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BRITAIN'S CONCILIATORY PROPOSAL OF 1778,
A STUDY IN FUTILITY

BY

JOHN TAYLOR SAVAGE, JR.

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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>PREFACE</td>
<td>iv</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>v</td>
</tr>
<tr>
<td>CHAPTER</td>
<td></td>
</tr>
<tr>
<td>I. THE DECEMBER TO FEBRUARY PREPARATIONS</td>
<td></td>
</tr>
<tr>
<td>LEADING TO THE NORTH CONCILIATORY PLAN OF 1778</td>
<td>1</td>
</tr>
<tr>
<td>II. CONCILIATORY PROPOSAL AND COMMISSIONERS:</td>
<td></td>
</tr>
<tr>
<td>FEBRUARY TO APRIL 1778</td>
<td>21</td>
</tr>
<tr>
<td>III. THE RESPONSE IN ENGLAND AND FRANCE, FROM MARCH TO MAY, TO BRITAIN'S CONCILIATORY EFFORTS</td>
<td>52</td>
</tr>
<tr>
<td>IV. AMERICA PREPARES FOR THE RECEPTION OF THE CARLISLE COMMISSION, MARCH TO JUNE 1778</td>
<td>70</td>
</tr>
<tr>
<td>V. THE JUNE NEGOTIATIONS</td>
<td>92</td>
</tr>
<tr>
<td>VI. THE SUMMER NEGOTIATIONS: A DISAPPOINTMENT</td>
<td>115</td>
</tr>
<tr>
<td>VII. PRESENTATION AND REJECTION OF THE OCTOBER MANIFESTO, 1778</td>
<td>138</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
</tr>
<tr>
<td>--------------</td>
<td>------</td>
</tr>
<tr>
<td>CONCLUSION</td>
<td>162</td>
</tr>
<tr>
<td>APPENDIXES</td>
<td>166</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>181</td>
</tr>
</tbody>
</table>
PREFACE

This paper is a study of Britain's most significant conciliatory effort during the American Revolution. The thesis presents a discussion of the North Conciliatory Plan of 1778 and the obstacles which confronted Britain's peace emissaries--the Carlisle Commission--during negotiations in America.

In aiding in the completion of this paper, I am indebted to numerous individuals. The librarians of the Virginia State Library in Richmond were of great assistance in locating primary material within the library. Through use of the Norfolk Public Library's inter-library loan, I was saved much time and expense. I am also indebted to Miss Joanne Smith for typing some of the rough draft. But most of all I thank my parents for their patience during the months of labor on this paper.
INTRODUCTION: PRECEDE NT S AND ALTERNATIVES

The British Carlisle Commission of 1778 was not an innovation. Even prior to the opening of hostilities at Lexington, Lord Chatham had advocated reconciliation.\(^1\) On January 20 and February 1, 1775, he made appeals to Parliament. The first petition demanded the removal of British troops from Boston to demonstrate good faith. Parliament refused this request. His February 1 proposal, among other points, advocated approval of the Continental Congress and no taxation without colonial consent. Parliament, however, was unwilling to lose prestige by bowing to colonial pressure.\(^2\)

The failure of Chatham's propositions did not deter Lord Frederick North, the Lord Treasurer and head of the

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\(^1\) For information on Lord Chatham, infra, pp. 16, 61-63.

Tory ministry, from offering his own plan in 1775. He issued his proposal in hopes of quieting the Chatham led Opposition.\(^3\) Parliament approved North's February 20, 1775 endeavor. Yet the colonies rejected peace since his plan failed to reach the core of the problem. The revolutionaries would not acknowledge any British right of taxation or recognize their maintenance of an army in the colonies. An end to taxation and standing armies were already two of the demands of the colonials.\(^4\)

Once hostilities began, the British ministry waited a year before offering a further conciliatory policy. To act as King George III's special emissaries, the crown appointed Admiral Richard Howe and his brother, General William Howe, in April, 1776. In addition to their conciliatory powers, they took command of the fleet and the army in America. They waved the "olive branch in one hand and the sword in the other."\(^5\)

The Howe Commission of 1776 agreed to treat separately with any town, colony, or individual. A pardon would be

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\(^3\)For information on the Opposition and the Tories, *infra*, pp. 34-39 and 61-62.

\(^4\)Barck and Lefler, *Colonial America*, p. 568.

offered to any person who condemned the rebellion and sanctioned the British cause. But insistence by the Howe brothers that the Loyalists overthrow the American revolutionary leaders stiffened colonial opposition. Furthermore, their June 20 and July 14 conciliatory offers came too late, reaching Congress after it had declared independence. Instead of independence, the Howe Commission also required restoration of former "legal" governments and disbanding of all troops under the "illegal" regimes. Only then would British taxation end.

In mid-1776, the British "hard" line peace offer reflected their command of the military situation. They had not lost a major battle. Complete French intervention had not yet materialized. The vast quantity of materiel was just beginning to reach America. By 1778, however, the English ministry, still under the direction of Lord North, realized the ineffectiveness of its recent military efforts. Thus the Carlisle Commission of 1778 offered more amiable terms to America. The Howe Commission had first required the colonials to yield to certain British demands; in 1778,

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6 Carl Van Doren, Secret History of the American Revolution (New York: Viking Press, 1941), pp. 10-11; Weldon A. Brown, Empire or Independence A Study in the Failure of Reconciliation, 1774-1783 (University, Louisiana: Louisiana State University Press, 1941), pp. 82-83.

7 Barck and Lefler, Colonial America, pp. 600-601.
the offer of conciliation was made without prior stipulations. The war situation had changed completely, and a Franco-American alliance was more and more a possibility. The might of the British Empire had failed to subdue its weaker possession.

The initiation of the British peace effort of 1778, also reflected a change of attitude within the British ministry and political pressures in England. The ministry, led by Lord North, finally realized that a policy of force would not inevitably produce victory. The British seemed willing to lose international pre-eminence by granting almost all colonial demands. If this peace plan failed, then either destruction of America or colonial independence would follow. Each alternative was full of danger for the British economic system. To the ministry, the conciliatory offer was the least costly and the only logical means of ending the war without destroying America or granting independence.

The reason for the 1778 conciliatory effort, however, was not based solely on the Battle of Saratoga, October, 1777. The fear of total French involvement also did much to bring Britain's lethargic ministry out of its stupor. On the surface French and British relations had seemed amiable following the Peace of Paris in 1763. In actuality each was suspicious of the other. The French diplomats and
courtiers eagerly supported any cause which lessened the authority of their nemesis. 8

From the firing of the first shots at Lexington, the French ministry had looked favorably upon the American cause. The work of Pierre Augustin de Beaumarchais, a playwright and intimate in the French court, was noticeable immediately. Throughout the fall and winter of 1775, he attempted to persuade Charles Gravier, the Count de Vergennes, into supporting the sending of materiel to America. French Foreign Minister Vergennes favored the American cause but at first dreaded the possibility of war with England. 9 Beaumarchais was even less successful with Turgot, the Controller General of Finances. In a sound argument Turgot claimed that the French financial system was too weak to allow it to aid America. 10

Finally in December, 1775, Vergennes admitted to Louis XVI his endorsement of the American cause. 11 This acknowl-

8 Claude H. Van Tyne, "French Aid before the Alliance of 1778," The American Historical Review, XXXI, 1 (October, 1925), 29.


11 Perkins, France in the Revolution, pp. 52-54.
edgement led to the shipment of supplies and funds to the colonies in 1776.¹² Among reasons for aid, Vergennes included revenge against England for the humiliating Treaty of Paris. He also believed the commercial assets of an independent America would be numerous.¹³

With the Paris arrival of Benjamin Franklin in December, 1776, talks leading to a military alliance began in earnest. Vergennes again at first failed to respond enthusiastically toward an alliance. In January and March, 1777, colonial "militia diplomats" continued to prod the French ministry into favoring a military-commercial agreement. Vergennes was willing to provide secret aid. If there were assurances that the colonials would remain true to the cause for liberty, even if independence were offered by Britain, then an alliance would be beneficial. The French minister never received such a guarantee.¹⁴

By the summer of 1777, the concentration of French, Spanish, and British naval power in the West Indies further


aided in formulating a change in British policy.\footnote{Van Alstyne, \textit{Empire and Independence}, p. 132.} By July, the French navy seemed to be on equal terms with the British. Vergennes reasoned that if England maintained control of North America she might menace the French West Indies.\footnote{Corwin, \textit{French Policy}, pp. 101-02.} The basis of the French-colonial policy, therefore, was not at first contingent upon an American victory. Weeks before the battle of Saratoga, Vergennes had admitted the need for an alliance.\footnote{Van Alstyne, \textit{Empire and Independence}, p. 133.}

This increasing French interest in the New World balance of power aroused the British ministry from its lethargy. In late October, for the first time, the ministry advocated the interception of French vessels bound for America. Lord Weymouth, Secretary of State for Foreign Affairs, and the British ambassador to France, Lord Stormont, acknowledged also the likelihood of a Franco-American Alliance.\footnote{Van Alstyne, \textit{Empire and Independence}, pp. 133-34; Bemis, \textit{Diplomacy of the American Revolution}, p. 78.}

Word of the British defeat at Saratoga, October 17, 1777, thus generated consternation in France as well as in England. The possibility of Britain's offering America independence now worried Vergennes. Franklin eagerly played
on such fears. Franklin held discussions with British agents which increased the foreign minister's fears. The colonial "militia diplomats" in France realized the dilemma plaguing Vergennes and France. To allow a British and American reunification was to court the destruction of France and her possessions in the West Indies. To unite with America would surely initiate war with England. Vergennes wondered which was the lesser of two evils. Either way France faced a dilemma. Vergennes, however, finally insisted that it was more logical to engage one enemy, England, rather than two, America and England.

With continued accumulation of rumors concerning a Franco-American alliance, Lord North and the ministry became more apprehensive. The solution to Britain's dilemma was, hopefully, a conciliatory effort. Not only did Lord North initiate the proposition in order to quell the Whig Opposition at home but also to thwart the American success at Saratoga. More important, the conciliatory endeavor was a reply to Britain's ancient nemesis, France.

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19 Corwin, French Policy, p. 121; Van Tyne, "Influences," p. 538.
CHAPTER I

THE DECEMBER TO FEBRUARY PREPARATIONS
LEADING TO THE NORTH CONCILIATORY PLAN OF 1778

After nearly three years of fruitless warfare, the chances of conciliation between England and her wayward colonies became realistic. General Burgoyne's defeat at Saratoga in October, 1777, made conciliation an often debated subject. Not only had the colonials gained a resounding military victory, but the possibility of an alliance with France or some other friendly European nation gained momentum as 1777 drew to a close.

The British ministry understood what might occur once America and France became allies. A Franco-American military alliance would compel England to wage war on two fronts. The ability of England to maintain her control of the sea lanes would be put to a severe test. Even if England should be victorious in any forthcoming hostilities, the weakening of her authority on land and sea would provide
openings for other European states to claim a share of British commercial and trading rights throughout the world. An enfeebled Britain would thus be subject to harassment by all those countries which had coveted Britain's dominance of the seas.

The task for the North ministry, therefore, was to discover a means of thwarting a French treaty with the colonies. To counteract any such move by the French, the English government needed a sound and adequate peace plan acceptable to leaders in the American Congress. Perhaps only then would the colonials reject the Gallic inducements in order to return to the security of common language, religion, and ancestry.

In order to achieve this reunion, Lord North's ministry considered changing its objectives. As Chancellor of the Exchequer and First Lord of the Treasury, political disappointments and military disasters had confronted Lord North. Edmund Burke and Charles James Fox irritated North by pointing out to the Lord Treasurer his failings. The Opposition, the group of gentlemen in Parliament who were critical of the North administration and its policies,

raised its voice in anger over the continuous inability of
the government to achieve a full or even partial military
triumph.²

With such objections confronting the ministry in
1777, an immediate change in British policy seemed necessary.
For almost three years English forces engaged a weaker but
persistent opponent. North's adversaries urged some
definite, positive strategy to eradicate the current
situation. Under the joint command of Lord Richard and
General William Howe, British forces were less than success­
ful. Then the significant defeat of Burgoyne climaxed the
decline of British fortunes. With the distinct possibility
of open, French-American cooperation, the North cabinet
seized upon any opportunity to obtain even a partial victory
with the colonies.³

The military situation in December, 1777, therefore,
compelled certain governmental officials, such as Frederick
North and Under-secretary William Eden, to inquire into the
possibility of a peaceful settlement of the current hostil­
ities. Once news arrived of Burgoyne's defeat, William Eden,

² Henry, Lord Brougham, Historical Sketches of Statesmen
who Flourished in the Time of George III (London: Richard
Griffin and Company, 1855), I, 52.

³ J. L. Le B. Hammond, Charles James Fox, A Political
a close friend of North and a person constantly striving for a just and equitable peace, sketched his plan for a peace negotiation. Following the shock of Saratoga, the young under-secretary in the Northern Department presented his proposal for conciliation to Lord North.4

In a December 7 dispatch to Lord North, Eden outlined two major proposals. To be a success, he believed conciliation must include the colonial right to revoke all existing acts of Parliament considered to be a restraint upon the colonies. Secondly, he suggested appointment of commissioners to lay the foundations for America's restoration within the Empire.5 Such persons, according to Eden, should "be nominated by His Majesty under the Great Seal of England" and would "have full powers to meet . . . with such Person or Persons" having authority to expedite matters.6

This plan was the basis of further developments during the forthcoming weeks. Eden acknowledged problems in any peace maneuver and conceded the need of a detailed

4Van Alstyne, *Empire and Independence*, p. 143.


study before the cabinet's formal presentation of any final conciliation proposal.\(^7\)

Meanwhile, preliminary discussions between British and American envoys in France had developed. Burgoyne's defeat led Eden to seek American diplomats' opinions concerning a negotiated settlement with England. Undersecretary Eden sent his agent, Paul Wentworth, a New Hampshire Loyalist, to France on December 6, 1777.\(^8\) At the time of Wentworth's sojourn in Paris, Dr. Edward Bancroft, formerly of Westfield, Massachusetts, was also in the confidence of Benjamin Franklin and Silas Deane.\(^9\)

Along with Wentworth and Bancroft were Thomas Walpole and David Hartley. Walpole, a merchant and banker in England, had strong commercial ties in America. As a follower of the Rockingham Whigs in Parliament, Walpole

\(^{7}\)Van Alstyne, *Empire and Independence*, p. 144.

\(^{8}\)S. F. Bemis, "British Secret Service and the French-American Alliance," *The American Historical Review*, XXIX, 3 (April, 1924), 484-485. To compensate for his time in the British service, Wentworth desired a modest position within English society. He hoped that the rebellion would fail so that his New Hampshire estates would not be confiscated. Van Doren, *Secret History*, p. 60.

\(^{9}\)Bemis, "British Secret Service," p. 489. Edward Bancroft, before the war, was confidential secretary of Silas Deane. He played the role of double agent during the discussions in France while remaining in the pay of the British ministry. Bemis, *Diplomacy of the American Revolution*, pp. 65-66.
expressed to Franklin a firm desire for a conciliation. 10 Unknown to Franklin, however, Walpole believed the key to peace lay in a change in government at home. 11 Franklin received other notes encouraging a peace settlement from David Hartley, a political opponent of Lord North. 12 A member of Parliament, Hartley gained therein additional support for condemnations of the North ministry. 13 Sympathetic to the American situation, Hartley on several occasions expressed hope that a settlement would eventually be forthcoming. Although his correspondence never developed into valuable negotiations, Franklin did hint that if such distinguished and honest men as David Hartley had the powers to discuss a treaty of peace, hostilities might cease. 14

During the time of the Walpole and Hartley corre-

10 Van Alstyne, Empire and Independence, pp. 95 and 116.


12 Even though Hartley adhered to the policies of the Rockingham Whigs, he upheld Chatham's colonial beliefs. Chatham, also a Whig, denounced all advocates of American independence. Van Alstyne, Empire and Independence, p. 63.


spondence with Franklin, Under-secretary Eden's agent, Paul Wentworth, arrived in Paris carrying a letter from Eden expressing the latter's respect for Franklin and the ever present wish for an end to the fighting. To establish favorable conditions for his plan, forwarded to Lord North December 7, Eden needed to know the true sentiments of the Americans in Paris. An end to the conflict was Eden's fervent hope. If Franklin's views were discovered, a conciliation policy, such as the one formulated by Eden, would have a guideline to follow.

Under instructions as Mr. Eden's private commissioner, Wentworth was to obtain information concerning America's relationships with France, Spain, and any other European states interested in the current struggle. If possible, Wentworth was to report especially the thoughts of Arthur Lee, Silas Deane, and Benjamin Franklin with regard to a peace settlement. 15 As a private emissary with no official authority, Mr. Wentworth could only hope to prove to the Americans that England had much more to offer than France. He had to demonstrate to the envoys that England wished to begin legitimate discussions. 16

16Van Alstyne, Empire and Independence, p. 145.
Following an uneventful voyage, Wentworth met with Silas Deane in Paris on December 17. Solely responsible for the proposals conveyed to Deane, Wentworth assured him that peace could be won if the two countries returned to the status of 1763. All laws since 1763 deemed harmful to the colonies would be considered void and would be repealed by Parliament. Deane, however, rejected this proposal and declared that he personally wanted nothing less than an independent America. After this reversal, Wentworth learned of Franklin's similar interest in an independent America. Having no authorized power to alter his offer, Wentworth thus achieved very little. Throughout December, Eden received no valuable information from his emissary. In fact, Wentworth failed to realize any progress during these early stages of discussions.

Meanwhile, Paris rumors that the French government would soon declare itself in favor of complete recognition of American independence and in favor of a treaty of commerce gained credence. Even prior to Wentworth's arrival in France, the Earl of Shelburne, on December 5, inquired in Commons if such transactions between America and France

18 Van Alstyne, Empire and Independence, p. 144.
were not being conducted. No official in the government could truthfully answer such a query. Later with Wentworth in Paris as an observer, the British were still unable to ascertain the course of Franco-American discussions.¹⁹

Neither Wentworth nor Bancroft uncovered Franklin's strategy. Franklin, the shrewd agent that he was, had long delighted in playing one power against the other. To increase indecision and confusion within the French court, Franklin circulated exaggerated accounts concerning America's desire for peace with England. He had earlier hinted that since General William Howe had captured Philadelphia on September 26, 1777, the colonials might be even more willing to relinquish their independent-minded attitude and sue for peace. He believed that in exciting the French with such propaganda they might be more inclined toward serious negotiations for an alliance. On the other hand, Franklin's hints of an imminent alliance with France after Saratoga sought to capitalize on the uncertainty of the British ministry. This scheming tended to lessen the effectiveness of the English emissaries in Paris. During the December talks, Wentworth and Bancroft were never

positive as to the intentions or sincerity of the American commissioners, especially Franklin. Count de Vergennes, the French Foreign Minister, also became wary of the American agents.  

Franklin's shrewd mind enabled him to manipulate Count de Vergennes. Vergennes dreaded the possible effect of Saratoga on the minds of the British ministry. America's victory might generate enthusiasm within England for a peace settlement with the colonies. Once Franklin entered into discussions with Wentworth, Vergennes appealed to Louis XVI's fear of a united British empire. While England and the colonies remained separated, France could seek revenge and would gain benefits from American commerce.  

On December 17, 1777, therefore, as Wentworth met with Deane, Count de Vergennes also promised to commence treaty discussions with the Americans. With no evidence of an independent-minded spirit within the British ministry and with Vergennes' overture, Franklin in late December

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20Barck and Lefler, Colonial America, p. 627; Van Doren, Secret History, p. 61; Van Alstyne, Empire and Independence, p. 132.  
22Bailey, Diplomatic History, p. 32.  
23Bemis, Diplomacy of the American Revolution, p. 60.
worked harder for French assistance in America. Always a realist, however, he was not content to end his manipulations with the English. Peace feelers were welcome, and his Paris activities continued to increase British uncertainties concerning reconciliation.

Once the French had decided to support the colonials completely, Franco-American contacts began in earnest. Thereafter, rumors of an intended alliance became more widespread. Additional evidence of meetings between representatives of the two countries came from George Lupton, an associate of Eden, in Paris. Writing to Eden on December 31, Lupton reiterated the viewpoint that the American envoys had begun to seal the alliance. Never providing the British with vital information, Wentworth, Lupton, and Hartley failed to separate fact from rumor. This did nothing to enhance the prestige of the English ministry. Indecision plagued nearly every facet of King George's government, and irresolution furnished little assistance in the formulation of sound, conciliatory proposals.

Parliament exhibited a similar lack of initiative

25 Stevens, Facsimiles, V, No. 486.
by recessing for six weeks. While rumors continued that a Franco-American agreement was impending Parliament decided to take an extended Christmas holiday. Thus, it appeared that the British Parliament remained unconcerned about the probability of a menacing Gallic treaty with England's former colonies.

Yet a few Englishmen did recognize the need for a complete revision of policy and began to work toward that end. David Hartley, Charles James Fox, Edmund Burke, and William Eden were eager to discuss the means by which a change of current policy might be achieved. North also typified such reasoning and began to adjust his thinking.

Throughout the Christmas recess, Lord Frederick North toiled over a plan which he believed to be a positive alternative to any European endeavors toward a colonial agreement. In devising his proposal, Lord North refused to concede to liberal members of his government. Mr. John Wilkes, a member of Parliament, advocated the revocation of the Declaratory Act of 1766. North condemned this maneuver in a highly sarcastic manner. If Wilkes was

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27Namier and Brooke, History of Parliament, III, 204.
28Wilkes supported neither the Rockingham Whigs nor the North ministry, taking sides according to the issue rather than the faction. Ibid., p. 640.
willing to repeal such an act which had bound the colonies to England, then why not repeal all the laws since 1662—the navigation act, the hat acts, and the post office acts. 29

Unwilling to yield so much, North wished to retain the little remaining English bargaining power and thereby avoid acknowledging to the world her diminishing authority over the American colonies. Fortunately for Lord North, numerous influential individuals proved to be highly favorable toward at least a partial reconciliation, even if they disapproved of North personally or of current governmental policies.

As observed previously, William Eden had demonstrated his aspiration for an equitable settlement by presenting a plan for conciliation on December 7, 1777. 30 Eden's proposals recommended repeal of the Tea Act, the Massachusetts Charter Act, and all acts since 1763, excepting those enacted during the present conflict. 31 This plan for a termination of hostilities received praise not only from North but from an equally prominent individual, the Duke of 

29 Brown, Empire and Independence, p. 173.
30 Supra, p. 11.
Marlborough. In writing to Eden on January 8, 1778, Marlborough maintained that the colonies could hope for nothing more than what Eden had offered. The Duke realized that the colonials would not be willing to adhere to such a policy at that moment because of Saratoga and the Franco-American negotiations. Nevertheless, to Marlborough, it seemed that the opening of any negotiations with the colonies might "produce peace in the end by its operations on the different feelings and minds of the Rebels." 32

Every Parliamentarian did not sympathize with the Duke of Marlborough's qualified faith in Eden's ideas on conciliation. Within Parliament, several political factions offered various suggestions as to how to deal with the colonies and intensified their verbal barrages as the war continued. The Old Whig faction, dominated by Lord Rockingham, Lord Richmond, Edmund Burke, and Charles James Fox, desired to oust the North ministry and to establish a ministry with a liberal colonial policy. The Old Whig group was just one faction of the opposition which opposed the North led Tory administration. Another faction of the opposition led by Lords Chatham and Shelburne, also disliked the thought of endorsing the Old Whig group which desired to acknowledge an independent status for America.

32 Ibid., No. 350.
Such failure of factions in the Opposition to unite enabled the Tories to remain in control of the government. 33

Besides, certain disagreement was apparent among the Whigs. Lord Rockingham advocated an immediate end to the war and warned of the consequences of continued subjugation of the colonies. 34 Charles James Fox was even more outspoken in his pacifism. It would be best, he believed, to grant the colonies their independence rather than to continue the policy of conquest. In fact, he doubted that his country could ever defeat and control the colonials. Thomas Pownall, an advocate of the Stamp Act of 1765, and Henry S. Conway, a Parliamentarian, sided with Fox on the subject of freedom and independence of America. 35 Like Fox, they believed an offensive war against America was impractical. But neither Conway nor Pownall considered themselves members of any faction within Parliament. 36

Yet the opposition also contained a distinguished,

33 Ritcheson, British Politics, pp. 129 and 244-45.


36 Van Alstyne, Empire and Independence, p. 206; Ritcheson, British Politics, p. 127.
well-known figure completely opposed to the sentiments of Fox. William Pitt, like Charles, Lord Mahon, criticized Fox and his followers for their willingness to release this vital segment of the empire. As Chatham's son-in-law, Lord Mahon voiced his dislike of the ministry as well as his disdain for those who supported independence of the colonies. Pitt, an aging but still influential member of Parliament, considered that Britain must retain her colonies even if war ensued with France. Mahon, unlike Pitt, feared the consequences of hostile relations with the French. Mahon wanted peace, but not at the cost of war with France. He favored an America dependent upon the mother country for protection and security. 37

Vigorously seeking constructive ideas for a plan acceptable to all participants, North gained valuable information from two different sources. William Fraser, a colleague of Eden's in the Northern Department, explained that England must remain attentive to any colonial desire to return to the 1763 situation. All colonial laws since then could be either repealed or modified. If this seemed too lenient, he believed only designated acts should be rescinded. Regarding the tax issue, each colony would contribute a portion of the total wealth contained within

its boundaries. This proportion of each colony's wealth would be used to defray some expenses of sustenance and protection by the mother country. The Committee on the State of the Nation initiated a similar plan involving taxation in January, 1778. North's approved conciliation proposition contained material from both sources. 38

While discussions on the rebellious colonies continued throughout England, meetings between American and British envoys occurred in Paris during January. Acting under the instructions of Eden, Wentworth and Bancroft remained unaffected by their lack of success. They stubbornly refused to end their efforts with the American envoys. 39

On January 18, 1778, Dr. Bancroft learned that the French Foreign Minister, Vergennes, had received a rough draft on the proposed Franco-American treaty. In this alliance America would not be required to grant the French government any exclusive privileges. Writing to Wentworth in Paris, Bancroft also mentioned French preparations for war. Unofficial sources reported the sailing of the fleet from Toulon and the movement of troops to the Normandy

38 William Fraser, A Way for Peaceful Settlement with America, January, 1778, and Committee on the State of the Nation, Resolution on Taxation of American Colonies, January, 1778, Stevens Facsimiles, IV, Nos. 344 and 349.

Although never authenticated by the British agents in Paris, this material proved of value in the further development of British policy. The agents' failure to discover the exact destination of Count d'Estaing's fleet proved of extreme importance during the ensuing weeks. 

With relations between England and France becoming more strained with each passing day, Lord Stormont, the British ambassador to the French court, reported to the home ministry in late January that a rupture between the two countries would occur within a matter of days. Lord Stormont's declaration of an impending crisis failed to quicken the home ministry's validation of its representatives' finding on the French fleet or the proposed treaty. In fact, the British never discovered the exact substance of the American-Gallic treaty, signed February 6, 1778, until the middle of March.

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41 The Toulon fleet was to have eventual responsibility of breaking British seapower in the western Atlantic. Van Alstyne, *Empire and Independence*, p. 143.

42 The letter was contained in Stormont's correspondence of January 28 and following. *Ibid.*, pp. 143 and 146.

During this period of uncertainty and indecision with England, American colonial leaders were as much in the dark about the outcome of the French-American treaty discussions as were the British. Much of the news from England was contained in letters to friends in the colonies. One such correspondent dismissed the significance of the Gallic and colonial negotiations by explaining that the English were discussing plans for a settlement with rebellious states. The author of the preceding statement was Mr. George Johnstone, a future member of the Carlisle Commission to America. In his February 5 letter to Robert Morris, a delegate to the Continental Congress from Pennsylvania, Mr. Johnstone claimed that once a peace proposition had been presented to Parliament a reunion of the two countries, in all likelihood, would become a reality. America must do nothing to endanger the prospects of peace. In order to achieve a successful conclusion to the bloodshed, Johnstone realized that America must not join forces with any foreign power but must wait until the mother country presented a formal statement of policy. 4

On February 17, 1778, Mr. Johnstone's observations

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became a reality. After weeks of laboring over the numerous segments of the proposition, North was ready to present it to the Parliament. It was to be received by England and the colonies with a mixture of contempt and praise. After weeks of vacillation, the British government finally achieved a degree of unity due to the Lord Treasurer's proposal for a conciliation. It was an attempt in the right direction, but failure continued to plague the North ministry.
CHAPTER II

CONCILIATORY PROPOSAL

AND COMMISSIONERS: FEBRUARY TO APRIL 1778

After weeks of intensive planning during December, 1777 and January, 1778, Lord North prepared to lay before Parliament a conciliatory proposal which he believed was Britain's most significant bargaining measure. Failing to obtain valuable data within France during the winter of 1777-1778, North had relied primarily upon his own judgement and that of certain members of the ministry in formulating a plan. Yet in order to counteract the French treaty, which was rumored to be in the offing, the Lord Treasurer also had considered it essential to prepare a bill which had prior colonial approval.

Furthermore, Lord North insisted that reliable data from America would expedite discussions with his own critics. A lack of creditable information from America hindered the development of a peace plan, since the only reliable
reports on the conduct of the war came from the Howe brothers. The British had even less success in discovering the true sentiments of colonials on the revolutionary cause. Very little data, therefore, was even available to aid North in evolving a workable conciliatory policy.

Some news from America originated with individuals faithful to Britain. They related that a majority of the colonials favored the British cause. One such writer, George Collier of Halifax, Nova Scotia, maintained that large numbers of New Englanders condemned the southern colonies for their support of the war and were ready to aid England by all the means at their disposal.¹

Not only was there a lack of knowledge of American sentiment, but because of inefficiency within the ministry, the English never obtained much information from their agents in France. The failure of the government to grant Paul Wentworth, George Bancroft, and David Hartley authority and, in turn, the lack of significant data gained by them did nothing to assist Mr. North in his endeavor. Even awareness of French and colonial discussions involving a probable alliance did not prompt England to terminate its lethargic attitudes on the colonial war and

¹Van Alstyne, Empire and Independence, p. 147.

King George III realized that a signed agreement between America and France was inevitable and admonished North for his delay in providing the Commons with a peace plan. The Lord Treasurer, however, had his reasons for delaying the issue. North continued to be unwilling to present his proposal to Parliament until he discovered the feelings of certain key individuals within England. George Germain, Secretary for Colonial Affairs, had to be persuaded in order to increase support for the bill within Commons. Germain believed repeal of the Declaratory Act would best induce the colonies to return to the fold. Failure to repeal the Declaratory Act—that act which "galled" the colonials most—would make any reconciliation effort ineffective. Germain, Lord Sackville, likewise presumed that a repeal of all previous restraining acts would either hurry France into a treaty with the Americans or make the colonials less inclined toward negotiations

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2 King George to North, February 9, 1778, W. Bodham Donne (ed.), The Correspondence of King George the Third with Lord North (London: John Murray, Albermarle Street, 1867), II, No. 450.

3 The Declaratory Act of 1768 claimed Parliament's right to legislate to the colonies on all matters. Barck and Lefler, Colonial America, p. 528; King George to Lord North, n.d., Fortescue, Correspondence of George III, IV, No. 2188.
with the French. 4 This was a situation upon which England
could not gamble. Sackville expressed resentment because
no one in the ministry conferred with him during the
earlier stages of the proposal's development. He accepted
the final measure only because of political expediency. 5

Statements made by George Grenville in Commons
expressed a further lack of enthusiasm for a revocation of
the repressive acts. 6 Grenville claimed that loss of
prestige would be the outcome of relinquishing the right
of taxation, of yielding to America's continued pretensions
of her charters, and of declaring America to be free.
Grenville, like Chatham, refused to adhere to a policy
which advocated independence for the American people.
If there were to be any discussions with the colonists,
Grenville maintained in a statement of February 11, 1778,
Chatham was the proper person to treat with the colonial
leaders. 7

Lack of enthusiasm for his conciliatory plan,


6Grenville traditionally voted independently. He
did not approve all steps that the North ministry had taken
and urged the British to recover its sovereignty over
America. Ibid., II, 544-45.

7Bancroft, History of United States, V, 246-47 and 261.
however, did not dissuade Lord North. By February 11, 1778, with more than eight weeks of discussions and planning behind him, Lord North had his measure for conciliation ready for Parliament. Presenting it to the House of Commons on February 17, 1778, North conceded in a two hour speech that England had three alternatives. A continuation of the bloody struggle to retain the colonies was one possibility. Under the second choice, the British government could withdraw all military and naval forces from America and acknowledge the latter's independent status. Support for this alternative came later from Charles James Fox and William Burke, but only a few of the Opposition adhered to such a course of action. The third policy hinged upon Parliament's acceptance of a peace plan and appointment of a peace commission. This final alternative—the only solution to an intolerable dilemma—was Lord North's choice. He maintained "that it is better to offer a concession to the colonies now, which may end the contest within the year, than to continue the war for

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three or four years longer." 9

Following these introductory remarks, Lord North brought to the floor of Commons the bill eventually known as the North Conciliatory Plan of 1778. Parliament acknowledged William Eden and Solicitor-General Alexander Wedderburn, along with Lord North, as the creators of the bill. 10 The first section of the plan included a draft of a bill to enable England to appoint commissioners to deal with all disorders remaining in the colonies. The final portion of the proposal pertained to the right of taxation by the British. It stated in part "that the King

9 Frederick North, The Speeches of the Right Hon. Lord North, in the British House of Commons, on Tuesday the 17th of February, 1778, with draughts of two bills, pacific and conciliatory, moved for by his lordship, and ordered to be brought in. To which are annexed, a copy of the same noble lord's conciliatory propositions of the 20th of February, 1775, and an extract from the celebrated Mr. Burke's prophetic oration in March, 1775 (Baltimore: M. K. Goddard, 1778), Charles Evans, American Bibliography; A Chronological Dictionary of All Books, Pamphlets, and Periodical Publications Printed the United States of America from the Genesis of Printing in 1639 Down to and Including the Year 1820 (Chicago: Private printing for the author 1903-1959), 15942, 1 and 4. Hereafter cited as Evans Bibliography. Spelling and punctuation changes have been made in the original sources for clarity. Only in Appendix A has the spelling not been altered.

and Parliament of Great Britain would not impose any duty, Tax, or assessment, for the Purpose of raising a Revenue within the colonies. Included within this final section was a request for the rescinding of the Massachusetts Government Act of 1774.11

After this initial presentation, North commenced a detailed discussion of the proposal. He explained that the only revenue from the colonies, under his plan, would be from regulation of commerce between America and England. The funds from this source were then to be returned to the colonies for use by the people to pay internal expenses. North confided to the gathering that the Americans in return for such a magnanimous offer, would put aside all thoughts of independence. With no further fear of taxation, valid American arguments for independence, he believed, would no longer exist. The colonials would have no reason to continue the struggle.12

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11 Timothy Pitkin, *A Political and Civil History of the United States of America, from the Year 1763 to the Close of the Administration of President Washington, in March, 1797: Including a Summary View of the Political and Civil State of the North American Colonies, Prior to that Period* (New Haven, Connecticut: Hezekiah Howe and Durrie and Peck, 1828), II, 38; Draft of the Bill to enable His Majesty to appoint Commissioners, February, 1778 and Bill for Declaring Intentions of Great Britain concerning the Right of Taxation over the American Colonies, February, 1778, Stevens, *Facsimiles*, IV, Nos. 359 and 360.

12 North, *Speech*, February 17, 1778, Evans *Bibliography*, 15942, 6 and 8.
Besides convincing Parliament of the merits of his plan, North acknowledged the problem of persuading Americans to accept such a policy. To reassure the colonial leaders that England's plan for an equitable settlement was no hoax would be a formidable task. The burden of persuasion, therefore, would rest upon the shoulders of the aforementioned commission. Under Lord North's proposal the commissioners were to utilize their authority to the fullest. 13

Limitations, however, were placed upon the commissioners' authority. Because of the significance of certain negotiations, matters involving independence and the removal of armed forces were to be forwarded to Parliament. In discussions on lesser topics--taxation, payment of the war debt, and the Loyalist problem--the commissioners were granted complete authority. North, however, insisted on the point that the British envoys bargain only with those Americans who held prominent positions in the government. 14 In other words, the envoys were not to "make any public appeal to the inhabitants of America at large" until they were satisfied that Congress

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13 North, Speech, February 17, 1778, Evans Bibliography, 15942, 5.

14 Ibid., 5 and 6.
and "the Commander-in-Chief of the American forces" refused to proceed into treaty negotiations.¹⁵

Within the framework of the conciliatory proposal, there was a hint of possible failure along normal diplomatic channels. To mention the possibility of an appeal to the people demonstrated lack of faith by the ministry. Such an appeal to the colonials, furthermore, admitted the ministry's recognition of the importance of public opinion in helping to shape American policy. A declaration to the inhabitants would, hopefully, put pressure on Congress and increase support for a reconciliation. But, first, quiet and direct diplomacy must be used.

The authority granted to the commissioners was quite adequate. In keeping with points made in the bill before Parliament, the British emissaries could grant pardons to all who opposed the British and could act as intermediaries for any future conferences.¹⁶ Possessing authority to propose a cessation of all hostilities, the English commission hoped to gain the respect of the

¹⁵North's bills, February, 1778, Stevens, Facsimiles, IV, No. 440.

American leaders. If a treaty occurred following a respite in the conflict, it might even affect only a small section of America. If either one or several of the colonies accepted an end to hostilities and supported England, then such colonies would receive commercial benefits and protection within the Empire. The official recognition of such colonies was left to the discretion of the British envoys. 17

During Parliamentary discussion, Lord North insisted that the culmination of all hostilities with America was the first point to be sought by the emissaries. The French threat had instilled in North the desire for a rapid termination of the war. But to enhance the return to normalcy, North advocated that the colonies pay their revolutionary war debt to England. Colonial agreement to pay the war costs, Lord North believed would assure an end to hostilities. His appeal was designed to attract English political backing. His continued insistence that the Americans pay their debts gained support for his proposal from those members of Parliament who believed the British government had already yielded too much to the colonists. North offered several plans for payment of

17North, Speech, February 17, 1778, Evans Bibliography, 15942, 12-14.
colonial war debts. Each state might discharge its obligation by means of lotteries. A more practical idea involved erection of a public treasury in America. North explained that such a treasury might be more acceptable to both sides. The treasury would receive its funds from an assessment of each colony, with each state or colony being allowed to obtain the revenue by its own methods.¹⁸

Lord North's proposal clearly yielded to more colonial demands than any previous offers. An end to taxation was promised. The commissioners could suspend all acts of Parliament since 1763 which affected the colonists. The British envoys could grant pardons and restore colonial charters. The proposal, however, strayed from its placating attitude on two points. It demanded that the colonials pay the total revolutionary war debt. In this instance, the ministry's plan reverted to the pre-revolutionary policy that America was subject to every British whim. Furthermore, although the proposal's conciliatory points were numerous, they lacked what the colonials wanted most—an independent status.

These then were the main points of the proposal which North submitted to Commons on February 17. During

¹⁸North, Speech, February 17, 1778, Evans Bibliography, 15942, 12 and 16.
its subsequent debates, Commons weighed each segment separately and then considered the parts within the framework of the complete plan. All North could do was prod some of the members and speculate as to the final decision. His ministry was in a quandry, and he needed all available assistance to prevent its collapse. To increase support for his ministry, North clearly realized the necessity of a successful mission to America. He thus continued to avoid discussions harmful to the ministry, knowing that leading adversaries were always eager to expose his faults. 19

Other political adversaries struck immediately. Horace Walpole, for example, castigated the Lord Treasurer in his journal for bringing disgrace upon the ministry. The British nation, he wrote, now must "stoop to beg peace of America at any rate." 20 In a letter to Sir Horace Mann, a British resident at the Court of Florence, Walpole


expressed an even more definite viewpoint. The proposal, Walpole believed, solicited peace with the Americans without even making an attempt at a discussion of terms. Lord North's stand seemed to acknowledge Congress as a legitimate governing body and to concede the impossibility of an English conquest. Walpole concluded his denunciation by maintaining that the disastrous bill condemned taxation while allowing for the virtual freedom of the colonies.21

Unlike Walpole, William Fraser, a colleague of William Eden in the Northern Department, was less vehement in his judgment of the plan. He did not let the hope of peace blind his judgment when discussing his own viewpoints. He advocated that England return to its 1763 policy and not attempt to coerce its colonies. Yet he still remained pessimistic about the outcome of future discussions, warning the administration to expect American, pro-independence forces to oppose every suggestion which the commissioners offered. Patience, he believed, would best indicate the English desire for reconciliation.22


22Van Alstyne, Empire and Independence, p. 150.
During late February, the discussions became even more heated. Some members of Commons held that Lord North was guilty of being too lenient with those responsible for so much grief and suffering. The rumor spread that the Lord Treasurer might even be willing to listen to the advocates of independence. The Tory, Horace Walpole, claimed that North had completely submitted to the Opposition with the presentation of the conciliatory effort. 23

Some members of Commons also speculated upon the loss of constitutional principles under which England had traditionally prospered. 24 The Opposition, under the leadership of Charles James Fox, believed it harmful to condemn the pacification measure since the group, itself, had for many months recommended such a maneuver. 25 Likewise, Tories in Commons were at first reluctant to accept the conciliatory plan since it included too much of the Opposition's beliefs. Some Tories believed that this reversal in policy by the North ministry amounted to a gross deception by their own minister. 26 Yet a Tory

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23 Horace Walpole to Sir Horace Mann, February 18, 1778, Letters of Walpole, III, No. 279.
24 Trevelyan, American Revolution, IV, 357.
25 Commager and Morris, Spirit of 'Seventy-Six, II, 692.
refusal of the proposal would obviously allow the Opposition to gain favor at court. In an effort to offset this possibility, therefore, the Tories prepared eventually to support the conciliatory measure. 27

The Opposition was indeed eager to grasp the leadership role within Commons while the Tory group remained in a daze. Charles James Fox, for instance, sought as much of an advantage for the Rockinghamites, a group within the Opposition, as the situation allowed. He had learned from Thomas and Horace Walpole on February 17, 1778, of the signing of a French-American treaty. In a maneuver that stunned the members, Fox inquired of Lord North in Parliament on the same day whether the administration knew of such an agreement within the last ten days. The Lord Treasurer arose and replied that he had heard of such a treaty but that he preferred not to give any definite answer at that moment. This evasive response confirmed for many in Parliament the existence of the treaty. 28

Lord North's response was unqualified testimony of the failure of his ministry. The inability of the ministry to obtain creditable information on the signing

27 Russell, Memorials and Correspondence of Fox, I, 173.
28 Commager and Morris, Spirit of 'Seventy-Six, II, 693.
of the Franco-American alliance, which had occurred on February 6, 1778, exposed the ministry’s lethargic attitude. The prestige and authority of North and those associated with him declined to an even lower level than at any previous time during his tenure.29

The ministry's apparent setback, however, did not force an abandonment of the plan by Parliament. Now that it was evident that the Americans and the French were in complete agreement, the reconciliation measure actually became more acceptable. But one significant issue remained in Commons--discussion on the Massachusetts Government Act of 1774. This act had originally been adopted to increase the authority of the Massachusetts governor. Under the act he could appoint and remove judges and other administrative officials without approval of the Massachusetts Council and could dismiss all town meetings, except for election of local officials. In Commons Mr. Thomas Powys asked for the act's repeal believing such a move would increase American support for reconciliation. Instead, the Massachusetts Government Act legislation was put aside and passed as a separate bill.30


30As the war progressed, Mr. Powys became hostile toward Lord North. The failure of the North ministry to achieve any degree of success enabled Powys to support the Rockingham Whigs. Namier and Brooke, *History of Parliament*, III, 320; Barck and Lefler, *Colonial America*, p. 554.
With only this change, the conciliatory plan proceeded to the Lords for approval after Commons had ratified it without dissent on March 5. In the House of Lords the main condemnations originated with Lord Hillsborough and Chatham's brother-in-law, Lord Temple. These gentlemen believed in Chatham's policies and deemed it an honor to uphold them. Lord Chatham and friends demanded a repeal of all acts of Parliament since 1763 involving the American colonies. With a legitimate cease fire, the army was to return to the mother country. Chatham agreed to consult with the colonists on every issue but one. As an empire builder, William Pitt, castigated a colony's wish for self-government.

Like Chatham and his disciples, Lord Shelburne advocated a change in the British ministry as necessary before acceptance of a conciliatory plan by the colonies. His main objective was to force the resignation of the North ministry and to establish a regime without the stigma of failure upon it. Shelburne ridiculed Lords Richmond and Rockingham for favoring an independent America as the only means to end the hostilities. But

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31 Letters of Walpole, III, No. 280.
33 Van Alstyne, Empire and Independence, p. 142.
34 Van Alstyne, Empire and Independence, pp. 149-50.
his oratory was for naught, and due to the illness of Pitt, much Opposition initiative dissolved. Thus inadvertently aided, the Duke of Richmond and Lord Rockingham succeeded in prodding the bill through the House of Lords.\footnote{Mahon, \textit{History of England}, VI, 217-18.}

Passing in Parliament with relative ease, North's conciliatory plan received a large majority of supporters in Parliament, a fact which testified to the general wish for an end to the war.\footnote{Bancroft, \textit{History of United States}, V, 248.}

Necessity was the reason North's measure passed in both houses of Parliament. These gentlemen believed that something had to be done immediately. Even if the commission failed, as many feared, it was better to try this than to do nothing. The use of armed force had settled nothing. Compromise and conciliation had to be given their chance. Failing to unite discontented members of Parliament, the Opposition had little chance of defeating the bill. Instead, the Opposition allowed the measure to achieve a successful journey through the legislature and turned its wrath upon Lord Frederick North.\footnote{Brown, \textit{Empire or Independence}, pp. 219 and 221.}

Even as the proposal awaited the Seal of George III,
Horace Walpole continued his criticism. He reiterated that passage of this plan placed America on an equal footing with the mother country. This act provided full justice to the colonials while exposing the faults of the administration. In a final statement Walpole summed up the sentiments of many of his supporters. An immediate dread of a French war and the impossibility of raising revenue to maintain the British forces in the colonies had led the court to support such a submissive project. 38

This barrage of sceptical and critical accusations did not deter the dispatching of the bills to the colonies on February 20, 1778. While the British prepared the Andromeda for its voyage to the colonies with the conciliatory measure, the French vessel, Sensible, received provisions for its trip to America at Toulon. Officials in each country anxiously anticipated news of the arrival of its vessel. Since each ship carried the offerings of its respective government, early arrival of the Andromeda in New York might perhaps enhance the success of peace negotiations. 39 Not until March 11, 1778—nineteen days


39 Van Doren, Secret History, pp. 65 and 87.
after the Andromeda sailed—did George III sign the conciliatory bill into law. 40

Once the peace offer was on the high seas, only one final detail remained. The last section of North's measure provided for the appointment of a diplomatic commission to discuss the plan for peace with the colonials. Since individuals chosen would have the extremely complicated and arduous task of obtaining a just settlement for both parties, selection of men gifted in diplomacy was desirable but difficult.

Before the Andromeda left England, the ministry had chosen two persons to serve on the commission. Appointment of the Commander-in-Chief of the British armed forces, Sir William Howe, and his brother, British fleet commander, Lord Richard Howe, gave the ministry two members in America at the outset. Under orders of the ministry, the Howe brothers prepared for arrival of other commission members by arranging for the distribution of Lord North's plan within the colonies. Having been in the colonies for two years, Lord North hoped the brothers would supply the remaining commissioners with useful information on colonial attitudes. Lord Cavendish believed the brothers to be

honest, intelligent, and competent commanders. Yet, he doubted that their personal feelings would enable them to finish "the business" in the colonies. Having failed to defeat the colonials, the Howe Brothers had grown despondent and weary of war. Both regretted having to wage war in America, and both condemned the colonial policies of George III. Sir William Howe preferred peace by negotiation rather than by armed force. A joint mission of war and conciliation was nothing new to the Howe brothers. Two years before, in 1776, the brothers had tried prosecuting the war and negotiating a peace at the same time.

Circumstances, however, necessitated early resignation of the Howe brothers from the commission. They had served in America for almost two years and desired to return home. Failing to achieve a culmination of hostilities as yet,
their experiences confirmed to them that the American people would again ridicule any attempted settlement by the British. With a Franco-American agreement at hand, a conciliatory effort now seemed even more absurd to them. Writing to North on February 18, 1778, Lady Howe, wife of Admiral Richard Howe, claimed that the new peace mission would eradicate the achievements of the Howes and further humiliate the British leaders.45

Unknown to Lady Howe, the ministry had accepted General William Howe's resignation on February 4, 1778, The ministry also expected Lord Richard Howe to return home with his brother. In a February 4 dispatch to General Howe, George Germain ordered Sir Henry Clinton to succeed General Howe as Commander-in-Chief. Due to William Howe's resignation, Clinton was to serve on the British commission to America.46

The ministry appointed General Clinton as Commander-in-Chief for several reasons. Having resided in the colonies since 1775, Clinton could provide the remaining commissioners with information on important colonials.


46The King to Lord North, February 18, 1778, Fortescue, Correspondence of George III, IV, No. 2195; Willcox, Portrait of a General, pp. 208 and 222.
His dislike of ruthless tactics, moreover, made him more acceptable to the Americans. He supported the purpose of the conciliatory mission and advocated an end to the conflict. To the ministry Clinton seemed the only general in the colonies with an untainted reputation. Sir Guy Carleton was still remembered by the ministry for the failure of his New York invasion of 1776. General John Burgoyne, moreover, was still being held by the colonials. Clinton's only other immediate opposition was General Charles Cornwallis on leave in England at the time. Since Cornwallis had been out maneuvered by Washington at Trenton January 3, 1777, the ministry was unwilling to grant Cornwallis full command. 47

With arrival of the ministry's dispatch of February 4, Clinton assumed command on April 24, 1778. On May 8, he arrived in Philadelphia and took direct charge of the British army. On May 25, 1778, Sir William Howe sailed for England, leaving his brother who had decided to remain in the colonies until September. Unwilling to negotiate with Congress, however, Lord Richard Howe proved of little

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assistance during the conciliatory negotiations. In March, he received his replacement, Admiral James Gambier. Unable to command effectively at home, Gambier had been sent to America to become fleet commander and port admiral of New York.\footnote{Barrow, Life of Richard, Earl Howe, pp. 102-03 and 116; Willcox, Portrait of a General, p. 229.}

Even before the remaining commissioners had left England, the resigning of the Howes verified the suspicions of some American leaders. The English high command had become disheartened at the possibility of failure of conciliatory talks. The loss of the brothers' support lessened the bargaining power of the envoys from England, for they knew, as well as any Britisher, the sentiments of the colonials.

In selecting the remaining personnel, William Eden believed that emissaries should possess certain qualifications. All should be members of Parliament. The commission should include a lawyer, a member of the moderate Opposition, and an individual from Scotland. If no one else proved better suited for the position, Eden agreed to join the commission himself. John Hatsell, clerk of the House of Commons, also mentioned prerequisites for commission members. They must be men of character "in
whom the People of both Countries may confide--Men that have taken no decided part against the Americans." His list of proposed members included John Cavendish, William Johnstone, George Grenville, and Richard Jackson. 49

On February 22, 1778, Frederick Howard, Earl of Carlisle, accepted his place upon the commission. 50 Even though he was not quite thirty years of age and possessed little political experience, his unblemished character and ambitious nature impressed Eden. Eden believed that Lord Carlisle's practical manner would also prove useful. 51 Carlisle was also a close friend of Charles James Fox, an advocate of an independent America. His friendship with Fox would hopefully make him acceptable to the colonials. 52

Eden also wasted little time contacting another prospect, Richard Jackson. Even though Eden and Jackson differed on the authority granted the envoys, Eden regarded


50 Ibid., p. 322.

51 Brown, Empire or Independence, pp. 235 and 248-49.

52 Willcox, Portrait of a General, p. 221.
Jackson's membership an asset to the mission. Jackson, the solicitor to the Board of Trade, asserted that the emis­saries' authorities should be specific; Mr. Eden favored a concept of broad powers. 53

William Eden, who always claimed that he did not covet a place on the peace mission, agreed nevertheless on March 5 to serve as the final member. 54 Being one of the architects of the conciliatory plan, the ministry believed William Eden, only in his mid-thirties, would benefit the commission with his more thorough knowledge of the proposition. 55 As an under-secretary of state and then Lord of Trade, Eden outwardly had supported the war effort. 56 But he was as ambitious as Carlisle, and he continuously sought avenues of advancement within the ministry. 57 The peace commission was another such opportunity.

Throughout March, commission members expressed

53Kitchenson, British Politics, p. 263.

54William Eden Memoranda, February 17 to March 31, 1778, Carlisle MSS, p. 322.

55Namier and Brooke, History of Parliament, III, 375-76.

56Brown, Empire or Independence, p. 246.

57William Eden to Morton Eden (brother), March 6, 1778, Stevens, Facsimiles, IV, No. 390.
confidence in each other and in the North Conciliatory Act of 1778 in order to bolster the waning spirit of the British. William Eden considered Carlisle a man "well disposed and very practicable." Eden claimed that Jackson was a "man of uncommon abilities . . . of great Fortitude, and well beloved in the colonies." Frederick Howard expressed his feelings for the mission by proclaiming that such an endeavor was the best means of ending the terrible conflict. He sincerely hoped that his youthfulness was not a hindrance to his fellow negotiators. 58

During the remaining days of preparation, encouragement from numerous friends of the envoys continued. With Eden on the commission, for instance, Sir Joseph Yorke predicted that America would certainly receive the members with "open arms." 59 This was perhaps an objective statement, for during his service in Commons, Joseph Yorke had remained aloof from all discussions of the peace offer. 60

Yet Mr. Yorke's objectivity perhaps led to an early

58 Carlisle to Rev. Ekin, October, 1778, Carlisle MSS, p. 377.


60 Yorke condoned no single faction within Commons; he had no support for Rockingham and cared little for North. Namier and Brooke, History of Parliament, III, 680.
but false over optimism. In reality, the peace endeavor seemed doomed from the beginning. On the evening of March 29, for example, Eden's conversation with Jackson tended to establish the impression that the latter desired to release himself from the Carlisle Commission. Jackson also claimed that "it was idle and ruinous to go to war with France . . . , that we should proceed immediately to give Independence to the Colonies." Writing to North on March 30, Eden related the episode of the previous night. Mr. Jackson's comments had convinced Eden that the former intended to decline the forthcoming task. Jackson, besides, had maintained that he needed a month in order to discharge his obligations. 61

Carlisle, like Eden, therefore, was relieved to ascertain Jackson's true feelings on the American situation prior to the commissioners' departure. Such a person, Carlisle believed, "would have driven us made with doubts before we had got to Portsmouth." Mr. Jackson's short tenure upon the Carlisle Commission thus came to an abrupt end prior to actual negotiations. 62

61 William Eden to Alexander Wedderburn, March 30, 1778, Stevens, Facsimiles, IV, Nos. 411 and 412.

62 Carlisle to Rev. Ekins, October, 1778, Carlisle MSS, p. 378.
Two weeks before the envoys were to leave for the colonies, therefore, a third member to the Peace Commission had to be found. North claimed that the most likely successor to Jackson was George Johnstone, the former governor of West Florida. As governor for several years after 1763, he had had the opportunity to discover attitudes of key individuals in the colonies. He proved to be the only civilian commissioner with firsthand experience in dealing with the colonials. The ministry also believed that his continuous advocacy of American rights would be an asset.

Johnstone, Eden, and Carlisle commonly endorsed reconciliation as the only possible means of thwarting military defeat. But their genuine enthusiasm for a termination of the strife failed to overcome their lack of experience in the field of diplomacy. They were largely chosen because no one else desired the difficult task. No English diplomat seemed willing to jeopardize his reputation by presenting the colonials a plan which failed to acknowledge America's demand for independence.

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63 King George to Lord North, March 3, 1778, Fortescue, Correspondence of George III, IV, No. 2201.

The offers to end taxation, to repeal all acts passed since 1763, to pardon those who renounced independence, and to renew commercial ties were drafted too late to achieve any diplomatic settlement. Only a desperate war-weary ministry was willing to offer reconciliation to America in 1778.
CHAPTER III

THE RESPONSE IN ENGLAND AND FRANCE, FROM MARCH TO MAY, TO BRITAIN'S CONCILIATORY EFFORTS

Even though Lord North's Conciliatory Plan had gained acceptance of Parliament, criticisms of the proposal continued during the spring of 1778. The British commissioners expected condemnations from the French and the colonial diplomats--Benjamin Franklin, Silas Deane, and Arthur Lee. During the commissioners' preparations for their voyage to America on April 16, a lack of cohesion within the ministry became apparent. Lord Carlisle, William Eden, and George Johnstone were soon to realize that the ministry was also untrustworthy. Even before the commissioners had embarked for the colonies, their chance for success had decreased with the disunity so prevalent within the British ministry.

This lack of cohesion and trust within the ministry came to the fore again during March. Ordered by George III,
George Germain, Secretary of State for Colonial Affairs, sent instructions to Sir Henry Clinton in America on March 8. These directives to the newly appointed commander of British armies in America ordered continuation of attacks within the colonies. William Eden on March 5 asked to see the instructions to Clinton, realizing that strong military forces in America had important bearing on the fate of any peace overtures. Edn thus was glad that the orders upheld the policy of maintaining the offensive against the colonials.

The monarch's instructions to Clinton, on March 21, 1778, proved Eden's hopes false. Clinton was to abandon Philadelphia and "to proceed with the whole to New York." If New York became threatened or if the Carlisle Commission failed, the British garrison was to sail to Halifax, Nova Scotia and to remain until a new strategy developed.

The reason for this change in policy was due to the

3. Proprietors of Estates of North Carolina to King George, March 16, 1778, Ibid., No. 1066.
official announcement of the Franco-American treaties on March 13. The British considered it necessary to concentrate their forces in order to thwart the French menace. Five thousand English troops were to be sent to the West Indies to attack French held St. Lucia.\(^5\) Three thousand more were to be stationed at St. Augustine and Pensacola in the Floridas.\(^6\)

Lord North knew of this policy change but failed to inform the commissioners. In a letter written March 13, the monarch reiterated to the Lord Treasurer that it was a "joke to think of keeping Pennsylvania." To maintain military security, the commission members were not trusted with this information. The failure to confide with the envoys demonstrated the lack of cooperation and trust within the government.\(^7\)

Lord North received much of the blame for this inability to establish and maintain cohesion within the government. The over-all mistakes of the ministry lessened North's efficiency in handling his diplomatic responsibilities.\(^8\) The Opposition, led by Charles Fox, for

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\(^7\) King George to Lord North, March 13, 1778, Fortescue, *Correspondence of George III*, IV, No. 2243.

example, blamed North personally for the British failings in foreign policy. Mr. Fox claimed that the Lord Treasurer was reluctant to provide the Peace Commission with the power to grant independence. Fox ridiculed the ministry for believing that American domination of the maritime world was inevitable. America's potential resided in cultivation of her vast territory. Agriculture, so Fox claimed, was the prime consideration of the Americans, with commerce and manufacturing a distant second. Rockingham, Richmond, and Fox maintained that the reconciliation plan was totally inadequate. 9

Like the Opposition spokesmen, Israel Mauduit proclaimed that the only way England was to regain America's support was to grant the colonials their freedom. Mauduit wrote his handbill after learning of the Franco-American Treaty of Alliance. In this handbill dated March, 1778, Mauduit maintained that a free America might prevent an Anglo-French clash. If England continued to enforce her will over the colonials, the latter might have to turn to France for aid. He ascertained that any remaining hope of conquest by England was past. "America stands on high

ground; France and England must now court her." The colonies will never return "while we are striving with them, so that the only chance we have of recovering some, is to give up them all."\textsuperscript{10}

In this handbill Mauduit clearly reiterated British fears of a European conflict. The Duke of Richmond attempted in Parliament at the same time to prevent this possible turn of events. Realizing that the French threat was of more substance than any American menace, Richmond on March 22 moved that Britain remove her forces from the colonies as a preliminary to peace and eventual independence.\textsuperscript{11}

The Opposition, however, attracted little support on this motion. The majority of the ministry were reluctant to provide the colonies with their freedom. The ministry deemed it more valuable to coax the colonials into the realization that the French were more of a threat to their

\textsuperscript{10}Israel Mauduit was a pensioned writer for the British government. On this occasion, however, he was expressing his own sentiments, much to the chagrin of the English ministry. Israel Mauduit, \textit{A Hand bill advocating American Independence, inspired by the English Ministry and written and published at London in March, 1778}; Paul Leicester Ford (ed.), \textit{(Brooklyn, New York: Historical Printing Club, 1890)}, pp. 14-19.

\textsuperscript{11}George Thomas, Earl of Albermarle, \textit{Memoirs of The Marquis of Rockingham and His Contemporaries; With Original Letters and Documents now First Published} (London: Richard Bentley, 1852), II, 347.
safety than the British.\textsuperscript{12} Under the terms of the conciliatory proposal, the British envoys to America were instructed to present the French as a designing people, interested only in French advancement.\textsuperscript{13}

Constant and heated debate between the Opposition and the ministry did nothing to aid the difficult tasks of the Carlisle Commission. Meetings of Fox, Eden, and the Earl of Shelburne during March, therefore, discussed the necessity of a new ministry.\textsuperscript{14} During March, Lord North himself in a letter to George III also claimed that the situation required "new men and able men." He considered himself "highly criminal" if he permitted his interests to stand in the way of any means of rescuing "his King and country from the present impending ruin."\textsuperscript{15}

The possibility of North's resignation provided an opportunity for William Pitt, Lord Chatham, to become Lord Treasurer.\textsuperscript{16} King George opposed a Chatham dominated

\begin{itemize}
\item \textsuperscript{12}David Ramsay, \textit{A History of the American Revolution} (London: Printed for John Stockdale, 1793), II, 69 and 75.
\item \textsuperscript{13}Van Doren, \textit{Secret History}, p. 94.
\item \textsuperscript{14}Dates of the meetings were March 15, 17, and 18. Russell, \textit{Memorials and Correspondence of Fox}, I, 180-81, 183 and 186.
\item \textsuperscript{15}Lord North to King George, March 17, 1778, Fortescue, \textit{Correspondence of George III}, IV, No. 2228.
\end{itemize}
ministry, believing him too independent-minded to be manipulated. But King George favored the inclusion of Pitt and his followers as North's colleagues in the ministry. Unlike Fox, who accepted a post within the ministry, Chatham nevertheless refused to assume a minor position. Such qualified reassurance of support by George III prompted North to remain in office and reaffirmed his leadership.17

With the ministerial situation thus settled for the moment, Britain's reconciliation plan began to receive criticism from American envoys in France. Writing to the American Committee on Foreign Affairs on February 28, 1778, the colonial envoys maintained that the sole purpose of the peace offer was to divide and subjugate America. They urged that any British offer, if received at all, should be condemned and dismissed by America.18

England's endeavor to locate a middle ground for negotiations with Benjamin Franklin, Silas Deane, and Arthur Lee verified America's demand for a comprehensive proposal. David Hartley, a political opponent of North, corresponded unsuccessfully with Franklin throughout


18 Wharton, Revolutionary Correspondence, II, 507-08.
February and March, failing to ascertain the cost of reconciliation. Franklin's responses remained pessimistic or noncommittal. As early as February 12, 1778, for example, Franklin maintained that "when your Nation is hiring all the Cut-Throats it can collect of all Countries and Colours, to destroy us, it is hard to persuade us not to ask or accept of aid from any Power."20

Mr. Hartley was not alone in his desire to dissuade such American efforts for freedom. Even though Franklin continued rebuking British overtures, the French Anglophiles were not discouraged. These pro-British propagandists claimed that once America gained its liberty the colonies would eventually dominate the Western Hemisphere. These Frenchmen upheld England's views on freedom of speech, religion, petition, press, and assembly. The only advantage of an independent America, so the Anglophiles believed, was increased trade and commerce. Louis XVI was irritated by these men for supporting British


Nothing that Hartley or the Anglophiles stated, however, diverted either the French government or the American envoys from joining together in favor of an alliance. On March 5, 1778, the British ambassador to France, Lord Stormont, related to Lord Weymouth, Secretary of State for the Southern Department, that the Treaty of Alliance was a reality. Yet Weymouth refused to heed such assertions at first. 22

On March 12, the French ambassador to England, Noailles, presented copies of the Treaties of Alliance and Commerce to Lord Weymouth. These treaties clearly widened the breach already existing between England and France. The alliance which England had feared discouraged the possibility of a successful English offer of peace.

21 Among the different factions within the Anglophiles were the philosophes. Led by Voltaire, they advocated destruction of privileged minority, civil liberty, and religious toleration. Another faction, the frondeur of legal aristocracy, was interested in more power for their own class. This group, however, had also supported popular causes like reduced taxation. Frances Acomb, Anglophobia in France 1763-1789, An Essay in the History of Constitutionalism and Naturalism (Durham, North Carolina: Duke University Press, 1950), pp. 3, 12-13, 15, and 76-77.

22 David Murray, Lord Stormont, was a shrewd Englishmen in diplomatic affairs. During Count Vergennes' Secret dealings with the American envoys in 1776-77, Stormont was to prove "a thorn in the flesh" to Vergennes because of the ambassador's inquires into the legality of such negotiations. Perkins, France in the Revolution, pp. 49 and 541. Hansard, Parliamentary History, XX, 29.
British agents in the colonies were to find it extremely difficult to present a plan more beneficial to the colonies than the French agreements. With the official presentation of the Franco-American agreement, diplomatic relations were severed. As Lord Stormont left Paris on March 16, Ambassador Noailles paid his final respects to the British court.23

Although knowledge of the French-American compact did not deter Hartley from remaining in Passy during April, the treaties jeopardized his chance for successful discussions. Hartley's sojourn in France during April did lead to a discussion with Count Vergennes, but Vergennes claimed that France was committed to aid America regardless of England's position. France would gladly take up arms to defend her ally. Even if England agreed to end hostilities and grant America independence, France would remain a faithful ally of the Americans.24

During Hartley's sojourn in Passy, the British ministry dispatched William Pulteney to France to ascertain if discussions with Franklin were still useless.25

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23 Corwin, French Policy, pp. 166-68.
25 Pulteney, a pamphleteer and a Whig in Parliament, was a brother of George Johnstone, despite the discrepancies in the last name. Van Doren, Secret History, p. 70; Bancroft, History of United States, V, 192.
received an even more discouraging greeting from Franklin than had Hartley. 26 Franklin stipulated that the British conciliatory measure was totally unacceptable to his countrymen. Any proposition which implied, as did the North plan, a dependent, colonial status was completely unsatisfactory. 27 Their second meeting, March 29, was also futile. On March 30, Franklin wrote to Vergennes that since Parliament obviously believed in its power to coerce America, peace was unattainable. 28

The various factions of the Opposition indirectly countenanced these claims by Franklin in continuing their condemnations of the North proposal. Such discord within the English ministry intensified confidence in Europe and England for the American cause. Chatham's endeavor to undermine North's proposal actually enhanced the work of the "militia diplomats" in France. The Earl of Chatham remained hostile to all deliberations which mentioned independence. 29 Another faction of the Opposition, led by the Duke of Richmond, Charles Lennox, favored the

26 Smyth, Writings of Franklin, VII, 124.
28 Smyth, Writings of Franklin, VII, 43-46.
American viewpoint. On April 7, when Richmond recommended before Parliament full liberties for the colonies, Chatham ridiculed him for such an assertion. Richmond then prepared to lay before Parliament another proposal. His next bill, supported by David Hartley in Paris, urged only the removal of British troops from America. The bill, too, generated little support.

One faction of the Opposition, led by Richmond and Charles James Fox, therefore, had advocated independence for the colonies during the debates on the North plan in Parliament. Their views, however, did not coincide with either Chatham's faction of the Opposition or the Tories in Parliament. With a majority in Parliament unwilling to condone independence, Richmond's efforts in that direction became useless. Chatham's speech on April 7 before the House of Lords finally terminated discussion for independence. The revered Mr. Pitt rebuked all who upheld American freedom at the cost of British honor. He scorned the idea of a French invasion of England. To fight rather than to retire and lose all of one's honor was Pitt's credo.

30Paul Allen, A History of the American Revolution; Comprehending all the Principal Events Both in the Field and in the Cabinet (Baltimore: William Wooddy, Jr. printer, 1822), II, 170.

Richmond countered that it was best to avoid a war in which America's allies were France and Spain. Due to his feebleness and ill health, Chatham was unable to respond. He died soon after, a somewhat disillusioned advocate of a closely regulated British colonial system.32

These parliamentary meetings and Paris discussions did nothing to thwart Carlisle, Eden, and Johnstone in their final preparations. During this period of debate, Carlisle at first remained home with a fever. This prevented his gathering information which would have proven invaluable in the weeks to come. But his greatest unanswered question had been raised by the shift, unknown to him, in military strategy. The ministry, as previously noted, had ordered General Clinton to evacuate Philadelphia.33 The commissioners wondered why they were to sail to New York rather than to British controlled Philadelphia. In early April Carlisle inquired of George Germain, who knew of the evacuation of Philadelphia, why the negotiators were not to be sent there. His only answer was that the Pennsylvania city, which was nearer York, might "not by your arrival be in our hands."34

33 Supra, pp. 52-53.
34 Carlisle, MSS, p. 379. Congress met then at York, Pennsylvania.
Even if Carlisle had discovered the ministry's secret, he probably could not have persuaded North and Germain to allow Clinton to remain in Philadelphia. The French menace in the Caribbean had forced the ministry to lessen its forces in America. The ministry seemed willing to save the British West Indies at the expense of its conciliatory commission. Eden, however, believed a strong show of force by the British forces in America would hasten negotiations for peace and thus alleviate the necessity for troops in the Caribbean. Eden believed if British forces retained Philadelphia then the commission could threaten destruction of the city in case their offers were not accepted. By evacuating the city and not informing the commissioners, the ministry was acknowledging the futility of the mission. These events continued to undermine what little hope existed for any successful conclusion to the mission—even before its departure. 35

While Carlisle thus remained incapacitated, William Eden appealed to the Treasury for £6,225 to offset the expenses of the mission. Included within the list were funds for obtaining wines, clothes, furniture, carriages, and servants. He asked for another £400 per quarter as an allowance for the envoys. On April 10, John Robinson,

35Van Doren, Secret History, p. 90; William Eden Minute written on news of evacuation of Philadelphia, June 5, 1778, Stevens, Facsimiles, IV, No. 496.
Secretary of the Treasury, supplied Eden with 2,000 of the 6,000 he demanded.

Eden resumed his preparations by obtaining valuable information designed to distinguish between American supporters and adversaries. Rev. John Vardill furnished character sketches of several prominent gentlemen in America. Rev. Vardill, formerly of New York, spied upon Americans in London on the promise from Eden that he would be "regius professor of divinity" at King's College as soon as the American rebellion subsided. He considered Governor Tryon of New York a man of integrity and a loyal British subject. Tryon's vanity, however, allowed him to be duped by "every flattering Imposter." Joseph Galloway, a Loyalist, was too useful to be neglected, even though his hot temper was a disadvantage. John Jay was difficult to convince on any subject unless he held similar views. One of the more violent advocates for independence was Governor William Livingston of New Jersey. The minister closed his remarks on a dubious note; there was not much hope of success, he believed, unless England received the support

36 William Eden Proposal on Salary and Allowances to Commissioners, April, 1778 and William Eden to Morton Eden, April 9, 1778, Ibid., Nos. 421 and 432.

37 Bancroft, History of United States, V, 61.

of Benjamin Franklin. 39

In a similar vein Paul Wentworth, the British agent, presented his list of the traits of several other Americans to William Eden. He claimed that John and Samuel Adams were advocates for complete independence. Samuel was a polished negotiator, while John was cautious and diligent. Both Patrick Henry and Gouverneur Morris were shrewd and enterprising politicians according to Wentworth. 40

On April 12, George III formally instructed his emissaries, in a secret dispatch, to lay before the Americans a copy of the Commission. King George considered that this item verified the sincerity of the English for a reconciliation. The commissioners were to announce an end to taxation and a suspension of all acts since 1763. 41 The most unusual portion of this proclamation involved the mission's dealings with Congress. All discussions would


40 Paul Wentworth, Minutes, 1778, Stevens, Facsimiles, V, No. 487.

41 Great Britain. Collection of papers, that have been published at different times, relations to the proceedings of his majesty's commissioners, etc., etc., etc. (New York: James Rivington, 1778), George III Instructions to Commissioners, April 12, 1778, Evans Bibliography, 15825, 20.
be before representatives of Congress, and it would be acknowledged as a legal, political entity by the British. The monarch stipulated that the agents were not to make any public appeal to the inhabitants of America unless they failed in talks with Congress.

These instructions from George III granted the same basic concessions promised the colonies in the North plan. The purpose of the royal statement was to furnish the agents with certain key items which George III deemed of singular importance. His proclamation increased the respectability and authority of the Carlisle Commission. According to the royal directive, no British forces were to remain in America unless the colonies agreed. No change was to occur within any colonial charter without the consent of the colonial assemblies. England and America were to handle the debt problem jointly. Colonial officials were to be chosen, if at all possible, from the colonies. The ministry would allow Congress to exist as long as it did not encroach upon the jurisdiction of Parliament. If Congress aided the colonies in a "better

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42 Ritcheson, British Politics, p. 268.
43 George III Instructions to Commissioners, April 12, 1778, Carlisle MSS, pp. 323-24.
44 Great Britain, Collection, George III Instructions to Commissioners, April 12, 1778, Evans Bibliography, 15825, 20; Ritcheson, British Politics, p. 269.
Management of the general Concern and Interests” of all, then it was practical and acceptable. If America agreed to disband its legislature, however, the colonies still might be represented within the House of Commons.

King George's instructions also stated that Parliament had been granted the right to abolish direct taxation of the colonies. The British assembly, however, regarded it as only right that the colonials contribute to the "Public Charge." The royal statement stipulated that these funds would come from taxes on commerce. The revenue would eventually be returned to the local colonial governments and used for internal improvements. The Americans were to use British coinage in making their payments to England. Parliament nevertheless rejected the idea of colonial coinage of money.

King George concluded his instructions with the following statement:

If there should be a reasonable Prospect of bringing the Treaty to a happy Conclusion, you commissioners are not to lose so desirable an End, by breaking off

45 George III Instructions to Commissioners, April 12, 1778, Carlisle MSS, p. 331.
46 Ritcheson, British Politics, p. 269.
47 George III Declaration to Commissioners, April 12, 1778, Carlisle MSS, pp. 326 and 332; Morison, Sources and Documents, p. 202.
the Negotiation on the Adverse Party absolutely insisting on some point which your own Judgement and Discretion, you should be disposed, not to give up or yield to, provided the same be short of open and avowed Independence (except such Independence as relates only to the Purpose of a Treaty). But in such a Case you will suspend coming to any final Resolution till you shall have received our further Orders thereupon.48

The proclamation clearly required the commissioners to forward the issue of independence to Parliament. The envoys lacked authority to discuss this difference between England and the colonies.49

During the spring of 1778, therefore, numerous people in England and France had expressed opinions as to the usefulness of the North Conciliatory Plan. Information supplied by Paul Wentworth and John Vardill proved valuable to the mission. Much of the time, however, the mission was confronted with criticism from Lord Chatham, the Duke of Richmond, and Charles James Fox and with disunity and distrust in the ministry. Such lack of unified purpose in the ministry had provided the colonials with substantial ammunition for attacks upon the Peace Commission, attacks which came as America prepared to receive the conciliatory offer.

48 George III Instructions to Commissioners, April 12, 1778, Carlisle MSS, p. 333; Morison, Sources and Documents, p. 203. Author's brackets.

49 Ritcheson, British Politics, p. 270. The complete instructions of King George III will be found in Appendix A.
CHAPTER IV

AMERICA PREPARES FOR THE RECEPTION OF THE
CARLISLE COMMISSION, MARCH TO JUNE 1778

With the arrival of the Franco-American treaties and copies of the North proposal in April, American Loyalists faced anti-British forces in the greatest confrontation yet. Loyalist and anti-British propagandists had constantly ridiculed each others beliefs. As early as June, 1776, for example, anti-British colonials had demanded that Congress designate persons who supported the British cause as traitors. In November, 1777, Congress, following colonial advice, advocated the confiscation of Loyalist property. Such hostility and

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1The pro-British Americans called themselves Loyalists because of their support for England. The Loyalists' enemies called them Tories, after their English counterparts—Lord North and his colleagues, Callahan, Royal Raiders, p. 35. The term, Loyalist, however, will be used herein to differentiate pro-British Americans from the Tory group in England.

2Barck and Lefler, Colonial America, pp. 676-77.
contempt, therefore, had existed between the American factions for years prior to the spring of 1778.

The revolutionary propagandist, Thomas Paine, summed up completely the colonials' sentiments toward their Loyalist foes. Paine, in his pamphlets, criticized all individuals who hindered the colonial drive for independence. He claimed for Americans the ability to surmount "a greater variety and combination of difficulties" than any other people during a comparable crisis. Any Loyalist attempt to block America's continued progress toward self-government retarded the individual's right of personal freedom. Furthermore, without America's presence and toil there would be "no such thing as freedom left throughout the whole universe."³

The dispatches from France and England added to the propagandists' material. With documented material from France and England the American propagandists' arguments became more authoritative. Loyalists and anti-British colonials, who had readied their forces for weeks, struck fast and hard. Denunciations and criticisms from both sides followed the arrival of the French and English

³The Political Writings of Thomas Paine, Secretary to the Committee of Foreign Affairs in the American Revolution (Charlestown, Massachusetts: Printed and Published by George Davidson, 1842), I, 149. Hereafter cited as Political Writings of Paine.
documents.

The arrival of the British vessel Andromeda in New York City on April 14 increased the Loyalists expectations. The Andromeda had left England on February 20 with copies of Lord North's Conciliatory Plan. Loyalist Governor William Tryon of New York was to publish the copies of the North plan and distribute them throughout the colonies. The Loyalists now believed they had specific points to propose to Congress. However, the arrival of Simeon Deane, Silas Deane's brother, aboard the Sensible with the Franco-American Treaties of Alliance and Commerce and Amity diminished the Loyalists' enthusiasm. The French vessel Sensible, having arrived off the American continent on April 13, had to sail further up the coast to Falmouth for fear of capture by the British naval vessels. Two weeks after Governor Tryon had received copies of the North plan, Simeon Deane, traveling overland, reached New York City on May 2 on his way to York, Pennsylvania.4

Under orders from the British ministry, Governor Tryon sent copies of North's proposal to General Washington and to the governors of the colonies. 5 In a propaganda


5Pitkin, Political and Civil History, II, 41.
article of April 15, Tryon claimed that the war troubled King George III. Tryon believed that the colonials who had caused the war must realize that America's only hope was to reclaim allegiance to England. To continue the conflict and to ignore Britain's offer for reconciliation would only lead to more suffering and destruction. In a letter to Governor Trumbull of Connecticut on April 17, William Tryon requested that the former recommend that his people read the material sent from England.

Six days later, Tryon received a harsh rebuttal from Governor Trumbull. The latter claimed that peace must be negotiated between the supreme authorities in a dispute and not by unauthorized persons. Congress was the only body in the colonies with such power. This latest peace attempt by the British, according to Trumbull, bore "marks of an insidious design to disunite the people, and

6The New York Gazette and the Weekly Mercury, April 27, 1778.

7H. Niles (ed.), Principles and Acts of the Revolution in America: or, an Attempt to Collect and Preserve some of the Speeches, Orations, and Proceedings, with Sketches and Remarks on Men and Things, and Other Fugitive or Neglected Pieces, Belonging to the Revolutionary Period in the United States; which, Happily, Terminated in the Establishment of their Liberties: with a View to Represent the Feelings that Prevailed in the "Times That Tried Men Souls," to Excite a Love of Freedom, and Lead the People to Vigilance, as the Condition on which It is Granted (Baltimore: Printed and Published by William Ogden Niles, 1822), p. 210.

to lull us into a state of quietude, and negligence of the necessary preparations for the approaching campaign."  

Like Trumbull, the American military commander in Rhode Island, Major John Sullivan, received copies of Lord North's plan to be distributed to the inhabitants. He explained that if the proposal had been offered prior to the war or even prior to America's alliance with France it would have been accepted with "sentiments of gratitude." The late arrival of the conciliatory proposal plus the cruelties inflicted by Britain clearly limited the chances of a settlement.

John Henry, Jr., Samuel Chase, and Charles Carroll expressed similar resentments. On April 20, Maryland congressional delegate Chase wrote to Maryland Governor Thomas Johnson, Jr. concerning General Howe's transmittal of several copies of "a Draught of a Bill to declare the Intentions of Parliament" to officials in the colonies. One opinion prevailed as to the purpose of these pamphlets from William Howe. Chase believed that the majority of delegates to the Continental Congress considered the

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9 Niles, Principles and Acts of Revolution, p. 211.

intention of the English to "amuse us with a Prospect of Peace and to relax our Preparations." These gentlemen and their countrymen, however, had "too much good sense to be deceived." Governor Johnson received further information on April 20 from John Henry, Jr., congressional delegate from Maryland. The latter suggested to the governor of Maryland that the North plan be read in the Maryland assembly. Mr. Henry feared that once the British offers became law the effect would be equal to ten thousand fresh British troops.11 Along with delegates Chase and Henry, Charles Carroll of Maryland warned Johnson about publishing such inflammatory prose.12

Further consternation involving the English propositions was discernible from General Washington's correspondence. As soon as he received copies of the North Conciliatory Plan in April, he forwarded the copies to the Congress at York, Pennsylvania on April 18. In his accompanying letter to Henry Laurens, the commander claimed that the measures were


12 Philip G. Davidson, "Whig Propagandists of the American Revolution," The American Historical Review, XXXIX, 3 (April, 1934), 448.
founded in principles of the most wicked, diabolical baseness, meant to poison the minds of the people and detach the wavering, at least, from our cause. I would submit it, . . . in all parts, and to expose, in the most striking maneuver, the injustice, delusion and fraud it contains.

In a private letter to John Banister, delegate from Virginia, Washington regretfully admitted that the copy of the North plan he had received from General Howe was authentically British. 13 Henry Laurens, President of the Second Continental Congress, disagreed with Washington, believing rather that the proposal had originated among Loyalists in Philadelphia. The South Carolinian Laurens claimed that a legitimate peace offer from England would have included the offer of independence. 14

Laurens and Washington commonly feared, however, that the measures were designed to enlarge divisions within the populace. The British offers were published in an endeavor to "ensnare the people by specious allurements of Peace." The one means of thwarting this effect lay in maintaining the respectability of the army. A strong army


would provide a better bargaining position. To inspire Americans with confidence and to quell the English efforts for peace, the colonial army needed to be established on a sounder basis, Washington nevertheless explained to Banister that it would be equally fatal for America if Congress showed no interest whatever in the propositions. The American commander concluded that the North measure perhaps at least offered a respite from hostilities and an opportunity to reorganize the army.15

Like Washington, several of the Virginia delegates--F. H. Lee, John Banister, and T. Adams--believed that the goal of the British was to incapacitate the colonies from within.16 In a similar vein, Charles Carroll urged the colonists to guard against "their [Britain's] insidious offers on the one hand . . . and resist their warlike efforts on the other." Carroll believed that the peace measures, which Governor Tryon had forwarded by way of Philadelphia, indeed were dangerously authentic.17

On April 20, a congressional committee of three

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15 Washington to John Banister, April 21, 1778, Fitzpatrick, Writings of Washington, XI, 284, 287-89, and 292.

16 Virginia delegates to Patrick Henry, April 21, 1778, Burnett, Letters of Members, III, 180-81.

17 Charles Carroll to Thomas Johnson, Jr., April 23, 1778, Burnett, Letters of Members, III, 184. Author's brackets.
officially received the North plan.\textsuperscript{18} Gouverneur Morris of New York, William H. Drayton of South Carolina, and Francis Dana of Massachusetts were to prepare an appropriate answer to the English offer.\textsuperscript{19} The committee assembled and concluded that the propositions were insincere and unacceptable. They reported to Congress that acceptance of the North proposal would indirectly approve the right of English taxation. Parliament, although disclaiming the right of taxing the colonies further, was not above reversing its policy at any time, according to these delegates. The committee also criticized the section of the plan which appointed a peace commission. From the document and instructions the committee concluded that Parliament completely controlled those on the mission. The congressional committee, therefore, advocated caution in dealing with the British envoys and fully agreed that the emissaries, as instructed, should not discuss their task with non-congressional individuals.\textsuperscript{20} Morris, Drayton, and Dana reasoned that the bill was "only an insidious design to

\begin{itemize}
  \item \textsuperscript{18}Einhorn, "Reception of the British Peace Offer," p. 192.
  \item \textsuperscript{19}Pitkin, \textit{Political and Civil History}, II, 41; Burnett, \textit{Letters of Members}, III, lvii, liv, and lx.
\end{itemize}
operate on the hopes and fears of the people, and to create among them divisions and disaffection to the common cause." 21

Having obtained agreement among themselves, the congressional committee presented its findings to Congress on April 22.

Upon the whole matter, the committee beg leave to report it as their opinion, that, as the Americans, United in this arduous contest upon principles of common interest, for the defence of common rights and privileges; which union hath been cemented by common calamities, and by mutual good offices and affection; so the great cause for which they contend, and in which all mankind are interested, must derive its success from the continuance of that union; wherefore any men, or body of men, who should presume to make any separate or partial convention or agreement with commissioners under the Crown of Great Britain, or any of them, ought to be considered and treated as open and avowed enemies of these United States.

And further, the committee beg leave to report it as their opinion that these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the independence of the said states. 22

Congress, on April 22, readily sanctioned the report of its committee and requested that the states raise their

21 Jared Sparks, The Life of Gouverneur Morris, with Selections from his Correspondence and Miscellaneous Papers; Detailing Events in the American Revolution, and in the Political History of the United States (Boston: Gray and Bowen, 1832), I, 184.

quota of troops and have their militia available.23 This action required a considerable amount of resoluteness on the part of Congress. Having spent a harsh winter at Valley Forge, the army lacked equipment and men. Since Simeon Deane did not arrive in New York until May 2, definite news of the French treaties was non-existent. The unwillingness of the delegates to accept anything less than liberty or a removal of the enemy forces, however, demonstrated their complete desire for independence.24

One influential individual, however, hoped that the British offer would be taken seriously. John Jay of New York believed that the English ministry genuinely desired a conclusion to the conflict. Moderation on the part of the colonies was the best means by which an armistice could be procured. He feared a ruined England if the two countries failed to agree to a truce. "The destruction of Old England would hurt me; I wish it well: it afforded my ancestors an asylum from persecution." Although Jay advocated moderation in all dealings, he was not a Loyalist sympathizer.25

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23Pitkin, Political and Civil History, II, 42.
With increasingly firm knowledge of the eventual arrival of a conciliatory committee, American Loyalists also began to gather forces. A letter in the *Pennsylvania Evening Post* April 20 expressed concern over further disjunctions within the colonies. It claimed that the colonists were weary of the continuous blood-letting.\(^\text{26}\)

On May 4, the same paper expressed a firm wish for beneficial discussions. The paper stated that the English proposals answered America's request for an end to taxation. The editorial exclaimed in harsh terms that "Congress have thought fit to declare that America shall have no peace, that she, shall not accept the very conditions originally proposed by herself ..., that the hopes of every family shall be dragged into the field" to be slaughtered.\(^\text{27}\)

Issuing inflammatory statements, the Loyalists proceeded to put further doubts into the minds of their countrymen. Some less vehement Loyalists had never expressed feelings too unfriendly toward the American cause. The more moderate Loyalist merchants in New York City, for example, feared exposing themselves or their businesses to abuse from the colonials by advocating British

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\(^{26}\)The *Pennsylvania Evening Post* (Philadelphia), April 20, 1778.

\(^{27}\)The *Pennsylvania Evening Post*, May 4, 1778.
domination of America. With the British, however, seemingly willing to conclude hostilities, even the less vehement Loyalists, wishing to enhance their own position with England, began to adhere more to the sentiments of their ardent compatriots. 28

The Loyalists, eager to gain more support from dissatisfied colonials, spread propaganda throughout the colonies. This material presented England as a beneficent mother country under which the colonials generally had freedom of worship and those men who owned fifty acres had the right to vote. Officials elected by the colonials collected the taxes. The New York Gazette proclaimed on May 11 that America had abundant wealth, commerce, and freedom under the former regime. The article concluded with a final plea to the militia. To continue hostilities was to weaken any chance to return to the former liberties under a benevolent king. 29

Congress, however, remained confident that the Tories could not undermine the American position by appealing to dissatisfied colonists. The delegates awaited eagerly

28 John Frederick Schroeder, Life and Times of Washington: Containing a Particular Account of National Principles and Events, and of Illustrious Men of the Revolution (New York: Johnson, Fry, and Company, 1858), I, 688-89; Stevens, Facsimiles, XII, Nos. 1212 and 1226.

the arrival of Simeon Deane and the French treaties. Confirmation of complete French aid, they felt, would be the one factor to best counteract Loyalist propaganda. But even before the arrival of the Franco-American agreements, the delegates had endorsed a position against the mother country's propositions. As a result, many colonials praised Congress for not waver ing during this period of uncertainty. 30

On May 2, the delegates at York received the first copies of the treaties from Deane. 31 As expected, they contained a compact for "amity and commerce" and an agreement for an "alliance." Under the alliance clause America was to aid France if England ever declared war on America's ally. 32 France guaranteed to uphold American liberty and not take advantage of its position. 33 In the words of the treaty, the purpose of the alliance was "to maintain effectually the liberty, Sovereignty, and independence

30 Sparks, Life of Gouverneur Morris, I, 184.
31 Ibid.
32 The Virginia Gazette (Williamsburg, Virginia), May 8, 1778. In fact, some people in England believed war was inevitable. To Arthur Lee war between England and France seemed certain. As early as March 19, 1778, Lee had written to Henry Laurens proclaiming the inevitability of war. Richard Henry Lee, Life of Arthur Lee (Boston: Wells and Libby, Court Street, 1829), II, 139-40.
33 The Virginia Gazette, May, 1778.
absolute and unlimited of the said united States, as well in matters of Gouvernement as of Commerce." If war were to commence between France and England, "his Majesty and the said united States" were to make it "a common cause, and aid each other mutually with their good offices. . . . and their forces, . . . as becomes good and faithful allies." 34

Louis XVI, in fact, claimed that his nation pledged itself to "protect and defend all Vessels and the Effects belonging to the Subjects, People or Inhabitants of the said United States." Louis promised to "restore to the right owners, their agents or attorneys all such Vessels and Effects," seized within "his Jurisdiction." Other benefits within the treaty included the right of both countries to trade with belligerents without fear of harassment. 35 The Treaty of Amity and Commerce, moreover, contained a clause stating France's disinclination toward a monopolizing of American commerce. 36

Under both the Treaty of Alliance and the Treaty of


35 Chinard, Treaties of 1778, pp. 27 and 40-41.

Amity and Commerce, France and America had mutual obligations. America agreed to aid France if England and France opened hostilities. If war began, America and France were to provide mutual assistance in developing tactical and strategical plans. Neither the French nor the Americans were to make a separate truce or peace treaty with England without consent of the other. Laying down arms would be by mutual consent. The allies agreed to acknowledge the boundaries and sovereignty of each others possessions and territories. Within the Treaty of Amity and Commerce, France and America could open commercial ties with belligerents.\textsuperscript{37}

Having endorsed the Franco-American treaties, Richard Henry Lee, in a letter to Thomas Jefferson May 3, 1778, maintained that two solutions remained to the British. England could acknowledge American independence and negotiate a treaty of commerce with the colonies. Following the other alternative, Britain might allow the French to continue a close commercial relationship with America to avoid a conflict between the two countries. If Britain followed the latter course, he believed that America would alone be confronted with the task of expelling the British

\textsuperscript{37}Bemis, Diplomacy of the American Revolution, pp. 62-64.
forces from North America. In this case, if France proved unable to grant substantial materiel and funds, America would be ruined. 38

The arrival of the treaties generated more Loyalist condemnations of Congress, France, and the war. Congress received blame for attempting to "pacify the popular alarm" by a colonial endorsement of the Bourbon agreements. The Loyalists reiterated that the legislative body had no legal right to prod Americans into associating with the avowed enemy of Protestantism. Americans ran the risk under the alliance policy of becoming slaves "under the treacherous title of independence." Loyalists argued that this was another of the means Congress used "to overturn the Protestant religion, and extinguish every spark, both of civil and religious freedom." 39

In the Royal Gazette James Rivington declared that Congress was the cause of all the bloodshed and suffering. Under North's plan England rescinded its claim of taxation, yielding to the colonial demands. An ungrateful America, however, wanted more. The article ended with a challenge to the inhabitants of North America: resist the demands for


more forces and supplies requested by the revolutionary legislature. 40

Congressional delegates tolerated such Loyalist criticism. They found it much easier to endure this castigation than to coerce the opposition and grant the Loyalists further ammunition to launch more intensive verbal barrages. 41

By means of letters, newspapers, and congressional reports, the anti-British colonials also provided information of their own to minimize the efforts of their adversaries. A committee of Gouverneur Morris, Samuel Chase, and Richard Henry Lee praised the consistent endurance of the war weary Americans. To insure a colonial victory, the people had to be true to themselves and to their pledges. 42 The independent-minded inhabitants also used newspapers and private letters as propaganda vehicles. Any item which damaged the British cause was printed and circulated and reprinted again. The Virginia Gazette proclaimed that Burgoyne's defeat undermined the British morally as well as physically. Once the conquest of General Howe was complete, the British would be compelled to "acknowledge

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40*Royal Gazette*, (New York City), June 3, 1778. James Rivington was the publisher of this newspaper.

41*Sparks, Life of Gouverneur Morris*, I, 185.

our independence without a boggle." The colonial newspapers, however, admitted their difficulties in ousting the British. A single "manly" effort by the colonials was necessary. Newspaper articles guaranteed that all mankind would ultimately acknowledge that the eviction of tyranny was worth the cost.

The anti-British propagandists argued consistently that France, as an ally, was legally and morally obligated to defend America from encroachment by the "common foe." If the French were slow in responding, then not only would America be ruined but France as well. To permit England to retain her former possessions would lead, therefore, to the eventual destruction of Louis' nation.

Many Americans believed that this propaganda--from both sides--impaired chances of success not only for the Carlisle Commission but for peace itself. Congress wanted the mission members to understand the colonial desire for peace. If the envoys would come with a proclamation of independence, acceptance clearly was guaranteed. Otherwise, the British offer would be for nought. Although, independence was the American prerequisite for peace,

43 The Virginia Gazette, May 1, 1778.
45 The Virginia Gazette, May 8, 1778.
Congress yet acknowledged the importance of negotiations.

Congress, therefore, as a show of its willingness for peace, issued the following resolution April 30:

Resolved - That notwithstanding the Unmerited Injurious and Cruel Treatment the United States of America have received from the hands of Great Britain, they are ever desirous to put an end to the Calamities of war; and not averse from entering into a Treaty for peace and Commerce between the two Countries for the mutual Interest and Benefit of both, upon Terms not Inconsistent with Freedom, Sovereignty and Independence of these States, or with any Treaties that are or shall be made with any other Sovereign power, before such Treaty be formed. 46

Once Congress had made its opinions officially known, preparations for the Carlisle Commission seemed complete. Congress wanted peace but not at the cost of submission. The Loyalists, however, listened eagerly to any British offer which might end their sufferings. Waiting with words of encouragement, they optimistically believed that the commissioners' arrival would offset the influence of the French-American treaties.

Yet the reception of the terms of the British offer already foretold that the congressional reception of the commission itself would not be warmhearted and sympathetic. Peace, Congress believed, required British acknowledgement of American independence. Congress reasoned that the only purpose of the North proposal and the coming of the envoys

46 Burnett, Letters of Members, III, 207.
was to seduce the inhabitants into returning to the fold. A wide range of emotions awaited to engulf the Carlisle Commission as it concluded its final arrangements for the April voyage.
CHAPTER V

THE JUNE NEGOTIATIONS

At the time of the arrival of Lord North's Conciliatory Plan in America on April 14, the Carlisle Commission members were concluding preparations for their voyage to the colonies. The commissioners--Lord Carlisle, William Eden, and George Johnstone--hoped that the North proposal had established a firm basis upon which to construct workable negotiations. On their arrival in the colonies, the envoys planned to correspond with Congress and General Washington. Under King George's instructions of April 12, the commissioners had the authority to meet with representatives of the colonies only if Congress completely refused the British overtures.¹

Lord Carlisle, who would dominate the mission,

¹Great Britain, Collection, King George to Commissioners, April 12, 1778, Evans Bibliography, 15825, 18.
especially hoped that Britain's offer to end taxation, 
repeal all acts of Parliament since 1763 pertaining to the 
colonies, renew commercial ties, and provide pardons would 
win back Congress. To make the purpose of the mission 
entirely clear to Congress, Carlisle summarized the 
member's views.

To offer Peace to America upon terms honourable 
and beneficial for her to embrace; to stay the hand 
of slaughter and desolation; to apply effectual remedy 
to every grievance, to quiet all anxiety upon such as 
exist only in jealousy, prejudice, and apprehension; 
to fix the happiness, security, and future welfare 
of G. B. and her Colonies upon a firmer basis . . . ; 
to cover again this extent of ocean with the united 
commerce of both nations. . . . has induced our 
country to invest us with powers too extensive to be 
intrusted to individuals, but for the sacred purpose 
of restoring tranquility and stopping the effusion 
of human blood.

After weeks of planning and with best wishes from 
Morton Eden, William Eden's brother, for a fruitful voyage, 
the Carlisle Peace Commission sailed from England aboard 
the Trident on April 16. Also aboard were William Eden's 
wife, Eleanor, Dr. Adam Ferguson--the commission's 
secretary--and Lord Cornwallis. Ferguson, a close friend

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2 Carlisle minutes, June 1, 1778 and King George 
to Commissioners, April 12, 1778, Carlisle MSS, pp. 326, 
330-32, and 339.

3 Carlisle minutes, June 1, 1778, Carlisle MSS, p. 339.

4 Morton Eden to William Eden, April 8, 1778, Stevens, 
Facsimiles, IV, No. 429.
of George Johnstone, was professor of moral philosophy at Edinburgh University. Cornwallis, having been on leave in London, was returning as Clinton's second in command. 5

The voyage went by quickly with time spent in playing cards, writing notes to friends and family, and discussing the forthcoming negotiations. Writing to his wife on April 28, Lord Carlisle expressed confidence that their stay in America would be no longer than one year. If the mission failed, there was no reason to remain longer. Even if the envoys were successful, it was "too unreasonable a request to wish us to remain to arrange every possible difficulty that may grow out of such a business." 6

Nothing of significance occurred during the first five weeks of the voyage. On May 27, however, the Trident encountered a British man-of-war and the report that Lord Howe and Sir Henry Clinton were in Philadelphia. 7 Under orders of March 21, 1778 from George Germain, Clinton had been instructed to abandon Philadelphia and move his forces to New York City. 8 The British ministry had failed to inform the commissioners about the evacuation. Believing

5 Van Doren, Secret History, p. 84.

6 Carlisle MSS, p. 334.

7 Carlisle to Lady Carlisle, May 27, 1778, Carlisle MSS, p. 335.

8 Supra, pp. 52-53.
that the army in Philadelphia would provide a better bargaining position, the British envoys ordered the *Trident's* commander, Commodore John Elliot, to sail to Philadelphia.\(^9\)

When the commissioners arrived in the Pennsylvania city June 6, Clinton was in the midst of preparations to abandon the city. Eden especially maintained that the garrison in the city would be an inducement to Congress to deal more favorably with the commission.\(^{10}\) George Germain and Lord North's failure to entrust the agents with information on military strategy brought ridicule upon themselves and lessened the effectiveness of England's plenipotentiaries. Lord Carlisle expressed his own reason for the ministry's uninformative manner. If Germain had confided to the commissioners concerning the evacuation, Carlisle believed that the envoys would not even have gone on the mission due to loss of military support.\(^{11}\) Now the remoteness of Clinton's troops would place the British in a weaker bargaining position. Eden and his colleagues thus became less confident even before the

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\(^{10}\)Eden's minutes, June 8, 1778, Stevens, *Facsimiles*, V, No. 496.

\(^{11}\)Carlisle to Lady Carlisle, June 14, 1778, Carlisle, MSS, p. 341.
talks began. 12

Supporting the commissioners' condemnation of ministerial policy were General Clinton and the Loyalist, Joseph Galloway. Clinton expressed anger at having to abandon the city to the enemy. Like the commissioners, Clinton believed the mission's purpose was negated by removal of the troops. 13 The most bitterly disappointed, however, were the Loyalists like Galloway. If possible the Loyalists were to vacate their homes and move to New York with the army. The commissioners and Galloway disliked leaving many who could not make the voyage. Like Clinton and the envoys, Galloway considered abandoning Philadelphia a tactical blunder. He believed giving up the city would only prolong the war. 14

The commission members were further galled to learn that Washington had known of the evacuation prior to themselves. As early as May 19, 1778, General Washington had suspected that Clinton was contemplating a transfer of forces to New York City. To Washington, moreover, it

12 Ritcheson, British Politics, pp. 272-73.
appeared that many of the families in the city were preparing to leave with the army.\textsuperscript{15}

To the commissioners the problems confronting their mission seemed immense. After accumulating all the data, Carlisle summarized these difficulties. In addition to evacuating Philadelphia, Carlisle reasoned that the Franco-American treaties would be a hindrance. The evacuation of the Chesapeake Bay by all British vessels would weaken Britain's position by allowing contraband goods to reach the colonies that much easier.\textsuperscript{16} The loss of Lord Richard Howe, due to ill health, hindered the commission.\textsuperscript{17} Lord Howe, however, agreed to aid his countrymen as long as he remained in the colonies.\textsuperscript{18}

Even with all these difficulties, the envoys commenced negotiations. On June 7, George Johnstone, in violation of ministerial orders secretly discussed with Joseph Galloway the possibility of an imperial constitution.

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\textsuperscript{15}Washington to Jeremiah Powell, President of the Council of Massachusetts, May 19, 1778, Jared Sparks, The Writings of George Washington; being his correspondence, addresses, Messages, Selected and Published from the Original Manuscripts; with a Life of the Author, Notes, and Illustrations (Boston: Ruskell, Clodove, and Metcalf, and Hillard, Gray and Company, 1834), V, 376.
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\textsuperscript{16}Carlisle to Lord Gower, June, 1778, Carlisle, MSS, p. 342.
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\textsuperscript{17}Lord Howe to commissioners, June 7, 1778, Stevens, Facsimiles, XI, No. 1099.
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\textsuperscript{18}Van Doren, Secret History, p. 93.
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Johnstone claimed that England was willing to dispatch two representatives to each of the colonial assemblies. America, in turn, was to provide one delegate to Parliament from each colony. The commissioner agreed to the abolishment of taxation. Parliament, however, would claim legislative authority over all other issues. A federal union of states would be the outcome. Galloway dismissed the suggestion of a federal union as being almost an acknowledgement of colonial freedom. 19

George Johnstone was to violate the commission's instructions on several other occasions. 20 Under North's plan the envoys were not to discuss Britain's offers with any individuals until negotiations with Congress had been concluded. Johnstone undertook private discussions to accelerate negotiations and possibly to bring the war to an early conclusion. 21

At the opening of legitimate negotiations, Carlisle and Eden were as unsuccessful as their colleague, Mr. Johnstone. On June 9, the envoys provided Dr. Adam Ferguson, secretary to the commission, with a revised version of the North Conciliatory Plan. Without changing the plan, the

20 Infra, pp. 105-109.
21 Van Doren, Secret History, p. 73.
commissioners had incorporated within the proposal their own hope for a rapid conclusion to the conflict. The commissioners' message opened with an expression of hope for the stoppage of "further Effusion of the Blood and the Calamities of War." It continued by claiming that the British envoys "assure you Congress of our most earnest desire to Reestablish on the Basis of equal Freedom and mutual Safety the tranquility of this once happy Empire."22

Concerning colonial taxation, the envoys were quite explicit. They acknowledged that taxation by Parliament for the purpose of raising revenues within America had proven unsatisfactory. Under the peace proposal, the only funds collected would be from the regulation of commerce. These funds, moreover, would eventually be returned for use in the colonies for internal improvements.23 Britain's representatives also agreed, as instructed, in an end to all hostilities. No military forces would be allowed to remain on American soil without the consent of Congress. Parliament would retain the right to grant Americans a voice in British government, depending

22 Commissioners to Henry Laurens, June 9, 1778, Stevens, Facsimiles, XI, No. 1104. Author's brackets.

23 Commissioners to Henry Laurens, June 10, 1778, Evans Bibliography, 15825, 9-10.
on the outcome of discussions. 24

The commissioners also expressed concern over the Bourbon treaties. Carlisle urged Congress to reject the Treaty of Alliance. The agents' letter to President Laurens acclaimed the similarities in blood, religion, and language between England and her wayward child. 25 France had made its offer in order to continue the war and prevent a reconciliation.

But we trust that the inhabitants of North America, connected with us by the nearest ties of consanguinity, speaking the same language, interested in the preservation of similar institutions, remembering the former happy intercourse of good offices, and forgetting recent animosities, will shrink from the thought of becoming an accession of force to our late mutual enemies, and will prefer a firm, free, and perpetual coalition with the Parent State to an insincere and unnatural foreign alliance. 26

This appeal, the Englishmen believed, played on the emotions and sympathies of the American people. In the thinking of the agents, this maneuver was indispensable. An appeal to the heart was of greater value than an entreaty to the mind or political interest. Within the whole manifesto, there was not a single hint that the commissioners

24 Commissioners to Henry Laurens, June 9, 1778, Stevens, Facsimiles, XI, No. 1104.

25 Notes on letter of Commissioners to Congress, June 9, 1778, Stevens, Facsimiles, V, No. 497.

26 Great Britain. Collection, Commissioners to Congress, June 9, 1778, Evans Bibliography, 15825, 4.
upheld independence. To the British government and its 1778 Commission an independent America was inconceivable.

The final words of the dispatch presented an attempt at exonerating the British from any future troubles.

If after the time that May be necessary to consider this communication, and transmit your answer, the horrors and devastations of war should continue, we call God and the world to witness, that the evils which must follow are not to imputed to Great Britain; and we cannot without the most real sorrow, anticipate the prospect of calamities which we feel the most ardent desire to prevent.27

The commissioners, in their dispatch to Congress, explained to the delegates that either Philadelphia, New York, or York was a suitable spot for a meeting. After British evacuation of Philadelphia, the commissioners favored the New York site. They felt more secure away from the vicinity of Washington's forces. The Americans promised to provide safe conduct passes for those attending such a gathering.28

Washington, however, would not provide Dr. Ferguson with a pass to travel to York. Ferguson, therefore, left the British proposals at Radnor on June 10.29

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27Great Britain. Collection, Commissioners to Congress, June 9, 1778, Evans Bibliography, 15825, 4-5.
28Ibid., 4.
considered the proposals unacceptable to a majority of the American people and believed that without consent of Congress he lacked authority to provide Ferguson with a safe conduct pass.  

The general forwarded the propositions to York on June 13. Henry Laurens read the dispatches to Congress on the same day, despite the objections of Gouverneur Morris, who opposed a reading because of English condemnations of the French and their king. Due to this opposition, Congress did postpone discussion of the envoys' dispatch, first, until the fifteenth and then until the sixteenth.

While Congress prepared to consider and criticize the offer of the Carlisle Commission, evacuation of Philadelphia temporarily ceased. The British wanted to know the outcome of the congressional discussions on the North plan before leaving the city. While waiting in

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Philadelphia for the congressional response, Carlisle, Eden, and Johnstone spent much time in correspondence to acquaintances in America and to the British ministry. The commissioners explained, for instance, in a letter to George Germain on June 15, the costly mistake of leaving Philadelphia. The English troops were healthy and well prepared for battle. Yet, the troops were to vacate the city. The forced evacuation required the hastening of correspondence between the English representatives and Congress. Even prior to the June 15 letter, Eden had urged Clinton to delay long enough for congressional reaction. When Eden learned that Clinton's orders allowed no lengthy delay, he admitted the futility of the mission. 35

On June 16, Congress chose Samuel Adams of Massachusetts, Richard Henry Lee of Virginia, William Henry Drayton of South Carolina, Gouverneur Morris of New York, and John Witherspoon of New Jersey to receive the British offer. 36 Both Witherspoon and Richard Henry Lee drafted answers to the English during the meeting of the committee. Witherspoon urged Congress to remain loyal to the French and reject all English pleadings for an end to

35 Eden minutes, June 8, 1778 and Eden to Alexander Wedderburn, June 18, 1778, Stevens, Facsimiles, XI, V, Nos. 1109, 496 and 500.
36 Supra, pp. 78-79.
the Treaty of Alliance. Lee upheld Witherspoon's views and claimed that the legislature was always ready to discuss a peaceful settlement once America obtained independence. 37 Richard Henry Lee, writing to Jefferson on June 16, maintained that the English offer was a combination of "fraud, falsehood, insidious offers, and abuse of France." The committee members as a whole generally regarded the issue highly offensive and encouraged congressional delegates to disavow the British offers as totally inadequate. 38

Congress, on June 17, readily agreed with its committee that peace would come only when George III demonstrated a sincere desire to end hostilities. "The only solid proof of this disposition will be an acknowledgement of the independence of these states, or the withdrawing [of] his fleets and armies." Henry Laurens reiterated that the only reason for reading the British plans was to stem the "effusion of human blood." 39

The commissioners, however, agreed not to allow this news to stifle their efforts. While these gentlemen

37 John Witherspoon proposed letter to commissioners, June 16, 1778, and Richard Henry Lee draft of letter to commissioners, June 16, 1778, Burnett, Letters of Members, III, liv, lxii, lx, lvii, lvi, and 296-97.


39 Henry Laurens to commissioners, June 17, 1778, Evans Bibliography, 15825, 5-6. Author's brackets.
awaited aboard the **Trident** in the Delaware River for the evacuation of British troops from Philadelphia, Dr. Ferguson issued a letter on behalf of the envoys. The dispatch called "upon those who have suffered . . . seriously to consider the original cause of the present hostilities, with the propositions we have made to remove them, and to obviate all further disputes." This was an impassioned appeal to all Americans who were tired of war.\(^40\)

The envoys, despite instructions to negotiate only with the whole Congress at first, were not above making private overtures to influential colonials. George Johnstone became the most prolific commissioner engaged in such personal negotiations.\(^41\) He sought discussions during June with Joseph Reed, a member of Congress from Pennsylvania and former adjutant general in the Continental army. Before the envoys had left England, Johnstone had also written Dennis DeBerdt, Reed's brother-in-law, in America. Anxious to heal the breach, Johnstone used DeBerdt to full advantage. DeBerdt's letter to Reed, for example, introduced Johnstone as a man of peace working for the colonial cause in Parliament. When Johnstone reached Philadelphia,

\(^{40}\)Great Britain, *Collection*, Commissioners to American people, June, 1778, Evans Bibliography, 15825, 6-8.

\(^{41}\)Supra, pp. 97-98.
he wrote to Reed on June 9 hinting of a reward if he cooperated with the envoys. Reed received the letter at Valley Forge and revealed its contents to Washington. Johnstone never received Reed's answer after the commissioners boarded the Trident for New York on June 16. But Reed's correspondence gave no hope of continued communications on the subject of reconciliation anyway. He suggested rather that England rescind her "visionary schemes for conquest" and enjoy the benefits derived from a free America. 42

Reed was not the only delegate contacted by Mr. Johnstone. Robert Morris, Henry Laurens, and Francis Dana received similar letters from the British envoy. Johnstone chose Morris of Pennsylvania, chairman of the Congressional Committee on Finance, because he had voted against the Declaration of Independence in 1776. He believed Morris was a moderate in his viewpoints. 43 On June 16, the emissary hinted to the Pennsylvanian that the one who aided in the restoration of good feeling deserved every favor afforded to him. Honor would be granted those who found "the vessel in the storm and brought her safely to port."


43 Van Doren, Secret History, p. 98.
Morris ignored his supplication.\textsuperscript{44}

President Laurens, unlike Morris, was quick to rebuke Mr. Johnstone's letter of June 10.\textsuperscript{45} His June 14 reply observed that the true interest of England lay in confirmation of America's independence. Congress, he believed, would never rescind its demand for a free and independent nation.\textsuperscript{46} In private correspondence to General Horatio Gates on June 17, Laurens admitted that the agent's demands, if "tendered some time ago, . . . there can be no doubt but that the people of America would joyfully have embraced" them.\textsuperscript{47}

In Johnstone's June 10 letter to Francis Dana, the commissioner claimed that Benjamin Franklin supported several undisclosed points within the North proposal. Although this was a misrepresentation of the facts, Johnstone hoped that Franklin's name would lend prestige to his offer.\textsuperscript{48}

Since Johnstone could not and did not offer independence, his June correspondence to the congressional

\textsuperscript{44}Wharton, \textit{Revolutionary Correspondence}, II, 616-17.

\textsuperscript{45}President Laurens to George Johnstone, June 14, 1778, Carlisle MSS, p. 343.

\textsuperscript{46}Burnett, \textit{Letters of Members}, III, 292-93.

\textsuperscript{47}Commager and Morris, \textit{Spirit of 'Seventy-Six}, pp. 697-98.

\textsuperscript{48}Wharton, \textit{Revolutionary Correspondence}, II, 811.
delegates proved worthless. On June 17, Congress deliberated upon the motion that all delegates place their correspondence from the British envoys before Congress. President Laurens objected, fearing increased congressional authority over individual freedom. The motion was never brought to a vote due mainly to President Laurens' objection. Laurens, however, did agree to provide William Henry Drayton with Johnstone's letters and a copy of his own reply for safekeeping. The legislature then allowed Drayton to collect all the Johnstone letters and to preserve them.49

Failing to obtain any encouraging information from Morris, Laurens, and Dana, Mr. Johnstone contacted Mrs. Elizabeth Graeme Ferguson, wife of Hugh Ferguson, the British commissary of prisoners. He met Mrs. Ferguson, a relation of Secretary Adam Ferguson by marriage, at Charles Stedman's home in Philadelphia on June 16. On the day of his departure, the British agent persuaded Mrs. Ferguson to enlist Reed's support. Mrs. Ferguson, an American, was sympathetic to the American cause but agreed to send a letter to Reed at Lancaster, Pennsylvania. She had told Johnstone, moreover, that she might travel to Lancaster

49 Henry Laurens to George Washington, June 18, 1778, Burnett, Letters of Members, III, 302.
to plead her husband's cause before the Pennsylvania Supreme Executive Council. If she travelled to Lancaster, Johnstone urged her to visit Joseph Reed. Due to her husband's pro-British beliefs, the council had summoned him on the charge of treason. He was a British subject, however, and could not be legally tried by the Americans on that charge. Hugh Ferguson escaped the wrath of the Americans by travelling to New York with Clinton's forces. 50

Mrs. Ferguson succeeded in her mission by having Reed meet her at Stedman's home on June 22. Reed seemed to be the correct choice to discuss a reconciliation. He treasured American and British unity and prior to the war counseled for moderation. Mrs. Ferguson explained that Mr. Johnstone knew of Reed's past sentiments for an end to the hostilities. 51 If he were to exert his influence in hopes of ending the dispute, then a reward of 10,000 and an office in the colonies were his. Reed claimed he was unworthy of such awards. 52

Reluctant to harm the lady's reputation, Reed failed

50Roche, Joseph Reed, p. 138; Einhorn, "Reception of the British Peace Offer," p. 206; Van Doren, Secret History, p. 100.

51Roche, Joseph Reed, pp. 138 and vii.

52Commager and Morris, Spirit of 'Seventy-Six, II, 700.
to turn this information over to Congress until after the Battle of Monmouth. While Reed was at Monmouth, the congressional delegates requested that all letters received by the delegates from the commissioners be placed before Congress. Robert Morris and Francis Dana responded on July 9 and 16 respectively. Mr. Reed presented his letters to Congress, meeting at Philadelphia July 18, but without mention of Mrs. Ferguson. Congress, on August 11, declared that the commissioners' letters and discussions with Reed and other congressmen were an endeavor to bribe the delegates and resolved never to acknowledge the correspondence of George Johnstone.

While Johnstone's intrigues continued, the envoys boarded the Trident on June 16. Since the Trident did not sail from the Delaware River until June 28, Eden and Carlisle passed the time by writing observations of their two week stay in the colonies. Carlisle, in notes to his wife, claimed that the evacuation of the army doomed the mission.

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53 Washington attacked Clinton on the latter's way to New York on June 28. No advantage was gained by either side. Approximately three hundred were killed in both armies. Allen, History of Revolution, II, 183.

54 Roche, Joseph Reed, p. 138; Van Doren, Secret History, p. 102.


56 Stevens, Facsimiles, IV, No. 372.
from the beginning. Clinton's forces, he thought, were better trained than those of his adversary. The British army, while in Philadelphia, gave to the "people of property" a feeling of security. The offers of the British agents, believed Carlisle, satisfied these less independent-minded Americans. The loss of the army, however, forced the representatives to expose all their offers at once. In another letter Carlisle further reviewed the June situation.

Our situation permitted none of the protracting arts of negotiation; it was too nice and critical to attempt any experiment, and we were all convinced that we had no other part to take but at once to display every concession and every inducement which our country had empowered us with, to establish the general tranquility. 57

William Eden, like Carlisle, ridiculed the ministry for its duplicity. The ministry openly had offered complete support to the commission, while it secretly undermined the envoys' position in America by not informing them of the evacuation. "It is ... cruel ... to have been so ill-used by those in whom I placed the most implicit confidence." He expressed hope for better results in New York but feared that they would return home unsuccessful. 58

57 Carlisle to Lady Carlisle, June 21 to July 7, 1778 and Carlisle to Rev. Ekins, October, 1778, Carlisle MSS, pp. 345 and 381-82.

58 William Eden to Alexander Wedderburn, June 18, 1778, Stevens, Facsimiles, V, No. 500.
While the representatives from England continued their denunciations of the ministry in such correspondence, American congressional delegates expressed their views of the situation. Delegate Thomas McKean of Delaware, on June 17, advised the President of the Council of Delaware, Caesar Rodney, not to be enticed by the commissioners' offers. "Be upon your guard with regard to Letters from the Enemy; they intend to seduce, corrupt and bribe by every method possible." Oliver Wolcott, delegate from Connecticut, wrote to his close friend, George Wyllys, advising him not to be persuaded by the British demands. The purpose of the overtures were to prevent America's ratification of the "French Treaty" and to divide colonial thinking.


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59 The governor of a colony was usually restricted by an executive council or council of state which was appointed by the legislature. Barck and Lefler, Colonial America, p. 581; Burnett, Letters of Members, III, 300-301.

Henry Lee conveyed hope for the defeat and ruin of England. The French, he believed were the only people powerful enough to save the American cause. France brought new hope into the "unequal conflict."

Like Patrick Henry, Richard Henry Lee believed in the necessity of a foreign war. A French and Spanish threat to the British West Indies and North America was inevitable. A British war with all the Bourbon family opened wide the opportunity for America to secure "peace for a century."

Richard Henry Lee was not mistaken in expressing his expectation of French intervention in the West Indies and off the North American coast. Unknown to either the Americans or the British agents, the French fleet under Admiral d'Estaing sailed from Toulon, France on April 13. This fleet arrived off the coast of America on July 8, with France's ambassador to America, Conrad Alexander.

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Gérard. 64 Carlisle later admitted that leaving the Delaware River on June 28 enabled the commissioners to escape the blockade of d'Estaing. That, to him, was the only good which came from British evacuation of Philadelphia. 65

After landing in New York on June 30, 1778, the British emissaries found themselves in a worse position than before their arrival in America. A hostile French fleet now sailed off the coast. A belligerent Congress continued its denunciations of the British mission. Support from American Loyalists and the British ministry alike had been negligible. Leaving Philadelphia, moreover, would not result in prosperity for the commission during the remaining summer months. These months, in fact, would witness the loss of one commissioner and the further decline in optimism by the others.

64 Mahon, History of England, VI, 250.
65 Carlisle to Rev. Ekins, October, 1778, Carlisle MSS, p. 382.
CHAPTER VI

THE SUMMER NEGOTIATIONS: A DISAPPOINTMENT

The Carlisle Commission's efforts during June had achieved nothing. The American Congress enjoyed a further advantage over the British envoys with the arrival of the Franco-American treaties. The commissioners, in a letter to George Germain on July 5, 1778, wrote that the Treaty of Alliance and the evacuation of Philadelphia together "have so Elated the persons in Authority through the Revolted Colonies" that peace remained further than ever from realization. But to counteract these misfortunes the commissioners planned to utilize every diplomatic means at their disposal. Carlisle claimed that the emissaries were not ready to resign but would remain in America with hope for success.

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1 Stevens, Facsimiles, XI, No. 1115.
2 Carlisle to Lord Gower (Lady Carlisle's father), July 17, 1778, Carlisle MSS, p. 349.
The commissioners' peace moves failed to intimidate America's July 4 celebration. In fact the festivities seemed more impressive than ever. Orators attacked compromise and proclaimed independence. One such American, David Ramsay of South Carolina, claimed that the effect of colonial freedom was to remove one quarter of the globe from tyranny and oppression. America's struggle, he believed, "attracted the attention of all Europe to the nature of civil liberty, and the rights of people." There existed no "shadow of liberty . . . when the single NO of a king, 3,000 miles distant, was sufficient to repeal any of our laws." Another South Carolinian, William Henry Drayton, also magnified British fears. On July 9, 1778 he chastised the envoys' offers, claiming that each British suggestion was a ruse to seduce the American people.

Not all colonials, however, were as direct as Drayton and Ramsay. Samuel Adams, writing under the name of "An American," was more subtle in his approach. In a

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3Davidson, "Whig Propagandists," p. 50.


5The Pennsylvania Packet or the General Advertiser (Philadelphia), July 9, 1778.
letter to the British agents, he wondered whether England was serious about wishing to end hostilities.\textsuperscript{6} England intended to monopolize the colonies' commerce. Yet America's interests, he believed, lay in trading with all the world. He sarcastically rebuked England for offering America a place in Parliament. America was appreciative of the kind offer made to grant the colonies a share in your sovereign; but really, gentlemen, we have not the least inclination to accept of it. He is not to our taste. . . . The blood of the innocent is upon your, [England's] hands, and all the waters of the ocean will not wash it away.\textsuperscript{7}

Even after these latest displays of hostility, the commissioners remained alert for any colonial peace overtures. Reaching New York June 30, they found time to pen a reply to the congressional letter of June 17.\textsuperscript{8} The letter from Congress stated, in part, that the delegates were ready to entertain discussions for a peace treaty when the king of England demonstrated a sincere desire for peace. England, moreover, was to remove all its forces and to grant independence.\textsuperscript{9}

\begin{footnotes}
\item[6]"An American" to commissioners, July 16, 1778, Harry Alonzo Cushing (ed.), \textit{The Writings of Samuel Adams} (New York: G. P. Putnam's Sons, 1908), IV, 25.
\item[7]Ibid., pp. 25, 28, 30, and 38. Author's brackets.
\item[8]Supra, p. 104.
\end{footnotes}
reiterated Britain's acknowledgement of the colonials' freedom, with certain reservations. The letter insisted that the commissioners had "no doubt of his Majesty's disposition to remove every subject of uneasiness from the colonies." Yet there were "circumstances of precaution against our ancient enemies" which necessitated the continuation of armed force in America. The envoys rejected the right of Congress to enter into foreign alliances without the consent of each colonial legislature. The agents concluded their message by threatening to take the issues directly to the people.¹⁰

By mid-July, negotiations had not resolved American and British differences. The British envoys continued to increase colonial wrath by doubting the authority of Congress. The commissioners' threat to appeal to all the people not only alienated Congress but also admitted the mission's failure in normal negotiation. The envoys did irreparable harm to their mission by attempting to intimidate Congress. Any congressional sympathy for the mission was lost.

On July 18, Congress discussed the British note and considered the following resolutions proposed by Gouverneur Morris.

¹⁰Great Britain. Collection, Commissioners to Congress, July 11, 1778, Evans Bibliography, 15825, 23-25.
Resolved that neither of the Commissioners . . . appear to be duly impowered either as an Ambassador, Minister Plenipotentiary Resident or otherwise to represent the King of Great Britain to these united States.

Resolved that Congress can by no means hold any Treaty with or answer any Proposition which may be made by the Said Commissioners or either of them.

The Congress upheld Morris and agreed not to answer the British envoys' letter. 11

Several delegates also expressed disapproval of the commissioners and their offers in letters to friends and in editorials. Josiah Bartlett, writing to William Whipple July 20, 1778, claimed that the British expressed no desire for an end to hostilities. Richard Henry Lee of Virginia and John Penn of North Carolina expressed similar views in letters to Thomas Jefferson and Governor Richard Caswell of North Carolina, respectively. 12

Samuel Adams, writing in the Pennsylvania Evening Post, insisted that Congress cared little whether England acknowledged American liberty. America was a free land. The British feared French dominance of the colonies and


therefore quartered troops in the colonies. If France were to invade England, he believed the latter's forces in America would be of no value. A second reason for England's remaining in the colonies was to protect the Loyalists. But Adams contended that England need not worry about her American allies. The less important Loyalists would receive pardons, while the leaders would be tried. This writer insisted that the mother country had also found it almost impossible to protect her commissioners. He terminated the article with a final criticism of the attempted bribes. "But know, that those who have withstood your flattery, and refused your bribes, despise your menaces. Farwell. When you come with better principles, and on a better errand, we shall be glad to meet you." 13

The commissioners, especially Mr. Johnstone, were ridiculed further in an article written July 27 but appearing in the Providence Gazette of August 22. The article claimed that the attempted bribe of Joseph Reed was offensive enough to make a "blush in hell." It claimed that Johnstone's fiasco decreased the opportunity for further negotiations.14

While Carlisle, Eden, and Johnstone, awaited a

13The Pennsylvania Evening Post, July 23, 1778.
response to their letter of July 11, they divided their time between writing notes to friends and family in England and recording their impressions for later reference. Carlisle and Eden expressed concern over the blockading of New York harbor by Count Estaing's fleet. Carlisle, in a private note to his wife, expressed frustration and futility in remaining since Generals Washington and Gates were near White Plains, New York. Besides, the French fleet was outside the harbor. Carlisle, however, acknowledged that since his opinion was but one among many, he agreed to remain.

The military situation mentioned by Carlisle involved cooperation of French and American forces. Washington reported to General John Sullivan on July 17 the purpose of Estaing's new operations. The French fleet, which arrived off Sandy Hook--gateway to New York harbor--July 13, was to cooperate with the American armies in the execution of plans against the British. The total number of French vessels off Sandy Hook was twelve ships and four frigates. Although Estaing planned to enter New York harbor and attack the British ships, the entrance proved


16 Carlisle to Lady Carlisle, July 21, 1778, Carlisle MSS, p. 357.
too shallow for the larger French vessels. Washington and Estaing agreed, instead, to send the Gallic ships on an expedition to Rhode Island.  

The British situation improved slightly with the sailing of Estaing's vessels from the mouth of New York harbor on July 22, although Eden still expressed concern that Clinton was to dispatch eight thousand of his troops to the West Indies and Florida. The success of the peace mission, he believed, depended upon the correct use of British forces, and he wondered if troops for the Carribean were necessary.  

The 8,000 troops to be sent south were a portion of the 25,997 available to Clinton in the summer of 1778. Washington opposed Clinton with 16,000 and an additional 12,000. Due to the French fleet's control of the sea along the North American coast, Clinton had been afraid to dispatch the 8,000 troops without support from the blockaded British fleet in New York.

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19 General Haratio Gates had 7,000 at White Plains, while General John Sullivan's forces included 5,000 in Rhode Island. Sir Henry Clinton's Dispatch, July 27, 1778, Fortescue, *Correspondence of George III*, IV, No. 2397.

20 Ibid.
The sailing of the French fleet to Rhode Island, therefore, allowed Clinton time to prepare 8,000 of his army for the voyage south. Major General James Grant was to embark for St. Lucia with 5,000, while General Archibald Campbell was to leave for Georgia and East Florida with the remaining 3,000.\(^{21}\) Prior to thisClinton had been unable to follow Lord Germain's instructions of March 21—to immediately dispatch 8,000 troops south—since he had lacked the vessels.\(^{22}\) With Estaing's arrival off New York's coast in July, 1778, General Clinton had postponed troop departure. On November 4, 1778, the 5,000 under General Grant would embark for St. Lucia.\(^{23}\)

With Estaing's fleet off Rhode Island, Lord Richard Howe could finally take the offensive. Word came to Lord Howe, on July 30, that Admiral John Byron's British fleet was nearing New York.\(^{24}\) Admiral Byron's fleet provided England with temporary control of the sea off North America. This maneuver, however, weakened England's position in the English Channel, since no large fleet


\(^{22}\)Supra, pp. 52-53.


remained off the English coast. Admiral Howe could not wait for Byron's arrival for fear of losing Estaing's fleet. Howe failed, however, to attack the French vessels due to a severe storm which scattered both fleets.

During the summer the British seemed as ineffective in military endeavors as in negotiation. On sea and land the British had achieved nothing. Estaing's vessels not only had kept Lord Howe at bay but also had forced Clinton to wait months before shipping his troops to the West Indies. This lack of troops hindered British plans for early victory in the West Indies. If one French fleet could cause so much havoc with British strategy, the Americans wondered what total French involvement could achieve. The Americans, moreover, noticed Britain's inability to provide complete security for its commission. The colonials reasoned that if England could not protect its own commissioners how could it defend a whole continent.

With Admiral Byron's vessels nearing the coast, the commissioners felt a little more secure. They resumed their entreaties for a settlement of the issues. Adam Ferguson, directed by the commission members, sent a note to Henry

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Laurens requesting the release of General Burgoyne's forces. Under the Saratoga Convention all troops of Burgoyne were to be allowed to return to England. The commissioners demanded that the agreement signed by Burgoyne and General Gates be upheld. 27 In a letter to the President of South Carolina, Rawlins Lowndes, Laurens expressed his sentiments. He disapproved release of the British army without Parliament's ratification of the Saratoga Convention. Laurens knew well that such acceptance would be almost acknowledgement of American liberty. 28

This rebuttal only increased the envoys' fervor. On August 26, they asked Congress, once more, to release the troops. 29 Congress, following Laurens' advice, made it clear on September 4 that the troops were not to be released until Parliament ratified the agreement. Failing to obtain any progress, Clinton made a final plea on September 19. The reply of Congress, signed by Secretary Charles Thomson, closed the issue with the statement that "the Congress of the united states of America make no

27 Great Britain. Collection, Adam Ferguson on behalf of commissioners to Henry Laurens, August 7, 1778, Evans Bibliography, 15825, 26-27. The Saratoga Convention was dated October 17, 1778. Barck and Lefler, Colonial America, p. 626.

28 Henry Laurens to Rawlins Lowndes, August 11, 1778, Burnett, Letters of Members, III, 368-70.

29 Ford, Journals of Congress, XII, 882.
answer to insolent letters."\(^{30}\)

The summer months permitted no respite from colonial castigations. Henry Laurens admitted to Washington that he had penned notes to friends to convince them of the corruptness of the commissioners. As early as July 31, 1778, he believed that the English ministry would soon acknowledge failure and recall the Carlisle Commission.\(^{31}\)

Like Henry Laurens, Philip Freneau, the poet, concluded that the envoys must leave America and "pass their days in poverty and pain."

O'er Britain's isle a thousand woes impend,  
Too weak to conquer, govern, or defend,  
To liberty she holds pretended claim-----  
The substance we enjoy, and they the name. . . .

Freneau extolled the Americans to rise up and right the wrongs.

Americans! revenge your country's wrongs;  
To you the honour of this deed belongs,  
Your arms did once this sinking land sustain,  
And saved those climes where Freedom yet must reign----  
Your bleeding soil this ardent task demands,  
Expel yon' thieves from these polluted lands  
Expect no peace till haughty Britain yields.\(^{32}\)

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\(^{31}\)Henry Laurens to Washington, July 31, 1778, Burnett, Letters of Members, III, 355-56.

\(^{32}\)The title of the poem, written in August, 1778, is "'America Independent' and Her Everlasting Deliverance from British Tyranny and Oppression." Fred Lewis Pattee (ed.), The Poems of Philip Freneau, Poet of the American Revolution (Princeton, New Jersey: The University Library, 1902), I, 22 and 280-82. Freneau spent time in the West Indies serving as the mate aboard a Captain Hanson's frigate, returning to America in July, 1778. The poet remained in America until 1779 writing patriotic poems. Ibid., xxvi-xxviii.
Freneau's poem was an impassioned appeal to the heart rather than to the intellect. It was to produce an overflow of emotion—hatred, sorrow, and anger—directed at Britain and her commissioners. If a contemptuous attitude toward the commission could be maintained, the poem would have served its purpose.

George Johnstone remained the central figure receiving much of the criticism from the Americans. On August 11, Congress began its final discussions on the conduct of the former governor of West Florida. Congress studied the letters of Johnstone to Joseph Reed and Richard Morris written during the spring of 1778. Once more Reed reviewed his discussions with "a lady" in Philadelphia. He mentioned the bribe offered by this lady on behalf of Johnstone.

After several hours of deliberation, Congress reached a decision on August 11. In the opinion of the delegates, Johnstone's attempted bribe was a direct means "to corrupt and bribe the Congress of these united states of America."

The congress, furthermore, resolved:

That it is incompatible with the honour of Congress to hold any manner of correspondence or intercourse with said George Johnstone, Esq; especially to negotiate with him upon affairs, in which the cause of liberty and virtue is interested.

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34Supra, pp.109-10; Great Britain. Collection, Congress, Minutes on August 11, 1778, Evans Bibliography, 15825, 29-30.

Of the members attending, sixteen voted against and eleven voted in favor of the declaration. The vote to bar further discussions with Johnstone was indeed close, with influential men like Elbridge Gerry and Francis Dana of Massachusetts and Gouverneur Morris of New York voting against the resolution. The close vote seemed to verify that numerous delegates wished not to offend the English ministry by outright condemnation of one of its representatives.

When the commissioners received news of the congressional action, Carlisle, Eden, and Clinton penned a joint reply on August 26. They claimed no knowledge of Mr. Johnstone's activities until the information appeared in the July 21 issue of the Pennsylvania Packet. Their August 26 dispatch to Congress, however, was not a vindication of their colleague, who they felt needed no support. In this dispatch to Congress, the remaining commissioners stated Johnstone's opinions on reconciliation. Paraphrasing Johnstone, the envoys claimed

that the offers of great Britain were obviously adopted to promote and establish the liberties, peace, opulence, increase security and permanent happiness of the inhabitants of this continent, and that those blessings in an equal degree were not to be expected from any other connexion or mode of government whatever.

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37 Carlisle MSS, p. 361; Roche, Joseph Reed, p. 141.
38 Great Britain. Collection, Declaration by commissioners, August 26, 1778, Evans Bibliography, 15825, 35.
Johnstone, however, needed no support from his colleagues. On August 26, he personally answered his congressional critics with sarcasm and ridicule. He claimed not to be offended by the charges. It was a "mark of distinction" to which he was "by no means entitled." His intention had always been to promote reconciliation and to do nothing to hinder it. In keeping with that aim, he decided to resign from the Carlisle Commission and not to enter into further negotiations.39

The resignation of Johnstone caused little interest in Congress. The Pennsylvania Packett even praised the former governor for relinquishing his position. In so doing, the editors believed that he had improved his good name.40 But, in reality, Mr. Johnstone had caused more mischief than good as a negotiator. Because he incessantly advocated a reconciliation, his illicit negotiations did not trouble him. Since his secret discussions had achieved nothing, the only effect of his resignation was to lessen further the commission's prestige. To have an emissary resign during negotiations was not advantageous.

39Great Britain. Collection, Johnstone's answer to Congress, August 26, 1778, Evans Bibliography, 15825, 32-33; Johnstone's answer to Congress, August 26, 1778, Stevens Facsimiles, XI, No. 1132.

40The Pennsylvania Packett, September 17, 1778.
At the time of George Johnstone's resignation, a diplomatic scheme engaged the other commissioners. In August John Berkenhout and John Temple reached New York from England. Berkenhout, a physician and friend of Arthur Lee, was an agent for the Carlisle Commission. 41 He assumed the guise of a British agent to Congress, friendly to the American cause. His associate, John Temple—an American—had lived in England during much of the war. A Whig in political beliefs, he had volunteered to aid the commissioners in America. Fearing recognition, Temple travelled to Boston and remained in seclusion for the duration of the Carlisle Commission's stay. 42

While Temple prepared to depart New York, his colleague, John Berkenhout, remained active. Agent Berkenhout received $300 from the army's secret service funds for expenses. 43 Writing to Carlisle on August 20, 1778, Eden could not see any advantage in sending Berkenhout to Philadelphia. He believed it would hinder rather than

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41 Arthur Lee was a "militia diplomat" in Europe and the brother of Richard Henry Lee.

42 John Temple professed, in a letter to Samuel Adams on August 23, his amity for America and desire to remain in the colonies. Congress, however, suspected Temple of being a British agent. He appeared before Congress during December to defend himself on the charge of being a British agent. After three weeks of discussions with Congress, Temple left for England on December 20, 1778. Van Doren, Secret History, pp. 78-79, 106, and 115-16.

43 Van Doren, Secret History, p. 106.
aid the commissioners. Yet Eden's reservations did not dissuade Mr. Berkenhout. After obtaining a safe conduct pass from American General William Maxwell, the British agent reached Philadelphia on August 27. Due to his friendship with Arthur Lee and alleged support for America, Richard Henry Lee cordially greeted him. Berkenhout's information from the British ministry included instructions on discovering the beliefs of colonials like Richard Henry Lee. He failed in this endeavor. Berkenhout continued in his sympathetic role by promising to return to England to present America's cause to Parliament.

Congress discovered Berkenhout's true purpose as an agent of the Carlisle Commission and brought him before the Supreme Executive Council of Pennsylvania on September 3. Congress had learned through a London newspaper that Berkenhout was an agent. Imprisoned by the council, he was paroled on September 14, and reached New York five days later.

A diary kept by Berkenhout provided a clue to his beliefs and indicated the high cost of reconciliation. He assumed that bribery was one means of obtaining support

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44 Carlisle MSS, p. 360.
for his cause. He also believed a well trained, provincial army could easily destroy Washington's band of thieves and vagrants. His resentment of the American cause, the Franco-American treaties, and Congress added additional encumbrances to an already overburdened mission.47

Carlisle and Eden had become further discouraged during August and September with the continuing indifferent attitude of the British ministry. George Germain reminded the envoys to be careful not to make any concessions contrary to those in their instructions.48 King George concluded from the mission's early reports that negotiations seemed useless, even a "joke." To George III an evacuation of all the colonies seemed imminent unless there was a concentrated British attack upon French forces. With the defeat of France, all resources then could be arrayed against America.49

George III, with more enthusiasm, however, invoked the British agents on August 15 not to abandon the mission. Any just settlement by the emissaries, which he believed unlikely, would be confirmed completely by Parliament.50

47 Roche, Joseph Reed, p. 141; Van Doren, Secret History, pp. 109-10.
48 George Germain to commissioners, August 5, 1778, Stevens, Facsimiles, XI, No. 1124.
49 King George to Lord North, August 12, 1778, Donne, Correspondence of King George, II, 207.
Writing to Carlisle and Eden on September 2, Germain summed up the opinions of King George and the ministry. He urged Carlisle and Eden to continue their present course. The mission was to remain in the colonies until it exhausted every means for peace.\textsuperscript{51}

Ardent support came from mercantile interests in New York City. During August, several merchants penned a letter to the commissioners expressing their hope for a successful mission. The motive for their interest lay in the repeal of the Prohibitory Act of 1775-76. This act had forbade commercial relations between the rebellious colonies and the British Empire. Under its provisions, the British captured colonial vessels and confiscated their cargoes. The act held the promise of open trade if any colony, town, or port demonstrated its loyalty to England.\textsuperscript{52} The New York merchants claimed allegiance to England and promised to trade only articles not needed by the British armed forces.\textsuperscript{53}

Carlisle and Eden replied to the merchants on August

\textsuperscript{51} Stevens, Facsimiles, XI, No. 1142.

\textsuperscript{52} Barck and Lefler, Colonial America, p. 590.

\textsuperscript{53} The merchants' list of goods included tobacco, indigo, bees wax, flax seed, potash, lumber, dyewoods, furs, and oils. Great Britain. Collection, Letter written by merchants to commissioners, n. d., Evans Bibliography, 15825, 41-42.
They assured the Americans of their desire for peace and an end to the embargo. The commissioners promised to restore trade at the conclusion of hostilities.\footnote{Stevens, Facsimiles, XI, No. 1137.}

After more such promises of good faith, however, Carlisle, Eden, and Clinton, in a declaration to the merchants, agreed to suspend the Prohibitory Act for New York harbor. After September 26, New York merchants could trade with England, Ireland, Newfoundland, Quebec, the Floridas, and the British West Indies.\footnote{Great Britain. Collection, Commissioners to New York merchants, August 29, 1778, Evans Bibliography, 15825, 43.} The British emissaries deemed it advisable—both as a political overture and an economic measure—to remove valuable New York merchandise into the mercantile circulation of the British Empire. Although the envoys failed to obtain a commercial plan based upon more liberal principles, Carlisle and Eden believed this limited change in policy necessary and beneficial. The new policy was to be enforced for three months or until the commissioners revoked it.\footnote{Commissioners to George Germain, October 15, 1778 and Commissioners concerning trade of New York, September 26, 1778, Stevens, Facsimiles, XII and V, Nos. 1179 and 527. Under this declaration, Andrew Elliott, Superintendent of the Port of New York, had the authority to license any merchant, previously pardoned by the commissioners, to leave New York and transport commerce to the aforementioned colonies of the British Empire. Commissioners to Andrew Elliott, September 26, 1778, Stevens, Facsimiles, XI, No. 1166.}
During formulation of their September declaration, the commissioners also reported to the ministry. Their correspondence mentioned little hope for completion of their mission. But even if diplomacy foundered, they urged that England not relinquish its struggle. Only the French would gain from England's evacuation of the colonies.58 The commissioners concluded with a final defense of Mr. Johnstone's actions. His sincere desire for a settlement had induced him to proceed on his own to aid the mission in achieving peace.59 Mr. Johnstone had left New York September 24 expressing hope for America's return to the mother country.60

Eden and Carlisle concluded their September letters with a criticism of Britain's military endeavors. The French fleet, as of September 21, was secure from British harassment. The British fleets of Admiral Byron and Admiral Gambier were content to allow the French to remain in Boston harbor.61 Eden and Carlisle contended that a British

58 Ritcheson, British Politics, pp. 281-82.
59 Commissioners to George Germain, September 5, 1778, Stevens, Facsimiles, XI, No. 1146.
60 George Johnstone to Carlisle, September 24, 1778, Carlisle MSS, p. 369.
61 Admiral Gambier had become commander of Admiral Howe's squadron on September 12, 1778. Carlisle to Rev. Ekin, October, 1778, Carlisle MSS, p. 386.
defeat of Estaing would be a double victory. The Americans would discover the inability of the French to remove the British menace, and the French would receive a loss in prestige. The English, however, allowed the Gallic forces to remain intact. The commissioners believed a defeat of the French would serve to renew the loss of prestige by their mission. The Englishmen grasped any prospect that would improve their position.

The failings of British naval and land forces and of the British ministry to bolster its mission led Carlisle to admit the inevitability of collapse of his mission. He confided in his diary late in September that an English victory lay only in the military humiliation of America. Since America did not wish to return to the British Empire peacefully, then the colonies must be made to suffer destruction. Due to the colonial agreements with France, America must be further confronted with pain and hardship.

Lack of success had obviously frustrated Carlisle and Eden. During the latter part of the summer, their correspondence contained increasing bitterness. One of the commissioners had been disgraced, the French fleet and

62Ibid.; Commissioners to George Germain, September 21, 1778, Carlisle MSS, p. 386.

63Carlisle Minutes, September 29, 1778, Stevens, Facsimiles, V, No. 529.
American forces were still active, and the prestige of Congress continued to increase at the expense of the Carlisle Commission. Yet the envoys had one last alternative--their October Manifesto.
CHAPTER VII

PRESENTATION AND REJECTION OF THE
OCTOBER MANIFESTO, 1778

The summer of 1778 had failed to witness successful peace negotiations or alleviation of the commission's difficulties. Secret negotiations by Mr. Johnstone, the ineffective activity of Loyalists, and the lethargic attitude of the British ministry handicapped the mission. Neither a cessation of hostilities nor a signed conciliatory agreement existed between the adversaries. But even with the October Manifesto, a new and final peace overture, the Carlisle Commission's problems increased.

Letters from North and Germain irritated the envoys with increased criticisms of the mission. Added to this was the lack of Loyalist support for the emissaries. The evacuation of Philadelphia, arrests of numerous British sympathizers, and inability of the commissioners to aid Loyalists negated their trust in the mission. For example, Joseph Galloway, an avowed Loyalist, requested the release
of several colleagues confined in a dungeon "by the usurped
Powers of Pennsylvania for High Treason." Yet this October
2 request that the British emissaries intercede in behalf
of John Roberts, James Stevens, and Abraham Carlisle
failed. The peace commissioners, Galloway believed, had
only raised futile hopes. Carlisle and Eden were not to
be trusted; they talked only "political nonesense." Never-
theless, Galloway continued advocating compromise with
hopeless persistence. The British agents in America had
failed him, but Galloway embarked for England in October,
1778, still anxious for reconciliation.2

While other Americans assailed the mission as a
means to overthrow the colonial government, the Marquis
de Lafayette took it as a personal insult. As early as
September 24, 1778, Lafayette had related to Washington
that French honor was at stake.3 Still the most prominent
Frenchman in America, Lafayette challenged Carlisle to an
October duel. Washington reported to Estaing, on October
2, that the Marquis' challenge was a "fresh instance of
his sensibility for the honor of his Nation." Like Estaing
Washington cautioned the Frenchman to save himself for

1 Stevens, Facsimiles, XI, No. 1170.
3 Sparks, Correspondence of the American Revolution,
II, 209.
"greater occasions."  

Carlisle, however, refused to accept the duel and claimed that he was not responsible to any individual for his statements. Lafayette had challenged him chiefly because his name appeared at the head of the commission. Carlisle claimed that he was "solely answerable" to his country and king. Lafayette later admitted that Carlisle was right but believed he would have gained prestige by risking his life for the honor of France.

Following this brief diversion from official peace efforts, the Carlisle Commission tried "to head off a humiliating failure for their mission" by issuing its final appeal on October 3. The purpose of the "Manifesto and Proclamation" was to restate and clarify some of the points previously mentioned. The declaration warned the colonists of further troubles if they continued to condone the war. "And we once more remind the members of the Congress that they are responsible to their countrymen, to the world, and

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4Washington to Lafayette, October 4, 1778, Fitzpatrick, Writings of Washington, XIII, 9, 12, and 19-20.


6Carlisle to Lafayette, October 11, 1778, Stevens, Facsimiles, XI, No. 1175.

7Tower, Marquis de la Fayette, II, 35.

to God, for the continuance of this war, and for all the miseries with which it must be attended." Carlisle claimed Congress had no authority to reject the proposal for an end to taxation without the colonial assemblies' approval. 9 The only taxation would be for the regulation of commerce and the duties obtained would be used by the colonies for internal improvements. 10 This was meant to emphasize and clarify the tax portion of the North Conciliatory Plan. 11

Since Congress had refused to cooperate, the envoys believed an open appeal was the only alternative. Although the emissaries maintained that England denounced all attempts at dividing the American people, the commissioners still encouraged any person, including the military, to condemn the war and return to the fold. 12 The offer of pardon excluded judges and "officers of civil justice" who had

9Great Britain. Collection, Commissioners' Proclamation, October 3, 1778, Evans Bibliography, 15825, 49; Stevens, Facsimiles, XI, No. 1172.

10Great Britain. Draught of a Bill for declaring the intentions of the Parliament of Great Britain, concerning the exercise of the right of imposing taxes within his majesty's colonies, Provinces, and Plantations in North-America (Philadelphia: Macdonald and Cameron, 1778), Evans Bibliography, 15828.

11Supra, pp. 26-27.

12Commissioners' Proclamation, October 3, 1778, Stevens, Facsimiles, XI, No. 1172.
executed persons loyal to England.\textsuperscript{13}

If neither the Congress nor the people adhered to these offers, "laws of self-preservation" would prescribe British retaliation. If the Americans rejected the proposals, Britain would not be held responsible for the events to follow.\textsuperscript{14} After France entered the affair, the struggle had become more than just a "family quarrel." Now, Britain warned, America must suffer the consequences of such an alliance.\textsuperscript{15}

The manifesto closed with a request that all civil and military personnel aid "us in the execution of this our Manifesto and Proclamation and of all the matters herein contained." The commission promised to send copies, written in English and German, to all the colonial assemblies and to Congress. This direct offer to the American people took on the aspect of an ultimatum. The offer of October 3 must be accepted by November 11, 1778.\textsuperscript{16}

\textsuperscript{13}Others included were prisoners at the time of the October Manifesto, and those who became prisoners after the issuance of the document. Great Britain. \textit{Collection, Commissioners' Proclamation, October 3, 1778, Evans Bibliography, 15825, 50 and 53-54.}

\textsuperscript{14}Great Britain. \textit{Collection, Commissioners' Proclamation, October 3, 1778, Evans Bibliography, 15825, 51-52.}

\textsuperscript{15}Brown, \textit{Empire or Independence}, pp. 284-85.

\textsuperscript{16}Great Britain. \textit{Collection, Commissioners' Proclamation, October 3, 1778, Evans Bibliography, 15825, 54-55.}
Before that time agents of the commissioners would circulate copies of the proclamation under flags of truce. Congress, however, considered this a violation of colonial law and recommended that the agents be seized. Admiral Gambier, the new commander-in-chief of British naval forces in North America, nevertheless appointed vessels to carry the documents and the agents to the various colonies.

The American response to this latest endeavor was not long in coming. William H. Drayton of South Carolina renewed previous colonial arguments. The offers of England, compared to France, were nil. England had better "look at home" before accusing France of any wrongdoing. Another colonial citizen called the commissioners' attempt "a begging performance." The Pennsylvania Evening Post paralleled the Packett in its views. The latest issuance demonstrated the contempt which England maintained for America.

Such adverse newspaper reactions, however, failed to discourage the commissioners. For the first time in many

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17 Pitkin, Political and Civil History, II, 58-59.
18 Commissioners to Admiral Gambier, October 3, 1778, Stevens, Facsimiles, XI, No. 1173.
19 The Virginia Gazette, October 9, 1778.
20 The Pennsylvania Packet, October 15, 1778.
21 The Pennsylvania Evening Post, October 16, 1778.
weeks, the envoys expressed cautious optimism in their October 15 letter to George Germain. With a pardon for treasonable acts, the Americans had the opportunity to return to the favor of England. Another purpose of the proclamation was to end the insults and to disavow any further expectations for concessions. It would also leave in the colonies "an Impression . . . of the Benevolence" and good will of Great Britain. The time seemed most appropriate for this public appeal due to the increasing disgust between France and America.22

Almost before the British envoys concluded their letter to Germain, a congressional committee reported its action on the latest British offer. This committee, composed of Gouverneur Morris, William Duer, John Mathews, Richard Henry Lee, and Elbridge Gerry, repeated that Congress, on April 22, 1778, had already resolved that any persons who made any agreement with the commissioners "ought to be considered Enemies of the United States." The purpose of the October declaration was merely to revive animosities and encourage rebellion among the colonials. Congress,

22 Stevens, Facsimiles, XII, No. 1178. Among reasons for increased distrust between the allies was a recent incident between General Sullivan and Count Estaing. Sullivan blamed Estaing for failing to support him in an attack on Newport, Rhode Island in August, 1778. The attack never occurred due to Estaing's having to flee for fear of capture by Howe's fleet. Barck and Lefler, Colonial America, p. 632.
therefore, would never honor the flags of truce.23

Despite these early colonial reactions, the commission dispatched several agents with copies of the "Manifesto and Proclamation." On October 17, Governor Patrick Henry of Virginia received the information from Major Thomas Mathews, commander of Fort Henry. The latter reported that a British officer had arrived at the fort with copies of the proclamation for the speaker of the legislature, several officers in Virginia, and ministers of the gospel.24 British officer John Hay learned, however, that the Virginia response regarded the dispatches as "calculated to divide and mislead the good People of this country."25 The Virginia legislature resolved that Governor Henry inform Mathews to order the British officer to leave Virginia.26

Some agents were not as fortunate as Hay. Pilot Welbank's sloop wrecked, and he found himself confined

23Ford, Journals of Congress, XII, 1013 and 1015; Congress Resolutions, October 16, 1778, Stevens, Facsimiles, XII, No. 1186. William Duer was a delegate from New York; John Mathews was delegate from South Carolina; and Elbridge Gerry was a delegate from Massachusetts. Burnett, Letters of Members, III, lvi, lxi, and liv.

24Henry, Patrick Henry, I, 567.


26Henry, Patrick Henry, I, 567.
to a prison in Philadelphia. Under a flag of truce Welbank was to have travelled to Delaware to deliver a copy of the manifesto to the assembly. Another agent failed to reach Annapolis, Maryland. Adam Ferguson then had to personally send a copy to Governor Thomas Johnson.27

The physical difficulties encountered by British agents and the rejection of the declaration provided anti-British propagandists with more ammunition. Thomas Paine, in an October 20 letter to the commissioners, denounced the offer as a "stupidity which conceals you from yourselves" and "exposes you to . . . contempt." He believed Britain's attitude toward the Franco-American agreement was ridiculous. France had provided America with a generous and noble treaty. "In France, we have found an affectionate friend and faithful ally: in Britain nothing but tyranny, cruelty and infidelity." Thomas Paine mentioned England's rejection of America's petitions, her unjust laws, and her advocacy for war. Britain disdained to offer independence as a means to peace. Yet if England were to remain in existence, she had best now ask for sustenance. Paine completely summed up the colonial philosophy in one sentence. "We now stand on higher ground, and offer her peace; and the time will come when she, perhaps

27Adam Ferguson to Henry Laurens, October 26, 1778, James Dick (Commissar of Naval Prisoners) to John Beatty, October 27, 1778, Stevens, Facsimiles, XII, Nos. 1193 and 1194.
in vain, will ask it from us."\(^{28}\)

In a more sarcastic article on November 21, 1778, Paine ridiculed the emissaries for not following their instructions from England. Their original commission had authorized them to conduct a peaceful settlement. He claimed that they had disavowed their instructions by threatening America with total destruction. Therefore, to disobey the rules of their mission was treason. It was useless for the mother country to lay waste to the colonies in order to harm France, for that would insure America's need for further matériel and military aid from France. "In short, had you cast about for a plan on purpose to enrich your enemies you could not have hit upon a better."\(^{29}\) Paine was too harsh in his condemnation of the British manifesto. The commissioners only threatened retaliation and not total destruction if America rejected the October Manifesto and continued receiving aid from France.

William Henry Drayton and David Ramsay, both of South Carolina, were not above using propaganda. Through newspaper articles and speeches they helped to supplement the writings of the more prolific propagandists like Paine.

\(^{28}\)"Crisis #IV," in Political Writings of Paine, 157-59, 161, and 164.

\(^{29}\)"Crisis #VII," in Political Writings of Paine, I, 183-84.
The essays of Drayton, under the title of "An American," in the Pennsylvania Packett were well received. Drayton addressed his October essay to General Clinton, accusing the British of fraud in their dealings with the colonials. Britain's recent tactics caused the colonials to denounce as never before authority of England over America.30 Ramsay believed that the insincerity of the emissaries had led to their failure. The ineffectiveness of all British proposals actually aided in creating a more complete unity between France and America.31

In addition to these enthusiastic spokesmen, other leaders of colonial independence ridiculed Britain's latest endeavor. Washington, in a letter to his brother Samuel claimed that the British declaration more than implied the lack of human feelings within the commissioners. In another dispatch, Washington warned President Laurens that the British effort was meant to awaken the worst fears of the colonials. The envoys needed no aid from America to accelerate their certain "political death." The general informed Count Estaing that he believed the emissaries'


31 Ramsay, History of Revolution, I, 80.
declaration would be their last. Like his fellow Virginian, Richard Henry Lee was very vehement in his criticism of the latest proposal. Lee recommended that all agents of the commissioners be seized and imprisoned for so vile a mission. He believed also that the flags of truce must be ignored.

Josiah Bartlett presented a more moderate estimate of the situation than Richard Henry Lee. The delegate from New Hampshire claimed that as long as the mother country had hope for an American submission the war would continue. England had to realize that the colonies endorsed the Franco-American alliance and the rejection of the Carlisle Commission's proposals. Bartlett thus urged each colonial legislature to pass resolutions approving the aforementioned points. To demonstrate the colonies' loyalty to Congress, an acknowledgement of its power to make alliances, treaties, peace, and war was necessary. Once the British realized this situation, England would be in the position to rectify the differences of opinion.

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34 Josiah Bartlett to John Langdon, October 27, 1778, Burnett, Letters of Members, III, 466-67.
Writing in the *Virginia Gazette*, one of Bartlett's colleagues in Congress was vehement in his accusations. "Americanus," as he entitled himself, maintained that the "Manifesto and Proclamation" was the commissioners' last, dying attempt. He dismissed its denunciations of Congress as an effort to improve the English position. The manifesto stated that Congress lacked authority in signing treaties. "Americanus" disagreed by claiming that the still to be ratified Articles of Confederation granted this power only to Congress. He was astonished by the envoys' approval of a more brutal war, if America continued to refuse England's declarations. After three years of cruelty America was to experience an even harsher conflict. To expect the colonies to support the British at this time was ridiculous. He further claimed that America not only had withstood England's armies but also had the power to oppose her "artifices." The writer insisted that if England granted independence, harmony would reign.35

On October 30, 1778, Congress echoed the sentiments of "Americanus." The delegates unanimously condemned the proclamation for having attempted to seduce the American people. The delegates appealed to individuals to join

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35 *The Virginia Gazette*, October 30, 1778. "Americanus" was either Gouverneur Morris or Samuel Adams according to Sparks, *Life of Gouverneur Morris*, I, 188.
Congress against England. If too few responded, then de
devestation of the colonies was inevitable. Since En
gland had failed in military subjugation of the colonials,
she had resorted to bribery and deceit. If England per-
sisted in this endeavor, Congress promised "such exemplary
vengeance as" to "deter others from a like conduct." Having anticipated disappointing results from their
final proclamation, Eden and Carlisle spent the few remaining
days of their mission completing preparations for departure.
Carlisle and Eden sent a note to Germain seeking explanations
for recent poor communications with the ministry. Their
September 21 letter had requested authority to embark for
England if nothing of consequence occurred to detain them.
Due to the commissioners' continued, unprofitable venture,
they requested Admiral Gambier to book passage for them on
the Roebuck. If there was no change in America reactions
by the end of November, England's peace envoys would say
farewell to America.

37 Congress Manifesto, October 30, 1778, Stevens,
Facsimiles, XII, No. 1199.
38 Unknown to them at the time, Germain's reply had
already left that decision to them. Germain to commissioners,
November 4, 1778, Stevens, Facsimiles, XII, No. 1206.
39 Carlisle and Eden to Germain, November 15, 1778,
Ibid., No. 1213.
With preparations completed, the envoys brought their correspondence to a close. Their final dispatch to Germain included an account of their October Manifesto. They reported that a few towns, like Hartford, Connecticut, had printed the decree but with little favorable response. Officials in New Jersey, Virginia, Maryland, and Delaware ridiculed the copies. No reports reached the commissioners from Massachusetts Bay, New Hampshire, Rhode Island, New York, Georgia, and the Carolinas. The emissaries believed that there were many people who condoned the British more than the French, but fearing retaliation by other colonials they had not come forward. Former governor of New Jersey, William Franklin, reported this news to his friend Eden. The commissioners took some comfort in this. They feared that a free America might demand payment for losses and expenses incurred during the war. Not even independence, they warned, would mean an end to Great Britain's dilemmas. The emissaries concluded their final correspondence to Germain with an account of their appointment of General William Franklin was held by the Americans and having been exchanged for John McKinley, colonial president of Delaware, returned to New York in October, 1778. Van Doren, *Secret History*, p. 114. Commissioners to Germain, November 16, 1778, Stevens, *Facsimiles*, XII, No. 1215.
Archibald Campbell as a governor and commander-in-chief. In the first usage of such power granted to the commission by the British ministry, they had ordered Campbell to quell the rebellion in Georgia, and if successful, to march into South Carolina. He was in command of that part of General Clinton's forces assigned to the West Indies and the southern colonies. 42

Seeing Congress without the necessary strength to protect them, the people of Georgia would denounce the American rebellion. If the inhabitants failed to respond and disregarded Campbell's authority, the commissioners ordered him to abandon his mission. This was a final experiment to gain support within the colonies. If the plan succeeded in one section of the colonies, it had the possibility of extending into other colonies. Admitting that it was a gamble, the envoys were not surprised when Campbell's mission achieved only limited success. 43

After this failure to gain the support of any large section of the population, there remained only one group which openly sympathized with the emissaries. The New

42 Supra, p. 53; Willcox, American Rebellion, pp. 105-06.

43 Commissioners to Archibald Campbell, November, 1778, Commissioners to Campbell, November 3, 1778, and Commissioners to Germain, November 16, 1778, Stevens, Facsimiles, XII, Nos. 1202, 1205, and 1216.
York City merchants and traders expressed regret at the departure of Carlisle and William Eden. The sincerity of their position was based upon what the British were able to do for them. In a petition to Carlisle and Eden, the merchants' spokesman, William Walton, expressed gratitude for allowing loyal New Yorkers commercial privileges. Since September 26, 1778, more than one million worth of matériel had passed through the port. The merchants now asked for a renewal of the act and for complete importation of goods from all British ports. On November 18, the British agents granted the extension. Any vessel with licenses and legal clearance from any British port, had the right to sail to New York and Rhode Island. The envoys, moreover, suspended the Prohibitory Act of 1775-1776 for the port of New York. Once the merchants obtained their goals, they expressed hope that the unnatural alliance with France would eventually unite the empire in an attempt to "render abortive a confederacy that threatens ruin to the civil and religious liberty of mankind."  

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44 *Supra*, pp. 133-34.

45 *Merchants and Traders of New York (by Wm. Walton) to Commission Commissioners, November 14, 1778, Answer and Proclamation of Commissioners, November 18, 1778, and Inhabitants of New York to Commissioners, November 23, 1778, Stevens, *Facsimiles*, XII, Nos. 1212 and 1226.*
Yet the hopelessness of their situation finally forced the emissaries to embark for England. They realized that Britain's offers for a settlement had failed to entice the Congress or any large portion of the population. Instead of weakening Congress, the envoys' six month stay had enhanced its role and reputation. On November 27, 1778, Carlisle and Eden embarked upon the Roebuck, unsure of the effects of turmoil in Parliament caused by their mission.

During November and December, Parliament spent much of its time discussion Mr. Johnstone and the October Manifesto. On Johnstone's return to England, he appeared before the House of Commons to defend his actions in America. He denied to the legislators on November 26 that he ever attempted to bribe Joseph Reed. He believed rather that the failure of Congress to have Reed reveal Mrs. Ferguson's name further incriminated Reed and helped clear his own reputation.

When Johnstone's speech reached America, Mrs.

46 Willcox, Portrait of a General, p. 112.

47 Carlisle to Lady Carlisle, November 17, 1778, Carlisle, MSS, p. 390; Van Doren, Secret History, p. 114; Ritcheson, British Politics, p. 283.

48 Roche, Joseph Reed, p. 142; Pitkin, Political and Civil History, p. 56.
Ferguson published her own account of the discussions in February, 1779. Furthermore, Reed vindicated himself by publishing, in September, 1779, all the documents involved in the issue. The publication of all this material failed to taint the reputations of either Reed or Johnstone. Mrs. Ferguson seemed the only one harmed by the publicity, for her property was subsequently confiscated. The American leaders, however, decided that she was merely indiscreet rather than guilty of wrong doing.

Mr. Johnstone, meanwhile, became a rabid supporter of the Tory faction in Commons. The Virginia Gazette reported that Johnstone favored a complete military effort by all British forces to gain a victory in America. Johnstone, who had never commanded a vessel, was made commodore of a squadron off the Portuguese coast in May, 1779.

George Johnstone's appearance before Parliament was a small matter compared to the discussions ensuing between the factions over the commissioners failure. His troubles, however, brought the plight of the mission into

49 Pitkin, Political and Civil History, p. 56.
50 Van Doren, Secret History, p. 104.
51 The Virginia Gazette, February 12, 1779.
52 Van Doren, Secret History, p. 114.
clearer perspective. Charles James Fox expressed in Commons the feelings of numerous Whigs by condemning Britain's actions toward America. To Fox the failure in war as well as in diplomacy seemed complete. He insisted that it was best to withdraw troops from North America and launch an extensive attack against France. To destroy France would be the best means of detaching America from her ally.

Discussions among the various factions became more intense with the presentation of the commissioners' "Manifesto and Proclamation" of October 3. Lord Rockingham raised objections to this declaration on December 7, 1778. He claimed such a paper was too distasteful to be condoned. It was "totally repugnant to every principle of christianity, morality, and good policy." Because of America's ties with France and failure of reconciliation, England was now asked to wage a savage war against her colonies. To sanction a harsh retaliation, as the manifesto urged, was barbaric. The October Manifesto proved that all thoughts of affiliation between the two countries was past. Like Rockingham, Richmond and the Earl of Shelburne agreed that the proclamation seemed to limit further opportunity for reunification.

54 Russell, Memorials and Correspondence of Fox, I, 199.
of England and America. Shelburne insisted that the American Congress was correct in condemning the final offers.55

There were those, however, who supported the October offer of peace by threat of retaliation. The Earl of Suffolk felt Rockingham had misjudged the purpose of the proclamation. It only pointed out what the colonies might expect if they persisted in "their unnatural alliance with France." Suffolk insisted that the motive behind this offer was for self-preservation and not revenge. The Earl of Abingdon and Lord Chancellor Thurlow also rejected the views of those who criticized the declaration. To presume that England would even now abandon her former possessions with a number of its inhabitants supporting the British crown was unthinkable.

Moreover, Carlisle, Eden, and Clinton received much personal criticism for their actions. Shelburne complained that lack of success was due to generals, ministry, and "ambassadors." Yet Earl Gower, Carlisle's father-in-law, claimed that no man was more willing to end the cruelties and hostilities than his son-in-law. The commissioners' declaration held out a return to "tranquility." It only

55Hansard, Parliamentary History, XX, 1-2, 4-5, 7, 17, and 30-32.

56Ibid., pp. 8, 12, and 36-37.
pointed out the risks the inhabitants ran if they failed to heed England's pleadings.\textsuperscript{57}

Even statements from family and close friends were not abundant. One Tory supporter, calling himself "Philarethes," maintained that the envoys deserved the highest praise. He believed the envoys were honorable in all their dealings. Congress was to blame for the continued war. The emissaries had proposed every conciliatory offer available to them.\textsuperscript{58} But the envoys received only token acclaim from Lord North and King George. North only commended the envoys for their personal sacrifices. Both expressed regret at the failure of the mission and voiced pleasure at the safe return of their countrymen.\textsuperscript{59}

Carlisle and Eden were clearly disappointed by British debate on failure of the mission and the cool reception upon their return to England. Neither Eden nor Carlisle were in good spirits when they arrived at Plymouth December 20, 1778. Eden was seasick and ill-tempered much of the voyage. Carlisle remained depressed. The subsequent rewards offered to Carlisle and Eden even failed to ease

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\textsuperscript{57}Ibid., pp. 31 and 15-16. \\
\textsuperscript{58}Moore, \textit{Diary of Revolution}, II, 98-100. \\
\textsuperscript{59}From the \textit{General Advertiser} and \textit{Morning Intelligencer}, November 27, 1778, arrived at Philadelphia, February 6, 1779, Evans Bibliography, 15836; Lucas, \textit{Lord North}, II, 63.
\end{flushright}
their distress. The latter refused to return to Commons in February, not wishing to face an interrogation by his former colleagues. He requested rather that his wife be appointed to an office at court and receive a pension of £600 a year. Lord North and King George agreed. The British government in 1779 appointed Carlisle president of the Board of Trade. A year later he became Lord Lieutenant of Ireland with Eden his chief secretary.  

These promised rewards, however, did not lessen the commissioners' resentment. Carlisle and Eden threatened to reveal to the British people the situation in America at the time of their arrival. They focused the blame for failure of the mission on Germain and North. The two envoys insisted that they had adequately discharged their duties. They expected a lack of support from the Americans, but not from the English ministry. Realizing the intensity of their resentment, North asked Eden not to publish the commission's findings. Although an investigation would surely embarrass the ministry and vindicate them, Carlisle and Eden reluctantly agreed. But it was many months before

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60 Van Doren, Secret History, pp. 114-115; Lucas, Lord North, II, 64.

61 Brown, Empire or Independence, pp. 289-90.

the envoys' bitterness subsided. 63

Even the commission's last resort, an open appeal to the American people, had garnered little support. By autumn, 1778, a majority of the colonials, like Congress, had condemned the commissioners' proposals for not offering independence. The Loyalists were either too frightened of their adversaries or too discouraged to respond to the final British pleadings. Unable to persuade Congress to accept their offers, the British envoys likewise had failed to intimidate the anti-British colonials. The Carlisle Commission's return and reception in England ended six months of frustration and disappointment in America.

The British ministry's interest in reconciliation was genuine. For three years the British had waged an ineffective war in America. With defeat of General Burgoyne and an eventual Franco-American treaty, some in the ministry were finally aroused from their lethargy and began to condone the possibility of reconciliation. Dreading a Franco-American military and commercial treaty, Lord Treasurer North commenced work on a plan to offset such an alliance.

The initial interest in conciliation led Lord North to present his plan to Parliament, believing it was the only logical means for ending the war. For a conservative ministry, the plan was most liberal. In offering freedom from taxation, pardons for treasonous acts, and just commercial ties, the ministry and George III advocated a discontinuance of Britain's coercive policy. Although America had always been subject to England's complete demands, by 1778 the British ministry realized that
concession would be the most beneficial policy to follow.

It would seem that Britain's more lenient endeavor would be well received by America. In 1775, that would probably have been true since no Declaration of Independence, no French support, and less colonial enthusiasm for rebellion existed. Almost three years had passed since the opening of hostilities, altering the situation completely. Yet King George and the ministry would not adjust their credos with the changing colonial attitudes. With the ministry unwilling to offer complete independence, the North Conciliatory Plan of 1776 proved inadequate. Once the colonials had studied the proposal, the British ministry, especially Lord North, hoped that the persons weary of war and sympathetic toward England would persuade the remaining colonials to submit to British offers. By 1776, however, pro-independence colonials were in complete control. The English conciliatory proposal offered too little and came too late.

Opposed to granting commissioners authority to offer independence, the ministry seemed averse to aiding its commission fully. Under the instructions of King George, Secretary for Colonial Affairs George Germain ordered General Clinton to abandon Philadelphia. The commissioners were not informed. Instead of providing the British emissaries with military support to enhance
negotiations, King George and his ministers had undermined the mission. The British envoys always believed that military force enhanced their bargaining position. The evacuation of troops from Philadelphia, however, demonstrated to the colonials the weakness of England's position in America. In order to provide troops for the West Indies, the British undermined the Carlisle Commission and its position in America. To strengthen one strategic area at the expense of another was a poor tactic.

The British government defended its action by reason of military strategy and security. But the defense is less than convincing. Alan S. Brown adequately summed up reasons for English failure by stating that "only human shortsightedness can explain why the absurdity of trying to conciliate while retreating" did not penetrate the minds of the ministry. The commissioners expected a lack of support from the Americans, but not from the English ministry. The order to evacuate Philadelphia, for which Carlisle and Eden never forgave the ministry, diminished the chance for a successful mission.

Failure to inform the commissioners of evacuation was only a part of the reason for the commission's unproductive endeavor. Commissioner George Johnstone's secret discussions

and bribe attempt engendered colonial contempt for the mission. Colonial distrust for the commission also hampered the presentation of the British October Manifesto. This direct appeal to the people failed to discredit Congress. Instead of weakening Congress, the commissioners' six month sojourn had enhanced its role and reputation. Furthermore, the lethargic attitude and lack of a unified spirit within the English government hindered negotiations by injecting pessimistic beliefs into the thinking of the emissaries. Even Lord North can be blamed for some of the confusion surrounding the conciliatory plan. Although he advocated and developed a policy of reconciliation, North doubted success and failed to provide enthusiastic support for the commissioners. Concern over his inability to achieve a workable colonial policy had impeded his work as Lord Treasurer. In fact, he had offered to resign.  

After taking into consideration the previous mentioned points, the principal reason for the conciliatory plan's ineffectiveness still lay in the ministry's reluctance to offer independence. Failing to understand the basic issue of the war, the English ministry doomed the North Conciliatory Plan of 1778 from its inception.

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2Fortescue, Correspondence of George III, IV, Nos. 2179 and 2247.
APPENDIX A

GREAT BRITAIN. COLLECTION OF PAPERS, THAT HAVE BEEN PUBLISHED AT DIFFERENT TIMES, RELATING TO THE PROCEEDINGS OF HIS MAJESTY'S COMMISSIONERS, ETC., ETC., ETC.

George III by the grace of God, Great-Britain, France and Ireland, King, Defender, the Faith, to our right trufty and right well-beloved cousin and counsellor, Frederick, Earl of Carlisle, Knight of the most ancient Order of the Thistle; our right trufty and well-beloved Counsellor, Richard, Earl Viscount Howe, of our Kingdom of Ireland; our trufty and well-beloved Sir William Howe, Knight of the most honourable Order of the Bath, Lieutenant several of our forces, several and Commander in Chief of all and singular our forces employed or to be employed within our colonies in North America, lying upon the Atlantic Ocean, from Nova-Scotia on the North, to West Florida on the South, both inclusive; William Eden, Esq.
one of our Commissioners for Trade and Plantations, and George Johnstone, Esquire, Captain in our Royal Navy.

Greetings:

Whereas in and by our Commission and Letters Patent under Our Great Seal of Great-Britain, bearing date on or about the fifth day of May, in the sixteenth year of our reign, We did, out of our eameft desire, to deliver all our subjects and every part of the dominions belonging to our crown, from the calamities of war, and to restore them to our protection and peace, nominate and appoint our right trufty and well-beloved cousin and counsellor, Richard Lord Vifcount Howe, your Kingdom of Ireland, and our trufty and well-beloved William Howe, Esq; now Sir William Howe, Knight of the Bath, Major General of our forces, and General of our forces in North America only, and each of them jointly and severally, to be our commiffioner and commiffioners, in that behalf to perform and execute all the powers and authorities, in and by the said commiffion and letter patent entrusted and committed to them, and each of them, according to the tenor of fuch letters patent, and of fuch further instructions, as they should from time to time receive, under our signet and sign manual, to have, hold, execute, and enjoy, the faid office and place, offices and places, of our commissioner and Commissioners, as therein mentioned with all rights,
members and oppurtenances, thereunto belonging; together
with all and singular the powers and authorities thereby
granting unto them, the said Lord Viscount Howe and General
William Howe, and each of them, for and during our will
and pleasure, and no longer in such manner and form, as
in and by our said recited commissiion and letters patent,
relation being thereunto had, may, among divers other
things therein contained, more fully and at large appear.
And whereas, for the quieting and extinguishing of divers
jealousies and apprehensions of danger to their liberties
and rights, which have alarmed many of our subjects in
the colonies, provinces, and plantations of New Hampshire,
Massachusetts Bay, Rhode Island, Connecticut, New York,
New Jersey, Pennsylvania, with the three lower counties
on Delaware, Maryland, Virginia, North Carolina, South
Carolina, and Georgia; and for the fuller manifestation
of our just and gracious purposes, and those of our
Parliament, to maintain and secure all our subjects in the
clear and perfect enjoyment of their liberties and rights:
It is in and by a certain act, made and passed in this
present session of Parliament intituled, "an act to enable
his Majesty to appoint commissiioners, with sufficient powers
to treat, consult, and agree upon the means of quieting
the disorders now subsisting in certain of the colonies,
plantations and provinces of North America," among other
things enacted that it phace and may be lawful for his
Majefty, from time to time, by letters patent, under the
Great Feal of Great Britain to authorife and empower five
able fufficient persons, or any three of them, to do, and
perform fuch acts and things, and to ufe and exercife fuch
authorities and powers, as in the faid act a r e for that
purpose mentioned, provided and created. And whereas, we
are eameftly defirous to carry into full and perfection
execution the feveral juft and gracious purpofes above
mentioned:

Now know ye, that we have revoked and determined;
and by thefe prefents do revoke and determine our faid
recited commiffion and letters patent, and all and every
power, authority, claufe, article, and thing therein
contained. And further know ye, that we repofing efpecial
truft and confidence in your wifdom, loyalty diligence,
and circumfpeccion in the management of the affairs to
be hereby committed to your charge, have nominated and
appointed, conftituted and affigned, and by their prefents
do nominate, appoint, conftitute and affign you the faid
Frederick, Earl of Carlifile, Richard Vifcount Howe, Sir
William Howe, William Eden, and George Johnstone, or any
three of you to be our commiffioners in that behalf, to
ufe and exercife all, and every the powers and authorities,
hereby intrufed and committed to you the faid Frederick
Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, and to so perform and execute all other matter and things hereby enjoined, and committed to your care, during our will and pleasure, and no longer, according to the tenors these our letters patent and of such further instructions, as you shall from time to time receive under our signet or sign manual.

And it is our Royal Will and Pleasure, and we do hereby authorize, empower, and require you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, Sir William Eden, George Johnstone, or any three of you, to treat, consult and agree with such body or bodies politic and corporate or with such assembly or assemblies of men, or with such person or persons, as you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, shall think shall meet and sufficient for that purpose, of, and concerning any grievances or complaints of grievances existing, or supposed to exist in the government of any of the colonies, provinces, or plantations abovementioned respectively, or in the laws and statutes of this realm, respecting them or any of them, or of and concerning any aids or contributions to be furnished by any of the said colonies, provinces, or plantations
respectively, for the common defence of this realm, and the cominions there unto belonging; and of and concerning any other regulations, provisions, matters and things, neceffary or convenient for the honor of us, and our parliament, and for the common good of all our subiects. And it is our further will and pleasure, that every regulation, provifion, matter or things, which shall have been agreed upon between you the said Frederick Earl of Carlifle, Richard Vifcount Howe, Sir William Howe, William Eden, George Johnftone, or any three of you, and fuch perfons, or bodies politick as aforefaid, whom you or any three of you fhall have judged fuff icient to enter into fuch agreement, fhall be fully and distinctly fet forth in writing, and authenticated by the hands and feals of you, or any three of you on one fide, and by fuch feals and other fignatures on the other, as the occafion may require, and as may be fuitable to the character and authority of the body politic, or other perfon fo agreeing; and fuch inftruments, fo authenticated, fhall be by you, or any three of you, tranfmitted to one of our principal Secretaries of State, in order to be laid before our parliament, for the further and more perfect ratification thereof, and until fuch ratification, no fuch regulation, provifion, matter or thing shall have any other force or effect, or be carried further into execution, than is
hereafter mentioned. And we do hereby further authorize and empower you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, from time to time, as you, or any three of you shall judge convenient, to order and proclaim a cessation of hostilities on the part of our forces by sea or land for such time and under such conditions, restrictions, or other qualifications as in your discretion might be thought requisite, and such order and proclamation to revoke and annul in the same manner and form, and it is our further will and pleasure, and we do hereby require and command all our officers and ministers, civil and military, and all other our loving subjects whatsoever, to observe and obey all such proclamations respectively. And we do hereby in further pursuance of the said Act of Parliament, and of the provisions therein contained, authorize and empower you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, George Johnstone, or any three of you, by proclamation under your respective hands and seals, from time to time as you shall see convenient to suspend the operation and effect of a certain act of Parliament, made and passed in the sixteenth year of our reign, for prohibiting all trade and intercourse with certain colonies and plantations therein named, and for the
other purposes therein also mentioned, or any of the provisions or restrictions therein contained, and therein to specify, at what time and places respectively, and with what exceptions and restrictions, and under what penalties and clearances in lieu of those heretofore directed, by any act or acts of Parliament, for regulating the trade, the colonies and plantations, and said suspension shall take effect, and the said suspension and proclamation, in the same manner and form, to annul and revoke.

And we do hereby further authorise and empower you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnstone, or any three of you, from time to time, as you shall judge convenient to suspend in any places, and for any time during the continuance of the said first recited act, the operation and effect of any act, or acts of parliament, which have passed since the tenth day of February, one thousand seven hundred and sixty-three, and which relate to any of our Colonies, provinces, or plantations, above-mentioned, in North America, so far as the same relate to them or any of them, or the operation or effect of any provision or other matter in such acts contained, so far as such clauses, provisions, or matters relate to any of the said colonies, provinces, or plantations. And we do hereby further authorise and empower you the said Frederick
Earl of Carlifile, Richard Vifcount Howe, Sir William Howe, William Eden, and George Johnftone, or any three of you, to grant a pardon or pardons to any number of defcription of persons within the faid colonies, provinces, or plantations: and we do hereby further authorife and empower you the faid Frederick Earl of Carlifile, Richard Vifcount Howe, Sir William Howe, William Eden, and George Johnftone, or any three of you, in any of our colonies, provinces or plantations, aforefaid, repectively, wherein we have ufually heretofore nominated and appointed a Governor to nominate and appoint, from time to time, by any instrumment under your hands and feals, or the hands and feals of any three of you, a proper perfon to be the Governor and Commander in Chief in and for fuch colony, province, or plantation repectively, to have, hold, and exercife the faid office of Governor and Commander in Chief in and for fuch colony, province or plantation repectively, with all fuch powers and authorities as any Governor of fuch province, heretofore appointed by us, might or could have exercifed in as full and ample manner and form, as if fuch Governor and Commander in Chief had been nominated and appointed by our letters patent or commiffion, and for that purpofe, if need be, to revoke, annul, and make void any commiffion or letters patent heretofore granted for appointing any fuch Governor and Commander in Chief:
whereas by certain letters patent under our Great Seal, bearing date on the twenty-ninth day of April, in the sixteenth year of our reign, we have constituted and appointed you the said Sir William Howe, to be General and Commander in Chief of all and singular our forces employed, or to be employed within our colonies in North America, lying upon the Atlantic Ocean from Nova Scotia on the North to West Florida on the South, both inclusive, to have, hold exercise, and enjoy the said office during our will and pleasure, and in case you the said Sir William Howe, should by death or any other manner be disabled from exercising the said command, it is our will and pleasure therein expressed, that the same, with all authorities, rights and privileges contained in that our said commission, shall devolve on such officer bearing our commission, as should be next in rank to you the said Sir William Howe: and whereas our trufty and well beloved Sir Henry Clinton, Knight of the Most honourable Order of the Bath, Lieutenant General of our forces, and General of our force in our army in America only, now actually bears our commission, and is next in rank to you the said Sir William Howe: Know it is our further will and pleasure, and we do hereby ordain and appoint that whenever the said command in the said letters mentioned, shall, in pursuance thereof devolve upon the said Sir Henry Clinton, all and
every the powers and authorities hereby entrusted and commanded to you the said Sir William Howe, shall forth . . . and determine, and the said powers and authorities, and every of them, shall from thenceforth, be entrusted and committed, and are hereby entrusted and committed to the said Sir Henry Clinton, to use and exercise the same powers and authorities, and to do, perform, and execute all other the matters and things as aforesaid, in as full and ample extent and form, and no other, as you the said Sir William Howe are hereby authorized to use and execute, do perform and execute the same.

And we do hereby require and command all officers, civil and military, and all others, our loving subjects, whatsoever, to be aiding and affisting unto you the said Frederick Earl of Carlisle, Richard Viscount Howe, Sir William Howe, William Eden, and George Johnston, in the execution of this our commission, and, of the powers and authorities herein contained: Provided always, and we do hereby declare and ordain, that the several offices, powers and authorities, hereby granted, shall cease, determine and become utterly null and void, on the first day of June, which shall be in the year of our Lord one thousand seven hundred and seventy-nine; although we shall not otherwise in the mean time have revoked and determined the same. In witness whereof we have caused
thefe our letters to be made patent. Witnefs ourself, at Weftminifter, this thirteenth day of April, in the eighteenth year of our reign.

By the KING Himself.

York

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APPENDIX B

SIGNIFICANT DATES

December 7, 1777 - William Eden's conciliatory offer presented to Lord North.

December 17, 1777 - Count de Vergennes promised to commence treaty discussions with Benjamin Franklin.

January 18, 1778 - British agent Edward Bancroft learned Vergennes had received rough draft of Franco-American alliance.

February 4, 1778 - British ministry received General Howe's resignation.

February 6, 1778 - Franco-American alliance signed.

February 17, 1778 - North Conciliatory Plan of 1778 presented to House of Commons.

February 20, 1778 - Copies of North conciliatory legislation sent to America.

February 22, 1778 - Lord Carlisle accepted position on commission.

March 5, 1778 - William Eden accepted position on commission.

March 5, 1778 - Commons ratified North proposal.

March 11, 1778 - King George, after Lords approval, signed the conciliatory legislation into law.

March 21, 1778 - King George instructions to General Clinton.

April 2, 1778 - George Johnstone accepted position on commission.

April 12, 1778 - King George instructions to commissioners.

April 14, 1778 - Arrival of North proposal in America.

April 16, 1778 - British commissioners leave England.

April 22, 1778 - Congress condemned North's proposal for peace.

May 2, 1778 - Simeon Deane, with copies of Franco-American alliance, reached New York City.

June 6, 1778 - Commissioners arrived in Philadelphia.

June 7, 1778 - Commissioner George Johnstone secret discussion with Loyalist Joseph Calloway.

June 13, 1778 - Commissioners' copy of the peace proposal reached Congress.

June 16, 1778 - George Johnstone met with Mrs. Ferguson.

June 17, 1778 - Congress refused to accept the commissioners' offer.

June 22, 1778 - Joseph Reed met with Mrs. Ferguson.

June 28 - June 30, 1778 - Commissioners leave Delaware River and reach New York City.

July 8, 1778 - Count Estaing's French fleet arrived off American coast.

July 22, 1778 - Estaing's fleet abandoned blockade of New York harbor.

August 26, 1778 - George Johnstone resigned from commission.

October 3, 1778 - Commissioners offered their Manifesto and Proclamation.

October 30, 1778 - Congress refused to accept the Manifesto and Proclamation.

November 27, 1778 - Commissioners embark for England.

December 20, 1778 - Commissioners reached England.
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A BRIEF AUTOBIOGRAPHY

Having been born and raised in Norfolk, Virginia, I attended schools in the Norfolk Public School System and graduated from Granby High School in June, 1962. Deciding to major in history in college, I enrolled at the University of Richmond. After four years of study, I received a Bachelor of Arts degree in June, 1966. With the possibility of teaching as a career, I decided to attend graduate school at the University of Richmond, with the ultimate goal of achieving a Master of Arts degree in history.