol, J. W. Arrowsmith, Ltd.), p. 90.

factions himself but usually relied on the help of his friends in Bristol to make his views known and solicit concurrence.[129] His opponents argued that he neglected Bristol by not visiting the city.[130] The times when they required his presence were occasions of disagreement and Burke was politically cautious of their taunts by remaining in London and conversing through pamphlets and letters to his supporters. This method was more effective for explaining his views which he was well advised to accomplish. On occasions when he was not corresponding on a specific issue, petition or proposal Burke wrote concerning the political factions in Bristol and his political strength. This activity, however, was infrequent and due to the differences between his faction and the other groups his time was better spent attending to their petitions, instructions and bills than soliciting their aid.

In 1775 when he was beginning his term Burke corresponded with Thomas Mullett, a prominent merchant and political radical. Mullett noted that Samuel Peach and other radicals were responsible for Burke's victory.[131] Burke responded that he was not responsible to any one

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[129] Correspondence, Vol. 3, pp. 150, 320; Owen, Two Centuries, p. 213; Underdown, "Commissary", p. 254; Underdown, "Rivals", p. 34.

[130] Underdown, "Rivals", p. 34; Underdown, Burke and Bristol, p. 13, concurs that this was a drawback.

[131] Correspondence, Vol. 3, p. 150.

group for his election.[132] In describing himself as a public official for all factions he was trying to appear a servant of the whole city, however, he was offensive to deny the radicals importance and harmed his relations with them because of his desire to appear above party connections.

In 1777 the Bristol supporters of North's government sent an address for Burke to present congratulating the King on his success in America.[133] Burke wrote to Champion, "As to the Tories sending that address for me to present, I have no objection to it, as it may give me, in refusing the task, an opportunity of explaining my sentiments."[134] Burke was tactless in his relations with the ministerialists welcoming the opportunity to challenge their sentiments. During his years as representative he made it more difficult to welcome their support in the impending election. Champion's task of creating an alliance with radicals and ministerialists was more difficult because of Burke's open challenges to his opponents.[135]

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[132] Ibid., p. 448.

[133] MacInnes, Gateway of Empire, pp. 296-97; Underdown, Burke and Bristol, p. 14.

[134] Correspondence, Vol. 3, p. 320.

[135] Underdown, "Rivals", p. 34, noted that Burke made no alliance with Cruger and his friends and rebuffed Mullett, the Farrs and Harfords; Underdown, "Burke as a Member of Parliament", p. 425, wrote that it was Champion's fault for not developing the political alliances sufficiently.

Burke's Inconsistencies

In some cases Burke challenged his constituents' views and defended his principles, and in other cases he lobbied for their interests and diplomatically concealed his differences.[136] The incongruity in his actions was because of personal interests and convictions such as his commitment to the Irish trade Bill and because of his concern for his reelection. Although he pleased his merchant friends with attention to their needs, he persistently differed with their instructions and belatedly recognized the need for a circumspect attitude prior to the election. Consequently, he was more cautious in 1779 in corresponding with Bristol members of the African trading company than in 1775 and 1777 in his correspondence with radicals and ministerialists. The merchant interests were suffering from financial reverse in the Revolution and he did not have the power to restore them to preeminence. Nevertheless, he had a record of unflagging persistence in carrying their trading problems to various branches of government, using his party connections to achieve success.

Rockingham was supinely involved in Burke's endeavors, corresponding remotely on his political maneuvers and taking an active interest only in developing party

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[136]Underdown, "Sir Lewis Namier's Burke" Burke Newsletter (1963), p. 243, wrote that Namier characterized Burke superficially and harshly and that later historians vindicated Burke from 18th and 19th century charges against him.

allegiance.[137] Most of Burke's dealings with Bristol were singular efforts with little party cooperation. There were, however, issues which came to national and factional debate which Burke fostered with the concurrence of party associates as well as ministerial sanction.[138] Burke received greater national recognition for his participation in these issues but his Bristol constituency criticized his inattention to their instructions and interests. His methods were abrasive and not conducive to winning new political allies, and although he claimed to be a representative unattached to special interests he relied too heavily on the support of local merchants and failed to develop his own plans for reduced trade restrictions and reduced control of monopoly.

Bristol's Reaction to Burke

In 1780 the Bristol voters had many reasons for objecting to Burke's leadership. It was argued that he was against religious toleration, that he acted against instructions on Irish trade, and insolvent debtors, that he visited the city infrequently and that he was pro-American in his sympathies on the Revolution. Burke answered all these charges in a speech before the election, and he devoted a great deal of effort to the subject of religious toleration which did not receive much protest from

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[137] Correspondence, Vol. 3, p. 159.

[138] The African Company, Irish Trade Bill.

his constituents and Irish trade which he had previously explained in detail.[139] He overlooked their disagreement with his conciliatory policy on the American revolution probably out of design to avoid such a touchy issue. All of the charges against Burke placed him in a very doubtful position for re-election.

Burke's speech was mainly a flowery exposé for support. He particularly noted that "I was not only your representative as a body; I was the agent, the solicitor of individuals."[140] This was claim worthy of respect specifically from the merchant community. Their affairs were suffering not from Burke's inattention but from the revolution.

Burke's constituents, especially the radicals and ministerialists, argued that his disregard of instructions was sufficient reason to remove him from office.[141] In 1774 this had been an argument against Burke to which he responded that he must consider needs of the empire over their local instructions. He received sufficient vote in this contest to make him one of their representatives. Consequently, it can not be concluded that he lost their confidence six years later after acting exactly as he had promised.

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[139]Burke, Works, Vol. 2, pp. 135-140; Weare, Burke, p. 136; Latimer, Annals, p. 444.

[140]Burke, Works, Vol. 2, p. 132.

[141]FFBJ, February 14, 1778.

The Irish trade bill did not pass the House of Commons, and Burke's merchant supporters although affronted by his dissidence were not repulsed by this measure.[142] This disagreement was too far in the past and insignificant for its effect in 1780 for the voters to reject him for causing them financial woes.

Burke's Catholic background, views on religious toleration and his rejection of imprisonment for insolvent debtors were minor issues to his constituents. Although religious toleration was potentially flammable to a voting population consisting mainly of dissenters his views were partially unknown and were never widely protested. The discussion of his views on insolvent debtors was dropped after he professed an agreement with his constituents which he posited prior to their questioning him.[143] These claims against Burke were insufficient reason for his rejection at the polls.

One historian argued that Burke was rejected because of his neglect of his constituency and his refusal to make an alliance with Cruger.[144] Burke was an infrequent visitor in Bristol but his actions in his constituents' behalf were well-known. His attendance on occasions when they requested

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[142]Minchinton, Politics, p. xxxiii. The Society of Merchant Venturers accepted a milder form of the Irish Bill.

[143]Correspondence, Vol. 4, p. 261.

[144]Underdown, "Burke as a Member of Parliament", p. 425, wrote that Burke neglected his constituency with nonattendance.

him were times of extreme dissidence and his position was better served through explanations and correspondence than public rejection in his presence.

The political differences between Burke and Cruger were too great for an alliance on any issue except the revolution. His fault was in tactlessly rebuking both radicals and ministerialists whose support waned because of his lack of diplomacy. Burke's relations with Cruger were not of great concern to the Bristol voters in 1780.[145] Since many of Bristol's reasons for objecting to Burke were forgotten issues and Cruger was also rejected in this election one might conclude that the voters were dissatisfied not because of party differences but because of an issue which concerned them in 1780 and through most of Burke's and Cruger's term of office.

In 1774 Bristol voters narrowly approved Burke's candidacy with participation of opposition Whigs identified with Rockingham and radical leaders as well as ministerialists. The mainstay of Burke's vote, mercantile interests, approved of his conciliatory policy to the American colonies because of their projected benefit, continued trade with the colonies. This fear of a loss of trade turned into contempt for the American rebels after 1775[146] and a blossoming of patriotic fervor produced retribution for Burke's

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[145] FFBJ, January-November 1780.

[146] Christie, Wilkes, p. 67, noted that the nation was not open to radical ideas at this time.

former policy. The Rockingham faction through 1780 pleaded for conciliation but Bristol voters increasingly hailed the ministry's staunch attitude and called for suppression of the rebels.[147]

Repeated and overwhelming patriotic sympathy was expressed from 1775 to the 1780 election.[148] One who signed himself An Addresser in 1775 wrote in a local newspaper, "the most respectable party of the citizens of Bristol are inimical to America in rebellion."[149] Financial reverses, however, were not yet arousing public condemnation. One letter to a newspaper editor explained that "a decline in our manufactures, is so far from being true that we have, since the subsistence of the present unhappy disputes with our colonies as yet felt no diminution in our trade."[150] In 1776 a letter addressed to Burke in Felix Farley's Bristol Journal expressed patriotic fervor that "Those. . .who at this critical juncture feel the unnatural inclination with success to the American arms, must not be offended with us if we at Britons disclaim them: Let them pack up thier seditious principles, and retire to America."[151]

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[147]Christie, Wilkes, p. 69; MacInnes, Gateway of Empire, p. 297, from the Merchant Venturers Book of Petitions fol. 82.

[148]Guttridge, Champion's Letters, p. 32; Owen, Two Centuries, p. 211; Minchinton, Politics, p. xxxi; Latimer, Merchant Venturers, pp. 199, 204.

[149]FFBJ, October 21, 1775.

[150]Ibid., December 16, 1775.

[151]Ibid., March 2, 1776.

In 1778 a local citizen rejected conciliation on the grounds that it encouraged rebellion and mentioned the repeal of the stamp act as an example of a cause of the rebellion.[152] The letters were characteristic of assertions the ministry made against opposition factions which opposed the war and other opposition parties.

The citizens characterized Burke and Cruger incorrectly as pro-American. These sentiments were typical of a reaction which labelled any opposition to the war as seditious. Cruger who achieved less notoriety than Burke for ignoring instructions or disagreements with the populace was relentlessly chastised by his Bristol constituents for a letter to an American newspaper which he probably never wrote. Cruger's accusers stated that he asserted to the Americans that they should not accept anything except repeal of the offending laws. The letter was uncharacteristic of Cruger's statements in the House of Commons since he never advocated war or independence which this letter proposed.[153] Cruger had a simple answer to his constituents, "I was not the author of it."[154]

The characterization of these men left no room for their explanation or coercion to accept any argument for

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[152] Ibid., February 14, 1778.

[153] FFBJ, August 26, 1780; Henry Cruger Van Schaack, Henry Cruger: The Colleague of Edmund Burke in the British Parliament (New York, 1859), pp. 52-55; from Mr. Cruger's Maiden Speech in Parliament December 16, 1774.

[154] FFBJ, August 6, 1780.

conciliation. At the conclusion of the poll the Tory candidates led the voting with Brickdale at 2771 and Lippincott at 2518 and the radical candidates Cruger at 1271 and Peach at 788 and Burke was poorly trailing with 18 votes.[155] The swing vote in 1780 came from radical opposition factions and ministerialists and was a rejection of Burke and Cruger from patriotic fervor condemning their pro-American stance rather than their record as leaders in the House of Commons.

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[155] Ibid., September 20, 1780.

CHAPTER IV

Burke's View of the Empire: The Colonial Dispute and the Trading Interests

Burke and Party Strategy

Dissension with the American colonies dominated the debates in the House of Commons and House of Lords from 1770 to 1780. It was also an issue which dominated Rockingham's attempts to gain the ministry and the subject which prompted Burke's rhetoric on his theory of empire.[1] There was no agreement among the political factions on policy toward the colonies; rather the American colonial dispute was the milieu in which parties competed for the ministry.

While Rockingham posed as the ideal minister, Burke delivered speeches and wrote pamphlets explaining party policy. It was typical of the later eighteenth-century for a lesser party official and member of the House of Commons to write pamphlets about party policy while the leader of the party who was usually a member of the House of Lords, jockeyed for power in immunity without threat of publishing potentially damaging or seditious remarks about the

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[1] Parliamentary Debates, 1770-1780; Parliamentary History, Vol. XVIII, pp. 1350-51, Burke, Works, Vol. 1, pp. 185-305, 382-437, 450-512.

government or the King.[2] Burke was far more interested in party rhetoric than in the salutations necessary to gain factional friends. Rockingham possessed a diplomatic acumen for acquiring political friends, unlike Burke who was fortuitously tactless and unaccustomed to congruous political behavior.

Burke emphasized his differences with Grenville in his polemical pamphlets Observations on a late Publication Intituled Present State of the Nation, 1769, with Chatham in Thoughts on the Causes of the Present Discontents, 1770, and with North in speeches on American Taxation, 1774 and on Conciliation with America, 1775.[3] These pamphlets and speeches were all polemical aggrandisements intended to explain party differences, the state of the empire, and the Rockingham party's proposals for conciliation. Some of his statements were clearly the rhetoric of his party chief, such as his statements on the tea duty and Declaratory Act; however, some of the more defined points on conciliation[4] were clearly his proposals approved by Rockingham and engendered as party proposals.

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[2]cf. William Knox wrote pamphlets engendering the policy of North's ministry; for an assessment of his writings see Leland J. Bellot, William Knox: The Life of an Eighteenth Century Imperialist (Austin: University of Texas Press, 1977).

[3]Burke, Works, Vol. 1.

[4]See page 144 of this Chapter; Hoffman, The Marquis, pp. 318-19. Hoffman attributed the conciliation plan to Rockingham rather than Burke; however, the letters between Rockingham and Burke indicate that Rockingham did not suggest these plans to Burke.

In Burke's speech on conciliation in March 1775, he stated that the colonies did not have the "liberty and privilege of electing and sending any knights and burgesses, or others to represent them in the high court of parliament."[5] Although previously he wrote that they were virtually represented and that this representation was sufficient,[6] he suggested that the colonies were insufficiently represented. These thoughts were clearly distinct from Rockingham's ideas[7] and significant of Burke's theories of empire which emerged in these parliamentary debates. His theories were consistent with his previous statements about parliamentary supremacy,[8] but he clearly recognized the need for the colonies to have a legislative body which represented them to the English Parliament.

In a more polemical style he emphasized the petitions which the members of his party presented both from English merchants and the American colony of New York; and

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[5]Burke, Works, Vol. 1, p. 510.

[6]Ibid., Vol. 3, p. 334.

[7]Rockingham had similar constitutional principles; See Hoffman, The Marquis, p. IX; However, these were Burke's elaborations of constitutional theory.

[8]Burke, Works, Vol. 1, pp. 511-12; Hoffman, The Marquis, p. 319, argued that the plan for conciliation was aimed strictly at peace rather than governing, contrary to the argument which C. S. Ritcheson propounds in British Politics and the American Revolution, pp. 189-90; that the plan was shortsighted and not federalist enough. The plans for Conciliation which all parties represented were not well enough formulated on governing the colonies and Burke's particular ideas (see pages 151-54, this chapter) were his own theories and not directed as party strategy.

further suggested that Parliament (1) repeal the acts which were opposed in the colonies, (2) allow the colonial assemblies to approve salaries of officers and (3) make admiralty courts more acceptable to the colonies.[9] Burke was no doubt influenced by his recognition of the limitations of his position as agent and by certain requests from his employers in the New York Assembly. He further emphasized the need for assessing the management of the colonies when he stated

> America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. . .But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management than of force.[10]

Rockingham apparently agreed with Burke and offered a warm but formal commendation to Burke in a letter congratulating him on his speech.[11]

Rockingham was more concerned with party strategy to gain the ministry than with achieving Burke's plan for conciliation. Rockingham exhorted the House of Lords to reinstate his party's policy of 1765 which repealed abhorrent laws against the colonies but asserted Parliament's right to legislate.[12]

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[9]Burke, Works, Vol. 1, pp. 511-12.

[10]Ibid., pp. 462-63.

[11]Correspondence, Vol. 3, p. 439.

[12]Parliamentary History, Vol. 17, p. 1350.

He met with Chatham on the subject of England's right to legislate as explicated in the Declaratory Act. The Marquis wrote to Burke that Chatham "favoured me with his opinion, that the Declaratory Bill had been the cause of the revival of all the confusion: that the fine distinction between the no right to tax and the right to restrain their trade &c was a most clear proposition."[13] There was no cooperation between Chatham and Rockingham for the purpose of conciliating the colonies or even of gaining the ministry.[14]

The Rockingham faction organized the presentation of petitions from trading towns to support the need for conciliation in 1774 and 1775. The Marquis wrote to Burke on February 6, 1775, "I much wish to see you just to talk over with you the ideas I have of what I would propose to say on presenting the petitions from the American and West India Merchants &c."[15] Rockingham was the instigator in this effort and directed Burke to gather party support for

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[13] Correspondence, Vol. 3, p. 91.

[14] Frank O'Gorman, The Rise of Party in England; The Rockingham Whigs 1760-82 (London: George Allan and Unwin Ltd., 1975), pp. 335-36, noted that Chatham and Rockingham were on common ground on conciliation and vindicated Rockingham of a charge that he was not cordial enough to Chatham. Clearly these leaders were on common ground but for the sake of their own chauvinism elaborated their differences. They did not want to establish an alliance. It is irrelevant which leader was at fault for the differences. In this instance Chatham was a bit more outspoken in criticizing Rockingham.

[15] Correspondence, Vol. 3, p. 109.

his plans. The Earl of Dartmouth, the Secretary of State for Colonial Affairs, corresponded with Burke on the presentation of petitions. On May 1, 1775 Burke wrote to request that Dartmouth "deliver the New York memorial to the House of Lords tomorrow as his particular friends in that house are not in town."[16] The Duke of Manchester presented the remonstrance from New York, but the Lords would not hear it.[17] The House of Lords was not in the least interested in the protests of any colony, and the same memorial and remonstrance when presented to the House of Commons was refused for reading.[18] Rockingham's efforts to repeat the petitioning victory of 1765 were unsuccessful because the House of Lords and House of Commons in 1775 were uninterested in hearing any protest which fomented radicalism.

Sir George Saville, an ally of the Rockingham faction, presented a petition in 1775 from Dr. Franklin, Mr. Lee and Mr. Bollan, agents from the American colonies.[19] The petition which Saville proposed for a hearing was the Olive Branch Petition, which was addressed to the King to plead for the colonies against the Parliament. Curiously Burke, the agent for New York, refused to participate in this endeavor. Burke noted that his New York correspondents

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[16] Ibid., p. 155.

[17] Journals of the House of Commons, Vol. 1774-75, p. 376.

[18] Parliamentary History, Vol. 18, p. 643.

[19] Parliamentary Debates, 1775, p. 182.

were unsympathetic to the decrees of the Continental Congress and declined to participate in presenting the petition.[20] In addition, his concurrence surely would have made untenable his uncomfortable position of appearing pro-American to his Bristol constituents. Undoubtedly he was cautious of lobbying for what he considered to be the censurable interests of radicals in the American colonies who were endangering the cause of conciliation.[21] Burke was not acting as a member of his party in this instance, but as an agent and representative of localities with conflicting interests. He received no criticism from Rockingham for his actions but aggravated his colleague William Baker who wrote to request Burke to reconsider.[22] Burke was rewarded, however, for his circumspect attitude by his friend Champion who wrote that the petition "should not have been addressed to Agents, who cannot act in their official capacities without the order of their Assemblies, but who would cheerfully have undertaken it in their own."[23] The House of Commons voted to table the petition,[24] and the efforts of members of the Rockingham faction were circumvented by the

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[20]Hoffman, Burke's Letters, p. 272.

[21]See Chapter 2, pp. 74-76; Hoffman, Burke's Letters, p. 250.

[22]Correspondence, Vol. 3, pp. 196-97.

[23]Guttridge, Champion's Letters, p. 53, letter to Messrs Willing Morris and Company, Merchants of Philadelphia, August 26, 1775.

[24]Parliamentary Debates, 1775, p. 194.

unwillingness of Parliament to hear the protests of New York or the English trading towns.[25]

In 1776 there was little hope of gathering support from Bristol. Even Burke's closest admirers differed with the party's adherence to the Declaratory Act. His correspondence with Champion refers to a disagreement between Champion and Farr in which Champion supported the party and Farr suggested that act should be repealed.[26] Burke did not try to convince his constituents of the correctness of his party's policy. Even his Letter to the Sheriffs of Bristol on the Affairs on America in 1777 was mild. He wrote that

> I am charged with being an American. . . But I do assure you. . .that if ever one man lived more zealous than another for the supremacy of parliament, and the rights of this imperial crown it was myself.[27]

Burke was less interested in his party's strategy for gaining the ministry than in his policy of conciliation. In a letter to Charles James Fox an associate of Lord Shelburne, Burke suggested cooperation among opposition factions and lamented indirectly that many of the political leaders were more concerned "with honest disinterested intentions, plentiful fortunes, assured rank, and quiet

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[25]The North Ministry tabled petitions from Bristol and other large trading cities.

[26]Correspondence, Vol. 3, pp. 253-54.

[27]Burke, Works, Vol. 2, p. 25.

homes."[28] He was quick to dismiss Rockingham from this charge.

Burke was unconvinced that Rockingham's strategy was advisable, and his suggestions on a campaign for conciliation were better informed than Rockingham's strategy on the merchant community. In 1775 Burke wrote to Rockingham that "We look to the merchants in vain."[29] He suggested instead of another petitioning movement that Rockingham send circular letters to his friends for support in the counties and towns.[30] Rockingham, however, rebutted Burke's suggestion and continued to look for support from the trading towns. Burke courteously replied that the petitions were "the only peaceable and constitutional mode of commencing any procedure for the redress of public grievances."[31]

Rockingham's entire policy in the 1770's centered on opposition to the American war and he universally rested on his laurels from his first ministry. Even the opposition was critical of the Declaratory Act which he so proudly claimed stated Parliament's right to legislate for the colonies. Rockingham's secession from Parliament in 1777 was also ineffectual and probably lost more support

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[28] Correspondence, Vol. 3, p. 381.

[29] Ibid., p. 191.

[30] Ibid., p. 193.

[31] Ibid., p. 208.

than it gained in the trading towns.[32]

Rockingham's strategy met with little success in the House of Commons because North suppressed the reading of petitions from the trading towns.[33] In 1774 and 1775 numerous petitions from various trading cities, including several from Bristol,[34] were presented in the House of Commons and House of Lords. In a speech to the Commons, Burke

> pointed chiefly at Lord North, condemned the behaviour of the administration. . . declaring that they had for decency's sake, admitted the petition, yet had determined that it should never be heard. He said, he had a petition. . .from the principal merchants in Bristol trading to America; yet as he found there were two committees now, the one for hearing evidence, the other for burying petitions.[35]

Countering the opposition strategy, North mobilized demonstrations from provincial trading towns which supported his policy.[36] Rockingham's petitioning strategy was insufficient to oppose the ministry.

Burke was motivated out of political necessity to

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[32]Correspondence, Vol. 3, p. 399; Burke, Works, Vol. 5, p. 454; Guttridge, Whiggism, pp. 90-91

[33]Parliamentary Debates, 1775, pp. 177-179, 181, 182, 184, 194.

[34]FFBJ, April 1, 1775, reprinted the petitions of London and Bristol as they were written to the House of Commons.

[35]Parliamentary Debates, 1775, p. 177.

[36]Parliamentary Debates, 1774, pp. 181, 182; Sosin, Agents and Merchants, pp. 218-22; Bellot, Knox, p. 131.

to cooperate with Rockingham's strategy although he was obviously reluctant to pursue the ministry in the same manner as his patron. As he explained in a letter to Champion, he was even less disposed to defend the Declaratory Act or to argue its pertinence to problems in 1776.[37] Burke was amazingly reticent to argue his party's position although he was no less supportive of the Declaratory Act or conciliation than he had been before the outbreak of revolution.[38] Clearly attitudes in Bristol motivated Burke to be cautious in his statements about the American conflict.

Burke's theories and the trading interests

Rather than argue for the Declaratory Act or a ministry of his party, Burke proferred his theories of empire and trade relations. Burke's theories were styled similar to Adam Smith's Wealth of Nations, 1776, but his ideas differed from prevalent mercantilist thought and from those of the officers in the ministry. Two theories of empire and trade relations were published in pamphlets; one in 1768 by Thomas Pownall, The Administration of the Colonies Wherein their Rights and Constitution are Discussed and Stated and the other in 1774 by William Knox, The Interests of the Merchants and Manufacturers of Great

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[37] Correspondence, Vol. 3, p. 254.

[38] Burke, Works, Vol. 2, p. 25.

Britain in the Present Contest with the Colonies Stated and Considered. Pownall proposed "either an American or a British Union"[39] of government. Knox suggested that the colonies really did not want to develop manufacturing trade because "they find it more the interest to cultivate their lands and attend the fishery than to manufactures."[40] He argued that any rivalry in trade was against the interests of English ports. This idea was generally accepted among those arguing for protection of English ports and subservience of the colonies to the growth of the Mother Country. In particular Burke's own merchant constituents subscribed to this viewpoint.[41] Burke was an advocate of free trade while his Bristol constituents wanted protectionist policies in their behalf.

Burke's ideas on governing the colonies were vaguely formulated and not comparable to his ideas on trading policy. In his speech on Conciliation with America Burke proposed that the American colonies form a legislative body comparable

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[39]John Pownall, Administration of the Colonies (printed for J. Walker, 1768), p. xviii.

[40]William Knox, The Interests of Merchants and Manufacturers of Great Britain (London: T. Cadell, 1774), p. 21.

[41]Correspondence, Vol. 3, pp. 42, 126, 444, 440; Curtis P. Nettels, "British Mercantilism and the Economic Development of the Thirteen Colonies" The Journal of Economic History (Spring, 1952), pp. 105, 114, wrote that "state aids to manufacturing industries, such as the protective tariff" were an essential part of governmental policy. He also wrote that the British policy offered no solutions to governing problems.

to Ireland's legislature[42] and subject to the British Parliament. He also proposed that the assemblies be allowed to determine the salaries of the justices of the courts, which would have made these officers subject to the colonial legislatures rather than English governors.[43] He neglected to outline the extent of the power of the colonial legislatures or his suggested single legislative body which certainly was a concern of the colonial governments.

Burke's theories on trading policy defined a relationship between the colonies, Ireland and England. Burke posited that the ministry's policy treated the colonies and Ireland as foreign ports rather than parts of an empire in which the Mother Country and its colonies were joint partners.[44] He stated "the whole import from Ireland and America, and from the West Indies, is set against us in the ordinary way of striking a balance of imports and exports; whereas the import and export are both our own."[45] The ministry's method of balancing trade was unfavorable both to the colonies and to the Mother Country according to Burke. Colonial trade, for example from the Newfoundland fishery, was valuable as an export to foreign countries and consequently to the entire empire. He thought that

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[42]Burke, Works, Vol. 1, pp. 501-02.

[43]Ibid., p. 682.

[44]Ibid., p. 222.

[45]Ibid.

England, her colonies and Ireland should be viewed as one unit in relation to foreign powers rather than as separate entities.[46] The ministry, however, viewed colonial trade as foreign trade and placed duties on it accordingly. In succeeding pamphlets Burke proposed increased competition among Ireland and the colonies and the Mother Country.[47] It is unlikely, however, that competition between the ports of the Mother Country and colonies would have produced the king of governmental relationship which Burke described.

Burke wrote very explicitly about Irish trade and less clearly about the colonies because of differences with Rockingham. He wrote to his correspondents in New York that Rockingham objected to the increase of manufactures in the colonies and favored their colonizing the backcountry to promote agriculture.[48] In addition to his disagreement with Rockingham, his views were not popular with his Bristol constituents, and he wrote to his correspondents in New York in a circumspect manner regarding his party connections.[49] Burke was less than zealous to translate his theories into policy. Curiously Burke referred to trade problems with his New York correspondents only in a very limited way on the tea duty and never

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[46] Ibid., pp. 220-224.

[47] Ibid., Vol. 2, pp. 1, 43; Vol. 1, p. 382.

[48] Hoffman, Letters, p. 255.

[49] Ibid., pp. 255-56.

mentioned any other problem. He was very careful to maintain his position with Rockingham and promote his factional ties. His correspondents meanwhile seemed content to conceal the development of their trading interests, which in some cases involved smuggling.[50]

Burke lobbied diligently for favorable treatment providing for repeal of special handling duties on commodities in Bristol's trade.[51] He concentrated heavily on this activity because the merchants were his supporters and they were a group which the faction used to pressure the North ministry.[52] Burke was concerned with being reelected and supposed that this strategy would win his Bristol constituents' approval. He underestimated the fury against his statements on the American colonies and supposed the merchants to be overwhelmingly joyful for his aid. His time spent on this activity was improperly rewarded with

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[50]The letters of the New York correspondents were burned in a New York Capitol fire in 1911 and there are no comparisons of their writings to Burke on this subject.

[51]Correspondence, Vol. 3, pp. 261, 293, 340; Parliamentary History, Vol. XIX, pp. 240-49; Journals of the House of Commons, Vol. XXXV, pp. 724-25, for his efforts in the merchants behalf to prevent plundering of wrecks; Nettels, "Mercantilism", p. 113, noted that English government retarded the growth of exports from the colonies in cloth, ironware, hats, and leather goods. These goods produced the greatest profit in England and were an important part of Bristol's trade.

[52]W. E. Minchinton, "The Merchants in England in the 18th Century" Explorations in Entreprenurial History (1957), p. 62, wrote that the merchants played an important social, political, and economic role in English society; Sutherland, "The First Rockingham Ministry", p. 59, wrote that Burke was an organizer of the merchant group.

their indifference.

He paid particular attention to new duties on commodities which had been previously ignored such as currants, raisins, glass, iron, furniture and other commodities.[53] These articles of trade which he was concerned with in Parliament were more frequently mentioned in 1775 and 1776 than in 1774 trade records which list dutiable goods.[54] Bristol's exports for 1775 were 27% higher than exports in 1774, and exports for 1776 were 43% lower than exports in 1775.[55] The government's policy in 1775 and 1776, however, was to record more carefully goods previously unrecorded. The Bristol merchants suffered from the increased duties, which precipitated numerous letters of concern from the merchants to Burke.[56] They were forced to pay duties on articles which were their most important exports, such as glass, iron and wine, as well as on lesser articles of trade. A closer scrutiny and taxation of the articles exported meant that the burden of taxation was

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[53] Correspondence, Vol. 3, p. 240.

[54] Exchequer, Bristol Port Books, 1775-1776.

[55] See Appendix B; Minchinton, Trade of Bristol, p. x, wrote that 1775 was the best year in Bristol's trade in the 1770's.

[56] Correspondence, Vol. 3, p. 340; See Appendix B; Gary M. Walton, "The New Economic History and the Burdens of the Navigation Acts" Economic History Review (24), p. 542, concurred with Lawrence A. Harper's conclusion that changes in regulations 1763-75 urged rebellion. They stated that indirect routing of colonial exports rather than duties were the major economic burden on the colonies.

severely limiting to the business community.

There were joint companies in Bristol and New York such as Cruger and Mallard, Pennington and Co., Parry and Hayes, and Cunningham and Co., among others, and there were also Bristol companies with joint offices in other American ports and the West Indies such as Champion, Noble, and Reeve and Lloyd and others.[57] In 1767 the Townshend duties on glass, tea, lead and other articles had taxed the American colonies on some of the same articles for which the Parliament taxed English ports, including Bristol in 1775. These companies thus experienced some diminution in their trade in the colonies and in England. Bristol merchant, Richard Champion, wrote to merchants in America in a manner intended to soften the differences between England and the colonies. His sentiments were that

> had the Grievances of America happened a few Years past, they would have met with much stronger support from the people of this kingdom. . .The ministry had been guilty of many acts of oppression in the person of Wilkes. . .Another Cause which prevents an exertion of that generous Spirit, and strong attachment to Liberty . . .that our dispute with America is for their advantage, and calculated to lessen the taxes of this Country. . .but surely the Consentment of the people who are to pay these taxes, is first to be asked.[58]

Perhaps Champion's likening of Wilkes and the reform movement

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[57]Harrington, Merchants, pp. 184-85; Weare, Burke, pp. 4, 5.

[58]Guttridge, Champion's Letters, pp. 49-51. Champion wrote to Messrs Willing and Morris and Company merchants in Philadelphia.

to American colonial writers on liberty was intended to soften the blow of his remarks on taxation, but his own sentiments as well as Burke's were adverse to radical proposals, and Champion's remarks on the need for taxation in America were clearly representative of a mood of resentment in Bristol against duties which were falling more heavily on them.

In 1775 Bristol's trade was increasing,[59] and the merchants disregarded the importance of the American colonial trade which was only 25% of Bristol's export trade to English ports, Ireland, the West Indies, and Newfoundland.[60] In 1778 the merchants attributed their difficulties to the American Revolution, overlooking their problems from increased duties.[61] Political opposition to the American rebels, however, overshadowed their complaints about poor trade.

During the revolutionary years Bristol merchants stemmed the tide of financial ruin by petitioning the Board of Trade to allow the exportation of munitions.[62] The Privy Council tried to prevent the sale of arms to Americans'

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[59] See Appendix B; G. N. Clark, Guide to Commerical Statistics 1696-1782 (London: Royal Historical Society Guides and Handbooks No. I, 1938), pp. 52-56; Minchinton, Trade of Bristol, p. x.

[60] See Appendix B.

[61] FFBJ, February 14, 1778.

[62] Journals of the Board of Trade, Vol. 1775-1780, pp. 205, 207, 238, 239, 271, 274, 283, 285, 292, 300, 301, 306, 341, 384, 434.

rebels, and the trade records contain entries which were very specific that arms were not being exported.[63] The exportation or smuggling of munitions, however, was an avenue of trade which Bristol merchants obviously considered and probably exploited because of the advent of increased duties, competition resulting from the Irish trade, and the loss of American colonial trade.[64]

The Rockingham faction was equally opposed to the duties on the American colonies as on English ports and Burke was consistent in his handling of the duties on Bristol and New York. Burke and his party, however, might have used this issue of increased duties and the merchants' declining business to rally merchants' petitions against the ministry. His preoccupation with lobbying against the new duties and seeking favorable conditions for the merchants indicated his intention to minimize political differences with Rockingham, his Bristol constituents, and his New York correspondents.

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[63] Acts of the Privy Council, Vol. XI, p. 401; Vol. XVIII, p. 479; Bristol Port Books, 1775, 1776; see also numerous references in newspapers in Bristol and New York to the sale of arms and substances for gunpowder FFBJ, August, 26, 1780 and Hugh Gaine The New York Gazette and Weekly Mercury, March 11, 1776 and Rivington's New York Gazetteer, December 9, 1778.

[64] The munitions may have been received by members of the British armed forces as well as the American rebel forces but it is unclear who received these munitions in the ports. West Indies, Ireland and American colonial ports were the recipients.

CHAPTER V

Conclusions

Edmund Burke was first a man of literary and philosophical talents and secondly an aspirant to political power. He assessed his own abilities with precision when he wrote in 1770 to his friend Richard Shackleton, "It is but too well known, that I debate with great vehemence and asperity and with little management either of the opinions or persons of many of my adversaries. They deserve not much quarter, and I give and receive but very little."[1] Burke was not deceived about his own importance but recognized that his vehemence was a strength which promoted his discourse on empire theories.

Burke's ability in debate and oratory stirred the passions of those who praised him and of those whose scurrilous attacks exiguously deterred him from his course. Burke's exhibition was entertaining in a way which aroused the admiration of friend and foe. He was, however, entirely serious in his endeavors and was not emphatic or indefatigable for the amusement of his colleagues. Rather he was too serious in his own actions on occasion and his friends

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[1] Correspondence, Vol. 2, p. 130.

soothed and cajoled him to seek a more moderate course.[2]

Burke entered politics at the demise of his literary career with an aspiration to have some effect on the political destiny of the empire. Rather than use his abilities in the field of law which his father prescribed for him, he proposed to write about the politics of his time and to conform the factions to his Whig philosophy. In the employ of the Marquis of Rockingham he discovered that his political connections helped him to obtain a seat in the House of Commons, to play a role in the organization of strategy in his party, and to acquire his country home which gave him a sense of dignity and allowed him to entertain his large collection of literary and political friends.

Having once been a part of the organization of a ministry, Burke sought to be even more important in the opposition to a leadership which he regarded as inadequate. This leadership was his concern when he wrote to Rockingham on January 24, 1775 "There are others in the world, who will not be inactive because we are so; and who will be the more active, when they see us disposed to lye by. The question then is, whether your Lordship chooses to lead, or to be led."[3] Burke tried to influence Rockingham with his

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[2] Correspondence, Vol. 2, pp. 124-25, see letter 8 March 1770 from Lord John Cavendish to Burke in which he wrote "For God's sake consider and do not be in the wrong" over a disagreement between Burke and Richard Rigby over a contested election which was debated in the House of Commons.

[3] Correspondence, Vol. 3, p. 107.

suggestions for strategy and plans for the empire. His familiar tone with Rockingham was indicative of Burke's manner of trying to spur action in very plain language. Rockingham was, however, probably not as reliant on Burke as Burke's letters suggest. Rockingham never failed to welcome Burke's suggestions and responded cordially to his opinions; however, Dowdeswell, Baker, Saville, and several peers commanded Rockingham's attention and were as persuasive with Rockingham as they were with Burke.

One historian writing about Burke's position in the Rockingham party stated that Burke gained great power in the faction from his organization of the trading interests in the first Rockingham ministry.[4] Burke certainly came to national attention because of these maneuvers. In opposition, however, his party was less important, and Burke sought additional means to be important and necessary. His acceptance of the New York agency is an example of his determination to achieve greater recognition or at least additional connections in the government. His association with Dartmouth as well as his other associations in the Board of Trade and Privy Council, which he achieved through his agency, probably made him creditably useful to Rockingham.

In the 1770's Burke's career might have been on the wane had he not patronized other officials and sought

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[4]Sutherland, "The First Rockingham Ministry", p. 65.

positions of recognition. Burke was in a precarious position having denied that he owed Rockingham a substantial amount of money which he had borrowed for his purchase of Beaconsfield, for investment, and to meet expenses.[5] Rockingham undoubtedly did not wish to terminate his association with Burke, but rather wanted to try to reclaim the loan. In addition he must have recognized Burke's abilities, acclamation and possibilities for organization in party strategy. Rockingham leaned a less attentive ear to Burke's advice and used him for his ability to enunciate, polemicize, and write for his faction. Burke was clearly concerned for his place in the party.

Rockingham found Burke to be useful in collecting petitions from his constituency in Bristol and in New York. Burke's efforts to achieve his membership in Parliament for Bristol and agency for New York rewarded him with a place of necessity in the faction. Burke was clearly trying to gain as many associations as he could in the House of Commons, Treasury, Admiralty, Board of Trade, Privy Council, Customs-house, and in the colonies to make himself indispensable in the party. Burke's position was thus not an especially assured one; he clearly did not dominate his leader, nor was he even a party favorite.

Burke's claim to power was in recognition, acclaim,

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[5]Since Burke was very inaccurate in keeping his business affairs he probably thought he had repaid the entire debt rather than part of it.

or dissapprobation from the populace and the press rather than for his membership in the Rockingham faction or for party organization.[6] When members of his constituency wrote about him, it was to praise or condemn his actions and Rockingham and his party were of secondary importance. His Bristol constituents barely recognized Burke's allegiance to Rockingham. Indeed Burke's patron, Rockingham, was very little interested in Bristol's affairs. Burke's sympathy toward the colonies and supposed pro-American leanings were propaganized in New York newspapers so that even Burke's attempts to collect allegiance in New York for his patron and party were barely noticed.

Burke awakened the merchant community in Bristol and New York to a realization of their power in confronting the government with their petitions. The merchants, however, exercised their power beyond their representative's facilitation of it. The Bristol merchants' reaction and petitions against the Irish Trade Bill and in favor of the ministry in its conduct of the American war were contrary to Burke's aims and certainly uncomfortable to his appearance of popularity and strength in his party.

Burke's presentation of petitions from Bristol and New York increased these locality's importance in empire politics and in the House of Commons, which took selective note of these localities. New York's grievances were heard

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[6] FFBJ, 1774-1780; The New York Journal.

as a result of the efforts of Burke and members of Rockingham's faction and the determination of North to gather the colony into loyal acquiescence to his ministry while the grievances of other colonies were shuffled into piles of unwarranted and censurable evidence of colonial disloyalty. Burke was helpful to the interests of companies which operated in both ports, but the results of his actions achieved greater strength for Bristol than New York. Indeed his representation for Bristol was more important than his agency for New York because Bristol was an important English port city while New York was only a colony and he was merely its agent. While he tried to follow his convictions by favoring the repeal of the tea duty, a reduction in smuggling activities and an end to the East India Company's monopoly in the tea trade, he succeeded instead in promoting the superiority of Bristol and the Mother Country over the colonies. His handling of the duties relative to Bristol's trade also promoted Bristol's supremacy.

Burke's sentiments on the relationship of the government to the colony and the trading interests were important as evidence of the theories of his time, but he was powerless to achieve his aims over the interests of his constituents and the strategy of his leader. Perhaps if Rockingham had lent a more attentive ear to Burke, some of the issues of the Parliament of 1774 to 1780 involving Irish trade, the African Company, the Newfoundland trade and the rallying

of merchants petitions against declining business and increased duties, might have maneuvered North into a very weak position and forced the King to form a new ministry. The weakening of the reform movement in the 1770's certainly warranted the introduction of new issues, and a faction which favored the reform movement might have been strengthened by calling attention to other disaffections with the empire.

Burke was uncognizant and inconsiderate of some of his constituents' claims, and he was highly circumspect in his attitude to follow the leadership of his patron. He was certainly concerned about his position of importance with Rockingham, and out of political expediency followed Rockingham's strategy which was unsatisfactory to Bristol and at best condescending to New York. His lack of consideration for his constituents is an indication of his allegiance to his patron, and to prior commitments and to his own convictions. Burke was not recreant to his convictions; rather he welcomed opportunities to act separately of his party and promote some of his own schemes. The repeal of the tea duty was not only Rockingham's interest but also Burke's method of reducing the control of monopoly. His interest in the Irish Trade Bill, representing merchants' claims on duties, conveying their vessels, preventing the plundering of shipwrecks and supporting the development of the port of Bristol were all activities which Burke entered with gusto and without the support of his patron.

One might question how much power a member of the House of Commons who was subject to the patronage of a peer had in the later eighteenth-century. One historian pointed out that Burke gained great power in his party during the first Rockingham ministry.[7] The limitations of the relationship between Rockingham and Burke, however, clearly demotes him from any position of leadership. He was more widely acclaimed in the press than in his party, and this appearance of leadership and his abilities in rhetoric and theory were important qualities for Rockingham to retain. Burke's greatest contributions to his party and to the political and theoretical literature of his time were his pamphlets. The impact of his ideas was so strong that his thoughts were confused with those of his patron and considered the ideas and rhetoric of his party. As a leader Burke was contradictory and inconsistent following Rockingham's leadership or independently working for his own program and principles, and ignoring his constituents or energetically attending to their instructions and interests. The political and social structure of eighteenth-century England forced limitations on Burke's leadership role but his debating and theoretical abilities gave him an appearance of power because he was in a position to publicize his divergent and independent thinking.

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[7]Sutherland, "The First Rockingham Ministry", p. 65.

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APPENDIX A

Political Factions and Merchant Groups

I. New York

Political alignments of conservative, moderate, radical and unknown affiliations of merchants are listed below. Where applicable merchants who were aligned with DeLancey or Livingston are noted by the mark DL or L. Percentages for these groups follow the list of merchant political factions. Information for the alignments of these merchants comes from Burke's letters to his New York correspondents, Carl Becker, The History of Political Parties in the Province of New York, Madison University of Wisconsin Press, 1960; V. D. Harrington, The New York Merchant on the Eve of the Revolution, Burkeley: University of California Press, 1963; and Arthur Meier Schlesinger, The Colonial Merchants and the American Revolution 1763-1776, New York: Frederick Unger Publishing Co., 1964.

Conservative

1. James DeLancey - DL
2. William Walton - DL
3. Abram Walton - DL
4. James Jauncey - DL
5. Jacob Walton - DL
6. John Cruger - L
7. Peter Schuyler - DL
8. James DePeyster - DL
9. William Smith - L
10. William Alexander - L
11. Brinkerhoff
12. Laight
13. Van Horn
14. Van Dam
15. John Alsop
16. Murray
17. Peter Van Schaack
18. Phillipse
19. Isaac Low
20. John Alsop
21. Seton

Moderate

1. John Watts - DL
2. C. W. Apthorp - DL
3. Hugh Wallace - DL
4. Henry White - DL
5. William Bayard - DL
6. Van Ransselaers - DL
7. Ver Planck - DL
8. Beekman - DL
9. Ludlow - DL
10. Williams - DL
11. Rutger - DL
12. Morris - DL
13. Peter Livingston - L
14. Philip Livingston - L
15. James Livingston - L
16. Theodore VanWyck - L
17. James Duane - L
18. Lott
19. Remsen
20. John Jay
21. Goelet
22. Alsop
23. Clarkson
24. Franklin
25. Verplanck
26. Bache
27. Cuyler
28. Van Cortlandt
29. William Walton
30. Bache
31. Cuyler
32. Crommelin
33. Clarkson
34. Van Zandts
35. Van Horne
36. Kortright
37. Alsop
38. Brevoorts
39. Laight
40. Gouverneurs
41. Abeels
42. Bancker
43. Bozart
44. Duychinck
45. Brinkerhoff
46. Morris - DL
47. Rutger - DL
48. Wilkins - DL

Radicals

1. Isaac Sears
2. MacDougall
3. Randal Lispenard
4. Van Zandt
5. Gerardus Duychinck
6. Lewis
7. Hallett
8. P.V.B. Livingston
9. Randall
10. Lott
11. Lispenard
12. Boone
13. Brasher
14. Van Zandt
15. John Monn Scott - L

Unknown Political Alignment

1. Bancker
2. Abeels
3. Gouverneurs
4. Brevoorts
5. Crommelin
6. Curtensius
7. Brasher

Conservative: 23.0%

Moderate: 52.7%

Radical: 16.4%

Unknown Political Alignment: 7.6%

II. Bristol

Political alignments of Ministerialist, Opposition Whig and Rockingham Opposition Whig and Radical merchants are listed below. Percentages for these groups are listed below including those merchants whose affiliation is unknown. Information for these alignments of merchants comes from Burke's correspondents with his Bristol constituents and G. E. Weare, Edmund Burke's Connection with Bristol from 1774 to 1780, Bristol: William Bennett, 1894; and W. E. Minchinton, "The Merchants in England in the Eighteenth Century", Explorations in Entreprenurial History X (1957), 62-71.

Ministerialist

1. I. Hobhouse
2. Frekes
3. George Dauberry

Opposition Whig and/or Rockingham Opposition

1. Richard Champion
2. Lancelot Comper
3. John Noble
4. Perry
5. Hayes
6. Fry
7. Fripp
8. Maxwell
9. Williams
10. Nehemiah Champion
11. Samuel Worrall
12. Samuel Span
13. Thomas Farr
14. Paul Farr
15. Henry Garrett

Radical

1. Henry Cruger
2. Mallard
3. Harford
4. Cowle
5. Samuel Peach

Unknown Political Alignment

1. Stephenson
2. Randolph
3. Cheston
4. Nathaniel Wraxall
5. Pennington
6. William Reeve
7. Thomas Frank
8. Joseph Barrow
9. Henry Bright
10. Richard Meyler
11. James Laroche
12. John Fischer Weare
13. Edward Elton
14. William Jones
15. John Fowler
16. William Weare
17. James Dalterra
18. Henry Lippincott
19. Isaac Elton
20. John Vaughn
21. Jeremiah Hill
22. Robert Smith
23. John Powell
24. Edward Brice
25. John Garnett
26. John Champion
27. John Dauberry
28. George Gibbs
29. Michael Miller
30. Thomas Perkins
31. James Hilhouse
32. Joshua Powell
33. John Fowler

Ministerialist:	5.3%
Opposition Whig:	28.1%
Radical:	8.8%
Unknown Political Alignment:	57.9%

APPENDIX B

Bristol Trade Statistics

The Bristol Port Books which furnished the statistical basis for the following tables and analysis were kept for the purpose of preventing the evasion of customs duties and do not include full information of quantities and values of goods exported.[1] The records include exports from Bristol to English port cities, the West Indies and Newfoundland. The records also include articles which are re-exports that is articles from the colonies which were re-exported to English cities or colonies included in the records. One specialist on the Port Books, J. H. Andrews noted that historians have generally accepted that these records were accurate enough for broad comparisons but special consideration has been given to two questions: first, what kinds of trade were omitted; and second, how many different harbors were included. I have emphasized these questions for the records 1774 to 1776 with additional suppositions on why trade was omitted and an analysis of what re-exports were being shipped.

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[1]Exchequer. Bristol Port Books, July 1, 1774 to December 31, 1776 (E 190/1230/2-6, E 190/1231/3); J. H. Andrews, "Two Problems in the Interpretation of the Port Books," Economic History Review second series, IX (1956), 119; see also R. C. Jarvis "The Appointment of Ports" Economic History Review, pp. 455-66, see for a discussion of the limits, rights, liberties and authority of ports; see also G. N. Clark, Guide to English Commercial Statistics 1696-1782, 1938, p. 52, on the limitations and uses of the Port Books and a description of a variety of trade statistics and their usage.

Unfortunately comparable New York trade data was burned in a capitol fire in 1901 and the remaining records only extend to the 1760's. Thus any comparison between New York and Bristol is possible only through English trading records.

There are several English trading records available in the Public Record Office. The port books are the most voluminous source. The naval office shipping lists and the Bristol Presentments also contain imports and exports to various ports.[2] The inaccesibility of these varieties of records, however, has limited analysis to the Port Books for 1774 through 1776. The funding for a microfilm reproduction of these records was provided by the Graduate Studies Office of Old Dominion University and the assistance of my advisor, Dr. Douglas G. Greene and Dr. Theodore A. DiPadova, former associate dean of Graduate Studies.

I have posed several questions to analyze the available date relative to the period of Burke's representation for Bristol and agency for New York. First, what was the fluctuation in trade from 1774 to 1776? Second, how important was the American colonial trade to Bristol? Third, what patterns in recording existed during these years. What articles were ommitted and why.

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[2]W. E. Minchinton, The Trade of Bristol in the 18th Century, p. 12.

I. Trade fluctuations for 1774, 1775, 1776 based on number of ship departures.

1774: 201 for July-December; 344 for year average monthly amount for 1774 assuming that January to June were similar.

1775: 440.

1176: 288+ (640 West Indies departures) figure based, however, on English port trade not West Indies departures.

1774 used as base year.

1774 - 1.00
1775 - 1.27
1776 - .84

1774 to 1775: 27% increase
1775 to 1776: 43% decrease or 16% lower than in 1774.

II. How important was the American colonial trade to Bristol? Amount in American colonial trade, West Indies trade, Ireland trade and English port trade leaving Bristol based on most important product shipped.

American colonial:	tobacco
West Indies:	sugar
Ireland:	linen
English ports:	iron

These exports from Bristol which were either Bristol products (iron) or came from one of the other specified areas.

1774 number of shipments		% of Total
tobacco	276	27.3%
sugar	229	22.7%
linen	207	20.5%
iron	299	29.6%
	1011	

1775		
tobacco	352	25.0%
sugar	381	27.0%
linen	294	20.9%
iron	382	27.1%
	1409	

1776		
tobacco	230	24.9%
sugar	250	27.1%
linen	192	20.8%
iron	250	27.1%
	922	

III. What patterns in recording existed during these years 1774-1776? What articles were omitted and why?

There are several noteworthy features of the Bristol Port Books 1774 to 1776. Recording of articles was more intensive approaching the revolution. Customs officials recorded a greater variety and more specific quantities of articles of trade. There were also certain features of the Port Books which may be interpreted for their neglect or wording of entries which are relevant to changing patterns approaching the revolution. The lack of entries on fish from Newfoundland suggests a laxness on the part of customs collectors to record this article and possibly a disinterest on the part of the Customs department in this trade. From the articles recorded the West Indies imports and exports appear to be the most important in the customs records especially in 1776 when West Indies departures were particularly separated from other exports. The recording of the West Indies trade in 1776 was very explicit and included a higher number of ships departures than the departures to other localities. The increasing listings in West Indies trade indicate a greater dependence on this trade as the revolution approached and after its beginning. Thus the breakdown in the triangular trade hurt Bristol merchants who had offices in various colonial ports and particularly those with offices in American ports such as Richard Champion. The customs officers were also careful to report gunpowder and "wrot iron not arms" in their entries. The Privy Council and Board of Trade were intent upon preventing the exportation of munitions for war purposes except when specifically approved and so the customs officials were very specific in recording the nature of articles which were classified as munitions. The increasing entries of coal, iron, gunpowder and wrought iron, however, indicates that munitions were in great demand in a variety of ports. New York newspapers also printed that salt petre was imported although this was not specifically mentioned in the Bristol Port Books.