

NEW YORK, PENNSYLVANIA, AND  
THE MUTINY ACT OF 1765

---

A Thesis  
Presented to  
The Faculty of the Department of History  
Sam Houston State University

---

In Partial Fulfillment  
of the Requirements for the Degree of  
Master of Arts

---

by  
James L. Burrus  
August, 1973

NEW YORK, PENNSYLVANIA, AND  
THE MUTINY ACT OF 1765

by

James L. Burrus

---

A THESIS

Approved:

---

Lee E. Olm, Chairman

---

Milford F. Allen

---

Oliver M. Refsell

Approved:

---

Bascom Barry Hayes  
Dean of the Graduate School

## ABSTRACT

Burrus, James L., New York, Pennsylvania, and the Mutiny Act of 1765. Master of Arts (History), August, 1973, Sam Houston State University, Huntsville, Texas. 80 pp.

### Purpose

The purposes of this thesis were to investigate the enactment of the Mutiny Act for America, 1765; to evaluate its initial impact on New York and Pennsylvania; to analyze and compare motivations for non-compliance, partial compliance, or compliance; and to assess its impact on Anglo-colonial relations.

### Methods

The methods used in this study were: to read monographic and general secondary studies concerning the British, New York, and Pennsylvania economic and political conditions during this time period; to investigate published primary materials relative to the passage of the Mutiny Act including the correspondence of General Thomas Gage, the papers of George Grenville, and the letters of the Earl of Chatham; to consult the New York Historical Society's Collections of the Journals of John Watts and Cadwallader Colden, The New York Mercury on microprint, and Documents Relative to the Colonial History of the State of New York edited by Edmund

O'Callaghan; and to examine The Papers of Benjamin Franklin edited by Leonard Labaree, The Pennsylvania Gazette, and The Pennsylvania Archives.

### Findings

The information gathered indicated the following conclusions. The enactment of the Mutiny Act resulted from the development of a western policy by Whitehall at the termination of the French and Indian War, an emerging colonial policy which sought to increase imperial control of the American colonies, and specific problems encountered by General Thomas Gage in supplying and quartering troops in transit. The responses of New York and Pennsylvania were primarily influenced by parochial factors and secondarily by British colonial policy. The reactions of New York and Pennsylvania contributed to the deterioration of the relationship between the American colonies and the British government.

Approved:

\_\_\_\_\_  
Supervising Professor



## TABLE OF CONTENTS

CHAPTER	PAGE
I. THE MUTINY ACT FOR AMERICA, 1765 . . . . .	1
II. THE RESPONSE OF NEW YORK TO THE MUTINY ACT, 1765-1767 . . . . .	21
III. THE REACTION OF PENNSYLVANIA TO THE MUTINY ACT, 1765-1767 . . . . .	45
IV. SUMMARY AND CONCLUSION . . . . .	67
BIBLIOGRAPHY . . . . .	75
VITA . . . . .	80

## CHAPTER I

### THE MUTINY ACT FOR AMERICA, 1765

The vast territories acquired by the British from the French in the Treaty of Paris ending the Seven Years War for Empire in 1763 burdened the British government with equally vast and new responsibilities. The central task was to provide an effective administration and an adequate defense for the expanded empire. In America this meant specifically that some policy had to be formulated for the trans-Appalachian region. The army was scheduled to play a significant role in implementing any western policy adopted by Whitehall. However, in attempting to perform its functions and responsibilities in postwar America, the army was to encounter problems which triggered enactment of the Mutiny Act for America, 1765.

The assignment of regular troops to garrison peacetime America was not a new idea. The inability of the colonies to unite into some type of defensive union in 1754 led the Lords of Trade to consider the possibility of maintaining regular forces on the

American frontier.<sup>1</sup> The advent of the Seven Years War postponed the need for an immediate decision on this early proposal.

However, the war itself proved to the British government that the colonial system of military defense was inefficient and inadequate to deal with hostile neighbors.<sup>2</sup> During the conflict, the colonial governments delayed in providing militia quotas, means of transportation, and shelter for troops.<sup>3</sup> Hence, British military disasters in the early stages of the armed conflict in America were partially blamed on reluctant colonial support.

The ineptness of the colonists during the war provided a valuable lesson for the British ministers: that the old method of colonial defense had to be replaced by one which would furnish greater stability.<sup>4</sup> This required the maintenance of British regulars in the colonies.

---

<sup>1</sup> Clarence W. Alvord, The Mississippi Valley in British Politics; A Study of the Trade, Land Speculation, and Experiments in Imperialism Culminating in the American Revolution (Cleveland: The Arthur H. Clark Company, 1917), Vol. I, p. 117.

<sup>2</sup> Jack M. Sosin, Whitehall and the Wilderness; The Middle West in British Policy, 1760-1775 (Lincoln: University of Nebraska Press, 1961), p. 4.

<sup>3</sup> John Shy, Toward Lexington; The Role of the British Army in the Coming of the American Revolution (Princeton: Princeton University Press, 1965), pp. 166-167.

<sup>4</sup> Sosin, Whitehall and the Wilderness, p. 35.

The decision was supported by an assumption that the peace of 1763 was merely a cease-fire in a war of attrition with the French. The army would be needed to guard against future hostile activities of the French and Spanish still on its borders in America, and to protect the colonists from Indian depredations.<sup>5</sup> Reasoning that the Seven Years War and the treaty which followed attempted to insure the security of the colonies, the home government decided that troops should be permanently stationed in the colonies.

The specifics of troop disposition were left to Sir Jeffrey Amherst, commander-in-chief of the British forces in America. Amherst's proposal, outlined in a report entitled "Plan of Forts and Garrisons proposed for the Security of North America" in 1763, called for nine regiments to be scattered between Quebec and Pensacola in posts along the western frontier. The troops would provide protection against the French and Spanish, and shield the settlers from the Indians.<sup>6</sup>

Despite the fact that Amherst's plan received the support of Welbore Ellis, the Secretary at War, it was not without critics.

---

<sup>5</sup>George L. Beer, British Colonial Policy, 1754-1765 (reprinted edition; Gloucester: Peter Smith, 1958), p. 252.

<sup>6</sup>Clarence W. Alvord and Clarence E. Carter (eds.), Collections of the Illinois State Historical Society, Vol. X, The Critical Period, 1763-1765 (Springfield: Illinois State Historical Library, 1915), pp. 5-11.

Sir William Johnson, one of the two Indian Superintendents, re-proved the plan as being expensive and unrealistic.<sup>7</sup> The plan was accepted by the home government but was never fully implemented.<sup>8</sup>

The resulting weakness of the army's dispersal was more than evident during Pontiac's Rebellion. During the first few months of the struggle all of the far-flung posts fell to the Indians except Forts Pittsburg and Detroit. Whether this Indian uprising led to the decision to increase the number of troops in the colonies is subject to speculation.<sup>9</sup> More importantly, the "rebellion" had an effect on the eventual enactment of the Mutiny Act for America in 1765.

Amherst, believing the Indians incapable of effective organized military operations, was surprised by the efficiency of the Indians early in 1763. By the fall of 1763 the military situation had not improved visibly, and, consequently, in November Amherst was replaced by General Thomas Gage. Gage was selected due to his apparent lack of serious military errors in the preceding war, his

---

<sup>7</sup>Johnson to the Lords of Trade, September 25, 1763; Ibid., p. 32.

<sup>8</sup>John W. Fortescue, A History of the British Army, 1763-1793 (London: Macmillan and Company, 1902), Vol. III, p. 12.

<sup>9</sup>Charles S. Grant, "Pontiac's Rebellion and the British Troop Moves of 1763," The Mississippi Valley Historical Review, XL (June, 1953), pp. 75-78.



social position, his noncommittal political position,<sup>10</sup> and his friendship with Welbore Ellis.<sup>11</sup> Upon assuming command, Gage immediately began the task of recapturing lost out-posts. The assignment, however, was made difficult by the unworkability of the traditional requisition system.

The requisition system--petitioning the colonies to supply a certain quota of men, supplies, or transportation--had been utilized during the Seven Years War by the Pitt administration. However, the system lacked efficiency due to the element of uncertainty involved. The inefficiency resulted primarily from the decentralization created by giving the colonies the final authority to provide the items requested.<sup>12</sup> As a consequence of colonial rivalries and internal politics, there was usually some difficulty in obtaining the articles desired even though the enemy was near and the Pitt Ministry had promised to reimburse the colonies. During Pontiac's Rebellion the difficulty involved became acute.

In the early stages of the Indian war, Pennsylvania refused to furnish Amherst with a single man.<sup>13</sup> Amherst's

---

<sup>10</sup>Shy, Toward Lexington, p. 134.

<sup>11</sup>John R. Alden, General Gage in America; Being Principally a History of His Role in the American Revolution (Baton Rouge: Louisiana State University Press, 1948), p. 12.

<sup>12</sup>Beer, British Colonial Policy, p. 52.

<sup>13</sup>Fortescue, History of the British Army, p. 15.

successor, Gage, had little more success in dealing with the colonies. In December, 1763, the new commander-in-chief reported to Lord Halifax, one of the Secretaries of State, that New York was only willing to fill its quota of 3,500 men if New England colonies agreed to provide their quotas.<sup>14</sup> With the coming of spring, Gage doubled his efforts to obtain troops and supplies from the provinces so that some type of offensive might be made against the Indians. Gage's successes were, however, far from adequate in view of his requests.

In February, 1764 Massachusetts informed Gage that supplies would not be forthcoming unless Indian hostilities resumed on their frontiers. New York and New Jersey, threatened by Indian assaults, did raise militia forces to assist Gage's regulars. Meanwhile Pennsylvania's assembly became involved in a dispute with its governor, John Penn, and only promised to raise supplies of an unspecific nature.<sup>15</sup> In a typical letter to William Johnson, Gage revealed his distaste for having to rely on the colonies for men and supplies:

---

<sup>14</sup>Gage to Halifax, December 9, 1763; The Correspondence of General Thomas Gage with the Secretaries of State, and with the War Office and the Treasury, 1763-1775, Clarence E. Carter (ed.), (New Haven: Yale University Press, 1931), Vol. I, p. 3.

<sup>15</sup>Gage to Halifax, February 13, and March 10, 1764; Ibid., pp. 17-18.

The Provinces have been very backward in Affording that Assistance so much for their Interest to do . . . the Pensylvanians have plaid their old Tricks, voted the men, & then quarrelled with the Governor about the Supplys . . . <sup>16</sup>

The failure of the colonies to provide necessary manpower naturally hampered military operations in the spring of 1764. Gage's field commanders often became exasperated due to the inconveniences produced by depending upon the colonial governments.<sup>17</sup> When troops and supplies were finally made available to Gage they came too late to be useful, or the troops proved to be unreliable.<sup>18</sup> Further, the army experienced problems in transporting men and supplies to the frontier areas because colonists refused to provide the necessary carriages or they attempted to charge the army rates which were higher than normal.<sup>19</sup> For a commander attempting to prosecute a war, such actions by the provinces could but be viewed with disgust, and the hope for increased authority to halt the disarray created by the existing decentralized system.

---

<sup>16</sup> Gage to Johnson, April 1, 1764; The Papers of Sir William Johnson, Alexander C. Flick (ed.) (Albany: The University of the State of New York, 1925), Vol. III, p. 383.

<sup>17</sup> Bouquet to Gage, November 30, 1764; Alvord and Carter, The Critical Period, p. 367; see also Captain Daniel Claus to Johnson, April 10, 1764; Flick, Johnson Papers. Vol. 14, p. 395.

<sup>18</sup> Gage to Johnson, June 3, 1764; Flick, Johnson Papers, Vol. IV, p. 439.

<sup>19</sup> Gage to Halifax, January 23, 1765; Carter, Gage Correspondence, Vol. I, p. 49.



Another dilemma facing Gage in America was the lack of clarity in defining the army's judicial authority in the West. Prior to the fall of 1763 there was a great deal of confusion over who had jurisdiction in certain areas of the frontier. For example, in a letter to Sir William Johnson, John Kempe, the Attorney General of New York, asserted that lawbreakers near Detroit were under the jurisdiction of New York courts, and not that of the commander-in-chief.<sup>20</sup> In the Proclamation of 1763 an attempt was made to solve this issue by allowing the military to apprehend criminals who had fled to the West seeking sanctuary, but no clause in the Proclamation gave the army the authority to arrest those accused of committing civil crimes in the frontier area.<sup>21</sup> As a consequence of this apparent oversight, Gage found it necessary to order Colonel Henry Bouquet, who commanded the troops along the Pennsylvania frontier, to work through the Pennsylvania Attorney General in order to prosecute civilians suspected of treason, since he thought that the trials had to be held in civil courts.<sup>22</sup>

More serious to Gage's military operations than the ambiguity involved in western legal jurisdiction was the assertion of

---

<sup>20</sup> John Tabor Kempe to Johnson, February 7, 1763; Flick, Johnson Papers, Vol. 1V, pp. 41-42.

<sup>21</sup> Alvord, The Mississippi Valley, Vol. I, p. 205.

<sup>22</sup> Gage to Bouquet, October 15, 1764; Alvord and Carter, The Critical Period, p. 348.

many of the colonists that the Mutiny Act did not apply to America when Britain was not at war.<sup>23</sup> This argument represented to Gage a serious threat to the efficient function of the army, since the Act enabled the army to requisition transportation, capture and punish deserters, and, most importantly, quarter troops at the expense of the colonists when military barracks were lacking.

Refusal to assent to the validity of the Mutiny Act created a difficulty in obtaining means of transportation, which meant a serious logistical problem to the commander-in-chief, since the colonists occasionally refused to furnish the army with wagons.<sup>24</sup> Some officers were even brought before civil courts for requisitioning wagons to assist them in moving the men under their command.<sup>25</sup>

More pressing was the high rate of desertions which the army suffered, especially in Pennsylvania. The posts on the Pennsylvania frontier were garrisoned by the Sixtieth or Royal American Regiment. These troops were ill-fed, ill-provided, and far from urban comforts. Consequently, the soldiers deserted in large

---

<sup>23</sup>Gage to Welbore Ellis, January 22, 1765; Carter, Gage Correspondence, Vol. II, p. 262.

<sup>24</sup>Gage to Thomas Whatley, November 7, 1764; Ibid., p. 248.

<sup>25</sup>Gage to Halifax, January 23, 1765; Carter, Gage Correspondence, Vol. I, p. 49.

numbers. For many in the regiment, recruited in America, desertion was merely a matter of returning to their families in Pennsylvania.<sup>26</sup> The situation was made more difficult by the encouragement given the deserters by the colonists, and by the colonial prosecution of army officers for arresting deserters.<sup>27</sup> Since there was no war, many of the colonists refused to accept the Mutiny Act as being valid in America; they believed that it was perfectly legitimate to entice unhappy soldiers into jobs, or to fine officers who attempted to arrest deserters.

Even more significant to Gage than the difficulty encountered in securing transportation facilities, the question of legal jurisdiction in the West, or the problem of desertion was the difficulty met in quartering troops.<sup>28</sup> Troubles in quartering were most visible to Gage because many of them occurred in the colony of New York where the commander-in-chief's headquarters was located. While in New York, Gage received a report which told of a grand jury indicting colonial justices for following an army request to quarter troops in the private dwelling of a colonist, and he learned of riots between soldiers and civilians in Albany. Faced with such incidents

---

<sup>26</sup>Shy, Toward Lexington, p. 173.

<sup>27</sup>Gage to Halifax, January 23, 1765; Carter, Gage Correspondence, Vol. I, p. 49.

<sup>28</sup>Ibid., p. 49.

as these, coupled with previous problems in dealing with the colonists, Gage reached the conclusion that the lines of the army's authority had to be better drawn by the application of the Mutiny Act to the American colonies, even though such problems as these were not common in other colonies.<sup>29</sup>

The event which prompted Gage to suggest a special parliamentary act applying the Mutiny Act to America was the refusal of the New York City mayor to provide the Fifty-fifth and Thirtieth Regiments with firewood in November of 1764.<sup>30</sup> By January 25, 1765 Gage had written to both Lord Halifax and Welbore Ellis describing his problems in attempting to subjugate the Indians while encumbered by the impediments placed before him by the colonists. Also, he enclosed a suggested method outlined by Lieutenant Colonel James Robertson, Gage's Deputy Quartermaster General, to eliminate the obstacles.<sup>31</sup>

In the enclosure Robertson briefly recounted the difficulties the army had encountered since the close of the Seven Years War in

---

<sup>29</sup>Shy, Toward Lexington, pp. 168-169, 180-181, 188-189.

<sup>30</sup>Gage to Colden, November 7, 1764; Collections of the New York Historical Society, Vol. LV, The Letters and Papers of Cadwallader Colden, 1761-1764 (New York: New York Historical Society, 1923), Vol. VI, p. 389.

<sup>31</sup>Gage to Ellis, January 22, 1765; Carter, Gage Correspondence, Vol. II, pp. 263-264.



supplying troops with necessities, quartering soldiers, and acquiring adequate transportation at reasonable rates. These problems, according to Robertson, existed because a few individuals claimed that the Mutiny Act did not apply to the American colonies. Robertson proceeded to warn that failure to correct the problem soon would lead to widespread refusal by the colonists to comply to any request of the army. The suggested remedy was the extension of the Mutiny Act to America with some specific modifications.<sup>32</sup>

The most significant alteration recommended by Robertson concerned quartering troops on the march. Robertson proposed that when the number of public houses and military barracks were insufficient to quarter troops on the march, private houses should be utilized. Robertson suggested that troops quartered in this fashion could be provided with victuals by the colonists at the commanding officer's request, and that the dweller would be reimbursed by the Crown at a later date on the basis of a standard rate. However, the quartering of troops would not be necessary in private houses if barrack space existed, but the colonial governments would be required to furnish such essentials as candles, bedding, firewood, and cooking utensils.

Colonel Robertson also believed that it was necessary to require the colonists to provide transportation facilities for the

---

<sup>32</sup>Ibid., pp. 263-264.

army upon demand. To insure that the colonists did not attempt to take advantage of the army and charge inflated rates, the Quartermaster also urged the establishment of a basic rate predicated on weight carried by each type of wagon.<sup>33</sup>

Finally, Robertson maintained that Parliament should make it legal for British officers to apprehend deserters and to try the offender by court-martial, rather than in civil courts.<sup>34</sup>

Believing these to be sound remedies for perplexing difficulties, Gage dispatched Robertson's recommendations to Welbore Ellis and Lord Halifax in late January, 1765. The Grenville Ministry reacted with surprising quickness. By March 7, six days after Gage's report arrived, Ellis indicated that he was willing to support Gage's suggestions and moved to present a bill to Parliament to extend the Mutiny Act to America.<sup>35</sup> By March 9, the King, George III, had written to George Grenville, the Prime Minister, requesting that he investigate the possibility of extending the Mutiny Act to America.<sup>36</sup>

---

<sup>33</sup> Ibid., p. 265.

<sup>34</sup> Ibid., pp. 265-266.

<sup>35</sup> Shy, Toward Lexington, pp. 184-185.

<sup>36</sup> George III to Grenville, March 9, 1765; The Grenville Papers; Being the Correspondence of Richard Grenville Earl of Temple, K. G., and the Right Hon. George Grenville, Their Friends and Contemporaries, William J. Smith (ed.) (New York: AMS Press Incorporated, 1970), Vol. III, p. 11.

The proposal thus passed into the hands of George Grenville, a man in whom the King had little real confidence.<sup>37</sup> The Grenville Ministry was composed of three factions: the supporters of Grenville, the King's Friends, and the Bedfordites. The cohesive bond which held these factions together was the common desire to increase the control of the home government over the colonies.<sup>38</sup> A major obstacle to this increased centralization of government was the debt incurred by the British in the Seven Years War. Grenville was faced with a paradox; he wished to instigate an imperial program, and yet he had to protect the royal purse from further depletion. The Gage-Robertson recommendation offered him an acceptable means of dealing with both. The application of the Mutiny Act to America would assist to defray the annual monetary burden of £320,000 for maintaining the army in America by reducing the amount of money necessary to provide for troops on the march and in quarters.<sup>39</sup> This action was, thus, an economic necessity; Whitehall wished to maintain a standing army in the colonies during peacetime and to prevent the growth of the national debt at the same time.

---

<sup>37</sup> Lewis B. Namier, England in the Age of the American Revolution (2d ed.; New York: St. Martin's, 1961), p. 324.

<sup>38</sup> Alvord, The Mississippi Valley, Vol. I, pp. 163-164.

<sup>39</sup> Beer, British Colonial Policy, p. 207; see also Shy, Toward Lexington, p. 189.

Consequently, Ellis' proposal to extend the Mutiny Act to America received Grenville's support, though not without some reservations. Grenville, like George III, believed that the colonists might object to the provision which allowed troops to be quartered in private houses. As a result, Grenville urged that the bill be worded so as to cite such practices in Scotland as legal precedent, hoping that this would stem possible colonial opposition.<sup>40</sup>

Having obtained Grenville's assent, Ellis brought the proposed Mutiny Act for America before the House of Commons as a separate bill from the yearly Mutiny Act; a strategy designed to reduce possible amendments and hasten enactment.<sup>41</sup>

Despite the fact that Grenville believed that the ambiguous wording of the clause dealing with quartering in private dwellings would prevent any antagonism, opposition to the bill did develop among those merchants who traded in America. These merchants organized a committee to oppose the Mutiny Bill in the House and sent representatives to present their objections to the Grenville ministry.<sup>42</sup> The basic complaint of this group was that the proposed

---

<sup>40</sup> Grenville to George III, March 9, 1765; Smith, Grenville Papers, Vol. III, pp. 12-13.

<sup>41</sup> Nicholas Varga, "The New York Restraining Act: Its Passage and Some Effects, 1766-1768," New York History, XXVII (July, 1956), p. 236.

<sup>42</sup> Namier, England in the American Revolution, pp. 253-254.



legislation was violating the civil rights of the colonists by forcing them to quarter troops in their houses without their consent.<sup>43</sup>

Faced with opposition from a coalition of the colonial agents, British merchants, and a few members of the House of Commons, Grenville acquiesced to a revision of the Ellis Bill. The individuals principally involved in the alteration were Thomas Pownall and Benjamin Franklin,<sup>44</sup> two men considered by the British government to be experts on America. The significant amendment was that which prevented troops from being quartered in private houses. Attempting a compromise with the disaffected merchants, Grenville accepted the modifications and supported the revised version of the Ellis Bill in the House of Commons.<sup>45</sup> Without further opposition the Mutiny Bill became law on May 15, 1765.

Grenville believed that the Pownall-Franklin revision of the Mutiny Act would forestall any colonial objections. However, Grenville's belief proved to be too optimistic. The provisions of

---

<sup>43</sup>Ibid., p. 253.

<sup>44</sup>Franklin to Samuel Rhodes, July 8, 1765; The Papers of Benjamin Franklin, Leonard W. Labaree (ed.) (New Haven: Yale University Press, 1968), Vol. XII, p. 205; see also Varga, "The New York Restraining Act," N. Y. H., XXVII, p. 236.

<sup>45</sup>Grenville to Jenkinson, April 13, 1765, and Grenville to Ellis, April 27, 1765; Additional Grenville Papers, 1763-1765, John R. G. Tomlinson (ed.) (Manchester: Manchester University Press, 1962), pp. 258, 266.

the Mutiny Act for America which would provoke adverse reaction in some of the colonies were not those which required local magistrates to quarter troops on owners of public houses when barrack space was lacking, or that the owners of these establishments had to provide a daily ration of beer, cider, or rum. The provisions which stirred some of the provincial governments to opposition were those which required the colonists to pay for supplying troops quartered in colonial barracks, and that the colonial governments were ordered to repay local magistrates who hired uninhabited buildings for the troops.<sup>46</sup> Despite the fact that these provisions of the Act were drafted to deal directly with certain conditions in the colonies, the colonial governments would look upon them as commands which cut deeply into their jealously guarded authority.<sup>47</sup> The Act as drafted was thus predestined to meet with opposition from some colonial governments, even though Grenville had attempted to remove this contingency.

The Seven Years War and the treaty which followed influenced an alteration of the British colonial policy. Prior to this time the various ministries had tended to follow a policy which

---

<sup>46</sup>William MacDonald (ed.), Documentary Source Book of American History, 1606-1898 (New York: The Macmillan Company, 1908), p. 134.

<sup>47</sup>Shy, Toward Lexington, pp. 189-190.

minimized the control of the home government over the American colonies. However, during the Seven Years War various conditions within the colonies and within England itself resulted in a policy which attempted to increase and clarify the authority of the central government.

The first tangible evidence of the change in policy was the decision to maintain British regulars in the colonies. The stationing of troops was not the result of a desire on the part of the British government to enforce Parliament's will upon the colonists; the regulars, stationed on the western frontier, were to be utilized to protect the colonies from possible French, Spanish, and Indian aggression. Also, the troops would carry out the slowly evolving western policy. The leaders of the army in America learned, however, that the colonial environment held some unique problems which made their assigned tasks more difficult. These problems necessitated the further revision of policy.

Gage and Robertson attempted to enhance the authority of the commander-in-chief by recommending the extension of a modified form of the Mutiny Act to the American provinces. They were motivated by problems in obtaining colonial support in dealing with Pontiac's Rebellion, confusion over legal jurisdiction of the army, difficulties in logistics, increased desertions, and awkwardness in quartering troops. The direct result of the reports of Gage and Robertson was the Mutiny Act for America in 1765.

The Grenville Ministry viewed Gage's suggestions as a means to increase imperial control over the colonies and to assist in defraying the increased financial burden placed on the treasury by maintaining a standing army in the colonies. Furthermore, the Gage-Robertson proposal could be used to complement the Stamp Act. The Stamp Act would raise money from the provinces to pay for the troops stationed in various posts, and the Mutiny Act would provide payment for the expense connected with moving soldiers to and from the West.

Having revised the provision for quartering troops in private dwellings to satisfy the objections of colonial agents and British merchants, Grenville believed that the Act would be accepted by the colonists. He failed to realize that the Act actually invited opposition from New York, Pennsylvania, and Georgia; these colonies would bear the burden of quartering since the troops passed through these colonies en route to the frontier posts.

Furthermore, Grenville, relying completely on Gage's expertise, failed to determine if the Act was actually as necessary as the commander-in-chief claimed. In reality most of the colonists were complying with quartering requests. There was some friction over quartering, but most of these cases occurred around Albany where Colonel John Bradstreet was persistently antagonizing the local inhabitants by his actions. Since Gage's headquarters were

located in New York City, the problem of quartering received more attention than was actually warranted despite the fact that there was general compliance to requests. Indeed, the Act was not as vital to an efficient operation of the army as Gage maintained. In fact, the legislation tended to increase difficulties confronting the commander. The Grenville Ministry in attempting to assist the army actually compounded the problems encountered and laid a foundation for a recalcitrant attitude in some of the provinces.



## CHAPTER II

### THE RESPONSE OF NEW YORK TO THE MUTINY ACT, 1765-1767

During the latter portion of 1765 the colonial government of New York became involved in lengthy disputes with the British government involving parliamentary authority. The initial point of contention involved the Stamp Act of 1765. This explosive conflict concerning parliamentary taxing authority received a great amount of attention by the colonists and the home government. However, there developed concurrently another major issue concerning the rights of the colonists and the authority of Parliament. This second disagreement evolved from the extension of the Mutiny Act to America by Parliament.

Initially the New York Assembly refused to comply with requisitions under the provisions of the Mutiny Act; however, by early 1766 this total rejection was superseded by partial compliance. The initial refusal of the assembly to comply with the provisions of the Act cannot merely be attributed to the hostility generated among the colonists over the concept of no taxation without representation and to the anger of the colonists toward the home government due

to the controversy surrounding the Stamp Act. Non-compliance can also be ascribed to endemic political conditions, the actions of Lieutenant Governor Cadwallader Colden during the Stamp Act disturbances in New York City, and the attitude of the people toward the British regulars stationed in the colony. Similarly, a softening of the first response of the assembly to a position of partial compliance came as a result of essentially parochial conditions.

By the middle of the eighteenth century, political activity in the colony of New York was, to a large degree, determined by social and economic factors. A landed aristocracy represented the pinnacle of the class structure. Since membership was based primarily upon extensive holdings in property, the number of colonists who composed the aristocracy were the few families who had obtained vast grants of land from earlier governors. The principal families which made up the aristocracy included the Livingstons, De Lanceys, Van Cortlandts, Philipses, and Van Rensselaers. Another segment of the aristocracy was the wealthy merchant families which, though not possessing large amounts of land, achieved acceptance by means of advantageous marriages with members of aristocratic families. The wealthy merchant families included the Van Dams, Crugers, Waltons, and Floyds.<sup>1</sup>

---

<sup>1</sup>Carl L. Becker, The History of Political Parties in the Province of New York, 1760-1776 (2d ed.; Madison: The University of Wisconsin Press, 1960), pp. 8-10.

The remaining merchants and other individuals qualified to vote were included in a middling class in the colony. This element of the population was the largest since its members were those who possessed at least minimum franchise qualifications. The voting requirements--any man twenty-one years of age with property valued at not less than £40, even if mortgaged--made it possible for many adult white males to vote.<sup>2</sup>

Within the bottom strata were those who were unable to meet all of the requirements for voting. Included in this group were those who leased farm land from one of the large landowners and those who labored for a wage so low that the property qualification was a virtual impossibility to satisfy.<sup>3</sup>

Even though there were three divisions of people with various and often conflicting interests, there were no political parties in New York, at least as political parties are defined today. Political activity within the province was dominated by the aristocracy, and, rather than parties, there existed a loose allegiance to one of the leading families in the aristocracy.<sup>4</sup> By the 1760's the two families which vied for domination of the assembly were

---

<sup>2</sup>Milton M. Klein, "Democracy and Politics in Colonial New York," New York History, XL (July, 1959), pp. 232-235.

<sup>3</sup>Becker, Political Parties in New York, p. 11.

<sup>4</sup>Ibid., pp. 11-12.



the Livingstons and De Lanceys.<sup>5</sup> However, loyalty was not based simply upon some feudal concept of family loyalty. Such an assumption would be incorrect since it would overlook other interest factors.

The aristocrats were able to permeate the positions of importance within the New York governmental structure principally because of the apparent indifference and illiteracy of the majority of the voters. As a consequence, voters were more susceptible to influence by such factors as the superior education of the aristocrats, newspaper propaganda, and open promises of financial rewards for votes.<sup>6</sup>

Another important element in New York political activity was the legal profession. By means of family connections and influence in the New York courts the lawyers came to assume a significant role in the operation of the government, despite the fact that they held few positions of authority within the political system.<sup>7</sup> The influence of the lawyers was so great as to cause Cadwallader

---

<sup>5</sup> Nicholas Varga, "The New York Restraining Act: Its Passage and Some Effects, 1766-1768," New York History, XXVIII (July, 1956), pp. 234-235.

<sup>6</sup> Klein, "Democracy and Politics in New York," N. Y. H., XL, pp. 230, 232, 239.

<sup>7</sup> Milton M. Klein, "Prelude to Revolution in New York," The William and Mary Quarterly, XVII (October, 1960), p. 441.

Colden, the Lieutenant Governor of New York, to comment: ". . . united in interest & family Connections with the proprietors of great Tracts of Land, a Domination of Lawyers was formed in this Province."<sup>8</sup>

Heightening the importance of the control of the aristocracy and lawyers over politics in New York is the fact that this minority, which actually represented its own privileged interests, operated within an assembly which, by the 1760 s, dominated the judiciary and the appropriation and application of money.<sup>9</sup> This acquisition of power occurred over a protracted period of time during which the various governors and assemblies contended over the mastery of the colonial government. The assemblies struggled to assert the interest of the colony and the governors to affirm the interests of the Crown.<sup>10</sup> From this long conflict developed an attitude on the part of the colonists that the assembly was attempting to protect their rights from the encroachments of the Crown and its representative, the royal governor. Thus, despite the fact that the

---

<sup>8</sup>Colden to Conway and the Board of Trade, no date; Collections of the New York Historical Society, Vol. IX, The Colden Letter Books, 1765-1775 (New York: New York State Historical Society, 1877), Vol. II, p. 71.

<sup>9</sup>Becker, Political Parties in New York, pp. 6-7, 16.

<sup>10</sup>Ibid., p. 9.

political leadership was principally concerned with its narrow interests, it acquired the reputation of being something of a protector of the rights and general welfare of the colonists.

The struggle between the leadership of the assembly and the governor is best portrayed in two separate but not unrelated clashes. The first conflict, occurring between 1760 and 1761, concerned an appointment to a vacancy on the New York Supreme Court bench which resulted from the death of James De Lancey. Lieutenant Governor Colden wanted an individual appointed at the pleasure of the Crown and one who was not connected with the aristocrats or the lawyers in the colony. Such an individual would, hopefully, be more receptive to the will of the governor. However the Livingston faction, which had by this time obtained control of the assembly, led by William Smith, John Morin Scott, and William Livingston,<sup>11</sup> wanted a man appointed for life who would be from among its membership so as to minimize the influence of the governor.<sup>12</sup>

During the ensuing argument both sides conducted a vigorous verbal and written campaign to discredit the other side in the eyes of the colonists and the Crown. Colden charged the Livingston family

---

<sup>11</sup> Ibid., p. 26.

<sup>12</sup> Klein, "Prelude to Revolution in New York," W. M. Q., XVII, p. 447.

with taking part in illegal trade with the West Indian Islands and with extending their land claims far beyond the legal boundaries established by their patents. The Livingston faction utilized the press to make itself appear to be the champion of the natural rights of the people and Colden to be the Crown's tool to destroy popular rights.<sup>13</sup>

The second contest involved the right of trial by jury. In the winter of 1764-1765 an individual who had been found guilty of assault in a jury trial appealed his case to the Governor's Council, asking the Council to reexamine the facts of his case after the New York Supreme Court had rejected an appeal on legal error. Colden seized this request as a means of reducing the power and influence of the lawyers, a group which he personally and politically abhorred. However, by this action Colden made himself and the Crown, which he represented, appear to be subverting the constitutional right of a trial by jury by giving the Governor's Council the power to alter jury decisions on the basis of fact. Subsequently, Colden was denounced by New York newspapers and the Council for his actions.<sup>14</sup> Fostered by such local political discontent preceding the enactment of the Mutiny Act for America, the position of governor became synonymous with tyranny in New York.

---

<sup>13</sup> Ibid., pp. 449, 452-453.

<sup>14</sup> Ibid., pp. 453-457.



In August, 1765, General Thomas Gage wrote to Welbore Ellis, the Secretary at War, maintaining that despite the fact that Parliament had extended the Mutiny Act to America in an effort to reduce the obstacles confronting the British regulars he could only predict difficulties in enforcing the Act.<sup>15</sup> Clearly, Gage was far from optimistic about the success of a plan that he had initiated earlier that year. Gage's pessimism possibly was motivated by the likelihood that New York would fail to comply because of the general attitude of dislike for increased imperial authority in the colonies at this time because of the opposition to the Stamp Act and the "Scandalous and Treasonable writings that appeared in Public Papers."<sup>16</sup>

Soon after the close of the French and Indian War, New York, like the other colonies, suffered from a post-war economic depression. This slump was further compounded by the severe drain of silver from the colonies to England, most of which was used to pay debts owed English merchants and the duties established by the Sugar Act.<sup>17</sup> Furthermore, the Grenville Ministry initiated

---

<sup>15</sup> Gage to Ellis, August 10, 1765; The Correspondence of General Thomas Gage with the Secretaries of State, and with the War Office and the Treasury, 1763-1775, Clarence E. Carter (ed.), (New Haven: Yale University Press, 1931), Vol. II, p. 269.

<sup>16</sup> Gage to Halifax, September, 1765; Ibid., p. 68.

<sup>17</sup> Becker, Political Parties in New York, pp. 24-25, 65-67.

and passed the Currency Act through Parliament which prevented the colonists from using fiat money as legal tender. New York and the other colonies had used such paper as a circulating medium to supplement, if not supplant, the lessening supply of specie.<sup>18</sup> The colonists became increasingly apprehensive about their interests and the consideration given them by Whitehall. Perhaps Chief Justice William Smith describes the attitude of those people most affected by the measures of the Grenville ministers:

The grand Causes of the Complaints of the Provinces are the Stamp Duties, a monopoly of Trade in Favor of the Islands, to the Prejudice of the Continent and Great Britain, and . . . in Derogation of Trials by Jury--Great Britain has indeed lost the Affection of all the Colonists.<sup>19</sup>

The most noticeable erosion of good feelings described in Smith's letter concerned the Stamp Act, an act which placed a small tax upon paper used principally in printing, legal activities, and matters of commerce. The New York colonists argued that constitutionally they were Englishmen, that Englishmen could not be taxed without their consent; therefore the Stamp Act was invalid

---

<sup>18</sup>Ibid., pp. 69-70; see also John C. Miller, Origins of the American Revolution (2d ed.; Stanford: Stanford University Press, 1959), pp. 18-19.

<sup>19</sup>Smith to Monckton, November 8, 1765; Historical Memoirs From 16 March 1763 to 25 July 1778 of William Smith; Historian of the Province of New York Member of Governors Council and Last Chief Justice of that Province Under the Crown Chief Justice of Quebec, William H. W. Sabine (ed.) (New York: W. H. W. Sabine, 1956), p. 30.

since they had not assented to its enactment.<sup>20</sup> The issue of no taxation without representation was not the only cause of the protest in New York; but it did serve as an effective statement to unite opposition to Great Britain. The colonists had come to believe that since Parliament had not taxed them internally prior to 1764, the power to legislate internal taxes was a privilege which had been relegated to the colonial assembly, and now Parliament was threatening this privilege.<sup>21</sup>

The individuals most burdened by the Stamp Act in New York were the merchants, lawyers, and printers<sup>22</sup> having greatest need of paper taxed under the provisions of the Stamp Act. These interest groups, supported by the political leadership, began to mobilize the "meaner sort" as a force to demonstrate dissatisfaction. The rougher segment of the New York City population, molded by the propaganda of newspapers and pamphlets, began to organize into various groups, later to be termed the Sons of Liberty, to prevent the enforcement of the Stamp Act.<sup>23</sup> What followed was a series

---

<sup>20</sup> The New York Mercury, November 18, 1765.

<sup>21</sup> Miller, Origins of the Revolution, p. 31.

<sup>22</sup> Arthur M. Schlesinger, The Colonial Merchants and the American Revolution, 1763-1776 (New York: Columbia University, 1918), p. 66.

<sup>23</sup> Becker, Political Parties in New York, pp. 34-35.

of protest demonstrations, some of which were violent, directed against the two symbols of imperial authority: Cadwallader Colden and the British regulars.

In early December, 1765, soon after the peak of the Stamp Act disturbances, a requisition under the Mutiny Act was submitted to the assembly for action.<sup>24</sup> This step was initiated primarily by General Gage, who was unable to obtain necessary quarters and provisions from New York magistrates. The magistrates were unwilling to spend the necessary money when the assembly had not enacted legislation to reimburse them for any expenditures in compliance with requisitions made under the authority of the Mutiny Act. The assembly, dominated by the Livingston faction, evaded the issue by maintaining that the colonial government was only required by the provisions of the Act to provide funds for quartering troops in colonial barracks. Because all the barracks in New York were the King's barracks, either constructed by the Crown or located within British forts, they should be maintained at the expense of the Crown and not at the expense of the colonial government. The assembly further announced that funds to provide necessities and quarters for troops on the march would only be forthcoming when the magistrates reported expenditures for quartering and providing

---

<sup>24</sup>Varga, "The New York Restraining Act," N. Y. H., XXVII, p. 236.



essentials. Since the magistrates refused to provide funds without assurances of repayment by the assembly, Gage could expect no execution of the Mutiny Act in New York.<sup>25</sup>

The failure of the assembly to comply with the terms of the Mutiny Act was, in part, related to the rejection of the Stamp Act by the colonists. By late 1765, some of the colonists believed that the Stamp Act was merely a precedent for future expansion of imperial rule, and, consequently, they considered it necessary to repudiate not only the Stamp Act but any tax enacted by Parliament.<sup>26</sup>

The argument that the Stamp Act and other taxation measures were steps toward arbitrary imperial rule was reinforced by actions of the King's representative in the colony, Cadwallader Colden. Early in July, 1765, Colden requested General Gage to dispatch regular troops to Fort George, located in New York City, supposedly to protect the city from Negroes or a mob of undefined nature.<sup>27</sup> Gage quickly complied by ordering a company to garrison the fort.<sup>28</sup> Colden apparently made his request believing the mere

---

<sup>25</sup>Gage to Conway, December 21, 1765; Carter, Gage Correspondence, Vol. I, pp. 76-77.

<sup>26</sup>The New York Mercury, September 16, 1765; see also Sentinel, July 18, 1765; cited in Klein, "Prelude to Revolution in New York," W. M. Q., XVII, p. 459.

<sup>27</sup>Colden to Gage, July 8, 1765; Colden Letter Books, Vol. II, p. 23.

<sup>28</sup>Gage to Colden, July 8, 1765; Collections of the New York Historical Society, Vol. LVI, The Letters and Papers of Cadwallader Colden, 1765-1775 (New York: New York Historical Society, 1923), Vol. VII, p. 46.

presence of regular troops would prevent any violence from occurring in New York City as it had previously occurred in Boston.<sup>29</sup> In reality, the increase of military strength had the opposite effect from that which Colden desired. The colonists, becoming alarmed and angered by this action of placing an armed contingent in their midst during a time when a war did not exist, reacted at first with protest marches;<sup>30</sup> later with violence.

The use of British troops by Colden in this manner assisted in producing a negative attitude among the colonists with respect to the army. Prior to 1765 most of the American colonists had tended to view the regular army with gratitude because of its service during the French and Indian War and Pontiac's Rebellion.<sup>31</sup> However, after the enactment of the Mutiny Act the attitude of the colonists began to change. John Watts, a New York merchant and usually an advocate for the Crown, remarked:

People say that they had rather part with their Money, tho' rather unconstitutionally than to have a parcel of Military Masters put by Act of Parliament a bed to their Wives and Daughters.<sup>32</sup>

---

<sup>29</sup> Colden to Amherst, October 10, 1765; Colden Letter Books, Vol. II, p. 44.

<sup>30</sup> The New York Mercury, November 4, 1765.

<sup>31</sup> John Shy, Toward Lexington; The Role of the British Army in the Coming of the American Revolution (Princeton: Princeton University Press, 1965), pp. 144-147.

<sup>32</sup> Watts to James Napier, June 1, 1765; Collections of the New York Historical Society, Letter Book of John Watts; Merchant and Councillor of New York, 1762-1765 (New York: New York Historical Society, 1928), Vol. LXI, p. 354.

The colonists had begun to view the army as a threat to the chastity of wives and daughters,<sup>33</sup> a motivation for internal taxation by Parliament,<sup>34</sup> and a menace to the independence of civil government.<sup>35</sup> This attitude, coupled with the actions of Colden in 1765, possibly tended to reinforce the belief of many colonists in New York that the Crown was not concerned with their interests but only interested in reducing autonomy and individual rights. The colonists had come, consequently, to associate the much disliked taxes with the army<sup>36</sup> and reasoned since all taxes were invalid without the approval of the assembly, no action should be taken to demonstrate acceptance to parliamentary taxation.<sup>37</sup>

Other factors which prompted rejection of the Mutiny Act were of a local nature. The persistent struggle between governor and assembly over domination of the colonial government may have induced the Livingston faction, which in the past had carried on an almost constant battle with Colden for personal as well as political

---

<sup>33</sup> Miller, Origins of Revolution, p. 237.

<sup>34</sup> Colden to Amherst, January 13, 1766; Colden Letter Books, Vol. II, pp. 90-91.

<sup>35</sup> Shy, Toward Lexington, p. 149.

<sup>36</sup> Ibid., pp. 142-143.

<sup>37</sup> The New York Mercury, September 2, 1765; see also Miller, Origins of the Revolution, p. 238.

reasons,<sup>38</sup> to refuse to comply with the Act. Also, it is a possibility the Livingston faction was attempting to take advantage of the situation to increase its popular support by refusing to assent to the Act.<sup>39</sup> Colden viewed the opposition to taxation by Parliament as a plot by the Livingstons, lawyers, and newspapers to prevent succeeding governors from opposing the assembly.<sup>40</sup>

Colden was correct in that the lawyers and printers instigated demonstrations against the Stamp Act.<sup>41</sup> There is, however, no apparent evidence to connect the lawyers directly with the refusal of the Assembly to comply with the Mutiny Act other than Colden's accusation. There are data to indicate that the newspapers, and indirectly the lawyers through the newspapers, did encourage disobedience to parliamentary taxation. Articles appeared in the local press, some of which were written by lawyers, which called upon the colonists to oppose any form of taxation

---

<sup>38</sup>Klein, "Prelude to Revolution in New York," W. M. Q., XVII, pp. 444-445.

<sup>39</sup>Varga, "The New York Restraining Act," N. Y. H., XXVIII, p. 234.

<sup>40</sup>Colden to Conway, January 14, 1766; Colden Letter Books, Vol. II, p. 86; see also Colden to Amherst, January 13, 1766; Ibid., p. 91.

<sup>41</sup>Schlesinger, Colonial Merchants and the American Revolution, p. 73; see also Klein, "Prelude to Revolution in New York," W. M. Q., XVII, p. 442.



without assent of the assembly and maintained that such taxes were invalid.<sup>42</sup>

In the Spring of 1766, a time of annual troop movements to and from the frontier posts, Gage submitted a requisition under the Mutiny Act to Henry Moore, newly appointed governor of New York.<sup>43</sup> Moore responded to Gage's requisition by dispatching an appropriation to the Assembly. At first the assembly evaded the directions of Moore, maintaining that action would be taken when troops arrived in New York City from the West.<sup>44</sup> In July the assembly agreed to provide money in the form of a loan to Gage<sup>45</sup> for bedding, fuel, and kitchen utensils for two regiments and an artillery company. The assembly did not mention the Mutiny Act and omitted to supply certain items--rum, beer, and cider--which the Act required the colonies to provide.<sup>46</sup> By partially complying,

---

<sup>42</sup> The New York Mercury, August 26, 1765; September 2, 1765, November 18, 1765, December 2, 1765.

<sup>43</sup> Carter, Gage Correspondence, Vol. I, p. 89.

<sup>44</sup> Moore to Conway, June 20, 1766; Documents Relative to the Colonial History of the State of New York, Edmund B. O'Callaghan (ed.) (Albany: Weed, Parson and Company, 1856), Vol. VII, p. 831.

<sup>45</sup> Varga, "The New York Restraining Act," N. Y. H., XXVIII, pp. 236-237.

<sup>46</sup> Gage to Conway, July 15, 1766; Carter, Gage Correspondence, Vol. I, p. 99.



the assembly had protected its right to control the colonial treasury against the power of the royal governor and Parliament while meeting, to some extent, the requisition made by Gage.

The assembly had clearly altered its position from that advocated and followed in late 1765. No longer refusing to comply, the assembly assented to partial compliance due to parochial conditions. The primary event which led to revision in the attitude of the political leadership in New York was the Dutchess County Riots.<sup>47</sup> The eruption of violence in April of 1766 was the result of a long struggle between New York aristocrats, would-be Massachusetts settlers, and unhappy tenants over various disputed land claims in the counties of Dutchess, Albany, and Westchester. Initially some of the rioters were apprehended and transported to New York City for trial. This prompted the remaining rioters to march on the city to free their comrades. Moore immediately asked Gage for military assistance. Gage quickly dispatched troops to the troubled areas, and shortly the troops had restored order.<sup>48</sup> The aristocrats, realizing that their property was in danger, were more than willing to sustain the British regulars while they were about the task of

---

<sup>47</sup> Varga, "The New York Restraining Act, " N. Y. H., XXVIII, p. 237.

<sup>48</sup> Shy, Toward Lexington, pp. 217-221; see also Moore to Conway, July 14, 1766; O'Callaghan, Documents Relative to Colonial New York, Vol. VII, pp. 845-846.

bringing to justice those individuals who threatened their property holdings.<sup>49</sup> As soon as the disturbances were brought to an end, Gage again encountered difficulties in supplying and quartering the troops under his command in New York.<sup>50</sup>

The return to non-compliance induced the Earl of Shelburne, one of the Secretaries of State in the Chatham Ministry, to send a letter to Governor Moore in which he sternly informed the assembly that the Mutiny Act had to be obeyed.<sup>51</sup> The assembly did not reply to Shelburne's letter, rather it dispatched a petition to Parliament concerning the Currency Act of 1764 and trade restrictions in the West Indies. The assembly called for the repeal of the Currency Act and the creation of more free-ports in the West Indies.<sup>52</sup>

The petition was not received favorably by the Chatham Ministry. Chatham termed the petition as being, "highly improper: in point of time, most absurd; in the extent of their pretensions,

<sup>49</sup>Becker, New York Political Parties, p. 31.

<sup>50</sup>Gage to the Duke of Richmond, August 25, 1766; Carter, Gage Correspondence, Vol. I, p. 101; see also Gage to Barrington, October 29, 1766; Ibid., Vol. II, pp. 387-388.

<sup>51</sup>R. A. Humphreys, "Lord Shelburne and British Colonial Policy, 1766-1768," The English Historical Review, L (April, 1935), p. 266.

<sup>52</sup>Varga, "The New York Restraining Act," N. Y. H., XXVIII, p. 239.

most excessive; and in the reasoning, most grossly fallacious and offensive."<sup>53</sup> Further, he believed that refusal to comply with the provisions of the Mutiny Act was virtually an act of treason.<sup>54</sup>

Shelburne was angered by what he believed to be the exhibition of ingratitude of New York when it refused to comply with the Mutiny Act after the Stamp Act had been repealed.<sup>55</sup> New York had by rejecting the validity of the Mutiny Act and seeking to alter other parliamentary acts lost the support of Shelburne and Chatham, two outspoken friends of the colonies.

Following the suggestion of Chatham,<sup>56</sup> Shelburne submitted the New York petition to the House of Commons in February of 1767. In the House the memorial created anti-American feelings, especially among the merchants who supported the Rockingham faction.<sup>57</sup> Charles Townshend, Chancellor of the Exchequer, was able to obtain the assent of the Chatham Cabinet, in the absence of

---

<sup>53</sup>Chatham to Shelburne, February 3, 1767; Correspondence of William Pitt, Earl of Chatham, William S. Taylor and John H. Pringle (eds.) (London: John Murray, 1939), Vol. III, pp. 188-189.

<sup>54</sup>Chatham to Shelburne, February 7, 1767; Ibid., pp. 193-194.

<sup>55</sup>Shelburne to Chatham, February 1, 1767; Ibid., p. 187.

<sup>56</sup>Chatham to Shelburne, February 7, 1767; Ibid., p. 194.

<sup>57</sup>Varga, "The New York Restraining Act," N.Y.H., XXVIII, p. 243.

Chatham's unifying leadership due to his illness, to introduce a bill which called for the suspension of the New York Assembly until it complied with the Mutiny Act.<sup>58</sup> The bill was introduced by Townshend rather than Shelburne, who was more properly the individual responsible for the introduction of the proposal, because the Secretary of State was reluctant to assume leadership during Chatham's illness. The Restraining Act was quickly passed by the angered mercantilist supporters of George Grenville and the Marquis of Rockingham in the House.<sup>59</sup>

Before news of the enactment of the Restraining Act reached New York, the assembly passed the Three Thousand Pounds Act. The Act furnished Gage with £3,000 to meet the needs of troops in transit. The Act did not mention the Mutiny Act, nor did it make any reference to any of the specific provisions of the Act. Moore, satisfied that the assembly had met its obligation under the terms of the Mutiny Act, and convinced that this was probably the best the assembly would do in complying, signed the legislation.<sup>60</sup>

---

<sup>58</sup>Humphreys, "Shelburne and British Colonial Policy," E. H. R., L, p. 269; see also Charles R. Ritcheson, British Politics and the American Revolution (Norman: University of Oklahoma Press, 1954), p. 85.

<sup>59</sup>Ritcheson, British Politics and the American Revolution, p. 92.

<sup>60</sup>Becker, New York Political Parties, p. 57.



The decision to comply with the Mutiny Act resulted from several factors. Rumors were circulating in the colony that the home government was in the process of dispatching troops under the command of General Robert Monckton to force the assembly to accept the Mutiny Act.<sup>61</sup> Also, it was learned that the petition had prevented the enactment of some favorable unidentified legislation by Parliament.<sup>62</sup> Lastly, it was believed by some of the merchants that compliance with the Mutiny Act might persuade Parliament to revise, if not repeal, the Currency Act which was creating recognizable currency shortages in the colony.<sup>63</sup>

News of New York's action was received initially with some apprehension by the Chatham Ministry. Shelburne, concerned about a possible war with France and Spain,<sup>64</sup> conceded that New York did display the intention of conforming to the provisions of the Mutiny Act by passing the Three Thousand Pounds Act.

---

<sup>61</sup>New York Mercury, April 13, 1767; see also Hugh Wallace to Johnson, September 28, 1767; The Papers of Sir William Johnson, Alexander C. Flick (ed) (Albany: The University of the State of New York, 1927), Vol. V, p. 706.

<sup>62</sup>Varga, "The New York Restraining Act, " N. Y. H., XXVII, p. 251.

<sup>63</sup>Virginia D. Harrington, The New York Merchants on the Eve of the Revolution (New York: Columbia University Press, 1935), pp. 332-333.

<sup>64</sup>Shelburne to Chatham, February 16, 1767; Taylor and Pringle, Chatham Correspondence, Vol. III, p. 209.



Consequently, Shelburne informed Moore, in July, 1765, that New York had conformed to the requirements of the Restraining Act.<sup>65</sup>

In general, political activity in the colony of New York was determined by the structure of the social classes. The assembly was controlled by the wealthy, not because of widespread disenfranchisement, but as a result of the apathy of the colonists and their willingness to defer the privilege of governing to those who had apparent capabilities.

Political discontent did exist in New York, but it was not a clash between the wealthy and the poor. Political dissatisfaction prior to the enactment of the Stamp Act and the Mutiny Act took the form of a struggle between the legislative branch and the royal governor. The governor in these contests was usually portrayed as an obnoxious character who was intent on reducing the jealously guarded legislative independence of the colony and the rights of the colonists. The product of these conflicts was an attitude of resentment and distrust by most of the colonists toward the governor. Subsequently when the Parliament enacted legislation to finance the standing army in peacetime America the colonists viewed the action as another attempt to subvert endemic privileges and prerogatives.

---

<sup>65</sup>Shelburne to Moore, July 18, 1767; O'Callaghan, Documents Relative to Colonial New York, Vol. VII, p. 945.

Past conflicts between assembly and governor did not provide the sole motivation for opposition to the Mutiny Act in New York. Another important element was the aggressive steps taken by Colden to prevent violent protest to the Stamp Act in New York City. His precautions, however, served only to increase the suspicions and apprehensions of the colonists with regard to an army whose necessity was already subject to considerable doubt. The French having been driven from North America and the hostile Indians of the West subdued, the colonists could conceive of no valid justification for their continued presence. Seemingly, the colonists saw no reason to comply with an act to maintain a military contingent for which they visualized no necessity, feared as a lawless force beyond the control of the civil government, served as visual evidence of the attempt of the home government to encroach upon their rights, and a motivation for increased taxation during an economic depression.

As time passed, clear opposition and rejection were replaced by partial acceptance. The revision of attitude, at least by the assembly, was due in no small measure to the fear of anarchy in the northern counties and a loss of property by the aristocracy. As soon as order was reestablished the assembly returned to a position of non-compliance.

Ultimately, economic difficulties and apprehension over an increase in the number of troops in the colony produced partial compliance once again in 1767. Despite the fact that the assembly provided money requested by Gage, the assemblymen demonstrated their legislative independence by conspicuously failing to mention the Mutiny Act or any of its specific provisions in the supply bill of 1767. The Chatham Ministry, apparently unwilling to initiate another conflict between the home government and the colonies or to expend the money necessary to increase the force in New York, reluctantly assented to this legislative subtleness. New York by refusing to comply completely with the terms of the Mutiny Act for America had rejected, at least partially, the idea that the Parliament had superior authority over the colonial assemblies.

### CHAPTER III

#### THE REACTION OF PENNSYLVANIA TO THE MUTINY ACT, 1765-1767

The proprietary colony of Pennsylvania was as ensnared in the furor surrounding the issue of parliamentary taxation as its neighbors were in 1765. Unlike some of the other colonies, however, Pennsylvania did not associate this question with the Mutiny Act. The Pennsylvania Assembly complied totally with requisitions made by Gage under the provisions of the Act when requested. Violence in western Pennsylvania during 1765 alarmed the leadership of the assembly and significantly contributed to its decision to comply with requisitions under the Mutiny Act. Also, acceptance was influenced by the struggle between those who favored proprietary government and those who were opposed.

Political activity in Pennsylvania centered around the contending prerogatives of the lawmaking body and the executive within the Pennsylvania government. The legislative branch, at least in theory, represented the interests of the colonists in general; the governor served in the capacity of the proprietor's spokesman. Around these two centers of power in the government clustered the

major political factions. Connected to this main issue were struggles over religious, personal, and sectional questions.<sup>1</sup>

The assembly, having eroded the authority of the governor and the proprietor, had become the strongest element of the Pennsylvania government by 1750. The assembly was in turn dominated by the upper and upper middle social classes in the three eastern counties: Chester, Philadelphia, and Bucks. The other classes had relatively little direct impact on the operation of the colonial assembly, and the western counties exercised little legislative power.<sup>2</sup>

Also by 1750, Thomas Penn, who was not a Quaker, decided that his influence as proprietor and that of his representatives had to be reestablished. Penn did not have tyrannical intentions; rather he merely intended to return the colonial government to one in which both parts of the government would share power.<sup>3</sup> Penn believed that the strength of the assembly was the control over finances it had usurped from the executive. Specifically, this meant

---

<sup>1</sup>William S. Hanna, Benjamin Franklin and Pennsylvania Politics (Stanford: Stanford University Press, 1964), p. 4.

<sup>2</sup>Ibid., pp. 3-4, 6; see also Charles H. Lincoln, The Revolutionary Movement in Pennsylvania, 1760-1776 (Connecticut: John E. Edwards, 1968), p. 23.

<sup>3</sup>Hanna, Franklin and Pennsylvania Politics, pp. 17, 36.



issuing paper money and controlling excise and property taxation. With this apparently in mind, Thomas Penn instructed his governors to veto all money bills until the assembly recognized the equal authority of the executive branch in financial matters.<sup>4</sup> The dispute over paper money and taxation represented the central issue as to whether the assembly would continue to dominate the government or the proprietor would regain lost power.<sup>5</sup>

The assembly retaliated by arguing that Penn's decision was a violation of the right of Englishmen to control the spending of their tax money. A basic factor was that Penn would not allow the assembly to tax his property in the colony as it did the other property owners, while he controlled the government's financial operation through the veto. It was a case of money being regulated by a person who contributed nothing.<sup>6</sup>

After 1751 the assembly continued to struggle with Penn over the issue of taxation. Sometimes Indian depredations would force the assembly to accept the restrictions demanded by Penn

---

<sup>4</sup>Ibid., pp. 42-43; see also James H. Hutson, Pennsylvania Politics, 1746-1770; The Movement for Royal Government and its Consequences (Princeton: Princeton University Press, 1972), p. 10.

<sup>5</sup>Lincoln, Revolutionary Movement in Pennsylvania, p. 16.

<sup>6</sup>Hutson, Pennsylvania Politics, p. 15.

on military supply bills; on other occasions it was the governor who relented.<sup>7</sup> Ultimately, it was the popularity of Thomas Penn which suffered the most. He was charged with tax dodging, refusing to help defend the colony from invasion, and harboring dreams of becoming a despot.<sup>8</sup> The conflict culminated in the organization of a campaign to replace the proprietor with a royal government, and, hence, the formation of the two political factions.

The faction which controlled the assembly was the Anti-proprietary faction, the Quaker or Old Party. The ability of the Quaker Party to dominate the legislative branch originated in the system of representation which discriminated against the western counties by allowing the three eastern counties to elect twenty-four of the thirty-six assemblymen.<sup>9</sup> These three counties were composed mainly of Quakers or groups loyal to the Quaker faction for various reasons.

The membership and support of the Old Party contained diverse occupational, religious, ethnic, and social groups. The party loyal included Quakers, Anglicans, and a few Presbyterians. Also incorporated within the Party were merchants, mechanics,

---

<sup>7</sup> Ibid., pp. 30-37.

<sup>8</sup> Ibid., pp. 19-20, 23.

<sup>9</sup> Hanna, Franklin and Pennsylvania Politics, pp. 3, 8.

and the poor.<sup>10</sup> Usually, the Quaker Party's organization was, without any assistance, able to deal with any political task. However, if needed, the support of the Germans in eastern Pennsylvania could be depended upon.<sup>11</sup> This alliance resulted from the desire of the Quakers to control this group because of the fear of the German's dormant political strength and because the indifferent attitude of those Germans who voted made domination relatively easy.<sup>12</sup>

In 1756 the unity of the Quaker Party was threatened by a significant alteration in its composition. The party split resulted from a decision which concerned a confrontation between practicality and religious piety. General Braddock's stinging defeat at the hands of the French and the Indians immediately threatened the physical security of the Pennsylvania frontier region. The problem confronting the Quakers was whether to compromise on their

---

<sup>10</sup> Benjamin H. Newcomb, "Effects of the Stamp Act on Colonial Pennsylvania Politics," The William and Mary Quarterly, XXIII (April, 1966), pp. 258-259; see also James H. Hutson, "An Investigation of the Inarticulate: Philadelphia White Oaks," The William and Mary Quarterly, XXVIII (January, 1971), p. 15.

<sup>11</sup> Lincoln, Revolutionary Movement in Pennsylvania, pp. 24, 27; see also Hanna, Franklin and Pennsylvania Politics, p. 13.

<sup>12</sup> Lincoln, Revolutionary Movement in Pennsylvania, p. 24; see also Glenn Weaver, "Benjamin Franklin and the Pennsylvania Germans," The William and Mary Quarterly, XIV (October, 1957), p. 544.

religious principle of pacifism and enact legislation to defend the frontier, or to reject compromise and defend their piety. This dilemma divided the Quaker Party and community. The pious faction, led by Israel Pemberton, abdicated its political positions and responsibilities to preserve its beliefs. Those willing to compromise, led by Isaac Norris, continued in the government and supported necessary war measures.<sup>13</sup> After 1756, the Quaker Party was Quaker in name only. The leaders were often non-Quakers or men who claimed nominal connection with the Society of Friends. The Quaker faction did not always reflect the opinions of the Society, although it did mirror the attitude of most of the "orthodox" in its anti-proprietary views.<sup>14</sup>

The Proprietary Party, unlike the Old Party, did not possess an organized political machine. Principally this was due to the divergent interests of those in the party. One element of the Proprietary Party consisted of those Presbyterians who disliked the control exercised by the Quakers over the assembly.<sup>15</sup> The

---

<sup>13</sup>Hanna, Franklin and Pennsylvania Politics, pp. 10, 95, 99; see also Daniel J. Boorstin, The Americans: The Colonial Experience (New York: Random House, 1958), pp. 60-61.

<sup>14</sup>Theodore Thayer, "The Quaker Party of Pennsylvania, 1755-1765," The Pennsylvania Magazine of History and Biography, LXXI (January, 1947), p. 19; see also Boorstin, The Colonial Experience, p. 61.

<sup>15</sup>Lincoln, Revolutionary Movement in Pennsylvania, p. 100.



Proprietary men also included those who had benefited from more than a fair share of executive patronage: judicial appointments, land warrants, and appointments to the Provincial Council.<sup>16</sup> A third group which sometimes provided support, but few votes, for the Proprietary Party was the discontented poor in Philadelphia. This dissident opinion was motivated by the Quaker Party's attempts to limit or regulate vendues, which could lead to higher prices, and its efforts to regulate fishing in the Delaware River.<sup>17</sup>

Another possible source of strength for the Proprietary Party was the frontier inhabitants. Like Philadelphia, the back-country consisted of heterogeneous ethnic groups: Scotch-Irish, Dutch, Swedes, Finns, and English.<sup>18</sup> The central unifying force was the need for protection from the neighboring Indians.<sup>19</sup> The indispensability of defense led to several clashes between the frontiersmen and the Quaker dominated assembly prior to 1756.

---

<sup>16</sup>G. B. Warden, "The Proprietary Group in Pennsylvania, 1754-1764," The William and Mary Quarterly, XXI (July, 1964), pp. 371, 383-384.

<sup>17</sup>Lincoln, Revolutionary Movement in Pennsylvania, pp. 77, 83, 86-87.

<sup>18</sup>David Hawke, In the Midst of a Revolution, (Philadelphia: University of Pennsylvania Press, 1961), p. 66.

<sup>19</sup>Lincoln, Revolutionary Movement in Pennsylvania, pp. 26-27.



These struggles were utilized by the Proprietary Party to develop an alliance with the West.

The peak of the Proprietary faction's support from these various groups occurred in 1764. The frontiersmen, incensed over the seeming unwillingness of the assembly to provide for their defense during Pontiac's Rebellion and aroused by rumors that local Indians were assisting the hostile Indians in the West sought redress by attacking a group of peaceful Conestogo Indians near Lancaster.<sup>20</sup> The Paxton Boys, as this group of frontiersmen became known, subsequently marched upon Philadelphia with the intention of finishing the job by murdering those who escaped the initial rampage by fleeing to the safety of the city. However, their efforts were thwarted by British regulars and a collection of Philadelphia citizens.<sup>21</sup>

This violent outburst and the difficulties in raising money to comply with military requisitions during Pontiac's Rebellion due

---

<sup>20</sup>Gage to Halifax, August 10, 1764; The Correspondence of General Thomas Gage with the Secretaries of State, and with the War Office and the Treasury, 1763-1775, Clarence E. Carter (ed.) (New Haven: Yale University Press, 1931), Vol. I, p. 91.

<sup>21</sup>John Penn to Johnson, December 31, 1763, February 17, 1764; The Papers of Sir William Johnson, Alexander C. Flick (ed.) (Albany: The University of the State of New York, 1925), Vol. IV, pp. 284, 327; see also John Shy, Toward Lexington: The Role of the British Army in the Coming of the American Revolution (Princeton: Princeton University Press, 1965), pp. 205-206.

to the refusal of Governor John Penn, Thomas Penn's nephew, to validate legislation allowing paper money to be issued or taxing proprietary property led to a significant decision by the Quaker Party. Guided by Benjamin Franklin and Joseph Galloway, the Quaker Party began to seek a royal government to replace the Penn family.<sup>22</sup> A select committee drafted a resolution in March of 1764 which charged Thomas Penn with failure to supply troops in time of need, and with tyranny and land manipulation. These charges were delivered to England by Franklin who was to present the case of the Anti-proprietary faction.

The annual elections, held during Franklin's absence, indicated that widespread support of the plan to seek a royal charter did not exist and that the Proprietary Party had been able to unify its supporters behind a common cause. The Quaker Party lost several seats in the assembly to the Proprietary Party, though not enough to break the control of the Old Party.<sup>23</sup> The loss of strength mainly resulted from the unification of the supporters of Penn and the Anti-proprietary faction's loss of some of the usual

---

<sup>22</sup>H. Van Schaack to Johnson, April 7, 1764: Flick, Johnson Papers, Vol. IV, p. 395; see also David L. Jacobson, "John Dickinson's Fight Against Royal Government, 1764," The William and Mary Quarterly, XIX (January, 1962), p. 68.

<sup>23</sup>John Watts to Johnson, October 8, 1764; Flick, Johnson Papers, Vol. IV, p. 564.

Quaker support because orthodox Quakers feared that a royal charter would lead to religious restrictions.<sup>24</sup>

The events of early 1765 did not portend an easier existence for the Old Party. First, the frontiersmen attacked the supply train of George Croghan, Deputy Indian Superintendent<sup>25</sup> and continued violent demonstrations for a period of several months. Second, the arrival of news of the enactment of the Stamp Act created another conflict between the advocates and opponents of the existing form of government.<sup>26</sup> Both events, seemingly unrelated, played a role in the assembly's assent to the Mutiny Act.

Pennsylvania had during the French and Indian War questioned the legality of the quartering procedures utilized by the army.<sup>27</sup> Further, in May of 1764 John Dickinson, a leader in the Proprietary Party, in a speech before the assembly had denounced royal troops as a means of tightening the control of the Crown over

---

<sup>24</sup>Hanna, Franklin and Pennsylvania Politics, pp. 158-159; see also Thayer, "The Quaker Party," P. M. H. B., LXXI, pp. 35-36.

<sup>25</sup>Shy, Toward Lexington, p. 207.

<sup>26</sup>Newcomb, "Effects of the Stamp Act on Pennsylvania," W. M. Q., XXIII, p. 260.

<sup>27</sup>"A Letter to the People of Pennsylvania," 1760; Pamphlets of the American Revolution, 1750-1776, Bernard Bailyn (ed.) (Cambridge: The Belknap Press of Harvard University Press, 1965), p. 269.

the colony.<sup>28</sup> Seemingly, Pennsylvania would likely reject the Mutiny Act in 1765; however, it did not.

In December of 1765 General Thomas Gage reported to Henry Seymour Conway, one of the Secretaries of State, on the extent to which the colonies had met their obligations under the provisions of the Mutiny Act. Noticeably, the letter, while complaining about the failure of New York and other colonies to comply, does not mention Pennsylvania even though Gage does report that troops were being moved in the colony<sup>29</sup> which would have necessitated requisitions under the authority of the Act.

Gage made two requisitions during 1765 to John Penn. The first was in April for "Carriages, Billets, etc. . . ." for six companies of the Royal American Regiment enroute from the frontier,<sup>30</sup> and the local magistrates complied.<sup>31</sup> In September,

---

<sup>28</sup> Jacobson, "Dickinson's Fight Against Royal Government," W. M. Q., XIX, pp. 71-72.

<sup>29</sup> Gage to Conway, December 21, 1765; Carter, Gage Correspondence, Vol. I, pp. 76-77.

<sup>30</sup> Gage to John Penn, April 23, 1765; Pennsylvania Archives, Samuel Hazard (ed.) (Philadelphia: The State of Pennsylvania, 1853), Vol. X, p. 217.

<sup>31</sup> A report from the General Loan Office, September 24, 1767; Pennsylvania Archives, No. 8, Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, 1764-1770, Charles F. Hoban (ed.) (Philadelphia: The State of Pennsylvania, 1935), Vol. VII, p. 6047.



Penn, in compliance with a request made by Gage, asked the assembly to appropriate £437 for troops stationed at Fort Augusta.<sup>32</sup> After six days the assembly replied that the sum would be paid by the newly elected assembly in October.<sup>33</sup> The response of the assembly during 1765 clearly had the approval of the person most concerned, General Gage: "I have sent Troops through . . . Pennsylvania, where they have been quartered without Difficulty."<sup>34</sup>

The reason the assembly readily complied with Gage's requisitions, though without actually mentioning the Mutiny Act, was due in part to the frontier disturbances of that year. In March, a convoy of trade goods to be utilized by Croghan to pacify the western Indian tribes was attacked by a group of Cumberland County farmers. Most of the goods, valued above £3,000, were destroyed<sup>35</sup> and the raiders escaped unharmed despite the presence of troops dispatched by Lieutenant Charles Grant, who commanded Fort Loudoun.<sup>36</sup> The actions of the frontiersmen were not

---

<sup>32</sup>September 14, 1765; Hoban, Votes of the Assembly, Vol. VII, p. 5772.

<sup>33</sup>September 20, 1765; Ibid., p. 5776.

<sup>34</sup>Gage to Conway, June 24, 1766; Carter, Gage Correspondence, Vol. I, p. 95.

<sup>35</sup>Johnson to Gage, April 3, 1765; Collections of the Illinois State Historical Society, Vol. X, The Critical Period, 1763-1765, Clarence W. Alvord and Clarence E. Carter (eds.) (Springfield: Illinois State Historical Library, 1915), p. 468.

<sup>36</sup>Shy, Toward Lexington, p. 207.



merely prompted by news that gifts were being sent to their enemies, but that the trading company of Bayton, Wharton, and Morgan was also attempting to transport unauthorized goods to the Indians.<sup>37</sup>

The actions of Grant increased the discontent of the settlers and made the army a convenient target for their dissatisfaction. In the following months Fort Loudoun was besieged by the rioters.<sup>38</sup> Grant himself was captured and forced to sign a bond of 40 that he would return firearms which he had earlier confiscated from suspected rioters.<sup>39</sup>

These activities and the danger of more Indian problems<sup>40</sup> inspired John Penn to issue a proclamation in June of 1765 calling for an end to all hostilities toward the Indians now that Pontiac's Rebellion had ended. He ordered the frontiersmen to stop preventing trade goods from reaching the West which had legal authorization of the governor and to halt the harassment of the British

---

<sup>37</sup> Gage to Halifax, April 27, 1765; Carter, Gage Correspondence, Vol. I, pp. 57-58; see also Johnson to Gage, April 3, 1765; Alvord and Carter, The Critical Period, p. 468.

<sup>38</sup> Lieutenant Colonel Reid to Gage, June 4, 1765; Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government (Harrisburg: The State of Pennsylvania, 1852), Vol. IX, pp. 269-270.

<sup>39</sup> Reid to Gage, June 1, 1765; Ibid., p. 268.

<sup>40</sup> Gage to John Penn, June 2, 1765; Alvord and Carter, The Critical Period, pp. 516-517.

regulars stationed in frontier posts.<sup>41</sup> Unrealistically, Governor Penn believed that this statement would end the violence in the West.<sup>42</sup> Despite Penn's optimism, the Proclamation and a subsequent personal inspection of Cumberland County had little material impact on the situation.<sup>43</sup>

The willingness of the assembly, which at this time actually meant the Quaker Party, to comply with the Mutiny Act was partially due to the apprehension of the political leadership over the security and peace of the colony. As early as 1764 Franklin, who along with Galloway led the Quaker Party, contended that it was the duty of the assembly to defray the expense of maintaining the army in the colony in order to secure the colony from Indian attacks and to maintain internal peace.<sup>44</sup> The assembly leadership believed that possible Indian depredations and violence in the West were more vital issues than the possibility that the Mutiny Act was

---

<sup>41</sup> June 4, 1765; Minutes of the Provincial Council, Vol. IX, pp. 265-266.

<sup>42</sup> John Penn to the Justices of Cumberland County, June 27, 1765; Pennsylvania Archives, No. 4, Papers of the Governors, 1759-1785, George E. Reed (ed.) (Harrisburg: The State of Pennsylvania, 1900), Vol. III, p. 302.

<sup>43</sup> Shy, Toward Lexington, pp. 208-209.

<sup>44</sup> Franklin to Peter Collinson, April 30, 1764; The Papers of Benjamin Franklin, Leonard Labaree (ed.) (New Haven: Yale University Press, 1968), Vol. XII, p. 181.

taxation without representation. Perhaps Galloway best described this attitude in a letter to Franklin in early 1766: "It was obviously our Duty to Contribute towards the Protection and Security of a Pro[v]ince which remain'd so naked and Defenceless as this does."<sup>45</sup>

The second factor which motivated the Assembly to accept the Mutiny Act involved the entangled issue of parliamentary taxation and proprietary government. Despite the loss of some seats to the Proprietary faction in 1764, the Quaker Party remained in control of the assembly and, consequently, instructed Franklin to continue his efforts in England to have the existing charter revoked.<sup>46</sup> This decision to persist in the fight for royal government created a dangerous political situation for the Quaker Party.

While in England, Franklin informed the leadership of the Old Party that Parliament intended to enact the Stamp Act and, because the Old Party was seeking the favor of the Crown, he advised the acceptance of the Act as a price for royal government.<sup>47</sup> While the Quaker Party acquiesced to the Stamp Act, the supporters of the Penn family opposed the Act. The Proprietary Party maintained

---

<sup>45</sup> Galloway to Franklin, June 7, 1766; Ibid., Vol. XIII, p. 293.

<sup>46</sup> Galloway to Franklin, January 23, 1765; Alvord and Carter, The Critical Period, p. 419.

<sup>47</sup> Hanna, Franklin and Pennsylvania Politics, pp. 176-177.

that the Act would reduce the liberties of the people and, consequently, the existing government should not be replaced by a royal government. The Stamp Act had become the tool of the leadership of the Proprietary Party to acquire the support of the colonists and eventually more seats in the legislature.<sup>48</sup> The Proprietary Party began to promote violent actions to generate popular opposition to the Stamp Act and the Quaker Party.<sup>49</sup>

The assembly, dominated by the Old Party, proceeded to take calm and conservative action to defuse the situation. In September, the assembly voted to send a written protest to the Crown<sup>50</sup> and to dispatch a delegation to New York to consult with the other colonies on the matter of taxation.<sup>51</sup> The product of this restrained activity was a sweeping victory for the Quaker Party in the October elections.<sup>52</sup>

---

<sup>48</sup>Newcomb, "Effects of the Stamp Act on Pennsylvania," W. M. Q., XXIII, pp. 260, 264.

<sup>49</sup>Galloway to Franklin, July 18, 1765, Samuel Wharton to Franklin, October 13, 1765; Labaree, Franklin Papers, Vol. XII, pp. 217-218, 315-316.

<sup>50</sup>The Pennsylvania Gazette, September 10, 1765 (Philadelphia: Microsurance Incorporated, 1968).

<sup>51</sup>September 11, 1765; Hoban, Votes of the Assembly, Vol. VII, p. 5769.

<sup>52</sup>Thomas Wharton to Franklin, October 5, 1765; Labaree, Franklin Papers, Vol. XII, p. 290.



At a time when demonstrations protesting parliamentary taxation were at their peak, the assembly passed a resolution which condemned taxation without representation and asserted the inherent rights of British subjects to representative government. The statement also contained a section which declared that the assembly would continue to comply with requisitions made by the military.<sup>53</sup> From all indications this last statement was not assailed by the Proprietary Party. Although letters of protest appeared in The Pennsylvania Gazette on a regular basis concerning the Stamp Act and what constituted legal taxation, the validity of the Mutiny Act was not questioned.

The Mutiny Act was accepted because the leadership of the Old Party believed the Act to be legal and because it was a tax with a specific purpose, to supply and shelter the troops.<sup>54</sup> Originally the colonists had been dissatisfied with the provision which allowed billeting in private homes.<sup>55</sup> Once Franklin had assisted in removing this objectionable clause, major complaints and protests about the Act ended. This is not to say that all the

---

<sup>53</sup>September 21, 1765, Hoban, Votes of the Assembly, Vol. VII, p. 5779.

<sup>54</sup>Franklin's Examination before the Committee of the Whole of the House of Commons, February 11, 12, 13, 1766; Labaree, Franklin Papers, Vol. XIII, p. 153.

<sup>55</sup>The Pennsylvania Gazette, May 27, June 27, 1765.



Pennsylvania colonists accepted the Act. There were those who became angered when officers were quartered in public inns when rooms were available in barracks, but these objections did not have any great effect on the assembly.<sup>56</sup>

More importantly, compliance was prompted by the desire to obtain a royal government. The leaders of the Quaker Party believed that in order to acquire a royal charter it was necessary to demonstrate that the colony was obeying policies adopted by Whitehall and Parliament.<sup>57</sup> The leadership thought that Pennsylvania politics should be conducted so as to gain the good will of Whitehall, and that disobedience would have the reverse effect.<sup>58</sup> Hence, the mild protest of the Quaker Party to the Stamp Act and the total acceptance of the Mutiny Act were attempts to conduct the government to please the British ministry and thereby enhance Franklin's chance of procuring a royal government.

After 1765, the assembly continued under the control of the Quaker Party and complied with Gage's requisitions for quarters and provisions for troops in transit.<sup>59</sup> This consistency resulted

---

<sup>56</sup>September 11, 1766; Hoban, Votes of the Assembly, Vol. VII, p. 5900.

<sup>57</sup>Hutson, Pennsylvania Politics, pp. 192-193.

<sup>58</sup>Franklin to Galloway, June 13, 1767; Labaree, Franklin Papers, Vol. XIV, p. 182.

<sup>59</sup>Gage to Shelburne, October 10, 1766; Carter, Gage Correspondence, Vol. I, p. 110; see also Minutes of the Provincial Council, Vol. IX, p. 327.

from the fear the leadership of the Old Party and the Proprietary Party, which had supported the needs of the West earlier, had of the westerners and the threat they represented to the stability of the colonial government.<sup>60</sup> In late 1767 Gage warned that the settlers moving onto Indian lands in western Pennsylvania would provoke another Indian war reminiscent of Pontiac's Rebellion, and he requested that the assembly enact legislation which would empower the army to intervene. The assembly promptly passed an act which ordered the removal of those persons who had settled on Indian lands illegally.<sup>61</sup> Meanwhile the Pennsylvania treasury continued to reimburse local magistrates for complying with military requisitions.<sup>62</sup> The assembly wished to maintain the stability of the colonial government, and, consequently, Gage's requests were met with little hesitation.

After the enactment of the Mutiny Act, Gage had little difficulty in supplying and quartering troops in Pennsylvania. The ease with which the army moved about the province resulted from complete compliance by the assembly to the provisions of the

---

<sup>60</sup>Hanna, Franklin and Pennsylvania Politics, p. 189.

<sup>61</sup>December 7, 1767, January 22, 1768; Hoban, Votes of the Assembly, Vol. VII, pp. 6076, 6107.

<sup>62</sup>September 20, 1768; Ibid., pp. 6253-6254.

Mutiny Act, though not mentioning the Act by name in the various supply bills. Magistrates, knowing that they would be reimbursed by the assembly, carried out the army's requisitions. The compliant decision of the assembly, which was controlled in this period by the Quaker Party, developed from two factors.

First, the struggle between the proprietor and the assembly had created a movement to pursue the nullification of the existing charter in favor of one that would create a royal government. In attempting to achieve this goal, the Quaker Party decided to operate the Pennsylvania government in a manner which would mollify the home government and prove the colony worthy of a royal government. Specifically this meant the acceptance of the policies and programs of Whitehall and Parliament. Consequently, while some of the colonial governments protested the Mutiny Act as another example of taxation without representation, the Pennsylvania Assembly, controlled by the Quaker Party, complied totally.

The second factor concerned the attitude of the Quaker Party toward the frontiersmen. The Party had always tended to view the western settlers with some apprehension because of the ethnic, religious, and cultural differences. Further, the Old Party viewed the frontiersmen as malevolent and incapable of governing. The eruption of turbulence in early 1765 was considered by the eastern oligarchy as a threat to the stability of the government

and the peaceful relationship established earlier by the Penn family with the Indians. The maintenance of troops in the West was considered essential to the defense and stability of the colony, and, therefore, the Quaker Party accepted the Mutiny Act to sustain the British regulars who were assigned the task of subduing the troublesome frontiersmen and pacifying the Indians.

The controversy surrounding the Stamp Act and the Mutiny Act had an effect upon the local political situation. Despite the fact that the Proprietary Party assumed the popular position on the issue of no taxation without representation, the Quaker Party continued to control the assembly. The decision to mildly protest the Stamp Act and the Mutiny Act and to condemn violence by the colonists had the effect of making the Quaker Party appear to be interested in the stability of the government and the protection of private property, while the Proprietary Party appeared to be promoting violence. The Proprietary Party, as a consequence, altered its position to one similar to that of the Quaker Party in order to prevent a further decline in its popular support.

After 1765 the assembly continued to meet the requisitions of Gage. The Quaker Party continued its efforts to have the existing charter revoked and remained apprehensive about another Indian war. The Proprietary Party was attempting to regain the support it had lost from some of the middle and upper-middle

class members by demonstrating that it wished to prevent popular displays of dissatisfaction. Consequently, Gage had no problems in supplying and quartering troops in transit in Pennsylvania for a number of years.



## CHAPTER IV

### SUMMARY AND CONCLUSION

At the termination of the French and Indian War the British colonial policy of benign neglect gave way to a policy which sought clarification and centralization of imperial authority. The initial step in the implementation of this policy was a slow development of a western policy which assured the British government control over the American trans-Appalachian West. In order to implement the emerging western policy while defending the American frontier from French, Spanish, and Indian hostilities, the army was dispatched to frontier posts. As General Thomas Gage learned, this proved to be a difficult assignment due to the obstacles encountered in quartering and provisioning troops moving to and from the West, a high rate of desertions, and problems of legal jurisdiction. In an effort to solve these problems, Gage recommended the application of the British Mutiny Act, with some modifications, to the American colonies in early 1765. Prime Minister George Grenville willingly accepted Gage's proposal as an excellent way to defray the mounting costs of maintaining the army in the colonies and increasing imperial control. After early

objections of the colonial agents and some London merchants over quartering in private dwellings had been quieted by revising the initial bill, the Mutiny Act for America was passed without opposition as a complement to the Stamp Act.

The news of the enactment of the Mutiny Act was not received favorably by the New York colonists or aristocratic assemblymen. Central to the reasons for the rejection of the Act was the colony's history of continual struggles between the assembly and the royal governor. The New York colonists viewed the Act as another attempt by the Crown and the governor to wrench endemic privileges from the colony by levying a tax upon the colonists for an army they considered to have no real value except to be used to tighten imperial controls. Already discontented by the enactment and attempted enforcement of the Stamp Act by Lieutenant Governor Cadwallader Colden, the colonists considered the Mutiny Act as virtual taxation without representation, and, hence, constitutionally invalid.

After an early period of total rejection the assembly of New York adopted a policy of partial compliance in 1767 when violence on the frontier threatened property. The leadership of the assembly considered the army, at least temporarily, necessary, and, consequently, agreed to sustain the troops partially. However, once the rioters had been silenced, the assembly returned

to a position of non-compliance. The home government, angered at the apparent ingratitude of New York after the repeal of the Stamp Act, met this threat to imperial authority by enacting the first harsh repressive legislation, the New York Legislative Restraining Act of 1767. Finally, apprehension over the possibility of more troops being stationed in New York and economic difficulties which necessitated favorable parliamentary legislation resulted in partial compliance.

Unlike New York, the assembly of Pennsylvania complied completely with requisitions made by General Gage, though without actually mentioning the Mutiny Act by name. Compliance by Pennsylvania was primarily the result of the conflict between those who favored the proprietary government and those who sought a royal government as a replacement. The controlling Quaker Party complied with Gage's requests because it was seeking the favor of Whitehall by demonstrating that the colony was worthy of a royal government. Also, at this time the frontiersmen had erupted in another outburst of violence which threatened the peace with the western Indian tribes. The price for maintaining stability and peace was compliance with the provisions of the Mutiny Act.

Both the colonies of New York and Pennsylvania were cosmopolitan, probably having the most varied collection of ethnic groups of any of the American colonies. Both colonies had a

history of conflicts between the assemblies and the governors. Further, both colonies rejected the legal validity of the Stamp Act of 1765. However, of the two, only New York refused to comply with the Mutiny Act. The varied responses of New York and Pennsylvania can be attributed essentially to different endemic factors.

The New York assembly by not complying with the provisions of the Mutiny Act was attempting to assert its legislative independence. In the past, internal taxation had been the prerogative of the colonial assembly. The Stamp Act and the Mutiny Act were believed to be attempts to subvert this constitutional power. Therefore, both acts had to be rejected. If the assembly demonstrated acceptance by complying with either the Stamp Act or the Mutiny Act it would be admitting the constitutional validity of the right of Parliament to levy internal revenue taxes.

The Pennsylvania assembly, however, was controlled by a faction which wished to see the end of the proprietary rule. To achieve this end the Quaker Party could not strongly protest the Stamp Act, and rather than reject the Mutiny Act, the assembly complied. To do otherwise, the leadership of the Quaker Party believed, would have meant undermining the central ambition. The desire to have the existing charter revoked was deemed more essential than the question of the Mutiny Act being taxation without representation.



Also, the Mutiny Act was passed at a time when Pennsylvania was experiencing frontier disturbances and a threatening Indian war. Hence, the army was viewed as a necessity, and a climate existed which made compliance easier. However, New York was not threatened by Indian depredations or violent frontiersmen. Therefore, the assembly could see little need for a standing military force in peacetime. The army was considered to be more of a threat to female chastity than a deterrent to local violence or armed invasion. In 1767 New York suffered violent outbursts on its frontier, and, as in the case of Pennsylvania, the assembly of New York deserted its position of non-compliance. Just as in Pennsylvania, the desire to maintain the stability of the colonial government and protect private property outweighed the constitutional argument temporarily.

Despite the differences in the ways New York and Pennsylvania responded to the Mutiny Act, there is one significant similarity. Both of the colonial assemblies, either in complying totally or partially to requisitions made by Gage pursuant to the provisions of the Mutiny Act, always failed to mention the Act in their military supply bills. By conspicuously refusing to cite the Act the assemblies had rejected, at least to some extent, the idea that the Parliament had superior authority in matters of internal taxation.



The only colonies initially involved in the controversy surrounding the Mutiny Act were those through which troops traditionally moved to frontier areas, or those in which British troops were quartered. Responses of these colonies varied: some firmly rejected Gage's requisitions, some complied failing to mention the Mutiny Act by name in meeting the request, others omitted some specific item listed in the Act, and some responded in all three ways at different times. The varied responses by the colonial assemblies suggests that their reactions were not primarily connected with the number of requisitions made by Gage. Both New York and Pennsylvania received numerous requests from the commander-in-chief. While New York continued to either refuse to comply with the requisitions or limit its response considerably, Pennsylvania complied with Gage's applications.

New York did not motivate the other colonies to refuse to assent to the constitutional validity of the Mutiny Act. Whitehall, however, believed that New York was leading the colonial opposition to the Act by its actions. Therefore, the Chatham Ministry decided to deal harshly with New York in an effort to demonstrate that refusal to accept the superiority of parliamentary legislation would not be tolerated by the home government.

Prior to 1767, the home government was seemingly satisfied with the degree of compliance by the colonies. This was due

to the attention of Whitehall being directed to the matter of the Stamp Act disturbances and the Act's subsequent repeal. Also, Gage's reports indicated that he was contented with the responses of the colonies to his requisitions; except for New York. The attitude of the home government then changed. A new Ministry, supposedly friendly to the interests of the American colonies, enacted the repressive Restraining Act because of the anger of the ministers over the apparent ingratitude of the colonists after the repeal of the Stamp Act. The Chatham Ministry believed that once the Stamp Act was repealed the colonists' objections to parliamentary legislation would and should end. However, soon after the repeal, Whitehall and Parliament were petitioned for a revision of legislation which would threaten British mercantilist interests. The convenient target for the dissatisfaction of some of the ministers and Parliament was New York.

The failure to comply to the Mutiny Act was, apparently, another element in the continuing deterioration of Anglo-colonial relations. The assemblies of those colonies involved in troop transit continued to reject the legal validity of the Mutiny Act by refusing to mention the Act by name in military supply bills or by deleting different provisions. Viewed from England, this was another attempt to subvert the constitutional authority of Parliament to enact colonial legislation. The actions of New York, in

particular, had a negative effect on the relationship between the colonies and the home government. For New York had alienated the two men who were considered "friends" of the colonies: Lord Shelburne and the Earl of Chatham. The response of New York and the unwillingness of the other colonies to comply with the provisions of the Mutiny Act tended to strengthen the position of those in Parliament who advocated strict enforcement of parliamentary legislation, and weakened the case of those ever decreasing few who attempted to speak for the interest of the American colonies, whether they were members of Parliament, London merchants, or colonial agents.

## BIBLIOGRAPHY

### I. PRIMARY SOURCES

- Alvord, Clarence W. and Carter, Clarence E. (eds). The Critical Period, 1763-1765. Collections of the Illinois State Historical Society. Vol. X. Springfield: The Illinois State Historical Library, 1915.
- Bailyn, Bernard (ed. ). Pamphlets of the American Revolution, 1750-1776. Vol. I. Cambridge: The Belknap Press of Harvard University Press, 1965.
- [Colden, Cadwallader]. The Colden Letter Books, 1765-1775. Vol. II, Collections of the New York State Historical Society. Vol. X. New York: The New York State Historical Society, 1877.
- 
- \_\_\_\_\_. The Letters and Papers of Cadwallader Colden, 1765-1775. Vol. VII, Collections of the New York Historical Society. Vol. LVI. New York: The New York Historical Society, 1923.
- [Franklin, Benjamin]. The Papers of Benjamin Franklin. Vols. XI, XII, and XIII, Labaree, Leonard W. (ed. ). New Haven: Yale University Press, 1968.
- [Gage, Thomas]. The Correspondence of General Thomas Gage with the Secretaries of State, and with the War Office and the Treasury, 1763-1775. 2 vols. Carter, Clarence E. (ed. ). New Haven: Yale University Press, 1933.
- [Grenville, George]. Additional Grenville Papers, 1763-1765. Tomlinson, John R. G. (ed. ). Manchester: Manchester University Press, 1962.
- 
- \_\_\_\_\_. The Grenville Papers: Being the Correspondence of Richard Grenville Earl Temple, K. G., and the Right Hon. George Grenville, Their Friends and Contemporaries. Vol. III, Smith, William J. (ed. ). New York: AMS Press, 1970.



[Johnson, William]. The Papers of Sir William Johnson. Vols. IV and V, Fleck, Alexander C. (ed.). Albany: University of the State of New York, 1925.

MacDonald, William (ed.). Documentary Source Book of American History, 1606-1898. New York: The Macmillan Company, 1908.

[New York]. Documents Relative to the Colonial History of the State of New York. O'Callaghan, Edmund B. (ed.). Vol. VII. Albany: Weed, Parsons, and Company, 1856.

The New York Mercury. August 26, 1765-April 13, 1767. Micro-print.

[Pennsylvania]. Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government. Vol. IX. Harrisburg: The State of Pennsylvania, 1852.

\_\_\_\_\_. Papers of the Governors, 1759-1785. Reed, George E. (ed.). Pennsylvania Archives. No. 4. Vol. III. Harrisburg: The State of Pennsylvania, 1900.

\_\_\_\_\_. Pennsylvania Archives. Hazard, Samuel (ed.). Vol. IV. Philadelphia: The State of Pennsylvania, 1853.

\_\_\_\_\_. Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, 1764-1770. Hoban, Charles F. (ed.). Pennsylvania Archives. No. 8. Vol. VII. Philadelphia: The State of Pennsylvania, 1953.

The Pennsylvania Gazette. May 27, 1765-December 12, 1765. Philadelphia: Microsurance, Inc., 1968.

[Pitt, William]. Correspondence of William Pitt, Earl of Chatham. Taylor, William S. and Pringle, John H. (eds.). Vol. III. London: John Murray, 1939.

[Smith, William]. Historical Memoirs From 16 March 1763 to 25 July 1778 of William Smith; Historian of the Province of New York Member of Governor's Council and Last Chief Justice of that Province Under the Crown Chief Justice of Quebec. Sabine, William H. W. (ed.). New York: W. H. W. Sabine, 1956.



[Watts, John]. Letter Book of John Watts; Merchant and Councillor of New York, 1762-1765. Collections of the New York Historical Society. Vol. LXI. New York: The New York Historical Society, 1928.

## II. SECONDARY SOURCES

Alden, John R. General Gage in America: Being Principally a History of His Role in the American Revolution. Baton Rouge: Louisiana State University Press, 1948.

Alvord, Clarence W. The Mississippi Valley in British Politics: A Study of the Trade, Land Speculation, and Land Speculation Culminating in the American Revolution. Vol. I. Cleveland: The Arthur H. Clark Company, 1917.

Becker, Carl L. The History of Political Parties in the Province of New York, 1760-1776. Madison: The University of Wisconsin Press, 1960.

Beer, George L. British Colonial Policy, 1754-1765. Gloucester: Peter Smith, 1958.

Boorstin, Daniel J. The Americans: The Colonial Experience. New York: Random House, 1958.

Fortescue, John W. A History of the British Army, 1763-1793. Vol. III. London: Macmillan and Company, 1902.

Grant, Charles S. "Pontiac's Rebellion and the British Troop Moves of 1763." The Mississippi Valley Historical Review, XL (June, 1953), 75-88.

Hanna, William S. Benjamin Franklin and Pennsylvania Politics. Stanford: Stanford University Press, 1964.

Harrington, Virginia D. The New York Merchants on the Eve of the Revolution. New York: Columbia University Press, 1935.

Hawke, David. In the Midst of a Revolution. Philadelphia: University of Pennsylvania Press, 1961.

- Humphreys, R. A. "Lord Shelburne and British Colonial Policy, 1766-1768," The English Historical Review, L (April, 1935), 257-277.
- Hutson, James H. "An Investigation of the Inarticulate: Philadelphia's White Oaks," The William and Mary Quarterly, XXVIII (January, 1971), 3-25.
- \_\_\_\_\_. Pennsylvania Politics, 1746-1770: The Movement for Royal Government and its Consequences. Princeton: Princeton University Press, 1972.
- Jacobson, David L. "John Dickinson's Fight Against Royal Government, 1764," The William and Mary Quarterly, XIX (January, 1962), 64-85.
- Klein, Milton M. "Democracy and Politics in Colonial New York," New York History, XL (July, 1959), 225-246.
- \_\_\_\_\_. "Prelude to Revolution in New York," The William and Mary Quarterly, XVII (October, 1960), 439-462.
- Lincoln, Charles H. The Revolutionary Movement in Pennsylvania, 1760-1766. Cos Cob: John E. Edwards, 1968.
- Miller, John C. Origins of the American Revolution. 2d ed. Stanford: Stanford University Press, 1959.
- Namier, Lewis B. England in the Age of the American Revolution. 2d ed. New York: St. Martin's Press Inc., 1961.
- Newcomb, Benjamin H. "Effects of the Stamp Act on Colonial Pennsylvania Politics," The William and Mary Quarterly, XXIII (April, 1966), 257-272.
- Ritcheson, Charles R. British Politics and the American Revolution. Norman: University of Oklahoma Press, 1954.
- Schlesinger, Arthur M. The Colonial Merchants and the American Revolution, 1763-1776. New York: Columbia University Press, 1918.

- Shy, John. Toward Lexington: The Role of the British Army in the Coming of the American Revolution. Princeton: Princeton University Press, 1965.
- Sosin, Jack M. Whitehall and the Wilderness: The Middle West in British Colonial Policy, 1760-1775. Lincoln: University of Nebraska Press, 1961.
- Thayer, Theodore. "The Quaker Party of Pennsylvania, 1755-1765," The Pennsylvania Magazine of History and Biography, LXXI (January, 1947), 19-43.
- Varga, Nicholas. "The New York Restraining Act: Its Passage and Some Effects, 1766-1768," New York History, XXVII (January, 1956), 233-258.
- Warden, G. B. "The Proprietary Group in Pennsylvania, 1754-1764," The William and Mary Quarterly, XXI (July, 1964), 367-389.
- Weaver, Glenn. "Benjamin Franklin and the Pennsylvania Germans," The William and Mary Quarterly, XIV (October, 1957), 536-559.

Vita was removed during scanning