

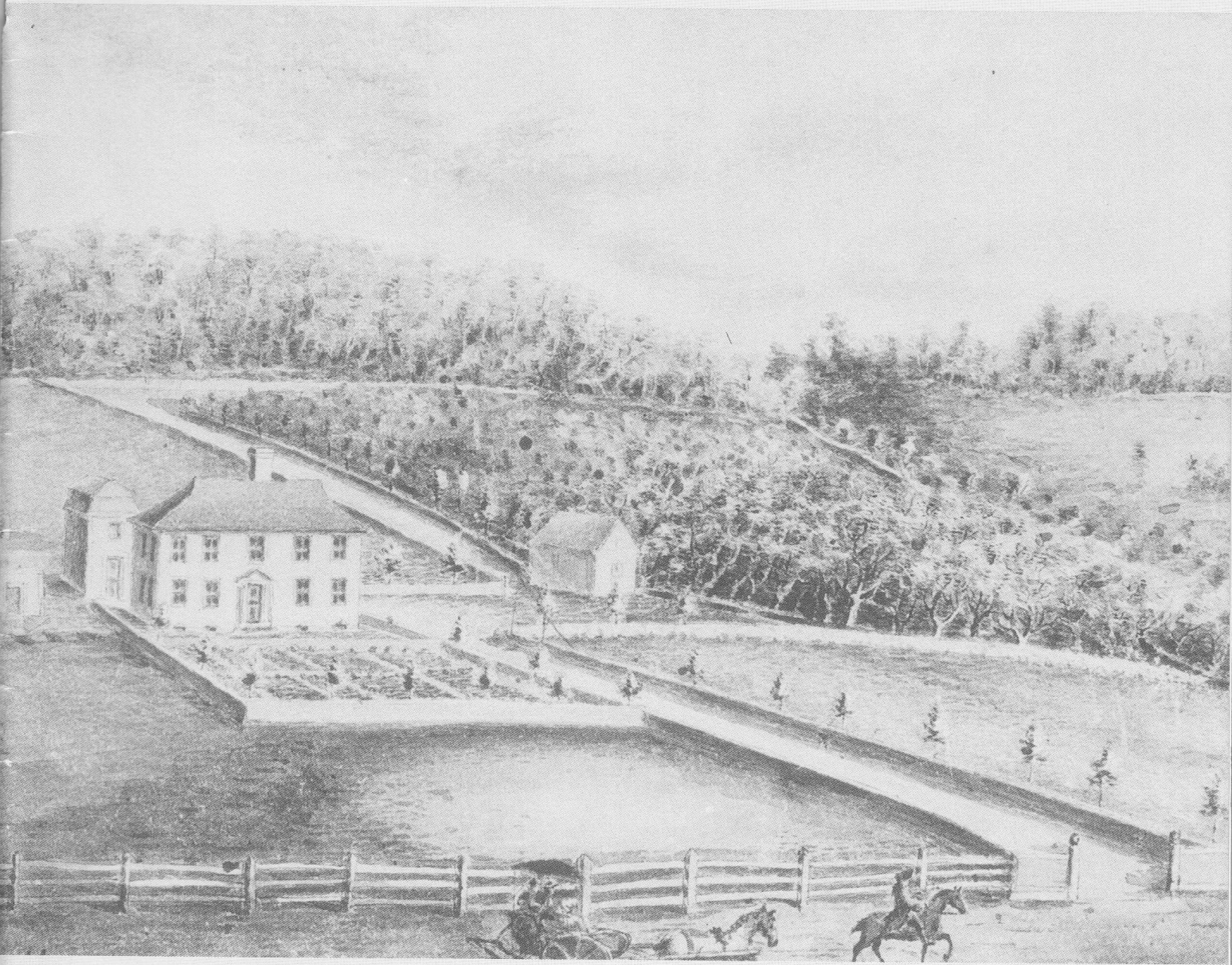
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# Rhode Island History

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# Rhode Island History



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JOHN N. COLE





HENRY MARCHANT,  
Signer of the Articles of Confederation.

*Henry Marchant*

## Henry Marchant's Journal, 1771-1772

JOHN N. COLE

Though at last victorious over France in their struggle for North American supremacy, Great Britain found herself financially crippled when the Seven Years' War ended in 1763. Over the next seven years the British government floundered under a series of weak ministries and a king described by Sir Leslie Stephen as "the stupidest of rulers"<sup>1</sup> and by a recently published biography of the earl of Sandwich as "not intellectually distinguished, but . . . conscientious and hard-working."<sup>2</sup> When Britain sought both to increase its revenue by forcing taxation on the American colonies and to establish Parliament's constitutional power to do so, the colonies strenuously resisted. Some of the most determined resistance came from Rhode Island.

Rhode Island's relationship with Britain was complicated by a debt the colony was trying to collect. In 1756 Rhode Island had furnished artillery stores for Britain's Crown Point expedition, for which it was to be paid. That payment remained uncollected years after the war's end; Massachusetts, Connecticut, and New York had been paid for similar provisioning, but Rhode Island had not. The delay in payment had made collection more difficult, for relations between Rhode Island and the mother country were fast deteriorating under the stress of Britain's oppressive colonial policies and Rhode Island's fierce opposition to them. That opposition sometimes involved violence, as it did in August 1765, after passage of the Stamp Act, when rioting occurred in Newport after three Tory residents had been hanged in effigy.

The three victims were Martin Howard, Jr., a prominent lawyer who actively supported Parliament's power to tax and legislate for the colony, and who advocated the replacement of Rhode Island's charter by one subjecting the colony to greater control by the king; Dr. Thomas Moffatt, who advanced similar views and, along with Howard, was a member of a group called the Newport Junto; and Augustus Johnston, recently appointed as the local distributor of stamps under the bitterly opposed Stamp Tax Act. The hanging was organized by a few respected citizens, including William Ellery (later a member of the Continental Congress and a signer of the Declaration of Independence) and Samuel Vernon. The event itself was peaceful and orderly, but it was followed by uncontrolled mob violence that included the vandalizing of the homes of Howard and Moffatt.<sup>3</sup>

Moffatt and Howard subsequently went to England to present their personal accounts of the treatment they had received. The government's reaction was described by Joseph Sherwood, the Rhode Island agent to Great Britain, in a May 1766 letter to Governor Samuel Ward. After discussing the "favorable" report of the paymaster general and the secretary of war regarding the amount due the colony for the supplies it had provided, Sherwood continued:

I apprehend that the Lords would Order the Payment thereof Immediately had it not been for the Outrageous and Violent Riots Committed in the Government upon the Persons and Effects of the two Gentlemen now here and some others. You see by the Resolutions of the House [of Commons] that they are determined to Espouse and Encourage those who have Suffered in that Cause, and from what I can pick up (tho' it is not openly Avowed) The Treasury Board seemed

*In 1771 Rhode Island turned to its attorney general, Henry Marchant, to press for collection of a debt that Great Britain had owed the colony since 1756. Engraving by Max Rosenthal (1833-1918), n.d. RIHS Collection (RHi X3 1461).*

*John Cole is a lawyer and a fifth-generation descendant of Henry Marchant.*



disposed to delay the Payment of this money untill they see what Measures the [Rhode Island General] Assembly adopt in Consequence of the Requisition of the House for the Reimbursement of these People.<sup>4</sup>

In 1771, with the debt still uncollected, the Rhode Island General Assembly turned to the colony's attorney general, Henry Marchant, to press for payment in England. Thus

Marchant became a participant in the ongoing struggle between Great Britain and the colonies, and he was to remain engaged in a course of events that would continue through American independence and the forging of the federal Union. He did much thinking about independence and union while in England, and with his ideas supported by what he had heard and seen there, he would play a prominent role in urging the state's adoption of both the Articles of Confederation in 1778 and the Constitution in 1790.<sup>5</sup>

Marchant kept a journal of his 1771-72 mission to England, recording the day-to-day events of his trip. Occasionally he also set down his feelings and opinions, especially when the subject concerned civil or religious liberty. Overall, the journal provides a notable eyewitness account of conditions in Great Britain in the critical period preceding the American Revolution. Simple, clear, and direct, it shows Marchant to have been an observant traveler and a capable writer. He was very likely influenced by the writing of the English essayist Joseph Addison, a copy of whose *Travels in Italy* was included in his estate.<sup>6</sup>

In an entry in his diary for 4 December 1772, Ezra Stiles noted that he had finished reading "Mr. Marchant's *Travels and Memoirs in six Books MSS.*"<sup>7</sup> One of these books, covering the period from 13 September to 6 October 1771, has been lost, but Stiles incorporated its contents (which relate to a tour of northern England and Scotland) into his diary in

condensed form, so that much of the substance of the missing material is available there. The remaining five books of the journal are in the possession of a Marchant descendant now residing in the South Kingstown home where the Marchant family lived during the British occupation of Newport. The Rhode Island Historical Society has a copy of the journal on microfilm.<sup>8</sup>

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*At the General Assembly of the Governor and Company of the English Colony of Rhode Island and Providence Plantations in New England, in America begun and holden at Newport within and for the said Colony on the Last Wednesday in May in the Year of our Lord One thousand Seven Hundred & Seventy one and Eleventh of the Reign of his most sacred Majesty George the third by the Grace of God King of Great Britain and so forth.*

*An Act appointing Henry Marchant Esq. Joint Agent with Joseph Sherwood Esq. for this Colony at the Court of Great Britain*

*Be it enacted by this Gen. Assembly and by the Authority of the same, It is Enacted that Henry Marchant Esq. be and he is hereby appointed joint Agent with Joseph Sherwood Esq. for this Colony at the Court of great Britain to act in all Matters and Things, which are now Pending, or that may hereafter arise in which this Colony is or may be Interested during his Residence in Great Britain, or untill further orders from this Assembly and in a more especial Manner, to apply for, if they shall apprehend it fit and necessary and Procure Payment of the Monies reported by the Secretary at War and Paymaster General in Great Britain to be due to this Colony, for the Provisions Artillery stores &c supplied to His Majesty's Troops in the Year 1766*

Marchant was appointed a joint agent for Rhode Island at the court of Great Britain by this 1 May 1771 act of the General Assembly. RIHS Collection (RHi X3 9112).

Although Marchant was just thirty years old and had been a lawyer only six years when he undertook his mission to London, he had already achieved considerable prominence in his profession. Born in 1741, he had lost both of his natural parents before he was seven. After his mother's death in 1745, his father, Huxford Marchant, married Isobel Ward, a daughter of former Rhode Island governor Richard Ward and a sister of three-time Rhode Island governor Samuel Ward. Huxford died in 1747. Under the care of his stepmother Henry enjoyed a good education, including attendance at the Philadelphia school that would become the University of Pennsylvania and five years' study of law with the distinguished judge Edmund Trowbridge of Cambridge, Massachusetts.<sup>9</sup>

The training with Trowbridge and the Ward family connection helped Marchant to a good start in his profession. Soon he was serving London merchants and important Newport families, as well as providing occasional legal services for the Rhode Island General Assembly, including assistance with its dealings with the ministry in London. In 1769 he was appointed to the Assembly's committee for investigating the August 1765 rioting and the losses suffered by Moffatt, Howard, and Johnston.<sup>10</sup> Appointment as assistant attorney general in 1770 led to his becoming attorney general the following year upon the death of his predecessor.

By then Marchant had also established a record as a staunch supporter of the colonists' efforts to preserve their freedom. In the deed that he prepared for Newport's Sons of Liberty in 1766, he dedicated their liberty tree

as a monument of the spirited and noble opposition made to the STAMP ACT, in the year 1765, by the sons of liberty, in Newport, and throughout the continent of North America; and to be considered as emblematical of public liberty; of taking deep root in English America, of her strength and spreading protection; of her benign influences refreshing her sons in all their just struggles against the attempts of tyranny and oppression.

Acting with the advice of his Privy Council, King George III reversed the Rhode Island Superior Court's decision in the case of *Freebody v. Brenton*. "The King was no King" when he made that judgment, said Marchant. RIHS Collection (RHi X3 9019).



After condemning "all offenders against the liberties of the country, and the abettors and approvers of such as would enslave her," Marchant's dedication proceeded to a ringing affirmation of loyalty to the king: the liberty tree was also to stand "as a memorial of the firm and unshaken loyalty of the American sons of liberty, to his Majesty, King George III, and of their inviolable attachment to the happy establishment of Protestant succession, in the illustrious House of Hanover."<sup>11</sup>

But despite that declaration of loyalty, Marchant boldly challenged the authority of the king in an argument before the colony's Superior Court in 1770. A decision of the court in the case of *Freebody v. Brenton et al.* had been appealed to the king-in-council in England, which reversed the decision and remanded the case to the Rhode Island court for further action. "[T]he King and Council had made up said judgment contrary to law, reason, equity, and justice," declared Marchant, "and when the King and Council made up such a judgment, the King was no King, and therefore the Court ought to set aside said judgments and make up a judgment of their own according to the law."<sup>12</sup>

Preparing for his mission to London, Marchant planned for activity abroad both related and unrelated to the debt claim. The most important private matter on his agenda was the *Freebody* case. In that case Marchant represented a committee standing in the place of an insolvent borrower of a loan secured

by a mortgage. On the maturity of the mortgage the committee had offered to pay the secured amount and interest in the same currency in which the loan was originally made, but the creditor had rejected the offer, claiming that the amount of payment should be increased because of the sharp depreciation of the currency since the loan was made. Three times the Rhode Island court decided in the committee's favor, and three times that decision was appealed to the king-in-council. The council twice upheld the appeal, but each time the court refused to change its decision.<sup>13</sup> Marchant planned to deal with the third appeal, still pending in London.

From the wealthy Newport merchant Abraham Redwood, Marchant received a letter of introduction to Trecothick and Apthorp, a firm of London merchants with which

Redwood and his brother William, a resident of Philadelphia, maintained a close relationship. The letter stated that William Redwood was "deeply concerned" with the Freebody case, which had "heretofore been most shamefully neglected" in England, and that Trecothick and Apthorp would find Marchant "worthy of your notice and esteem—As a Gentleman of the Law He hath gained the friendship and confidence of All." "What carries my friend Marchant principally from hence at this time is the importunity of my Brother, and those concerned," wrote Abraham Redwood, who expressed great hope for good results from Trecothick and Apthorp's assistance. There is no explanation of the Redwoods' concern with the case.<sup>14</sup>

As an important part of his preparation, Marchant asked a former teacher of his at the College, Academy, and Charitable School of Philadelphia to write a letter to Benjamin Franklin, one of the founders of the school, to remind him that Marchant had been a student there and to advise him that Marchant now hoped to renew his boyhood acquaintance with

Franklin and avail himself of his "Fatherly Councill and Advice."<sup>15</sup> As agent for Pennsylvania, Georgia, New Jersey, and Massachusetts, as well as postmaster general for America, Franklin—an accomplished statesman, scientist, printer, and writer—was clearly America's foremost representative in Great Britain.

To help increase his foreign clientele, Marchant asked his New York friends Robert and John Murray to give him letters of introduction to English merchants having business with the colonies.<sup>16</sup> From Thomas Hutchinson, royal governor of Massachusetts, he obtained a letter of introduction to Board of Trade first secretary John Pownall, whose brother Thomas had also been governor of Massachusetts. Ezra Stiles, Marchant's pastor at the Second Congregational Church in Newport, gave Marchant letters to prominent Dissenters in England. It was a time when many were alarmed by the growth of the Anglican Church in northern American cities, and there was considerable fear that the

*From Abraham Redwood Esq<sup>r</sup> of Newport  
To Trecothick & Apthorp Merch<sup>t</sup> in London  
Esteemed Friends  
Trecothick & Apthorp } Newport Rhode Island June 28<sup>th</sup> 1771*

*I wrote you some time past, recommending to your  
peculiar care and patronage the cause of Freebody against Brenton  
se - On the side of Brenton is my Brother, and your Friend,  
William Redwood is deeply concerned. That cause on the Part  
of Brenton he has heretofore been most shamefully neglected  
at Home - I cannot but hope much from your Friendship  
and Assiduity - My present letter is to introduce to your  
Acquaintance and Friendship an intimate friend of mine  
Henry Marchant Esq<sup>r</sup> - You will find Him worthy your  
notice and esteem - As a Gentleman of the Law He hath  
gained the friendship and confidence of All - The Colony  
from that sense of Him, appointed Him the last year  
Attorney General of the Colony; which Office He now sustains  
They have now appointed Him Agent in Great Britain*

Marchant carried letters of introduction when he left for England. Abraham Redwood's letter to Trecothick and Apthorp mentioned Marchant's interest in the Freebody case. RIHS Collection (RH X3 9111).



church might exercise undue influence on colonial government. While less apprehensive than Stiles, Marchant shared this concern about the separation of church and state.

Seen off at Boston by Massachusetts Assembly speaker Thomas Cushing, James Otis, Samuel Adams, and Francis Dana (the latter two of whom would later serve with him as delegates to the Continental Congress), Marchant sailed for England on 13 July 1771.

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Having arrived in London on 19 August, Marchant at once set about delivering the various letters he was carrying. He recorded in his journal his delivery of letters to Franklin, who was then preparing to leave London for Ireland, but did not mention any conversation with him. Other than conferring with Joseph Sherwood, the Rhode Island agent in Great Britain, Marchant did little regarding the debt collection until he had spoken to Franklin.

Marchant had good reason to delay action until then, for Franklin was a knowledgeable and astute authority on the colonies' relations with Great Britain. In England since 1764, he had engaged in a persistent though unsuccessful struggle to persuade the British government to moderate its harsh colonial policies. Before the Stamp Act was passed in 1765, he and three other colony agents had met with Prime Minister George Grenville to argue against passage of that act.<sup>17</sup> Testifying before the House of Commons on Britain's loss of trade with the colonies because of the Stamp Act, Franklin declared that the colonists would not pay the prescribed taxes willingly. The British authorities "cannot compel a man to take stamps who chuses to do without them," said Franklin. "They will not find a rebellion; they may indeed make one."<sup>18</sup> The proceedings in the House were reported in London, Boston, New London, New York, and Philadelphia.<sup>19</sup>

In addition to his considerable abilities as a propagandist in the colonies' cause, Franklin was particularly knowledgeable about the earl of Hillsborough, the British secretary of state for the colonies, with whom Marchant would negotiate. In 1770 Hillsborough had refused to recognize Franklin's appointment as agent for Massachusetts,<sup>20</sup> an incident that did not bode well for those negotiations.

Marchant visited the offices of Trecothick and Apthorp on his first day in London but found neither partner present. When he did meet with Barlow Trecothick, a London alderman, three days later, Trecothick offered his best assistance with the *Freebody* case, "as also in the Affairs of the Colony," and he told Marchant that "he had put the State of the Cause of Brenton into his solicitor's Hands Mr. Lawrence Holker." (22 August)<sup>21</sup> Marchant tried, unsuccessfully, to see Holker that same day. The two met on 5 September, after which Marchant wrote to William Redwood to notify him of the meeting.

Marchant spent the next several weeks getting acquainted with London, transacting professional business, and meeting with people to whom he had letters of introduction. Among these was Dr. Richard Price, a noted theologian and political philosopher, to whom Marchant had a letter from Dr. William Channing of Newport. Marchant met with Price at the New York Coffee House, where Price and other Dissenting clergymen regularly gathered each week. Price invited Marchant to dine or drink tea with him any Friday, and he offered to introduce him to a group of ministers and other notable people, including Franklin. Price and Marchant would meet again in April to further discuss their shared interests in civil and religious freedom.<sup>22</sup>

Marchant soon sensed a lively spirit of liberty among middle-class Londoners. A week after his arrival he attended a performance of a new play, *The West Indian*. Briefly critiquing it in his journal, as he customarily did with all the plays and other entertainments he attended, he noted that the production was well acted but the scenery "indifferent," not

up to his expectations. However, he was pleased in one significant respect: "The Sentiments of ye Play are fine noble & manly & I was pleased to see how animated the midling Class of people were at any Sentiment that touched English Liberty or Honor." (26 August)

Two weeks later Marchant experienced another demonstration of Londoners' concern for liberty at a meeting of the Robin Hood Society, where for six pence one was furnished as much porter or lemonade as he wanted and was allowed to speak for about fifteen minutes on the particular question of public interest under discussion. When Marchant attended, about a hundred people were present and considering the question "Is a King who refuses to redress the grievances of his subjects upon application made to him a tyrant?" His account of this event touched on the degree of freedom of speech then prevalent in England. "Affirmative was easily believed, to the Question," Marchant wrote, "but the Middlesex Election and other Grievances were soon run into from a Latitude[.] it seems they allow them place when they do not choose to put Questions in explicit Terms or where the Matter meant to be dispensed is of too delicate a Nature to be plainly put"—apparently meaning that much of the discussion was by implication and innuendo. (9 September)

The reference to the Middlesex election shows Marchant's familiarity with a civil rights issue that had been festering for several years. In 1763 John Wilkes, a member of Parliament, had so vehemently attacked the government, including the king, that George III had him arrested under a general warrant and jailed. He was released by the court, but he was dismissed from Parliament and convicted of seditious libel, and he fled to France in 1764. After returning to England in 1768, he was elected to Parliament from Middlesex several times, but on each occasion—except for his election in 1774—Parliament refused to seat him. As a popular political leader in the struggle for individual liberty, Wilkes had notable supporters, including Edmund Burke. Wilkes became a London alderman in 1769, sheriff in 1771, and lord mayor of London in 1774, in which year he was again elected to Parliament. Besides advocating reform of the English government, Wilkes was a strong supporter of American liberty.

Marchant clearly savored much of the English style of living, including the various social gatherings, the theater, and such other diversions as Vauxhall and Marrybux Gardens, all of which he enjoyed with congenial company. His pleasure in these things, as recorded in his journal, contrasted sharply with his sense of injustice over British colonial policy, and with his disapproval, also occasionally expressed in his journal, of many among the English aristocracy.

Marchant viewed several of the aristocratic estates around London during his first few weeks in England. He had great praise for their grounds and gardens, though much less for some of the owners. Coming from Newport, Marchant was familiar with fine estates. Carl Bridenbaugh has described the elegant gardens of Aquidneck Island in his *Cities in Revolt*:

The almost perfect Rhode Island climate . . . lured gentlemen into expensive gardening, especially the raising of exotics, in which they achieved a perfection seldom equaled. A variety of ornamental trees shaded the island's roads, and nearly every farm had its orchard of grafted trees. Charles Blaskowitz noted that "in the vicinity of the town are several fine gardens belonging to gentlemen of fortune and taste, having fish ponds of perch, trout, etc. and their green-houses and hothouses producing the fruits and plants of every clime." Chief among these were the Malbone and Jahleel Brenton gardens and, at Portsmouth, those of Abraham Redwood, Samuel Elam and Gideon Cornell, the last purchased by Metcalf Bowler in 1764.<sup>23</sup>

Among the English properties that Marchant saw were the "Aristocratic grand Building" of Lord Holland, "the public defaulter" (1 September); the building of "the rich Bishop of Canterbury"; the house of "the Scandalous Lord Bullinon"; and the estate of the duke of Bedford, "who lately died to ye Joy of the Country." In regard to the Foundling Hospital,

the land for which, "with a Considerable Subscription," had been given by the duke, Marchant remarked that "Mean Minds must sometimes do great Things, or they would be pelted out of Society." (8 September)

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Marchant spent five weeks in London. Then, accompanied by Edward Church, a friend from Boston, he left for a tour of England and Scotland. Having made arrangements in advance, he attended to his clients' legal business in several of the places visited. The trip also gave him an opportunity to visit notable points of interest. In addition, whether intended or not, he observed the development occurring in the English textile industry and the benefit afforded by recent canal construction. In town after town he saw what could be done in Rhode Island if it were free of Britain's mercantilist policy, which discouraged—and in some cases prohibited—manufacturing in the colonies.

In Coventry, a city of thirty thousand people, Marchant found silk manufacturing that employed over eight thousand workers, and a canal sixteen miles long, which had cost forty thousand pounds to build. In Birmingham he visited a metal-button factory employing eight hundred men, women, and children and lit every evening by more than a thousand candles; its owner, a Mr. Bolton, was beloved by all.<sup>24</sup> Manchester's big attraction was "the Duke of Bridgewater's curious Canal," which extended from Worsley Mills more than thirty miles to a river flowing to Liverpool.

All sorts of goods are conveyed up and down it—but Coal was and is the greatest Article from the Duke's Estate—He obtained Acts of Parliament for it and thereby monopolises an amazing Trade[.] At Boston Bridge the Canal Crosses over a River & the River being also Navigable Vessels sail under you as you sail over them, which is a very great Curiosity. [13 October]

Marchant was particularly impressed by the volume and rate of production at the mills in Durham:

There is a very Considerable Manufacture carried on here chiefly by one Jno. Starforth of the lower priced Camblets—Shalloons & Tammies—He alone employing 6 or 7 Thousand Hands making 400 Pieces every Week—We saw one Room of Combers of ye Wool & several of Reeling for Warping And Machines for Reeling by a Spiral Reel a whole Warp at once. Also a Twisting Mill so contrived that one Girl twisted at once One Sixty Spools. [26 October]

Marchant's inspection of factories showed him how England was profiting from its restrictive trade policies, whereas previously he had seen only the harm they were doing to Rhode Island commerce. Sir Leslie Stephen described the situation in his *English Thought in the Eighteenth Century*:

The essence of the dispute was simply that the English government had managed the colonies in the 'shopkeeping' spirit, and yet were not shopkeepers enough to adopt [Dean of Gloucester] Tucker's recommendation to treat their customers civilly. The colonists were regarded as factories, whose trade was retained for the English merchants by the elaborate system of navigation laws. No one thought of protesting against the system, and even the Americans acquiesced until English statesmen proposed to tax them as well as to monopolise their trade.<sup>25</sup>

Along with his notes on English textile manufacturing, Marchant was also recording, and reporting to Ezra Stiles, the proportion of religious Dissenters in the towns he visited. He estimated that Dissenters made up about a third of the population of Woodstock, but the government of that city was entirely in their hands. Dissenters were also about a third of the population of Birmingham, but there too they controlled the government.<sup>26</sup> Marchant estimated the proportion of Dissenters in Manchester as a quarter and in Leeds at less than a third. (11 October) His own Dissenting views were strengthened by a visit to the residence of the bishop of Durham:

Thick & Apothrop & Merch in London



We viewed the Castle & the Bishop of Durham's House within it. But he being at this Time There we could not go within it—We saw his Chaplin Enter the House—How astonishing it is that Bishops have got to be so great & Rich, that they are too indolent to pray even for Themselves. They too have their Chaplins to say Grace & return Thanks for the Food they Eat—But no Wonder since the Income of this Bishop alone amounts to £12,000 Ster. per An. [26 October]

While critical of the bishop, Marchant had great praise for his cathedral and residence. He described the interior of the cathedral as "very Noble beautiful & Grand" and the bishop's house as "very Grand," adding, "I have seen nothing like it in England in any of the Churches." He had been similarly impressed by the cathedral at York, seen two days earlier, which he described as "The Grandest Cathedral Church in England." (24 October)

On 28 October, after traveling seventy-two miles from five o'clock in the morning to five o'clock in the evening, Marchant arrived in Edinburgh. There he would join Benjamin Franklin and meet such eminent men as Dr. William Robertson, principal of Edinburgh University, and David Hume.

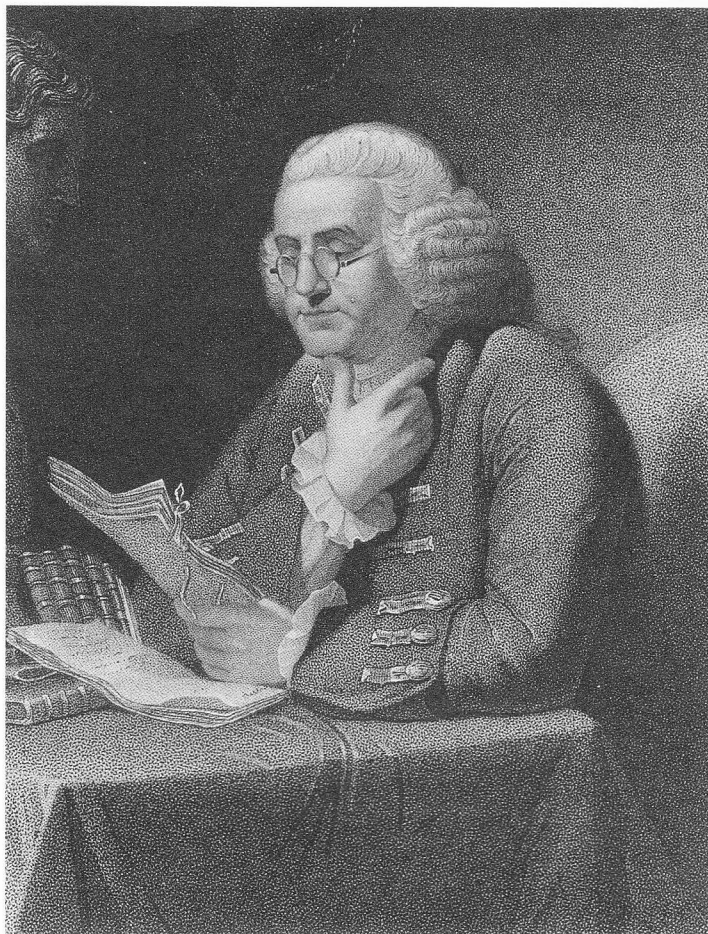
Hume, a longtime friend of Franklin, clearly recognized the importance to Britain of its maintaining a good relationship with the American colonies. In his *History of England* (1754-62), he had described America as "an asylum secured in that solitary world for liberty and science, if ever the spreading of unlimited empire, or the inroad of barbarian nations, should again extinguish them in this turbulent and restless hemisphere." Hume would brand the war between England and her colonies sheer folly when it finally erupted in 1775; England's trade with the colonies could have been maintained without the colonial relationship, he would insist, and could not be forced upon the colonists by arms. Instead of waging war, said Hume, the parties should "lay aside all Anger; shake hands and part Friends."<sup>27</sup>

On 31 October, Marchant was the breakfast guest of William Robertson and his family. Dr. Robertson was a politician, clergyman, historian, and educator. Elected to the General Assembly of Scotland in 1746, he became the leader of its moderate faction and, later, the assembly's moderator. His publications included *History of Scotland* (1760), *History of the Reign of the Emperor Charles V* (1769), which has been called "the first attempt in English to present a large-scale general view of European history,"<sup>28</sup> and *History of the Discovery and Settlement of America* (1777). He was the principal of Edinburgh University from 1762 to 1792.

In their breakfast-table discussion of American affairs, England, and her policy toward the colonies, Marchant found that Robertson was "a Friend to Civil & Religious Liberty & fully imagines America must in some future Period be the Seat of a Mighty Empire." After breakfast Marchant and Robertson went to the home of David Hume—"an Elegant House in the New Part of the City"—where they also found Benjamin Franklin, who was Hume's house-guest, and a Mr. Alexander, "one of the first Merchants of Edinburgh," who displayed "great Knowledge in the Trade in Europe & America." "The Meeting Dr. Franklin with all this good Company was vastly agreeable," wrote Marchant in his journal. (31 October) The meeting with Franklin had not been planned; Franklin had written to Marchant from Ireland telling him that he would be returning directly to London.

Marchant's next five days in Edinburgh were both enjoyable and instructive. He had two meetings with Henry Mackenzie, an attorney and novelist described in *British Authors before 1800* as "for many years the literary dictator of Edinburgh."<sup>29</sup> Dr. Robertson showed Marchant the Edinburgh University library and the medical department's collection of skeletons and fetuses.

But of greatest importance to Marchant were his next two meetings with Franklin, meetings that assured Marchant of Franklin's acceptance of him as a confidant and a



In England since 1764, Benjamin Franklin was an eminent authority on relations between Great Britain and its American colonies. Engraving circa 1800. RIHS (RH1 X3 9115).

dedicated American. The first of these meetings occurred two days after the gathering at Hume's home. "This Morning Dr. Franklin waited upon and breakfasted with me," wrote Marchant. "And we had a good Dish of tete a tete Conversation upon American Affairs &c &c &c till one o' Clock—The Dr. was pleased to open very freely & enter minutely into Many Matters—Interesting as well as entertaining." (2 November) They met again two days later: "I had not been arrived at my Inn many Minutes before Dr. Franklin came in to see me & by a most open disengaged Frankness in his Conversation afforded me much pleasure and made me a genteel Tender by honorably commending me to the Edinburgh University."

Marchant accompanied Franklin on two more visits with Hume. On one of these, on 5 November, the three dined with the university's medical faculty; then, "At the Hour of Eleven o' Clock we excused Ourselves as Dr. Franklin and I had agreed to set by six in the Morning for Lord Kames at Blair Drummond 6 miles beyond Stirling."

Franklin and Marchant set off by post chaise at six-thirty the next day. Their trip took them approximately across the narrow waist of Scotland between the Firth of Clyde and the Firth of Forth. On the way they stopped to view the construction of a canal that would link the Atlantic Ocean on the west with the North Sea on the east. The canal began near "the most noted Iron Works in Britain," called the Carow works. The two men examined the canal for a distance of six or seven locks before continuing their trip.

Lord Kames and his wife had two estates. "His own Estate & his Lady's are both very great," Marchant found. "His being about 6 miles from End to End & perhaps as many wide." Of Kames himself—an author, philosopher, agriculturist, and judge in the Courts of Sessions and Justiciary, "the grandest Court in Scotland"—Marchant observed that "He improves very much[,] himself delights in Agriculture[,] is a great Friend to his Country—At the same Time seems to have very enlarged and liberal Views. He is an Author of singular Note & of great Erudition." (6 November)

Kames's entertainment of his guests during their five-day visit was "Sumptuous & Lordly and hospitable." Franklin and Marchant took long walks with their host, and in the morning and evening Marchant enjoyed "much sensible Conversation from his Lordship & Dr. Franklin." Circumstances were particularly favorable for sensible conversation because of Kames's interest in natural history and America and the interest of the two Americans in current British policy.

In his *Sketches of the History of Man*, Kames examined at length the origin and development of the native American character. The work (whose preface is dated 23 February 1774) contains a remarkable prophecy about the future relationship of Britain and the American colonies:

Our North-American colonies are in a prosperous condition, increasing rapidly in population, and in opulence. The colonists have the spirit of a free people, and are enflamed with patriotism. Their population will equal that of Britain and Ireland in less than a century; and they will then be a match for the mother-country, if they chuse to be independent; every advantage will be on their side, as the attack must be by sea from a great distance. Being thus delivered from a foreign yoke, their first care will be the choice of a proper government; and it is not difficult to

foresee what government will be chosen. A people animated with the new blessings of liberty and independence, will not incline to a kingly government. The Swiss cantons joined in a federal union, for protection against the potent house of Austria; and the Dutch embraced the like union, for protection against the potent king of Spain. But our colonies will never join in such a union; because they have no potent neighbor, and because they have an aversion to each other. We may pronounce with assurance, that each colony will chuse for itself a republican government.<sup>30</sup>

Kames's mistaken predictions of the time of independence and the likelihood of federation are understandable, for it was not easy to foresee the united action of the colonies—the near miraculous accomplishment of the Continental Congress—that produced both independence and federation.

In past years Franklin had envisioned the possibility of the American colonies' becoming the most important part of the British Empire. "I have long been of opinion," he had written to Kames in 1759, "that the future grandeur and stability of the British Empire lie in America; and though, like other foundations, they are low and little seen, they are nevertheless broad and strong enough to support the greatest political structure human wisdom ever yet erected."<sup>31</sup>

Franklin found much to his liking in Great Britain and its people, and he was sincere in his efforts to help bring about a settlement of differences. Disapproving of taxation without representation, he could envision representation of the colonies in Parliament.<sup>32</sup> But Britain's restrictive policies of the 1760s had dampened his optimism: "this unhappy system of politics tends to dissolve those bonds of union and to sever us for ever," he wrote in January 1767.<sup>33</sup> As the situation worsened, his fears for the future increased. Writing to the Boston Committee of Correspondence in May 1770, two months after the Boston Massacre, he predicted further violence: "the bloody struggle will end in absolute slavery in America or ruin in Britain by the loss of her colonies; the latter most probable, from America's growing strength and magnitude."<sup>34</sup>

From Blair Drummond, Franklin and Marchant went to Glasgow, where they visited the University of Glasgow and several members of the faculty who were friends of Franklin. At the invitation to Franklin from its owners, they also made a side trip to the Cason Iron Works—"the Grandest Works I ever saw," said Marchant—twenty-seven miles from Glasgow. There they were shown "several Canon one of 32 ton's Casting." (16 November)

From Glasgow the two travelers returned to Edinburgh for a week's stay. Marchant attended several court sessions, in some of which Lord Kames was on the bench, and he again visited with Hume, Robertson, and Mackenzie. A visit to Mackenzie's law offices was the occasion of the strongest expression of resentment toward Britain in Marchant's journal. In casually examining the record of proceedings in an admiralty case involving the seizure of a cargo of tea by customs officers, Marchant was shocked by the difference between the admiralty rules in British courts and the much harsher ones in American courts:

... when I came to the Seisure Joined to the Country—my blood boiled with Indignation—The Amazing Arbitrary Regulations of our American Courts of Admiralty where One Judge has the Sole Determination of Our Property—the Subject totally deprived of the Benefit of his Peers—Oh Britons think of this & if not blush—Tremble!— [19 November]

Franklin and Marchant separated on 21 November, when Franklin left for London. Because of his own schedule, Marchant could not accompany him. One of his last activities in Edinburgh was, appropriately, attending a performance of *Macbeth*. He was not completely satisfied with it; "Mr. Diggs the Manager performed the Part of Macbeth well," he noted in his journal, "as did Mrs. Baker the Part of Lady Macbeth—The other Parts were performed but indifferently." (23 November)

Marchant set off toward London on 24 November with Edward Church, his sometime traveling companion from Boston. It may be significant that his journal entries describing



the return trip—which followed his exposure to the opinions of Franklin and Hume, whose religious views were far from orthodox—include no mention of the proportion of Dissenters in the various towns on the route. On the other hand, the journal does show Marchant's continuing interest in manufacturing methods and prospects of their adoption in America. Marchant was particularly impressed by the production of cotton thread in Nottingham, which he found "beyond Conception." After describing the processes in some detail, he added that "there were at Work at least 130 Women & Girls all brightly singing to their Work. In short I scarcely ever saw a better sight. Nothing can equal it but such a Sight in America." (2 December)

On 4 December, ten days after leaving Edinburgh, Marchant and Church separated, Church for London and Marchant to visit the Reverend and Mrs. Edward Dana, the parents of his friend Francis Dana, in Northamptonshire. While a guest of the Danas, Marchant visited the estate of Lord George Germain, described in the journal as Edward Dana's good friend. Marchant was greatly impressed by Germain's residence, which had "noble Rooms within fit for a Prince." (12 December) The lord and his family were in London at the time of Marchant's visit, but it is unlikely that either of the two men would have found a meeting congenial. N. A. M. Rodger has described Germain as "a man whose natural character was cold and arrogant . . . an able administrator and Parliamentarian, thoroughly familiar with military affairs, and at one with the king in his determination to crush the American rebellion if necessary by the most ruthless means."<sup>35</sup>

Marchant spent ten days with the Danas. Then, accompanied by the Reverend Mr. Dana, he went on to Cambridge, where Mrs. Dana's brother, Lord Kinnaid, was attending the university. There Marchant had a firsthand view of the university life enjoyed by the nobility. He was entertained at dinner and cards first in the chambers of the eighteen-year-old Lord Kinnaid, where they were joined by his lordship's private tutor and by Mr. Ogilvie, Kinnaid's cousin. The next day Marchant accepted an invitation to dinner and cards in Ogilvie's chambers. With Kinnaid showing him around the university. Marchant, the former librarian of the Redwood Library, added the library at Trinity College to those he had visited at Oxford, Edinburgh, and Glasgow.

After three days at Cambridge, Marchant set out for London in the company of two Cambridge students. The students' conversation left him with a poor opinion of college life: "Those young Gentlemen were both Undergraduates at Cambridge University," he wrote in his journal, "And by their Account of the Drinking & Riots of the Collegians, One would be led to think very little Learning, Religion or Morals were to be obtained at ye Universities." (20 December)

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With his return to London on 20 December, Marchant plunged into a busy schedule of activities. The time had come for him to deal both with the *Freebody* case and with Rhode Island's claim for reimbursement. Along with this work, Marchant attended public events of royalty, sessions of Parliament and the courts, and the theater, all the while continuing his efforts to improve his knowledge of the British while helping the British better understand America and Americans.

On his first full day back in London, Marchant conferred with Alderman Trecothick and tried unsuccessfully to see Lawrence Holker, his solicitor in the *Freebody* case. The following day, a Sunday, he breakfasted and dined with Franklin but, uncharacteristically, did not attend church. On Monday he had a meeting with Holker that he described as "much to my satisfaction." (23 December) The two men met three more times in January, but they did not meet again until April, apparently because they believed that

there would be no further activity in the *Freebody* case until then. Rhode Island's reimbursement claim required Marchant's intensive attention in the latter part of January. Throughout this period Marchant saw Franklin often; from the beginning of January 1772 until his departure from England in July, he would meet with him on nine occasions. On 17 January he attended a birthday party for Franklin, at which he met Richard Bache, Franklin's son-in-law.

The first public function that Marchant attended after his return to London was a Christmas service at King's Chapel, at which he was accompanied by an American friend, Alexander Grant. It was an event that he must often have later recalled while attending services at the Second Congregational Church of Newport:

Mr. Grant and I went in & for 5/ Ster got a good Seat[.] The King & Queen entered just after 7 o'clock—Lord Hartford Ld. Chamberlain dressed in black Velvet attending their Majesty—The King was dressed in plain but Lead Coloured Broad Cloth with an ordinary plain Button. He wore a Collar, Star & Garter—The Queen was dressed in a purple Silk almost covered with Silver Lace. She had a large Hoop as had all the Maids of Honor—Her head was prettily dressed within Extravagance of Fashion. She seemed to have much Goodness & Suavity in her Countenance. The Chanting was excellent by Men & Boys accompanied with the Organ. So was the Anthem and Christmas Hymn Sung—The Archbishop of York preached a Sermon in which he insisted much upon the Necessity of Revelation & Obedience thereto. The Bishop of London Read the Communion Service. And the Bishop of Winchester gave his Attendance—The King & Queen were attended by the Yeomen of the Guard & Gentlemen Pensioners in their Uniform.

A few weeks later Marchant attended a very different sort of Anglican service, one that was the occasion for his critical comment about the low moral standards of much of the nobility, together with some serious religious reflection:

In the Evening went to Magdalene Chapel and heard the Revd. Dr. Dodd preach from Romans 2d.—28th & 29th. He is an elegant pretty Preacher—He married it is said a kept Mistress of a Noble L. who promised him great Things, few of which according to Custom of, have been kept—I was extremely charmed with the Hymns & Psalms sung by those once unhappy Women. I can hardly call them so now—The Organ was played upon by One of the Magdalene Subjects. An Idea struck me very sensibly while There:—and I contemplated much upon it—That the Emancipation from Vice into Virtue and the Praises of Mortals thereon in such a Publick Manner was a most glorious Display of divine Power—And was in some Degree making Sin subservient to the divine Glory[.] as it most certainly raises our Ideas of his divine Love we see more conspicuously. [12 January]

On 18 January, the queen's birthday, Marchant saw the British aristocracy in all its splendor at St. James's Palace, where he and Bache attended an afternoon-long reception and a ball that lasted until after eleven at night. The celebration began with a sermon from the "Guns at ye Park." "[F]ive Spacious Rooms were excessively crowded with a most brilliant Company of Nobility, foreign Ministers & persons of Distinction," Marchant recorded in his journal. Seven children of the royal family were also present. The queen wore a "Buff Colored Satin, edged with black Ermine—with her rich Diamond Stomacher & with Jewels in her Hair, without a Gap." At the candlelit ball the "Ladies appeared more brilliant than in the Morning." Lord North, the prime minister, stood before the king the whole time, Marchant noted. Marchant and Bache retired from the festivities "fully satiated and tired with the Splendour & Grandeour of the Day."

Three days later, again accompanied by Bache, Marchant attended the opening of Parliament, where he had the chance for a close observation of the king. He was favorably impressed: "The Crown did not arrive from the Tower a Minute before the king came in. He was vastly merry and laughable while the robes and Crown were put on. It did not strike me agreeably." At the king's departure, wrote Marchant, "I went on and down to the State Coach & had a full view of that which is the Grandest Thing the Kind I ever saw, drawn by Eight Cream colored large Arabian Horses, most ri-

T H E  
C A S E  
O F T H E  
C O L O N Y o f R H O D E I S L A N D.

**A**N Expedition against *Crown Point* in *America* being resolved on Anno 1756. by Government, a circular Letter went from the then Secretary of State to the several Northern Colonies, dated the 13th *March* 1756, requiring each Colony to raise Troops for that Expedition; and signified, "that the raising the Men, their Pay, Arms, and "Cloathing, would be all that would be required of the Colonies."

The Colony of *Rhode Island* expended in the said Expedition the Sum of 4211 *l.* 7 *s.* 7 *d.* Sterling on account of Provisions, Stores, and other incidental Expences; which the Crown, by the said circular Letter, had agreed to supply.

Pursuant to the Assurances in the said Letter, the Provinces of *Massachusetts Bay*, *Connecticut*, and *New York*, have been reimbursed their Expences for Provisions, Artillery Stores, and other Expences, which by the said Letter were agreed to be paid by the Crown; but, by various Accidents, the Accounts of the Colony of *Rhode Island* did not come to Hand till some Time after.

The Lords of the Treasury were pleased to refer the Accounts of the Colony of *Rhode Island*, for the supplying such Provisions and Stores, to the Paymaster General and Secretary at War; who, by their Report (having rejected several Items as unmilitary Charges) have declared, that the Sum of 2672 *l.* 18 *s.* 11 *d.* is due and payable to the said Colony of *Rhode Island*.

harnessed. As his Majesty alighted from and entered his Coach the People gave three huzzas but they were not very strong but rather broken."

Marchant and Joseph Sherwood began an intensive effort to recover the money owed to Rhode Island on 31 January, when they filed a memorial with the lords of the Treasury praying payment of £2,672 18s. 11d. with interest.<sup>36</sup> Beginning a collateral approach to obtaining payment, Marchant met with John Pownall, secretary of the Board of Trade, the same day. By virtue of his position, Pownall could be of great help to Marchant; he might, for instance, arrange a meeting for him with the earl of Hillsborough, who was both president of the board and, as secretary for the colonies, a member of the cabinet. Pownall probably shared the favorable opinion of the colonies held by his brother Thomas, a member of Parliament and former colonial governor of Massachusetts.

Marchant's meeting with John Pownall went well. Their discussion included "discourse of Generals & some Particulars of ye Rights of ye Colonies &c &c &c.," and Pownall "promised to befriend" Marchant and to arrange a meeting for him with Hillsborough at the earl's home.

Marchant knew that the meeting with Hillsborough would be no easy matter. Hillsborough—whose characteristics, according to Franklin, were "conceit, wrongheadedness, obstinacy and passion"

<sup>37</sup>—had recently threatened to punish Rhode Island for its continuing violence. In April 1771, three months before Marchant's departure for England, English customs collector Charles Dudley had been severely beaten in Newport and had complained to Hillsborough about the incident. Hillsborough thereupon warned Governor Joseph Wanton to consider the consequences if such reprehensible conduct was allowed to continue. In reply, the governor claimed that Dudley had been attacked by a "company of lawless seamen" and that no Newporters had been involved, and he then went on to complain in turn that British customs officials were falsely accusing and misrepresenting the colony and its officers. Marchant had been informed of these developments and was prepared to discuss the situation with Hillsborough.<sup>38</sup>

Having arrived for his 4 February meeting with Hillsborough at the appointed time, Marchant was required to wait two and three-quarters hours while Hillsborough first conferred with the "Govr. of Georgia and Seven or Eight other Americans Adventurers chiefly of the New Settlements of ye Florida's." Marchant did not enjoy the talk he heard during his wait: there was "some Conversation of America in Genl. but chiefly of ye

*Rhode Island's Crown Point claim was explained in a 1769 pamphlet. RIHS Collection (RH X3 9113).*



Southern Provinces (which seems to be the Theme, the Northern Colonies not being looked upon by Albion as fit for their Purpose)."

If Marchant had expected Hillsborough to be openly antagonistic, he must have been relieved at the earl's reasonable demeanor at their meeting. They began with a discussion of a number of charges against Rhode Island, which Marchant answered one by one. When he explained the circumstances of the attack on Dudley, Hillsborough "was hushed and rather seemed to be of Opinion with Mr. Pownall who had spoke out very plainly that it was an unreasonable Charge made by Mr. Dudley." Marchant assured Hillsborough that there had been no further mob disorder since Hillsborough's letter to Governor Wanton, and he expressed the hope that "before the Date of that Letter his Ld.ship would never look back." To another charge, that Rhode Island had resisted transferring command of its militia to Massachusetts, a move ordered by the king to consolidate colonial troops, Marchant replied that Rhode Island's charter required that it maintain such command. Other complaints answered by Marchant concerned the claimed inability of the Customs Office to obtain search warrants in Rhode Island and (probably with reference to the *Freebody* case) the questionable justice of some decisions by Rhode Island courts.

With consideration of these subjects concluded, Marchant broached the matter of Rhode Island's reimbursement claim:

I then desired his Ld.ship's Attention & Interest in the Demands of the Colony & stated the Nature of the Colony's Demand—And answered the Objection I had heard had been made to it and went thro' the Articles of the suffering Gentlemen's Account [i.e., Dr. Thomas Moffatt, Augustus Johnston, and Martin Howard, Jr.'s claim to be compensated for the losses they had suffered] One by One—And His Ld.ship said he thought their Accounts very unreasonable upon the Face of Them—Nor could he see any Propriety in the Objection, & that he would if an Opportunity offered, it being out of his Department, say as much to Lord North. I thanked His Ld.ship and withdrew.

While Marchant seemed satisfied with the discussion, his position was no better than it had been. The comments by Hillsborough about the three compensation seekers meant little, because, as he said, the matter was out of his department. But Hillsborough clearly had serious concerns about Rhode Island, and in this regard Marchant could only hope for the best. The three-year period between the repeal of the Townshend Acts and the Tax Act of 1774 was an interlude when the American colonies were, in general, furnishing the mother country a degree of relief from their former rebelliousness.<sup>39</sup> As demonstrated by the violent physical attack on Dudley and a continuing practice of evading and obstructing customs collection, however, the same could not be said of Rhode Island.

On 6 February, Marchant and Sherwood visited the Treasury offices to inquire about the memorial they had filed six days earlier. A message from Treasury Board secretary Grey Cooper informed them that the memorial had been received and would be laid before the lords of the Treasury at their next meeting. Inquiring again about the memorial a week later, Marchant and Sherwood spoke to Pownall "about the Cause of Collector Dudley in Consequence of a Letter we recd. from Govr. Wanton a Day or two past—." (13 February) During the next week Marchant made two more trips to the Treasury offices, only to be told each time that action on the memorial had been postponed. After a discussion with Franklin on 22 February "upon my affairs with Govt—," Marchant spent the evening "in Company with Mr. [Samuel] Dyson of Cheapside Hosier Brother to the Famous Jerh. Dyson one of the Lords of the Treasury, and had some proper Conversation with Him."

On 29 February, Marchant reported being very politely received by Jeremiah Dyson and having a full and free conversation with him "upon the Colony's Affairs, particularly upon the Subject of the Monies due the Colony—He appeared on his own Part disposed

to serve me—." Marchant checked for progress on the memorial twice with Samuel Dyson and once with Jeremiah Dyson during March. After twice trying, unsuccessfully, to see Pownall that month, on 2 April he was able to confer with him for half an hour and "rec'd much encouragement from Him."

On 6 April, Marchant received word that Lord North would see him at the Treasury offices the following day. That day Marchant was called before the entire board. Perhaps because the board was noncommittal, his journal account of that highly important meeting is surprisingly brief: "Waited upon Mr. Jerh. Dyson one of ye Lords of the Treasury— Waited upon Lord North at the Treasury, was called in before the whole Board & was heard upon the Claims of the Colony at Large." After the hearing, Marchant met with Samuel Dyson, as well as with Sherwood "to let him know what had passed at the Treasury." The following day he again conferred with Jeremiah Dyson: "At 10 o' Clock waited upon Jerh. Dyson Esqr. one of ye Lords of the Treasury & had an Hours Conversation with Him. He appeared an Entire Friend to me & my Cause & seemed determined to support it as far as in his Power, but fears there must be a longer Delay."

On 9 April a person with important English connections showed an interest in Rhode Island's war-debt claim: "Mr. Harrison came & breakfasted with me & we had a long conversation upon the Colony's Demand & about the Sufferers [i.e., Moffatt, Howard, and Johnston]," wrote Marchant in his journal. The visitor was Joseph Harrison, the older brother of the famous architect Peter Harrison. Joseph was then living in London after a varied and mostly successful career in America.

As a skilled draftsman, Joseph Harrison had worked with his brother in the design of a number of notable buildings in America, including Newport's Brick Market, Touro Synagogue, and Redwood Library. The brothers had also been successful merchants. English-born, loyalist, and Episcopalian, they had enjoyed the strong support back home of the marquis of Rockingham; and along with such Tories as Martin Howard, Jr., and Dr. Thomas Moffatt, they had been members of the Newport group supporting royal policy. Both brothers had received appointments as collectors of customs, Joseph in Boston in 1766 and Peter in New Haven in 1769. While the position of customs collector could be very profitable, it involved considerable risk of bodily harm, as demonstrated in the case of Charles Dudley. The Harrison brothers did not receive the benefits they had hoped for as collectors, and they endured much abuse. On one occasion Joseph was badly mauled, and his yacht burned, for which suffering and loss the customs commissioners in England awarded him five hundred pounds as compensation. In October 1769 he quit America for England.<sup>40</sup>

Marchant saw Joseph Harrison again on 13 April. "Mr. Harrison called upon me in the Morning," Marchant noted in his journal, "& by his Dulness & certain Things said I was rather led to hope that he mistrusted that I should obtain the Colony's Moneys . . . Went into the City and called upon Mr Sherwood & he seemed as dull as Mr. Harrison,—He told me Mr. Harrison had been with him that Day &c—" The expression "led to hope" is puzzling; perhaps Marchant was referring to his expectation rather than to his desire. In any case, the meeting with Harrison offered him no encouragement, but rather suggested that Harrison had discussed the claim with some knowledgeable government official who thought that Marchant's chances of success were not good. Marchant had two more meetings with Harrison: he "called upon Mr. Harrison" on 5 May, and on 23 July, Marchant's last day in London, he reported that "Mr. Harrison, Collr of Boston called upon me in the Morning for an Hour."

What motivated Harrison's interest in the matter? Clearly it was not a desire to be of help to Marchant because of any social or political association; Marchant and Harrison (called "one of the Crown's best informants" by Carl Bridenbaugh)<sup>41</sup> differed radically

in both respects. It nonetheless appears from the journal entries that Marchant considered Harrison to be sincere. Possibly Harrison had told Marchant that he intended to use his influence to try to induce the government to settle with Rhode Island in a way that would be acceptable both to the colony and to Moffatt, Howard, and Johnston.

Marchant spent much of the spring of 1772 checking on the status of the claim at the Treasury and meeting with, or attempting to meet with, government officials and other potentially helpful persons. On 14 April he had a "very satisfactory" meeting with Jeremiah Dyson. On 7 May he "went to Lord North's Levee and had a few words conversation with his Lordship—." He must have been encouraged by his meeting with Hillsborough on 12 May: "Waited upon Lord Hillsborough & had half an Hour's Conversation with Him, he was in extreme good Humour & promised he would see Lord North Himself & do every Thing in his Power to Procure the Coly. their Moneys."

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Marchant finally received the answer of the lords of the Treasury to the memorial on 11 June. In view of the importance of the event, his journal entry on that day is curious:

Went to ye Cockpit, but there was no Board as Ld. North was to have a Levee. I waited upon Grey Cooper Esqr. Secy. to that Board and received the verbal Answer of the Board to the Memorial of ye Col. of Rhode Island[.] I walked into the City called upon Mr. Sherwood &c &c dined at Mr. Grants and rode toward Evening with Mrs. Grant—

Strangely missing from this account are the details of the answer and of any discussion of it with Sherwood. The answer may be found in a letter of 16 February 1773 from Governor Joseph Wanton to the earl of Dartmouth, Hillsborough's successor as secretary of state for the colonies:

Joseph Sherwood and Henry Marchant, Esq., agents for the colony, did the last year present a memorial to the lords of the treasury upon this subject; who were pleased, by their secretary, Grey Cooper, Esq., to give the following answer:

"June 11, 1772. I am authorized to inform you, that, at a board held last week, Mr. Stewart, as agent for Dr. Moffatt, and Mr. Howard, again attended the board, by their lordships' order, upon Dr. Moffatt's affair; and accordingly instructed Mr. Stewart strongly to recommend to the Doctor, to present as soon as possible, an account of his losses to the General Assembly of the colony of Rhode Island; but to omit in such account, the charge he had made in his former account, of his expenses upon his voyage to Great Britain, and of any consequential damages; and to exhibit an account only of such effects as were absolutely lost, damaged or destroyed, during the riot; and that he should consent to accept in part of his compensation, any goods and effects that were saved, and are now remaining in the hands of any of his friends or others; and the lords suppose that, upon such an account being exhibited, the Assembly will act upon it in such manner, as to give satisfaction to the board.

And should the doctor refuse, in a reasonable time, to exhibit such an account, the lords will proceed to a final settlement of the matter in dispute."<sup>42</sup>

Marchant's laconic journal entry strongly suggests that he was not pleased with this answer, which in effect rejected his efforts to disassociate the colony's claim from that of the riot victims. Payment continued to be dependent upon Rhode Island's recognition of, and compliance with, the authority of the Crown. Yet Marchant's efforts were not unproductive, for he had brought about official recognition of the grossly exaggerated character of Dr. Moffatt's claim and its need for revision. If the Assembly received Moffatt's suitably revised account and took action on it satisfactory to the board, or if the doctor failed to make a timely submission of such an account, the lords of the Treasury would "proceed to a final settlement of the matter in dispute." Although the board did not state what that final settlement would entail, it seems reasonable to assume that it would include payment of Rhode Island's claim.

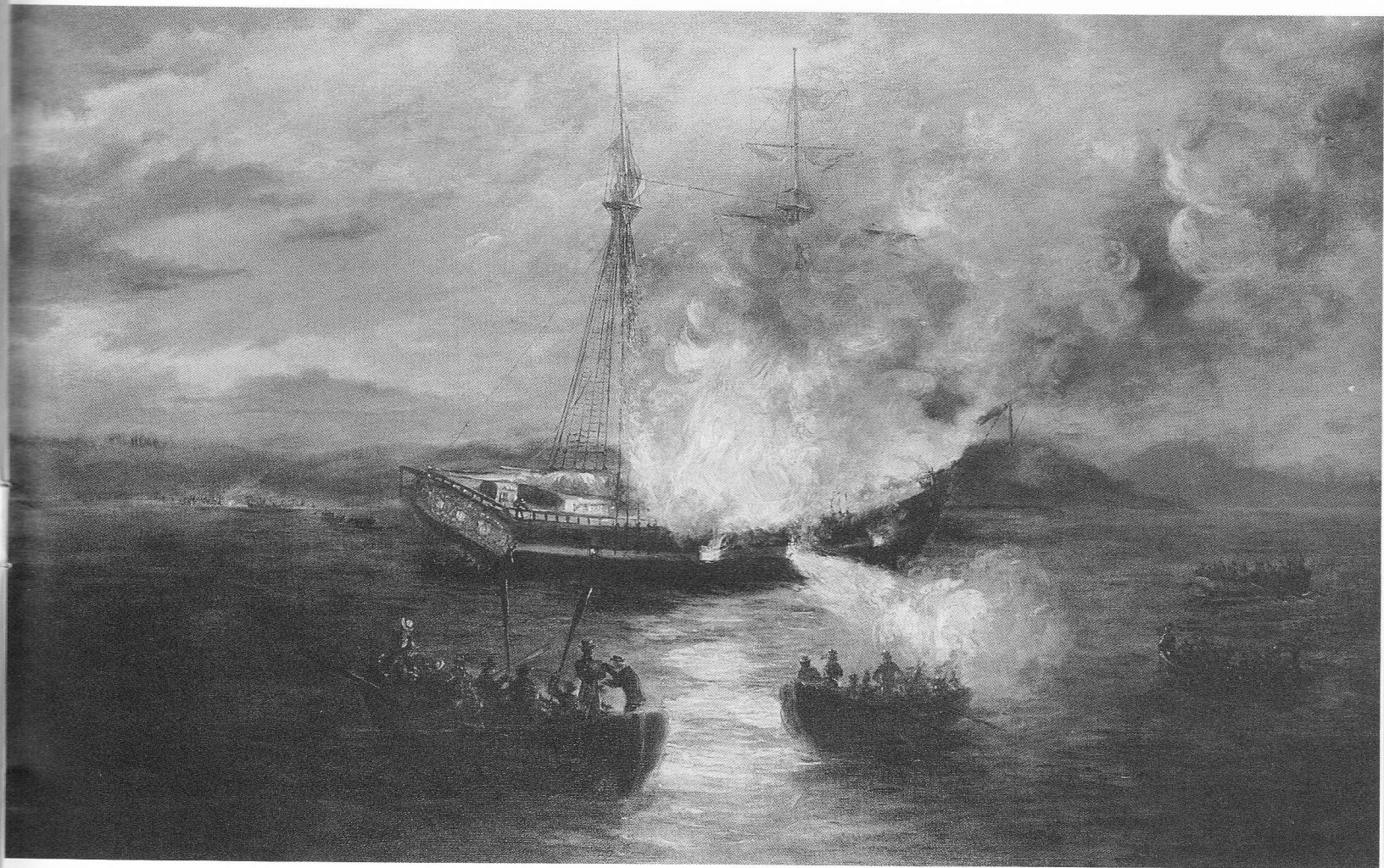


The Treasury Board's answer most likely displeased Marchant for two reasons: (1) the actions of Moffatt prior to the time of the answer furnished no basis for expectation that he would submit an acceptable account, and (2) the uncertainty of relations between Rhode Island and the mother country greatly reduced the prospects that the colony would ever receive the money owed to it. But Marchant knew he could do nothing more in England to recover that money; "finished our business at ye Treasury—as far as can be done this Year," he noted in his 1 July journal entry, "having I hope removed all Obstacles to ye Colonie's obtaining ye Money next Year."

Despite the note of determined optimism, Marchant could not have been sanguine about the colony's chances of collecting the debt. Any doubts he may have had proved to be well founded. Two days before he received the Treasury's answer, relations between Rhode Island and Great Britain had been dealt a severe blow with the burning of the British revenue schooner *Gaspee* in Narragansett Bay. That action, designated as high treason by Dartmouth in a letter to Governor Wanton, would lead to the appointment of a royal commission empowered to investigate the affair and identify perpetrators for indictment and trial in England. Having received news of the burning of the *Gaspee* five weeks after the event, Marchant described it in a letter to his friend Francis Dana as a "mad and foolish act."<sup>43</sup>

The claims of the riot victims would not be resolved by the colony. According to Governor Wanton's February 1773 letter to Dartmouth, none of the three claimants had been

*Rhode Islanders attacked and burned the British revenue schooner Gaspee in Narragansett Bay in June 1772, an event that Marchant termed a "mad and foolish act" when he learned of it five weeks later. Painting by Charles DeWolf Brownell. RIHS Collection (RHi X3 120).*



found to have met the Treasury lords' accounting standards. The revised account submitted by Moffatt was "less general, indeed, than he had before presented, but by no means so particular as he could easily have given, and the colony had a right to expect."

The Doctor still made no deduction for any of the articles saved; although the greater part of his books, furniture, &c. had been deposited in the hands of his most intimate friends and agents; and even went so far as to declare before the committee [of the General Assembly] that he was utterly ignorant that any articles were saved; until the committee showed him by incontestable evidence, that not only many articles were saved, but led him to the spot where they still were.

He also charged a very round sum for china; when it appeared the small quantity he had, had been carried from his house and placed with a friend, several days before the riot, upon the apprehension that there might be one, and remained unpacked until it was shown to the Doctor. The committee, upon the examination of the matter, reported the Doctor's loss at £179 10s 6d., sterling. The General Assembly received the report, and granted him that sum. But the Doctor, by his attorney, in the face of the General Assembly, refused to accept it in writing, under his hand.

Enclosed with Wanton's letter were copies of Moffatt's account and the report of the committee. A revised account submitted by Augustus Johnston had been referred to, and was being considered by, the same committee. No revised account had been received from Howard, "who lives in a remote province." In the light of this information, the governor requested that the colony be paid the sum it was owed, with accumulated interest, without further delay.

Wanton's application was favorably acknowledged by Dartmouth in letter dated 10 April 1773:

Having received and laid before The King a Letter from Mr. Wanton dated the 16th of February last, on the subject of a claim which he expresses to be a demand of the Colony of Rhode Island upon the Crown, to be reimbursed a sum of money expended by the said Colony for public services in the late War; I have received His Majesty's Commands to transmit the letter, and the papers inclosed, to the Lords Commissioners of the Treasury, and as I shall be glad of any opportunity of showing a favourable attention to the interests of the Colony, I shall not fail to recommend the present application to the attention of the Treasury Board.<sup>44</sup>

But in spite of Wanton's arguments and Dartmouth's endorsement, the money was not paid. The renegeing by Great Britain on its obligation to the colony was part of the gradual collapse of the colonial relationship. In 1773, when Rhode Island's claim was again under consideration by the lords of the Treasury, that relationship was under severe and increasing strain: Rhode Islanders saw their rights threatened by the royal commission investigating the burning of the *Gaspee*; Bostonians protested Parliament's offensive taxation by dumping tea into Boston harbor; a Virginia proposal for intercolonial committees of correspondence, which Ezra Stiles predicted "would finally terminate in a General Congress,"<sup>45</sup> was adopted by several of the colonies, including Rhode Island. The time had passed for considering Rhode Island's Crown Point claim as an isolated issue. It had become part of the pre-Revolutionary agenda.

While there had been a strong possibility that Marchant might succeed in recovering the money owed the colony, there was never much hope that he would succeed in changing the position of the king-in-council in the *Freebody* case. The king-in-council had twice reversed the decision of the Rhode Island court. On reconsideration after the second reversal, the Rhode Island Superior Court voted 3 to 2 to carry out the Crown's decision, but that vote was reversed after the next annual election changed party control of the Assembly and the court's membership. This record placed Marchant's case on shaky ground.

Since Marchant was not in charge of the case, his own contribution to it was limited. The designation of Lawrence Holker as attorney, and thus as lead counsel, was appropriate for litigation in England, but the quality of Holker's performance seems questionable:

not until April did Holker learn of a petition that the Freebodys had filed in February. The petition alleged that the Rhode Island Superior Court order under appeal was repugnant to the 14 April 1769 order of the king-in-council and asked that that order be carried into effect. Acting on the petition, the council ordered the responsible Superior Court judges to respond to the charge.

The litigation now focused on the conduct of the Rhode Island judges in failing to execute the order of the king-in-council. The answers that the judges filed to that charge had no effect on the council, which directed that the judges execute its prior order. They did so, and the case was finally ended.<sup>46</sup>

*Freebody v. Brenton* has its place in the history of the turbulent period preceding the Revolution as "probably the most notable example of colonial judicial recalcitrance."<sup>47</sup> As such, the case was but a part of the mutual recalcitrance of Britain and the colonies, particularly Rhode Island and Massachusetts.

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While Marchant was struggling with the British government, he was also greatly enjoying the arts, especially the theater. Whereas political conditions were highly unfavorable for his efforts with the government, the timing of his visit could not have been better for his enjoyment of the theater, largely because of the presence of David Garrick. Garrick was not only a great actor and manager; he also introduced changes resulting in legitimate theater as we know it today, including seating for the audience within the body of the theater, concealed lighting, and costuming consistent with the period of the play being performed.

Marchant's first visit to the theater after returning to London from Scotland was on New Year's Eve, when at the Drury Lane Theatre he "heard the Wonderful Garrick for the first Time" in a play called *The Wonder*. Between 31 December and 1 July, Marchant attended twenty-two plays and one opera, the latter also attended by the king and queen. Six of the plays were by Shakespeare.

Marchant introduced himself to Garrick and was invited to visit him at his home on 3 June:

His House being one of the elegant Adelphi Buildings fronts the Thames about mid Way betwixt Black Fryers and Westminster Bridge; from Below as well as above There is a full View of the River directly under you & of the Burrow; and from his Dining Room You have still a more extensive View of the Country beyond the Burrow. The Paintings of the Ceilings of this Room are very elegant and the Sides are Honored with several of Hogarts best Paintings & some Italian Pieces—When Mrs. Garrick entered the Room Mr. Garrick introduced me to Her by saying my Dear This is Mr. Marchant a Gentleman from America who has done me the Honor of a Visit. She is a most elegant Figure of a Woman and altogether a most agreeable Woman made indeed for Mr. Garrick—Mr. Garrick entertained Us till twelve o' Clock with Criticisms about this Actor or Turn &c &c with Parts of Shakspear &c &c in short made it intolerable to leave Him. He said He should give Orders to His Carpenter to shew me every Thing of Machinery in his Play House whenever I pleased to go.

At the Drury Lane Theatre a week later, Marchant found that examining the area below the stage seemed like going on board a twenty-gun ship by the rigging.

Marchant's broad interests led him to cathedrals, schools, galleries, museums, orphan-ages, palaces, government buildings, prisons, and factories. Many are mentioned in the journal in glowing terms. The British Museum is described as "the Grandest Repository of Learning & Curiosities & of ye greatest Value in the World." (26 May) At Temple Chapel he "heard the best Organ said to be in the Kingdom & played by the best Hand Mr. Stanley." (19 April) In January 1772 he and Bache visited the newly completed Pantheon a few days before its public opening:



my Ideas of it were before greatly raised—But they were infinitely short of the Grandeur Magnificence and Elegance of the Room. The front entrance is beyond any of the King's Palace . . . But the Grand Room for the Company is superior to anything to be seen in England & They say of Europe . . . In many Parts & particularly the smaller Rooms are Paintings of Masks, Goddesses &c in very loose attire[.] The whole is wonderfully adapted to raise every wanton Passion to distract the Mind and I think to destroy the Virtue. As this is a Piece of the highest Extravagance in England we know by Way of Evening Diversion and entertainment infinitely surpassing the famous Mrs. Coverlys who still however exhibits with great Taste and Splendor, so I can't but think that England has got at her *ne plus Ultra*. [25 January]<sup>48</sup>

Letters of introduction from William Redwood to Aldermen Trecothick and Richard Olliver had given Marchant access to members of the London city government, and he continued to cultivate these relationships, by frequent visits and other means, during his last months in England. On 2 April he attended a Castle Society concert in the City at Haberdashers' Hall, where the City Assembly met, and there he "had the honor of sitting next to the Lord Mayor the whole Evening." While he stated that he "was greatly entertained," he also felt that "it was an unlucky Night. There was not one woman there that might be called a Beauty."

On 20 April he attended a ball honoring the lord mayor:

A ticket was presented to me for the Ball at the Mansion House to which I went with my Friend Mr. David Jennings—and his Lady at nine o' Clock in the Evening, and lasted till after One. Mr. North, The Lord Mayor, made a respectable Appearance—Mrs. Trecothick was Lady Mayoress for the Day The Lord Mayor being a Widdower. Mrs. Trecothick appears to be a Lady perfectly well, kind and full of Politeness—but rather Ordinary as to Person—I had a full view of Mr. Sheriff Wilkes—And to be sure he has the worst looking Face I ever saw, but full of Spirit & Sense—Tho' there were many Rooms some for Tea and others for Cards yet the Egyptian Hall which is the longest Room perhaps in the Kingdom was so crowded the Dancing was rather disagreeable till One o' Clock when the House was somewhat thinned—I carried down One Dance with Mrs. Jennings, merely to say I had danced in the Mansion House at the Ld. Mayor's Ball in London and came away a little after One o'Clock.

Marchant had arrived in England with the opinion that the nation was in a state of decline; "Once good old England" was how he referred to it in describing his sighting of Land's End after his transatlantic voyage. (14 August) Impressed as he was by England's rich culture, he became more convinced during the course of his visit that the country was facing a bleak future. The failure of Fordyce and Company, noted in his 22 June journal entry, seemed to him symptomatic of England's ills:

He [Alexander Fordyce] is said to have failed for four hundred Thousand Pounds Ster: on his own Account and the Comy. for one hundred Thousand more; Several other Bankers & several Merchants have failed & others are expected to follow after—Nothing has equaled this Calamity since the South Sea Bubble in 1720.—But I think this is but the Prelude to a much deeper Scene, which the Luxury Folly & Extravagance of the Times, the madness of Paper Credit & the false Appearance of Ritches must involve this Country in.

The company's failure had a gory aftermath, which Marchant recorded the following day: "The Uproar in the City a little abated—One or two Merchants Cut Their Throats upon this Occasion—Mr. Bugle cut his as he was in Bed with his Wife & when she waked by the Noise in his Throat She found him weltering in his Blood."

Much of Marchant's criticism of the British government related to its administration of the law, the area of his own expertise. "I went into the Crt. of Common Pleas," he wrote on one occasion, "where I saw the Lord Chief Justice DeGrey & heard him deliver an Opinion for Arresting Judgment. I heard Sergt. Lee and Sergeant Glynn argue the Point before the Court. Such a Gouty Set of Men I never saw together as the Chief Justice, Glynn &c &c[.] In short all the Sergeants looked miserably." (3 February)

In a journal entry relating to a matter on appeal to the king-in-council from a decision of the Board of Trade, Marchant described the strenuous examination of Hillsborough,

the board's president, by John Dunning, a barrister Marchant much admired, "at which his Lordship did sweat abundantly—In short Mr. Dunning took more Freedom with Ld. Hillsborough & His Board than I should have done with a Town Council of Newport in ye Colony of Rhode Island." (8 April) "I never had a greater Distaste of any Court in my Life—," he said of the appellate body. "Their Titles were all that could be respected & those lost their Lustre." (10 April)

Marchant had a similarly low opinion of the House of Lords acting as an appellate court on an appeal from a decision of the Court of Sessions in Scotland:

I heard Mr. Solicitor Genl. as principal Council on One Side & the Lord Advocate of Scotland on the other[.] The Decree of the Crt. of Sessions was affirmed—Lord Mansfield attended as Speaker for the Ld. Chancellor, who had been some time indisposed. Lord Cambden was also present & perhaps six or Eight other Lords, who were walking about talking or reading a News Paper, the whole Time of ye Argument, Lord Mansfield alone being Speaker gave any Attention. And the taking ye Judgment of the Lords and ye whole Affair appeared like a Farce. [30 April]

Marchant's opinions regarding British corruption, extravagance, and incompetence were shared by many residents of Britain, including activists such as Richard Price and Joseph Priestley (the discoverer of oxygen).<sup>49</sup> Marchant had two meetings with Price, on 3 September and 24 April. On 5 March Marchant noted in his journal that he had attended a meeting of the Royal Society, as Benjamin Franklin's guest, at which "A Letter from Mr. Priestly was . . . read with Part of a Paper he had lately made upon the different kinds of Air. A very ingenious Paper."

Marchant became acquainted with two of the most active critics of the British ministry and king toward the end of his stay in Britain. Arthur Lee, an American, and Catharine Macaulay were both prolific writers with liberal principles. Lee, a forceful propagandist for the colonies in England, would subsequently become a coagent with Franklin in efforts to procure French aid for America. Catharine Macaulay was engaged in writing the sixth volume of her *History of England*. First mentioned in the journal as having breakfasted with Marchant on 23 April, Lee introduced Marchant to Macaulay a week later.

I solicited this amiable Daughter of Liberty with inexpressible Pleasure [wrote Marchant], heightened by the Pleasing Manner in which she recd. me. We had a Feast of about two Hours Conversation upon Liberty in Genl.—The Situation of the National affairs of this Kingdom which to Her appears fast approaching Dissolution by the very Means which some others think the greatest Proof of Her Stability—She enquired much of American Affairs & is charmed to think There exists in the World two such perfect Commonwealths as Rhode Island & Connecticut. She was desirous of seeing our Charter &c which I promised to gratify Her with. [29 April]

Marchant had five more meetings with Macaulay before his departure in July. Among the liberal views that she elaborated on, Macaulay strongly preferred a democratic republic to a monarchy. Writing to Marchant in June 1773, she would urge speedy action to achieve a government in an independent America. She would also thank Marchant for introducing her to Ezra Stiles, "to whom I have enlarged much on the subject of the independence of the Americans whom I am afraid will lose much if not all of

*Catharine Macaulay, a staunch British supporter of the colonies, befriended Marchant during his stay in London and corresponded with him after he returned to Rhode Island. RIHS Collection (RHi X3 9117).*

Your very sincere Friend

And Obedt Humble Servt

Catharine Macaulay

Titchfield Street

June: 1773

their present virtue from the contagious influence of their Mother Country before the period arrives of forming themselves into a separate state.”<sup>50</sup>

Much of Marchant's last week in London was spent in farewell visits with social and business acquaintances. He left his card for Lord Hillsborough, who was not at home, but had a half-hour visit with John Pownall. He called upon Franklin, whom he found “ill of the Gout in one Foot.” After spending the greater part of a day trying to locate the elderly William Pitt, the earl of Chatham, he finally had to leave his card, expressing his disappointment “in his earnest Desire of paying his respects to His Lordship as the friend of LIBERTY and AMERICA.” On the day before his departure from London, he called upon Sherwood and Holker, to whom he gave his “last Charge upon the Brenton Cause,” dined with David Jennings, and had tea and spent the evening with Mr. and Mrs. Alexander Grant. The following day, 24 July, he left London and started out for home.

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Apart from enjoying its rich cultural resources, what did Marchant accomplish in Britain?

Collecting the money owed Rhode Island was his most important task, and while his advance preparations, his strategy, and his effort toward accomplishing that objective were good, he could not succeed against unyielding and unreasonable British colonial policy. Disappointed but not discouraged, he moved on to other issues involved in the ongoing struggle with Great Britain.

Although Rhode Island would fail to resolve the claims of the riot victims, and in fact would confiscate the homes of Moffatt and Johnston,<sup>51</sup> the two men, together with Howard, would be compensated by Britain for their loyalty and financial loss. Howard would be appointed chief judge of the Supreme Court of North Carolina, where he would serve until 1778, when he would again be forced to leave the country.<sup>52</sup> Moffatt would be appointed collector of customs in New London.<sup>53</sup> Johnston would be employed by the British during their occupation of Newport, and he would go to New York with the British forces when Newport was evacuated; eventually the British government would grant him a pension, which his widow would continue to collect after his death.<sup>54</sup>

It appears in retrospect that Marchant never had a chance in the *Freebody* case. With the Rhode Island court twice disregarding the order of the king-in-council, the matter had become more than an issue between residents of a colony; it was now an issue between Britain and Rhode Island, and Britain was in control. There may have been truth in Marchant's statement to the Rhode Island court that when the king-in-council decided a matter contrary to law, equity, and justice, the king was no king and the court ought to make its own judgment, but that would not be done without a revolution.

Mostly by design, Marchant met and spent time with an extraordinary number of people in Britain and Scotland. These ranged from his wig maker to Lord North to David Hume and would have included the elder William Pitt and Dr. Samuel Johnson as well, had they been at home when he called. Marchant seldom had breakfast, lunch, tea, or dinner alone. That he was considered good company is evident from the number of friendships he developed in Britain. Answering “some very scandalous Reflections against [his] political Character,” he would emphasize the importance of his British contacts in a June 1773 letter to Samuel Ward: “I would refer my Friends & my Enemies to my past Actions,—I would desire They might know, if They are unacquainted, who I connected myself with when in England, with whom I had the Honor of being allowed upon my Return to correspond.”<sup>55</sup> Marchant both influenced and was influenced by many of those with whom he associated, and to the extent that he added to their sympathetic understanding of the American colonies, the colonies benefited.

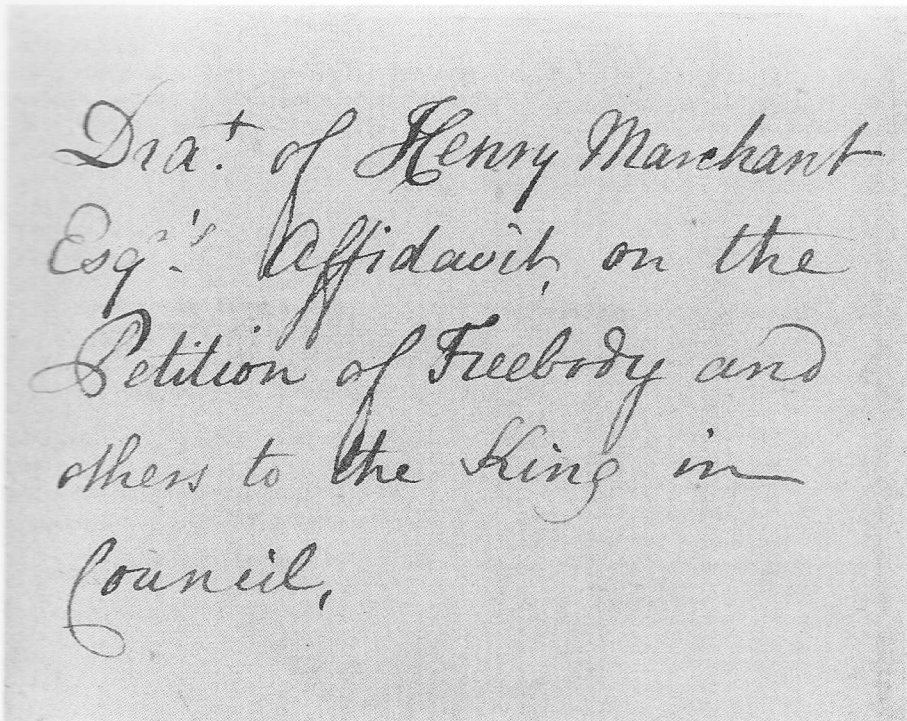


Marchant acquired much significant knowledge of Britain and the British—some impressive, some disheartening—in the course of his trip. He recorded his reactions throughout the journal: amazement at the advanced state of English textile manufacturing; disgust at the evident incompetence of many English judges; foreboding at his realization of the fragility of the English economy. As both a fervent American and a British subject, he was—like many of his contemporaries—strongly ambivalent in his attitude toward England. “It is a pity,” he would write to Francis Dana in January 1773,

that both We and They at home were not better employed and that our Study & Efforts were not exerted to make us all better and happier Men Subjects and Christians. This Crysis of American Independence (if such a Crysis is to take place) is hastened on by every Measure of Administration. They seem to be infatuated and charmed on to Destruction of the greatest and most noble Kingdom upon Earth. Heaven only knows where their Evils will end.<sup>56</sup>

When that crisis did indeed come, Marchant's loyalties were wholeheartedly with the new nation. From 1777 to 1779 he served in the Continental Congress, and from 1784 to 1790 in the Rhode Island General Assembly. After playing a leading role in Rhode Island's ratification of the Constitution, in 1790 he was appointed the state's first federal district court judge by George Washington, and he served in that post until his death in 1796.

*Marchant made this affidavit on 6 July 1772, during his last month in England. RIHS Collection (RHi X3 91.16).*



*Dra<sup>t</sup> of Henry Marchant  
Esq<sup>r</sup>.'s Affidavit, on the  
Petition of Freebody and  
others to the King in  
Council,*

## Notes

1. Sir Leslie Stephen, *English Thought in the Eighteenth Century* (London, 1876), 2:203.
2. N. A. M. Rodger, *The Insatiable Earl* (New York, 1994), 199.
3. Accounts of this incident appear in a number of sources, including David S. Lovejoy, *Rhode Island Politics and the American Revolution, 1760-1776* (Providence, 1958), 101-6.
4. Joseph Sherwood to Governor Ward, 15 May 1766, in Gertrude Selwyn Kimball, ed., *Correspondence of the Colonial Governors of Rhode Island*, 2 vols. (Boston, 1902-3), 2:87. According to Allen Mansfield Thomas, "After the Stamp Act riots, Rhode Island leaders were able to use Howard and Moffatt as pawns in an economic game. The Rhode Island General Assembly condoned the Stamp Acts riots by refusing to reimburse its victims. Specifically, the Assembly dithered over Howard's and Moffatt's claims, countenancing the Stamp Act riots in order to raise money from England [by collecting the Crown Point debt]. . . . [T]he Assembly would only pay Moffatt and Howard when it had extorted enough money from Great Britain to dwarf Moffatt's and Howard's claims." ("Circumstances not Principles": Elite Control of the Newport Stamp Act Riots," *Newport History* 67 (Winter 1996): 140-41).
5. Patrick T. Conley, *Democracy in Decline: Rhode Island's Constitutional Development, 1776-1841* (Providence, 1977), 74, 142.
6. Susan Stanton Brayton, "The Library of an Eighteenth-Century Gentleman of Rhode Island," *New England Quarterly* 8 (1935): 283. According to a 1764 catalog of Newport's Redwood Library, issued when Marchant was its librarian, the library had two four-volume collections of Addison's works. Marcus A. McCorison, ed., *The 1764 Catalogue of the Redwood Library Company at Newport, Rhode Island* (New Haven, Conn., 1965), 59, 76. For Marchant's position as librarian, see *Redwood Library and Athenaeum Annual Report, 1997-1998* (n.p., n.d.), 62.
7. *The Literary Diary of Ezra Stiles*, ed. Franklin B. Dexter (New York, 1901), 1:304.
8. The journal's full title, as it appears on the first page of the manuscript, is "Journell of Voyage from Newport in the Colony of Rhode Island &c to London, Travels thro' Parts of England and Scotland—began July 8th 1771."
9. For good general biographical information on Henry Marchant, see Dumas Malone, ed., *Dictionary of American Biography* (New York, 1961), 271; David S. Lovejoy, "Henry Marchant and the Mistress of the World," *William and Mary Quarterly*, 3rd ser., 12 (1955): 375-77; and *Who Was Who in America: Historical Volume, 1607-1896* (Chicago, 1963), 332. For Marchant's study with Trowbridge, see Henry Marchant to David Jennings, November 1772, Marchant Letter Book, p. 5, Newport Historical Society. For Huxford Marchant's death, see Charles E. Banks, *History of Martha's Vineyard* (Boston, 1911), 3:292.
10. Lovejoy, "Henry Marchant," 378.
11. Wilkins Updike, *Memoirs of the Bar of Rhode-Island* (Boston, 1842), 84.
12. Joseph Henry Smith, *Appeals to the Privy Council from the American Plantations* (New York, 1950), 339.
13. *Ibid.*, 335-40.
14. Abraham Redwood to Trecothick and Aphorpe, 28 June 1771, Letters of Introduction Book, Marchant Papers, Rhode Island Historical Society.
15. Marchant to Rev. Ebenezer Kinnersley, 17 June 1771, Letters of Introduction Book, Marchant Papers.
16. *Ibid.*
17. Barbara W. Tuchman, *The March of Folly* (New York, 1959), 230.
18. *Ibid.*, 164.
19. F. L. Lucas, *The Art of Living* (New York, 1959), 230.
20. *Ibid.*, 232.
21. Except where otherwise indicated, quotations from the journal follow Marchant's spelling, capitalization, and punctuation. Dates of journal entries are supplied in the text.
22. Price would publish *Observations on the Nature of Civil Liberty, the Principles of Government, and the Justice and Policy of the War with America* in 1776. Together with George Washington, he would receive an LL.D. degree from Yale in 1783.
23. Carl Bridenbaugh, *Cities in Revolt* (New York, 1964), 339.
24. Stiles, *Literary Diary*, 1:305.
25. Stephen, *English Thought*, 2:237.
26. Stiles, *Literary Diary*, 1:305.
27. Lucas, *Art of Living*, 55.
28. *British Authors before 1800*, ed. Stanley J. Kunitz and Howard Haycraft (New York, 1952), 438.

29. *Ibid.*, 331.
30. Henry Home, Lord Kames, *Sketches of the History of Man*, 3rd ed. (Dublin, 1779), 441.
31. Lucas, *Art of Living*, 228.
32. *Ibid.*, 224.
33. *Ibid.*, 232.
34. *Ibid.*, 233.
35. Rodger, *Insatiable Earl*, 221.
36. It appears from two extant drafts of the memorial ("Copy of a Memorial drawn by Mr. Joseph Sherwood Jan. 7th 1772" and "Form of Memorial drawn by H. Marchant for Col. of Rhode Island but not presented," Correspondence and Documents, 1772-1784, Marchant Papers) that Marchant and Sherwood disagreed about the substance of the colony's argument and how it should be presented. The memorial drawn by Sherwood was a simple recital of facts, none of them in dispute, starting with the council of war in December 1755 at which the decision was made to attack Crown Point and ending with a report by the paymaster general and the secretary of war in March 1766 that Rhode Island was owed £2,672 18s. *Ibid.* for its expenses relating to the expedition. Nothing was said about the king's demand for satisfaction of the claims of Moffatt, Howard, and Johnston, the efforts of the General Assembly to obtain reliable and specific statements of their losses, and their failure to furnish such statements—all of which matters Marchant discussed in his own memorial draft. A third extant document ("To the Lords of the Treasury, Case of the Co. of Rhode Island," Correspondence and Documents, 1772-1784) indicates that Sherwood's memorial was the one that was filed. Addressed to the lord commissioners of the Treasury, the undated document noted that the previously presented memorial had been "postponed generally," and that while no reason had been given for the postponement, one possible reason that had been suggested was that the colony had not complied with the king's requisition "to make Satisfaction to the Suffering by the Riots committed in the Colony in 1765." The document then replied to that possible complaint with answers that appeared in Marchant's draft memorial but not in Sherwood's. Marchant and Sherwood apparently differed in their views of Moffatt and Howard: Sherwood believed that the two were victims of "Outrageous and Violent Riots" (see his May 1766 letter to Samuel Ward, quoted above), whereas Marchant saw them as slandering the colony in their efforts to secure reimbursement. "I think I somewhat awakened some purer Ideas respecting the Colony's Demand of the Crown & this Vile Abuse they [the colony] have suffered from Misinformation," he wrote in his journal on 27 August after a meeting with Sherwood.
37. Tuchman, *March of Folly*, 168.
38. Lovejoy, *Rhode Island Politics*, 155.
39. *Ibid.*, 154; Tuchman, *March of Folly*, 190.
40. Bridenbaugh, *Cities in Revolt*, 308-9, 335; Carl Bridenbaugh, *Peter Harrison: First American Architect* (Chapel Hill, N.C., 1949), 144.
41. Bridenbaugh, *Cities in Revolt*, 349.
42. John R. Bartlett, ed., *Records of the Colony of Rhode Island and Providence Plantations* (Providence, 1862), 7:222.
43. Letter Book 1772-1791, p. 43, Marchant Papers.
44. Kimball, *Correspondence of the Colonial Governors*, 2:431.
45. Lovejoy, *Rhode Island Politics*, 166.
46. Smith, *Appeals to the Privy Council*, 341.
47. *Ibid.*, 336.
48. "[The] Pantheon in Oxford Street, now demolished, was a nine days' wonder in 1772, when it was opened as a place of entertainment. [Architect James Wyatt's] name was made overnight—Horace Walpole, in one of his bursts of enthusiasm, called it 'the most beautiful building in England.'" Peter Kidson, Peter Murray, and Paul Thompson, *A History of English Architecture*, rev. ed. (Harmondsworth, England, 1979), 247.
49. "In [the] writings [of Price and Priestley] . . . we catch for the first time the true revolutionary tone. The liberal dissenters, whom they both represented, were the backbone of the reforming party in England." Stephen, *English Thought*, 2:252.
50. Catharine Macaulay to Marchant, June 1773, Correspondence and Documents, 1772-1784, Marchant Papers.
51. Lovejoy, *Rhode Island Politics*, 188; Updike, *Memoirs*, 68.
52. Daniel Snodgrass, Jr., "The Remarkable Career of Martin Howard, Esq.," *Newport History* 16 (Winter 1988): 15.
53. Henry Wilder Foote, *John Smibert, Painter* (Cambridge, Mass., 1950), 44; *The Notebook of John Smibert* (Boston, 1969), 11.
54. Updike, *Memoirs*, 68.
55. Letter Book 1773-1785, p. 1, Marchant Papers. Marchant was defending himself in this letter against criticism leveled at him for representing customs collector Charles Dudley in two suits brought against him by a merchant. Allen Mansfield Thomas cites a passage in the letter as showing that Marchant did not believe that the Stamp Act rioters of 1765 were truly "guided . . . by ideals and independent motives," but Thomas's reading of that passage is unconvincing. Thomas, "Circumstances not Principles," 143.
56. Letter Book 1772-1791, p. 43, Marchant Papers.



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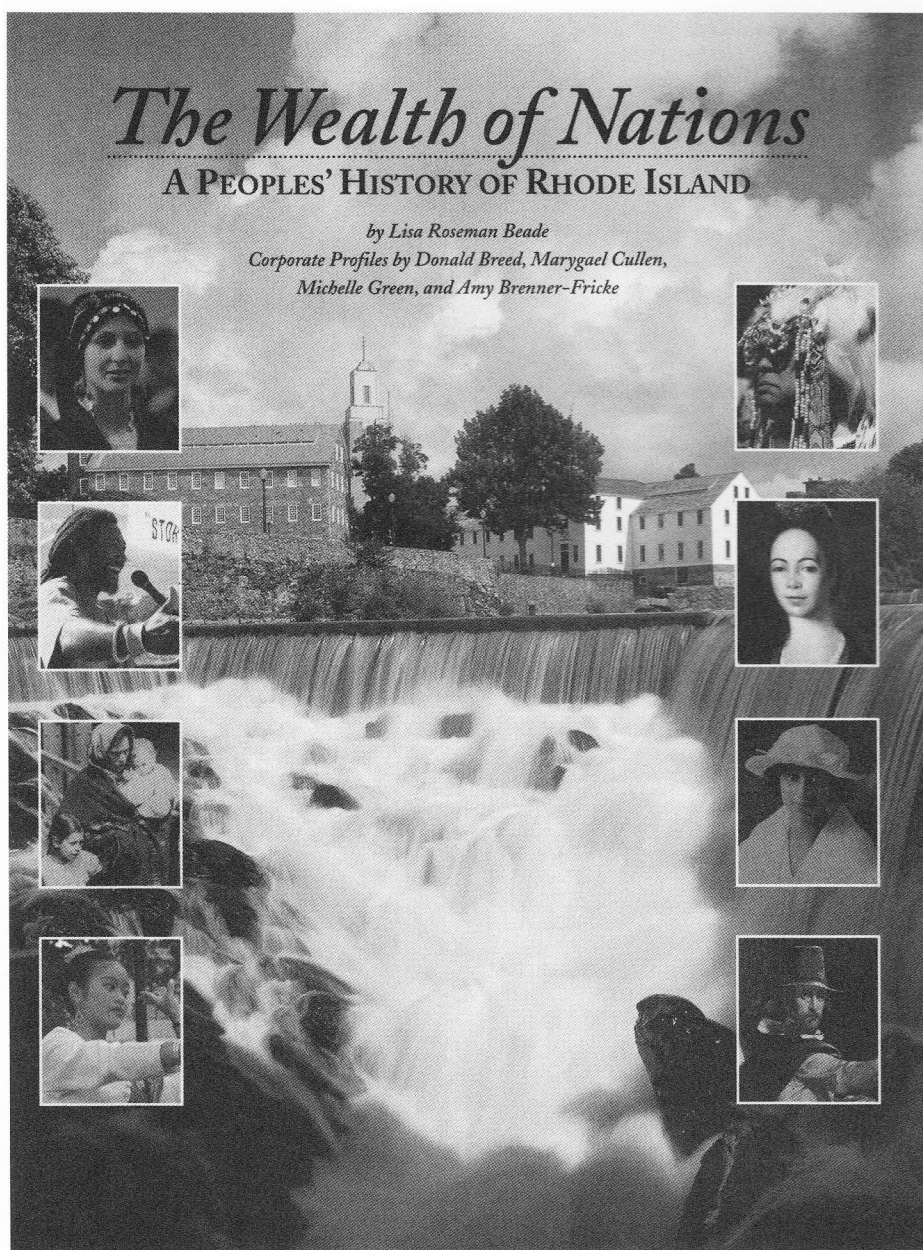
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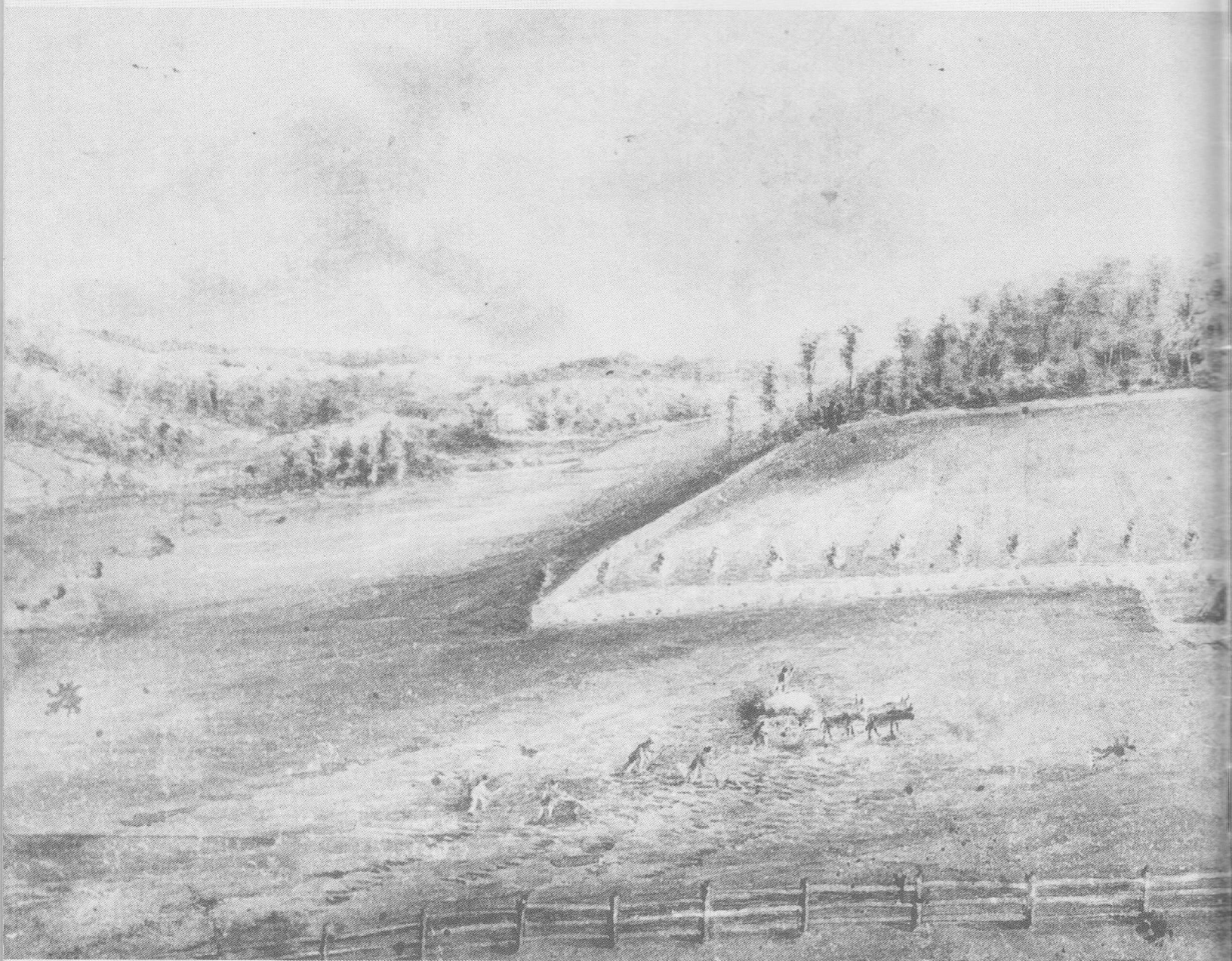
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