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The *New-York Weekly Journal* and a New (If Brief) Anglo-American Consciousness

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ABSTRACT

This article intervenes in a long historiographic tradition of scholarship surrounding the 1735 trial of New York City printer John Peter Zenger, but (unlike most scholarship) it focuses on the larger episode of which the Zenger trial was a part: what I collectively call "The Cosby Affair," named after the imperial governor whose administration in New York caused a populist uprising that threatened the stability of the colony's social and political fabric. For generations, the critical conversation has centered on Zenger's trial, with historians and legal scholars continually debating the trial's causes and effects and its importance in the history of the freedom of the press.

The article's analysis of the Cosby Affair intervenes in those debates by analyzing not just the prosaic essays and letters of Zenger's *New-York Weekly Journal*, which was the mouthpiece of the populist movement, formed in response to Governor Cosby's administration, but a wider array of textual genres and artifacts. In doing so, it connects the poetry of the English Civil War with the politics of 1730s New York, analyzing the *Journal*'s reprinted poetry and other original texts that scholars have typically not considered worthy of critical attention. The article argues that the real importance of the *New-York Weekly Journal* lies not simply in the Zenger trial but in its contribution to the greater public discourse of the mid-1730s New York – the discourse of disgruntled provincialism, of frustrated colonial identities, and of an emerging, if momentarily, provincial American consciousness.

KEYWORDS

Colonial America, newspaper, nationalism

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> Aid me Phoebus, aid me ye sacred nine,
> Exult my Genius, and my Verse refine.
> MORRIS my Theme, MORRIS, my strains shall Grace
> The zealous Patr'ot of his Countries Case
> . . .
> May he succeed in what he's gone to doe,
> And save his Country from Approaching woe,
> Then safe return him, to the Indian Main . . .
> ("On Coll. Morris's going for England," *New-York Weekly Journal [NYWJ]*, 6 January 1735)

These lines, published in the *New-York Weekly Journal* in January 1735, champion Lewis Morris, former New York Supreme Court Justice, as a "patriot" who must travel to England to "save his Country" – not from international enemies but from the "Approaching woe" caused by Britain's own provincial and imperial administration. The poem illustrates tensions between provincial colonists, their local governments, and the imperial government in England, and in it a rift between the Great Britain and its North American colonies becomes especially apparent. Morris's "just cause" is to secure British liberties for the people of New York through the British government in England, but the poem suggests a crisis of identity in which the population of New York recognized itself as significantly disjointed from the center of the British Empire in terms of distance, liberties, and justice. Thus, Morris's country is not the British Empire but instead is North America. This association of North America with Native Americans is not to be overlooked. Native America and Native Americans served as an "immemorial past" upon which early US identity was based, especially through literary representation, and the inclusion of this reference gestures toward an imagined heritage anchored in British colonial North America rather than in London or the British Isles (Anderson 11; Scheckel 8; Colley 134).

At the time of the poem's publication, New York was on the brink of civil war. A movement of popular discontent had been surging forcefully for three years, and its swelling momentum threatened bloodshed, a political revolution, or both. The unfolding events, which this article collectively calls "The Cosby Affair," were significant not just for New Yorkers but for provincial Britons across the Empire. This article argues that the Cosby Affair was instrumental in the development of provincial identity in New York, generating a widespread public discourse about what exactly it means to be British, what it means to have or not have British liberties, and what to make of the increasingly recognizable divide between the colonies and the mother country. This all occurred at a time when perceived differences between mainland Britons and provincial American Britons were already transforming. During the eighteenth

century, it was increasingly sensed that, while "American colonists were the same people as their brethren on the British mainland, . . . they were also very different, set apart by their experiences as emigrants and pioneers in a completely different landscape, not to mention by 3,000 miles of water. For mainland Britons, then, Americans were . . . mysterious and paradoxical people, physically distant but culturally close, engagingly similar yet irritatingly different" (Colley 134). Together, these events and developments of perception reflected "a profound uncertainty" about the "imperial relationship" between provincial Anglo-America and mainland Britain itself (135). And while scholarship has noted that the events were part of a debate over "monarchy's character" and "political culture," this article challenges assertions that the larger Cosby Affair was simply about "the limited places of authority and political patronage.

An essential element of this article's discussion is the newspaper. While colonial newspapers in general and their influence on the public sphere are integral factors in understanding how the Cosby Affair affected provincial identity in the British Empire, this article focuses most specifically on the *New-York Weekly Journal*, a newspaper that emerged in response to the Cosby Affair and indeed shaped its outcomes. First printed in 1733, the *Journal* included letters, opinions, news (both foreign and domestic), ship arrivals, advertisements, and poems. It examines the Cosby Affair from a perspective that has received little serious critical attention over the intervening centuries: literary analyses of the poems and epigraphs of the *New-York Weekly Journal* in conjunction with rhetorical examinations of the paper's less literary genres, such as letters and opinions. It also considers the texts of other contemporaneous newspapers from the British Atlantic.

This approach diverges from most scholarship surrounding the affair. The bulk of recent critical attention has focused on historical and legal analyses, most often concentrating on one well-known, yet relatively small part of the Cosby Affair: the trial of printer John Peter Zenger. While the trial will be important for this discussion as well, it is only one incident in a web of socially, politically, and ideologically important events in New York during the mid-1730s. In fact, in choosing to call this the "Cosby Affair" (after New York's Governor Cosby, who spawned and nourished the nearly five-year era of discontent, and whose death ended it), this article distinguishes its analysis from the bulk of scholarship that terms it the "Zenger Affair," a title that indicates a critical focus on one aspect of a multidimensional historical episode. By taking a more inclusive approach to the history of this period, this article strives for more nuanced conclusions about evolving British provincial identity.

While this study agrees with observations that "colonials on both sides of the dispute were able to invoke the king against their political opponents" and that "[w]riters discussed the tension between liberty and power as part of this debate," it challenges the assertion that the Cosby Affair was centered on competition among elites over

the "limited places of authority and political patronage" (McConville 159–60). While the leading players in the affair were elites who were surely invested in this competition, to frame the Cosby Affair as an episode whose primary concern was a power struggle among elites in a crowded and poorly designed imperial structure would be to ignore the groundswell of popular support that Cosby had from other *non*-elite colonists. Instead, this article posits that the Cosby Affair centered on an emerging consciousness of a North American provincial status grounded in distinctly provincial frustrations.

The Cosby Affair: A Historical Overview

The Cosby Affair began on July 1, 1731, when New York's governor died, leaving Rip Van Dam, a citizen of Dutch heritage, to sit as the colony's acting governor for thirteen months until the new, imperially appointed governor, William Cosby, arrived (Bonomi 108; Finkelman 141). In November 1732, Cosby, who was near financial ruin and acquired his new position through his wife's political connections, called on an obscure law entitling him to demand half of Van Dam's salary. The uncustomary move proved to be an unpopular decision for the beginning governor. Van Dam refused, and in April 1733 Cosby took the issue to the New York Supreme Court, where Chief Justice Lewis Morris dismissed the suit (Katz, *Newcastle's* 65). Cosby's subsequent, retaliatory dismissal of Morris from his position as chief justice propelled New York into a new crisis.

Before moving forward, some historical context on Cosby, Morris, and the political climate leading up these events is necessary. The sixth son in "a gentle Anglo-Irish family" (Katz, *Newcastle's* 32), Cosby found aid in his wife's political connections, had a successful military career, and in 1718 became British governor of Minorca, where he was fined for charges relating to corruption and document falsification. Cosby's unappealing reputation, formed in part by his Minorca dealings, was likely well known to New Yorkers at the time of his arrival in 1732 (Moglen 1504). Cadwallader Colden, a contemporary of Cosby and a later governor of New York, wrote that Cosby had "recv'd [New Yorkers] with all the affected Spanish Gravity" that "he had acquired and practiced at [Minorca], for which reason people began to think that he intended to use the same kind of Government over the English here that he had over the conquer'd Spanyards there" (qtd. in Sheridan 154). Furthermore, popular discourse in New York accused Cosby of using illegal tactics for land gain in the disputed Oblong tract between New York and Connecticut, in which Cosby sided against Morrisite applications to legally secure the land (Katz, "A New York Mission" 440). In many ways, the Oblong case represented Cosby's quest for financial success and a cause of popular distrust of Cosby, whose actions in the Oblong episode stirred fears that "if he succeeded no man's property would be safe" (Bonomi 123).

Cosby's initial lack of popularity was not altogether unusual in the early eighteenth-century British colonies, where colonial governors were often viewed unfavorably by their constituents. In fact, it was a recurring problem that New York governors attained their positions through nepotism and that "the common criterion of selection was 'negative merit,' or the knowledge that a prospective appointee had no demerit severe enough to disqualify him," so that "executive ability was an unanticipated dividend in a colonial governor" (Katz, *Newcastle's* 27, 31). This led to the appointment of governors who were often "inexperienced, ill informed, poorly-motivated, and generally unsuited to hold public office," but who were also bearers of immense, largely unchecked power (31).

The effect of this administrative practice impacted colonists, and even well before the Cosby Affair, such tensions existed in the colonies (see Byrd). Add to this the imperial government's stance of salutary neglect toward the colonies, the lack of any driving goals behind the Duke of Newcastle's administration as the southern and northern secretary, and the board of trade's indifference toward colonial affairs (Katz, *Newcastle's* 10–14), and it becomes clear that there was a significant disconnect between the imperial government in England and the provincial government in the colonies. That disconnect was an important factor in transatlantic relations within the Empire.

New York's economy was struggling in the years leading up to the Cosby Affair. For several years, export prices had been decreasing, trade with New England and the West Indies had been falling, and imports from England had been rising, along with interest rates (Sheridan 155). Shipbuilders, artisans, craftsmen, and shippers were suffering. New York's large Dutch population was bitter about Cosby's treatment of Interim Governor Van Dam, who was Dutch. And landowners in Albany, Long Island, and a tract of disputed land called the "Oblong" between New York and Connecticut, all had gripes with Cosby's manipulative policies and practices surrounding land ownership. In the decades preceding the Cosby years, it was common for colonists to feel frustrated with their governors and administrations, but those frustrations materialized in profoundly new ways in 1730s New York.

Central to this sudden manifestation was Lewis Morris, who acted as an accelerant on the slow-burning flame of New York politics. By the time of the Cosby Affair, Morris had served in the government New York and New Jersey for over thirty years. He was one of the richest men in New York, but his and his family's political popularity had been fading for a decade by the beginning of the 1730s (Katz, *Newcastle's* 73), and the motivations for rejecting Cosby's case against Van Dam may have stemmed from a desire to please the people of New York who opposed Cosby and the colony's history of self-interested abuse of power (Sheridan 149). As acting governor of New

Jersey, Morris also understood that Cosby might demand his salary next, a fear that eventually came to fruition (Katz, *Newcastle's* 73; Bonomi 105).

Finally, given extant scholarship's overwhelmingly favorable view of Morris, it stands as important to point out that Morris himself was indeed a self-interested aristocrat. Eugene Sheridan explains Morris's political view as one in which "only the landed aristocracy possessed the proper blend of wealth, prestige, learning, talent, and public spirit to provide effective political leadership for the people," who could not and should not think for themselves (16). An often-elided detail of the Van Dam trial is Morris's collusion with Van Dam's lawyers before the trial – a serious breach of judicial integrity and law. Yet, as will become evident, Morris skillfully appealed to his fellow colonists' senses of British pride and liberty.

Cosby's 1733 dismissal of Morris was inspired by more than Morris's judgment of Cosby's court case (Bonomi 111). An early indicator of the power wielded by ephemeral print in the colonies, the termination came after Cosby requested a written copy of Morris's opinion on the case, and Morris published and disseminated it in pamphlet form. Following his termination as chief justice, Morris turned his personal contest with Cosby into a public movement. Essential to this article's argument is the prominent *public* investment in Morris's cause. The events that followed reflect the evolving form of the public sphere and public consciousness in 1730s New York. They embody the "confidence" with which eighteenth-century Anglo-American society approached "public opinion," which was seen as "a guardian of liberty, the voice of a sovereign people" (Schmeller 4). However, the same "public opinion" simultaneously produced anxieties (especially for those in power) about a manipulable populace subject to popular "folly" (3).

The main goal of Morris's campaign was Cosby's removal from office, and his personal writings indicate that he also sought wide-scale reform of the structures and procedures of the imperial administration's workings in New York. To accomplish these goals, he and his supporters organized into a "country party" (hereafter referred to as the "opposition"), ran for public offices in hopes of gaining majority control of the New York administration, and petitioned imperial officials in England (Sheridan 153). Morris himself ran against one of Cosby's cronies for a position in the Westchester County Assembly, and the events that unfolded on the day of the election attest to the public support of Morris's resistance to the imperial administration. They also reflect the growing consciousness of provincial inequality and injustice within the context of the British Empire.

Reports indicate that the Westchester sheriff posted papers announcing the date and location of the election without specifying a particular time of day, "which made the Electors on the Side of the late Judge, very suspitious [sic] that . . . Fraud was intended" ("Westchester"). One account (notedly written and published by opposition

supporters) says that fifty men waited at the location of the vote starting at midnight on the day of the election to prevent clandestine votes in the middle of the night. Nothing occurred overnight, but in the morning, the mass of Morris supporters paraded into town: "First rode two Trumpeters and 3 Violines; next 4 of the principle Freeholders, one of which carried a Banner, on one Side of which was affixed in gold Capitals, KING GEORGE, and on the Other, in like golden Capitals LIBERTY & LAW; next followed the Candidate *Lewis Morris* Esq." The account explicates that: "at Sun rising they entred upon the Green of *Eastchester* the Place of Election, follow'd by above 300 Horse of the principal Freeholders of the Country," which it claimed to be the largest turnout for one candidate in Westchester's history ("Westchester"). Exaggerated or not, this account testifies to the popularity of the Morrisite cause and likely added to it.

It also points toward two ideals from which so many New Yorkers felt disenfranchised: liberty and law. The mentioned slogan comes from England's contemporaneous Patriot Coalition, which opposed the Walpolean court party to check the powers of those in office, and the Morrisites and Cosbyites exchanged shouted volleys of the Walpolean and anti-Walpolean slogans (Sheridan 156). Sheridan has explained that, "[j]ust as the Patriots were struggling to preserve the English constitution against the ravages of Walpolean corruption, . . . so also was Morris laboring to protect the rights and liberties of New Yorkers against Cosbyite tyranny" (156). And Katz has pointed out that the opposition "especially imitated Bolingbroke's appeal to 'patriotism' and his faction's evocation of seventeenth-century constitutionalist heroes such as Eliot, Pym, Hampden, and Sydney," also noting that "their appeal was based upon the argument that Cosby, like Walpole, ruled in a corrupt and tyrannical manner which only a return to limited government could prevent" (*Newcastle's* 84). To provincial British New Yorkers, Morris's feud against Cosby represented a symbolic connection to the momentous oppositional party in England. It crystallized the frustrations over their own marginal status in the British Empire and drew attention to the colonial and imperial administrations' disregard for proper legality and justice in the colonies. This pro- and anti-Walpolean rhetoric should also be understood as evidence of New Yorkers' confused desire for a stronger British identity and simultaneous pride and self-consciousness as provincials, concepts revisited later.

The idea of refused liberty arose again on the day of the Westchester election, when thirty-eight Quakers were denied the vote after they refused the sheriff's demand that voters swear on the Bible before voting. This drew the ire of the Morrisites against the sheriff. The public response to the sheriff's actions was framed in terms of liberty, with the same author writing in the *Journal* that "such a Procedure was [contrary] to Law, and a violent Attempt on the Liberties of the People" ("Westchester"). This abuse of religious principles for political purposes was especially

antithetical to values in New York at the time (Moglen 1507). Although Morris may have led the charge against Cosby largely out of self-interest, the rhetoric that surrounded his campaign was laden with the ideology of liberty and provincial consciousness. Morris won the election by a landslide, and soon his oppositional party was entrenched in the New York political system, establishing a majority in the New York City Common Council with only one Cosby supporter remaining in office (Bonomi 121). Yet this was only one of the changes that occurred in post-election New York.

The other major change – perhaps more important than the gains in political power – was the founding of the *New-York Weekly Journal* and its remarkable social power. Morris and some of his leading supporters backed the *Journal*, which was printed by German immigrant John Peter Zenger (Lee 70). Its contributing writers included James Alexander, William Smith, Cadwallader Colden, Lewis Morris, and his son, Lewis Morris Jr. (71), all of whom "wrote pseudonymously to avoid prosecution under the English law of seditious libel and with a flair for satire and invective never before equaled in New York" (Sheridan 157). It was New York's second newspaper, and the first one that was not government-sponsored. The first issue of the *Journal* appeared on November 5, 1733, a week after the Westchester election. For the next three years, it would be the mouthpiece of the oppositional movement, lambasting Cosby and his supporters, discussing ideas of liberty, law, and justice, and sparking penned reactions from other British colonies as far away as Barbados.

The *Journal*'s colorful attacks on Cosby and his administration may have been entertaining to many, but that entertainment also posed an ideological threat to Cosby. The governor responded first by filing an unsuccessful libel suit against the *Journal* and then by ordering the Assembly to publicly burn four purportedly libelous issues, an order that went unfollowed (Bonomi 116). Finally, bypassing the approval of the Assembly, Cosby had Zenger himself arrested for seditious libel on November 17, 1734 (117). The ensuing court proceedings endured until August 1735, when Zenger was declared not guilty by a jury of his peers.

Two days after Zenger's arrest, Morris set sail for England to petition the government for, among others, the removal of Cosby, Morris's own reinstatement, and the restructuring of (and the application of new) guidelines for New York's political administration (Bonomi 123–25). Morris found his ability to enact change in England severely limited. Aside from the financial strain that he endured in England – "Two lawyers wont Stir here to make a motion under ten or fifteen Guineas," he wrote to James Alexander in February 1735 ("Letter," 24 Feb. 1735) – the apathy of Parliament to colonial affairs wore on him: "We have a Parliament & ministry who I am Apt to believe Some of them know that there are Plantations and governors but not quite so well as we do." He continued: "Like the froggs in the fable the mad pranks of a

Plantation Governour is Sport to them tho death to us, and Seem lesse concern'd in our Contests than we are at those between Crows and Kingbirds" ("Letter," 24 Feb. 1735). Put simply, Morris recognized that the imperial government cared very little for colonial issues.

Morris's frustration with the provinces' relegated status and trivialized importance within the Empire is unmistakably clear in his personal writing and letters. His correspondents in New York (most often James Alexander) did not directly articulate Morris's sense of despair in the *Journal*, but the idea that the crown and all its administrative extensions were "unconcern'd at the Sufferings of the People in America" was not lost on the readership of the paper ("Letter," 31 Mar. 1735). This is especially evident in the poetry and other literature in the *Journal*, other provincial newspapers, and Morris's own private collection, all discussed later.

Ultimately, Morris made no significant gains during his year and a half stay in England. He was able to elicit imperial recognition that he should not have been dismissed as chief justice, but no redress was made (Bonomi 128). Only one of his eleven goals was met (Sheridan 175). He left England soon after receiving word of Governor Cosby's death in 1736, returning to the colonies only to find New York in fierce debate and turmoil over who the legitimate successor to Cosby should be. Yet, the Cosby Affair itself was over, and, within two years, Morris would find himself governor of New Jersey (180).

The Literature of the *New-York Weekly Journal*

In addition to employing the rhetoric of liberty in their publications, the Morrisite faction also published original poetry, literary dialogues, and reprints of British and classical poems. While generations of scholars have analyzed the philosophical, legalistic, and argumentative prose of the *Journal*, they have left the newspaper's creative literature virtually unconsidered. The following rhetorical and literary analyses reveal that the Cosby Affair was not simply a landmark event in Anglo-American history of press freedom but a moment of nationalistic existential crisis for New York and other Atlantic British colonies.

The first publicly disseminated text to emerge in response to Cosby's administration was a pamphlet written by Morris and published on April 20, 1733: "Opinion on the New York Supreme Court's Equity Jurisdiction." The pamphlet replied to Cosby's call for Morris's written explanation of his decision in the Van Dam case. Thrusting his argument into the public sphere was a strategic move for Morris, who, at numerous points during his career, had demonstrated an aptitude for mobilizing public support (see Sheridan, chapter 2). The very medium of the pamphlet was important for Morris's aims, since it "represented the material reality of an abstract public" by translating intangible public ideas and sentiments into a physical, readable,

reproducible, shareable, and discussable document (Warner 61). Morris manifested in text the latent frustrations of the public. In turn, the public focused its attention on the pamphlet's content: the corrupt administration of the American colonies. The pamphlet functioned, ultimately, as a common medium for sharing knowledge and creating a sense of connectedness among the many New Yorkers and other provincials who would "never know most of their fellow-[community] members, meet them, or even hear of them," to use Benedict Anderson's words describing an imagined community (6).

Much of the pamphlet itself is dutifully polite and respectful. Even while defending and asserting his legal decision with professional expertise, citing examples of precedence and complicated legal structures and theories, Morris maintains an apologetic tone. The last two paragraphs of the "Opinion," however, demonstrate a shift away from his reserved manner, revealing a more aggressive stance toward Cosby. Morris begins his concluding remarks with "I have no Reason to expect that either this or any Thing else I can say, will be at all gratefull or have any weight with your Excellency, after the Answer I receiv'd to a Message I did my self the Honour to send to you" ("Opinion" 49). Morris suddenly directs the reader's attention to the tactless personal behavior of the governor. He continues: "The Answer Your Excellency was pleased to send" was that the governor "would neither recieve [sic] a Visit or any Message from me: That you could neither rely upon my Integrity nor depend upon my Judgment or Opinion: That you thought me a Person not at all fit to be trusted with any Concernes relating to the King," and "That ever since your Coming to the Government, I had treated You both as to your own Person and as the King's Representative, with Slight, Rudenesse, and Impertinence: That you did not desire to see or heare any farther of or from me" (49). Morris's characterization of Cosby – especially in contrast to Morris's own humility and politeness – paints the governor as an unreasonable and arbitrary ruler.

Morris had an established reputation among the people of New York. He had served as chief justice since 1715, had been involved in regional politics for two additional decades prior to that, and was a respected figure in the public's eye (Sheridan 114). By emphasizing the new governor's contrary opinion and framing it in juxtaposition to his own textual demonstration of honor and humility, Morris succeeded in undermining the authority and judgment of Cosby.

Morris's rhetoric extends beyond the personal, however, when he invokes his public readership itself: "[I]f Judges are to be intimidated so as not to dare to give any Opinion but what is pleasing to a Governour, and agreeable to his private Views, the People of this Province, who are very much concern'd both with Respect to their Lives and Fortunes in the Freedom and Independency of those who are to judge of them,

may possibly not think themselves so secure in either of them as the Laws and his Majesty intends they should be" ("Opinion" 49).

His appeal to the public's sense of moral outrage is potent. Morris accuses Cosby of intimidation for "private" gains, which contradicts the British notions of liberty and justice that were so important to Britons in the colonies. First, fair trials and trials by jury were essential elements of British liberties, especially as "juries provided a constitutional check on executive power," which was "why English people loved juries so deeply" (Moglen 1520). In essence, Morris's rhetoric pitches Cosby's abuses of executive power as tyrannical, triggering an anti-Cosby wave of sentiment that is unsurprising in the context of a colonial ideology that was keenly attentive to the constant battle between power and liberty. Sheridan elaborates on this dichotomy and how Cosby's actions repeatedly jeopardized the balance: "[I]t was this spectacle of power ravishing liberty that Morris and his followers professed to discern in the acts of Governor Cosby . . . Power threatened liberty when Cosby 'unlawfully' set up a court of exchequer to sue Van Dam, 'arbitrarily' dismissed Morris from office, 'wantonly' destroyed the Albany Deed, and 'illegally' approved the summary disfranchisement of Morris's Quaker supporters" (159). Morris makes these ideas clear when he states that the "People of this Province" were invested in protecting the "Freedom and Independency" of themselves and their judges. He reminds them, as well, that, given such circumstances, it was no guarantee that British liberties were "secure" at all in the province (Morris 49).

A final point of intrigue regarding this passage is Morris's specific mention of Cosby's "private views" in direct juxtaposition to the mention of "the People of this Province." The explicit message is clear: Cosby controls the courts through coercion to achieve his own goals. This complex passage, however, taps into another deep-seated value of eighteenth-century British ideology: the privileging of the public good over private interests. It was virtuous for the Briton of the first half of the eighteenth century to selflessly serve the public, and any reversals of this prioritization warranted suspicion (Landsman 155; Katz, "Newcastle's" 1). Thus, Cosby's aim of achieving private goals and the expense of the public good indicates his corrupt virtue and his lack of British values.

It is no wonder that on the same day Morris's "Opinion" was published, Cosby wrote a letter to the Duke of Newcastle requesting Morris's dismissal. The letter is devoted entirely to his personal and professional dissatisfaction with Morris, and he appeals to many of the same ideas that Morris does in the pamphlet: claims of Morris's self-interest over the public good, of flaws of character, and of professional incompetence. Cosby's letter, however, did nothing to rouse public support because it was sent to the Duke of Newcastle alone, who likely was apathetic to Cosby's lengthy rant. It was Morris's *public* strategy that was the key to his success.

The first issue of the *New-York Weekly Journal* on November 5, 1733, introduced a new dimension of public discourse in New York. Previously, the *New York Gazette* was the colony's sole newspaper. It began in 1725 and its owner, William Bradford, was the official government printer of New York (Bonomi 113–14). Thus, much of New York's print discourse had been partial in its perspective on colonial affairs. The *Journal*, however, provided New Yorkers an alternative lens through which to view their provincial situation. More than simply increasing their awareness of the ongoing circumstances, however, the *Journal* indeed *focused* public attention on key issues that had been abstract and nebulous beforehand.

The most immediately recognizable aspect of the *Journal*'s first issue is that the front page is dominated by a poem. While it was not altogether unusual for newspapers in early eighteenth-century British North American to feature poems, it was unusual for a poem to occupy the front page. The poem is called, "On Wisdom," and its author – using the pen name "Philosophia" (likely James Alexander or Lewis Morris) – foregrounds the poem by explaining that wisdom is "the firm Bank that . . . secures us again[st] the impetuous Raging of that turbulent Sea of Passions, which incessantly dash against the Frame of human Nature. It is a Fort impregnable by all Assaults of Vice, Folly, and Misfortunes, and a secure Rock against all the Casualties of Misery" (Philosophia). Aware that the newspaper would be received as a challenge to the Cosby administration, Philosophia assures the reader that the topics and arguments posed in the *Journal* will be logical and unadulterated by passions that eighteenth-century Britons saw as dangerous adversaries of reason. Moreover, Philosophia identifies both wisdom and the *Journal* as an impregnable fort operating in opposition to "assaults of vice, folly, and misfortunes" – in other words, the qualities of Cosby and his supporters.

The poem itself was a reprint, nearly fifty years old at the time of its republication in the *Journal*. The 1687 original was authored by John Cutts (3–6). Cutts, a soldier of English birth, had served under and developed a significant relationship with Prince William of Orange beginning in 1685, and, in 1688, he played a military role in William of Orange's acquisition of the English throne. Cutts also participated in military service against the Turks in Hungary, a struggle contemporaneously understood as "the defence of Christianity against Mohammedanism," and he may have taken part in the failed 1685 invasion of (once-again-Catholic) England under the protestant Duke of Monmouth ("Cutts, John" xvi–xvii). Cutts's later military achievements would include campaigns in Ireland and France, both against Catholic adversaries.

It is significant that the *Journal* published a poem by Cutts in its first issue. For eighteenth-century Britons, the security of British Protestantism was essential for the security of British liberties (Landsman 151–53). Protestantism featured a distinct freedom from enquiry, which Landsman closely links with civic liberty. Meanwhile,

Catholicism epitomized tyranny to Britons – its single ruler wielded power over everyone's private life. Thus, for Philosophia and his readers, Cutts stands as an emblem of anti-tyrannical, and thus anti-Cosby, British virtues.

The rhetoric of Cutts' "On Wisdom" is important as well. Readers of the poem in 1733 New York would have found it meaningful to their own experience, regardless of Cutts's intended meanings in 1687. The poem accomplishes three important tasks for the *Journal*. First, it reinforces the sense of logical ethics that Philosophia first introduces, warning against "the vain pursuit of partial Fame," "pleasure," gain, and "mistaken flattery" and telling the *Journal*'s readers that the newspaper will be guided by the honest, rational pursuit of wisdom and virtue (Philosophia 11–23).

Second, it authorizes a surprisingly democratic individual agency that may supersede that of kings: "Kings will be little Men, compar'd to me; / They, in their own Dominions only Great, / I, Conqu'rour of the World, my Self and Fate" (41–44). By following wisdom and practicing virtue, New York's oppositional party could outrank not only the king himself, but his synecdochic hand in America – Governor Cosby. The power of these lines gives remarkable potential to Morris and his followers who are dissatisfied with the colonial administration, and it bodes ill for Cosby. Further, these lines do not distinguish between class or other typically divisive factors: Everyone has this potential.

Third, "On Wisdom" motivates the provincial New Yorker's engagement with the mission of the oppositional party, urging the virtuous citizen, whether rich or poor, to fulfill his civic responsibility of fighting nobly for justice. The poem explains that, whether "born for Happiness and Ease" or whether "the Weather of my life proves foul," the speaker will choose "virtue" and "Honour" and will not be deterred: "Tho' Storms arise, that make whole Kingdoms rowl, / Yet I must on; and 'spight of all their Force, / I'le steer my Vessel her appointed Course." Finally, "With her firm Beak the Billows she'll divide, / And plow her Passage thro' the foaming Tyde" (lines 47–56). Cutts emphasizes the British obligation to pursue wisdom and virtue. Whatever his station or situation, it is the citizen's civic responsibility to cultivate and protect wisdom and virtue. In the context of 1733 New York, this poem urges each reader to commit to an active role in the pursuit of virtue in the colony's struggle.

"On Wisdom" also takes a pejorative stance toward kings, which is unusual to find in early eighteenth-century publications. This is clear in the characterization of kings as "little Men" who are "in their own Dominions only great," as "King[s] of Terror" who are "Fierce" employers of "violence" (57–58). Thoughts of American independence from English tyranny did not arise until the 1760s, and most American colonists were very proud of their English identity (Landsman 151). Yet, in the context of this poem, there emerges a dichotomy between the individual and the king, between the colony and the mother country. Cutts's original reference may have been toward the

Catholic James II, who held the throne from 1685–1688. Thus, the *Journal*'s inclusion of this poem once again uses the rhetoric of anti-Catholicism and the fear of tyranny to create an association between Cosby's corruption and liberty-threatening tyranny.

The second issue of the *Journal* introduces two new literary aspects. It begins with a brief note written to Zenger signed "CATO" (Cato). Michael Warner explains that *Cato's Letters*, written by Britons John Trenchard and Thomas Gordon, were among "the most popular republican texts in the colonies" (65). *Cato's Letters* were published as a series in two British newspapers, and they were known for their outspokenly critical view on the imperial government and their celebrations of "freedom of the press, which they vigorously defended as intrinsic to liberty itself" (Buranelli 174–75). Andrew Bradford's *American Weekly Mercury* reprinted them as they appeared in the 1720s, and Benjamin Franklin reprinted at least one Cato letter on freedom of the press in his brother's *New-England Courant* (Warner 75–76), but such republications of the *Letters* were typically "matter[s] of the occasion, without permanent direction, intermittent, hit-and-run" (Buranelli 174–75).

The *Journal's* use of *Cato's Letters* was different. Following the note signed by Cato, two entire pages are occupied by the first half of a Cato text about liberty, and a full page and a half of the following issue of the *Journal* was occupied by that text's second half. Cato letters made frequent appearances in Zenger's paper, which focused and defined the paper's (and thus its readership's) energies on the topic of British liberties. Vincent Buranelli's study of James Alexander's papers indicates that it was often he who selected *Cato's Letters* for republication. Among the letters he approved were: "The right and capacity of the people to judge of government," "Of reverence true and false," "Of freedom of speech: that the same is inseparable from public liberty," "Reflections upon libeling," and "Cautions against the natural encroachments of power" (179).

The presence of such essays in the *Journal* points most directly to the vital importance of the liberty of the press for the paper's contributors and readers. But while most critics have conceived of the *Journal*'s struggle for the freedom of the press as an end unto itself, this article envisions it as representative of the numerous tensions, fears, and frustrations that were increasing with each new move of the Cosby administration. As Gordon and Trenchard themselves wrote: "No Nation Antient or Modern ever lost the Liberty of freely Speaking, Writing, or Publishing their Sentiments, but forthwith lost their Liberty in general and became Slaves. LIBEERTY [sic] and SLAVERY! How amiable is one! How odious and abominable the other!" ("Liberty of the Press"). The texts of the *New-York Weekly Journal* suggest that provincial New Yorkers felt that their rights and stations as Britons were under threat. Mark Noonan articulates agreement with Peter A. Davis that such reprinted essays "served to 'define

New York colonists for the first time as a distinct people worth of the same political rights' as their counterparts in England" (Noonan 78–79).

Another significant feature of the *Journal*'s second issue is the quote of Tacitus directly beneath the note to Zenger: "Mira temporum felicitas ubi sentiri que velis, & que sentias dicere licit" ("the wonderful happiness of times, when you may say what you please, and express what you think"; my translation). Tacitus's *Histories* is a chronicle of Roman history during the reign of various emperors, and the lines preceding this one feature important cogitations on republicanism, leadership, tyranny, and civic engagement. Tacitus says that after the battle of Actium, at which Octavian defeated Mark Antony, ending the triumvirate of shared power in the Roman Republic, "it became essential to peace, that all power should be centered in one man . . . ." Tacitus explains that, after this event, "the truthfulness of history was impaired in many ways; at first, through men's ignorance of public affairs," and "then through their passion for flattery, or, on the other hand, their hatred for their masters" (Tacitus, *Histories* 1.1, 18). Mourning the loss of historical truth and the virtuous participation of citizens in civic affairs, Tacitus identifies the consolidation of power in one individual as key in this degeneration of republicanism.

The *Journal*'s quotation from Tacitus presents an intertextuality founded upon the grievances of writer-citizens frustrated with monarchical power's restricting choke on the public sphere. The specific passage appearing in the *Journal* calls attention to the oppressive control of the Cosby administration, to the one-sided view of history propagated by the government-controlled *New York Gazette*, and to the necessity of free speech and press for the sake of protecting the liberties and "happiness" of the general public. Likewise, the closing lines of the Cato letter in the third issue of the *Journal* quotes Book 4, Chapter 30, of Tacitus' *Annals*: "socordiam eorum inridere libet qui praesenti potentia credunt extingui posse etiam sequentis aevi memoriam. nam contra punitis ingeniis gliscit auctoritas, neque aliud externi reges aut qui eadem saevitia usi sunt nisi dedecus sibi atque illis gloriam peperere" ("And so one is all the more inclined to laugh at the stupidity of men who suppose that the despotism of the present can actually efface the remembrances of the next generation. On the contrary, the persecution of genius fosters its influence; foreign tyrants, and all who have imitated their oppression, have merely procured infamy for themselves and glory for their victims"; my translation) (*Annals* 4.35, 129). This passage makes an even stronger claim that Cosby is a dissenter-persecuting tyrant.

The *Journal* frequently features similar epigraphs extracted from the texts of republican figures from the ancient, medieval, early modern, and eighteenth-century worlds: "The tyrant King himself holds the full power of the Republic" ("Tyrannus"; my translation); "A greater inheritance comes to each of us from our rights and laws than from our parents" ("Major"; trans. from *New Dictionary* 267); "The wellbeing of

the people should be the highest law" ("Salus"; my translation); "Happy are they who learn caution from the danger of others" ("Faelix"; my translation); "----'Tis the Shrine we venerate, / And not the Beast that bears it on his Back" (Herbert 10); "The greater the sinner's rank, the more conspicuous the guilt of the sin" ("Omne"; my translation); "With native Freedom brave, / The meanest Briton scorns the highest Slave" ("With native Freedom"; for the lines' original context, see Addison, *The Campaign* 15); "For what but prayer remains?" ("Quid"; my translation; for original context, see Ovid, *Tristia* 1.2.1).

The majority of the *Journal*'s epigraphs and poetry come from the classical world or from English poets of the century preceding the Cosby Affair, and the epigraphs are far too numerous to list inclusively. Most of the Roman and Greek passages are written in Latin, and on at least one occasion, readers had some degree of difficulty translating the lines. An unsigned letter to the editor begins: "Hearing several of your Readers ask the Meaning of some Words in your last Paper, viz. *Timeo Danaos et done ferentes*. I thought proper to send you the *English* of them, as I find it in a later Translation of *Virgil*" ("Finding"; original emphasis). He then provides the translation of the lines and additionally includes the surrounding lines, which come from the *Aeneid*. Reflecting a distrust of a foreign presence within one's own city, the included passage discusses the infamous Trojan horse, the duplicitous gift that leads to the ultimate conquering of Troy. The fear of "conceal'd" lies and secret "inspection" and surveillance aligned with the eighteenth-century provincial Briton's protective attitude toward personal liberties. Likening the British imperial government to the Greeks, it sets up an oppositional framework in which to think about the relationship between the imperial government and the provinces in North America. Furthermore, it suggests (to both colonial and potential British audiences) that the British imperial government's dealings with colonial affairs are ingenuine.

Perhaps the most revealing aspect of this letter to the editor, however, is the author's mention that he "heard" readers discussing the text. Citing high literacy rates and the wide circulation of newspapers, Lawrence Leder has asserted that newspapers provide scholarship an invaluable textual "source for evaluating what the 'average colonist' thought about the issues of the day" (1). This letter demonstrates how the realm of the newspaper extends beyond the textual and into the oral. The oral aspects of the public sphere and of ephemeral literature itself must not be overlooked in consideration of these episodes.

A more prominent classical text appears in the June 21, 1736, issue of the *Journal*. Occupying the entire front page and a portion of the second page, a long extract from the Roman poet Lucan's epic poem *Pharsalia* reinforces the same ideals of liberty and republican virtue. The poem tells of the "Pious, Wise, and Just" Cato who is sent to an oracle to "meet and talk with Jove" and to "Inquire betimes what various Chance

shall come / To impious Caesar, and they native Rome; / Try to avers [sic] at least thy Country's Doom" (Lucan 14–22). In the context of the *Journal* and the Cosby Affair, the poem acquires an allegorical value. At the time of this issue's publication, Lewis Morris was in England to meet and talk with the king and to discuss Cosby. Like the poem that opened this article, this poem suggests that Morris's "Country" is specifically in the North American provinces. The same allegory continues as the speaker declares Cato "His Country's Father" and promises that "If e'er thou break thy lordly Master's Chain, / If Liberty be e'er restor'd again," he would "rank with thy Gods." The emphasis on liberty is again clear when the speaker describes Cato's task of discovering whether "Freedom shall [be] restore[d]" or "if Laws and Right shall be no more." The publication of this poem in the *New-York Weekly Journal* carries as much meaning as the prosaic texts that have been analyzed by scholars for decades, but it has been completely overlooked. It identifies Morris as a hero of republican virtue, comparable to the great Roman Cato. It turns our attention away from the narrow focus on the liberty of the press and affirms the significant role that the "impious" and tyrannical administration had in relation to all "liberty" and "laws and right" of provincial Britons. It is important that Cato's relationship to the imperious Caesar is characterized in terms of a "lordly Master's Chain," reflecting British anxieties about oppression and "slavery."

Morris's trip to England provoked numerous poetic responses. In addition to the extract of *Pharsalia* and the original poem with which this article opens, the *Journal* published another original poem in February 1735. It was reportedly composed in Cape May, New Jersey, by "a rural Muse upon Coll. Morris's Voyage to LONDON" ("No More"). The speaker invokes Jove to make Morris's voyage safe and smooth, describes Morris as "the generous Patriot," and explains that, "Fraught with the Wrongs his bleeding Country bears / To fair Brittania's happy Isle he steers" (13–14). Like the other poems, this poem frames Morris as a republican hero – a patriot of British virtue. It is significant that the speaker specifically identifies "happy Albion's Chalky Cliffs" as the factor that will "all his Thoughts of Liberty renew . . . ." In other words, it is Albion – "fair Britannia's happy Isle" – that inspires "Thoughts of Liberty," a point that supports London-centric notions of the British Empire. The poem celebrates British virtues and expresses provincial pride in the Empire, but it also reflects tensions that many in New York felt regarding their frustrating experience as Britons in North America compared to the perceived experience of Britons living on "Britannia's happy Isle" – at the heart of the Empire and the fount of British liberties. If Morris had to visit Britain to have his "Thoughts of Liberty renew[ed]," the implication is that New Yorkers were not privy to the same liberties as Britons living in, say, London. This poem indicates a conscious consideration of the differences between a provincial, degraded experience of Britishness and an idealized experience of Britishness found

at the center of the Empire. This contrast – emphasized by the events of the Cosby Affair and the poetry of the *New-York Weekly Journal*, like the celebration of the "Indian main" – led to the formation of new, uniquely "New Yorkish" conceptions of self and nation, ephemeral as they may have been.

A poem written by Zenger himself further disrupts the hierarchy of the British Empire. While imprisoned and awaiting trial, Zenger wrote a four-line poem and a letter to his readers, both of which were published on December 20, 1734 ("From my Prison"). It reads: "Oh cruelty unknown before, / To any barbarous savage shore, / Much more when Men so much profess, / Humanity and Godliness." The short piece attests to the perceived hypocrisy of the British Empire. While the British "profess" "humanity and godliness" and liberty, Zenger recognizes – and reminds his readers – that these virtues are corrupted in Britain's provincial New York. In fact, he suggests that there is more virtue to be found in "any barbarous savage shore" that the British would scorn as uncivilized. Thus, Zenger's brief poem reveals what is lost in the overwhelming archive of the *Journal*'s philosophical tracts and letters: that the Cosby Affair provoked questions of belonging and stirred radical conceptions of identity in New Yorkers during the 1730s.

Zenger also printed part of Psalm 59 in the *Journal*, foregrounded by a note from the submitter and post-scripted with a note from Zenger himself ("I Think"). Both notes tell the reader that the Psalm should be considered in the context of a response to an "unheard of Piece of villany" that was "Printed in Bradfords last Gazette." The violence and extreme rhetoric of the Psalm is especially significant here, and while it may be a hyperbolic response to the Cosby administration and its publications in the *Gazette*, it is nonetheless revealing of the radicalized culture of the moment. The Psalm asks God to "Preserve me from a wicked Race, / who make a Trade of Ill," and it identifies that race as "remorseless Men" with "Heathen Rage." They are characterized as "growling Dogs" that "ransack ev'ry Street" in the city. The Cosbyites boastfully question who "dares / reprove our lawless words." While the depiction of the administration and its supporters is extreme, it also demonstrates that the opposition party utilized religious allegory to proclaim its cause just and divinely sanctioned – and to simultaneously proclaim the Cosbyites as unjust, unchristian, and altogether antithetical to British notions of virtue.

The *Journal* used a variety of rhetorical and poetic techniques to criticize the Cosby administration, but this article's concern extends beyond the Cosby administration to the provincial consciousness of an imperial problem spanning the empire. The Cosby Affair was about more than just Cosby, and the emphasis on the freedom of the press was about more than 'just' the freedom of the press. The episode resulted from the confluence of years of colonial economic, social, and political frustrations suddenly crystallizing in the events and texts surrounding Morris and the *New-York*

Weekly Journal. Thus, the Cosby Affair was not a proto-revolution for independence from Britain; rather, it served as a boiling up of frustration and desire to be recognized as *more* British.

One important piece of the *New-York Weekly Journal*'s history is the republication and responses its issues provoked elsewhere. The paper's distribution outside of New York added new voices, new perspectives, and new momentum behind the issues at hand. The Zenger trial and surrounding events were followed closely around the provinces. Alison Olson has pointed out that "'[r]emarks on the trial' were collected first in Barbados, London, and Philadelphia, then 'plentifully dispersed throughout the colonies,' prompting at least a three-way debate in the presses of New York, Philadelphia, and Barbados" (238). This debate has received a small degree of critical attention, and it is not this article's intention to dissect its finer points but rather to consider it from a removed, broader vantage point that allows scholarship to comprehend the significance of a provincial debate about liberty and identity occurring across more than two thousand miles of empire.

The end of Zenger's trial in 1735 did not end the circum-Atlantic interest in the provincial crisis it reflected, and nearly two years later, on July 20, 1737, a writer under the pseudonym "Anglo-Americanus" (Jonathan Blenman) wrote a lengthy response to the trial's verdict in the *Barbados Gazette* (Finkelman 134–35). The piece was soon reprinted in the *New York Gazette* and *American Weekly Mercury* in Philadelphia. The article demonstrates two essential points. First, the trial and its surrounding tensions were important enough for provincial Britons that they were still discussing it in both the mid-Atlantic colonies and the geographically distant Barbados long after the event concluded. The second point is made by Blenman's pseudonym. In a debate about what it means to be British, who counts as British, and who gets to enjoy the full privileges of British liberties, Blenman articulates his staunchly "loyalist" perspective by declaring himself "Anglo-Americanus," i.e., "English-American." Yet, even if the name was intended to affirm his British identity, it effectively undermines that goal by reminding the reader that he is not simply "Anglus"; he is part-English and part-American. Blenman's status in the marginalized fringes of the empire surfaces in his choice of a name.

Blenman's letter asserts his political ideology with force and precision: Zenger was guilty, saved only by a faulty jury. For him, the public haranguing of a government official to one's "neighbors" is not the legal or politically responsible strategy for redress. He insists on utilizing the government system already in place to rectify the situation.

He also states, "in the *Colonies*, that are from their creation subordinate to the Mother-Country, there is no Person who is not controulable by regular and well known Methods of proceeding" (Finkelman 135). That the colonies were subordinate

to Britain since their founding was not news, but in an era when "few Americans doubted that the colonial population and its trade were likely to grow faster than Britain's," the idea of subordination seems less sustainable for colonists than Blenman grants (Landsman 173). The text also inadvertently draws attention to the frustrating concept that different laws and liberties existed for those in the provinces: "I hope the Security which the *British* Constitution affords to every Mans Person, Property, and Reputation, as well as to the publick Tranquility, is not lessen'd by any Distance from the Fountain of Power and Justice." He continues, "but that a *Libel* is a *Libel*, and punishable as such in America as well as in Europe" (Finkelman 134–35; original emphasis). Blenman's mention of concerns like "Distance from the Fountain of Power and Justice," difference in legality in the provinces and Britain proper, and provincial subordination to Britain calls attention to these subjects and opens them up to interrogation. The text's role as a direct participant in a debate enhances the questionability of his claims. The same is true for publications in the *Journal*. But it is the very act of public debate using the medium of the newspaper that led to an increase in public consciousness. So, when Blenman states, "I think it the Bulwark of all other Liberty, and the surest Defence against Tyrany and Oppression" (140), he is not just agreeing with his opponents on the importance of liberty of the press. He is issuing forth an idea for his readers to evaluate for themselves, to talk amongst each other about, and to debate further on their own, whether in the public or private sphere. Superficially, Blenman's article portrays somebody who is proud to be British and who has full confidence in the British system of colonial administration. Yet the very act of his positing such arguments acknowledges the fact that there is, at least, another side to the story. Further, his wording indicates that there may be discrepancies between what it means to be a Briton living in Britain and what it means to be a Briton living in the provinces.

Conclusion

This idea, it seems, is also at the root of the momentum behind the oppositional movement in New York and is evident in Morris's February 24, 1735, letter to James Alexander:

> We have a Parliament and ministry, Some of whom, I am apt to believe, know that there are plantations and governors – but not quite so well as we do; Like the frogs in the fable, the mad pranks of a plantation-Governor is Sport for them, though death for us, and Seem less concerned in our contests than we are at those between Crows and Kingbirds. (qtd. in Katz, "A New York Mission" 451).

Morris's words encapsulate the provincial desire to acquire a more legitimized status within the British Empire, and to enjoy those same "Security" and liberties as all Britons. Close analysis of the Cosby Affair's primary sources demonstrates that the

Cosby Affair was *not* a move for independence, and only in some ways could it serve as a "prefiguration" of the American Revolution. More than anything else, the Cosby Affair was the manifestation of the frustrated liberties of Anglo-Americans and their desire to be more fully British, but in the rhetoric and creative literature of the *New-York Weekly Journal* one finds emerging consciousness of a North American provincial status – and identity – that is uniquely different from the British status and identity at the heart of the Empire. From the Van Dam case and Morris's dismissal, to the publication of the *New-York Weekly Journal* and Zenger's imprisonment, to Morris's expedition in London and the responses of writers (and speakers) such as Blenman in Barbados, the Cosby episode represents a flare-up in the self-consciousness of provincial Britons and an awareness of differences in liberties, status, and identity. Ultimately, Cosby's death mollified the fierceness of provincial grievances. The *Journal* continued to print, and the issues of the Affair remained important (evidenced by Blenman's publication a year and a half after Cosby's death and the subsequent republications of the *Brief Narrative*), but there was not the same exigency that pressed New Yorkers and other provincials to immediate questions of colonial liberties, status, and identity.

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