

FISKE JOHN

THE CRITICAL PERIOD
OF AMERICAN HISTORY

John Fiske

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of American History**

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John Fiske
The Critical Period of American History

To

MY DEAR CLASSMATES,

FRANCIS LEE HIGGINSON

AND

CHARLES CABOT JACKSON,

I DEDICATE THIS BOOK

PREFACE

This book contains the substance of the course of lectures given in the Old South Meeting-House in Boston in December, 1884, at the Washington University in St. Louis in May, 1885, and in the theatre of the University Club in New York in March, 1886. In its present shape it may serve as a sketch of the political history of the United States from the end of the Revolutionary War to the adoption of the Federal Constitution. It makes no pretensions to completeness, either as a summary of the events of that period or as a discussion of the political questions involved in them. I have aimed especially at grouping facts in such a way as to bring out and emphasize their causal sequence, and it is accordingly hoped that the book may prove useful to the student of American history.

My title was suggested by the fact of Thomas Paine's stopping the publication of the "Crisis," on hearing the news of the treaty of 1783, with the remark, "The times that tried men's souls are over." Commenting upon this, on page 55 of the present work, I observed that so far from the crisis being over in 1783, the next five years were to be the most critical time of all. I had not then seen Mr. Trescot's "Diplomatic History of the Administrations of Washington and Adams," on page 9 of which he uses almost the same words: "It must not be supposed that the treaty of peace secured the national life. Indeed, it would be more correct to say that the most critical period of the country's history embraced the time between 1783 and the adoption of the Constitution in 1788."

That period was preëminently the turning-point in the development of political society in the western hemisphere. Though small in their mere dimensions, the events here summarized were in a remarkable degree germinal events, fraught with more tremendous alternatives of future welfare or misery for mankind than it is easy for the imagination to grasp. As we now stand upon the threshold of that mighty future, in the light of which all events of the past are clearly destined to seem dwindled in dimensions and significant only in the ratio of their potency as causes; as we discern how large a part of that future must be the outcome of the creative work, for good or ill, of men of English speech; we are put into the proper mood for estimating the significance of the causes which determined a century ago that the continent of North America should be dominated by a single powerful and pacific federal nation instead of being parcelled out among forty or fifty small communities, wasting their strength and lowering their moral tone by perpetual warfare, like the states of ancient Greece, or by perpetual preparation for warfare, like the nations of modern Europe. In my book entitled "American Political Ideas, viewed from the Standpoint of Universal History," I have tried to indicate the pacific influence likely to be exerted upon the world by the creation and maintenance of such a political structure as our Federal Union. The present narrative may serve as a commentary upon what I had in mind on page 133 of that book, in speaking of the work of our Federal Convention as "the finest specimen of constructive statesmanship that the world has ever seen." On such a point it is pleasant to find one's self in accord with a statesman so wise and noble as Mr. Gladstone, whose opinion is here quoted on page 223.

To some persons it may seem as if the years 1861–65 were of more cardinal importance than the years 1783–89. Our civil war was indeed an event of prodigious magnitude, as measured by any standard that history affords; and there can be little doubt as to its decisiveness. The measure of that decisiveness is to be found in the completeness of the reconciliation that has already, despite the feeble wails of unscrupulous place-hunters and unteachable bigots, cemented the Federal Union so powerfully that all likelihood of its disruption may be said to have disappeared forever. When we consider this wonderful harmony which so soon has followed the deadly struggle, we may well believe it to be the index of such a stride toward the ultimate pacification of mankind as was never made before. But it was the work done in the years 1783–89 that created a federal nation capable of enduring the storm and stress of the years 1861–65. It was in the earlier crisis that the pliant twig was bent; and as it was bent, so has it grown; until it has become indeed a goodly and a sturdy tree.

Cambridge, October 10, 1888.

CHAPTER I. RESULTS OF YORKTOWN

Sympathy between British Whigs and the revolutionary party in America.

The 20th of March, 1782, the day which witnessed the fall of Lord North's ministry, was a day of good omen for men of English race on both sides of the Atlantic. Within two years from this time, the treaty which established the independence of the United States was successfully negotiated at Paris; and at the same time, as part of the series of events which resulted in the treaty, there went on in England a rapid dissolution and reorganization of parties, which ended in the overwhelming defeat of the king's attempt to make the forms of the constitution subservient to his selfish purposes, and established the liberty of the people upon a broader and sounder basis than it had ever occupied before. Great indignation was expressed at the time, and has sometimes been echoed by British historians, over the conduct of those Whigs who never lost an opportunity of expressing their approval of the American revolt. The Duke of Richmond, at the beginning of the contest, expressed a hope that the Americans might succeed, because they were in the right. Charles Fox spoke of General Howe's first victory as "the terrible news from Long Island." Wraxall says that the celebrated buff and blue colours of the Whig party were adopted by Fox in imitation of the Continental uniform; but his unsupported statement is open to question. It is certain, however, that in the House of Commons the Whigs habitually alluded to Washington's army as "our army," and to the American cause as "the cause of liberty;" and Burke, with characteristic vehemence, declared that he would rather be a prisoner in the Tower with Mr. Laurens than enjoy the blessings of freedom in company with the men who were seeking to enslave America. Still more, the Whigs did all in their power to discourage enlistments, and in various ways so thwarted and vexed the government that the success of the Americans was by many people ascribed to their assistance. A few days before Lord North's resignation, George Onslow, in an able defence of the prime minister, exclaimed, "Why have we failed so miserably in this war against America, if not from the support and countenance given to rebellion in this very House?"

It weakened the Whigs in England.

Character of Lord Shelburne.

Now the violence of party leaders like Burke and Fox owed much of its strength, no doubt, to mere rancorousness of party spirit. But, after making due allowance for this, we must admit that it was essentially based upon the intensity of their conviction that the cause of English liberty was inseparably bound up with the defeat of the king's attempt upon the liberties of America. Looking beyond the quarrels of the moment, they preferred to have freedom guaranteed, even at the cost of temporary defeat and partial loss of empire. Time has shown that they were right in this, but the majority of the people could hardly be expected to comprehend their attitude. It seemed to many that the great Whig leaders were forgetting their true character as English statesmen, and there is no doubt that for many years this was the chief source of the weakness of the Whig party. Sir Gilbert Elliot said, with truth, that if the Whigs had not thus to a considerable extent arrayed the national feeling against themselves, Lord North's ministry would have fallen some years sooner than it did. The king thoroughly understood the advantage which accrued to him from this state of things; and with that short-sighted shrewdness of the mere political wire-puller, in which few modern politicians have excelled him, he had from the outset preferred to fight his battle on constitutional questions in America rather than in England, in order that the national feeling of Englishmen might be arrayed on his side. He was at length thoroughly beaten on his own ground, and as the fatal day approached he raved and stormed as he had not stormed since the spring of 1778, when he had been asked to entrust the government to Lord Chatham. Like the child who refuses to play when he sees the game

going against him, George threatened to abdicate the throne and go over to Hanover, leaving his son to get along with the Whig statesmen. But presently he took heart again, and began to resort to the same kind of political management which had served him so well in the earlier years of his reign. Among the Whig statesmen, the Marquis of Buckingham had the largest political following. He represented the old Whig aristocracy, his section of the party had been first to urge the recognition of American independence, and his principal followers were Fox and Burke. For all these reasons he was especially obnoxious to the king. On the other hand, the Earl of Shelburne was, in a certain sense, the political heir of Lord Chatham, and represented principles far more liberal than those of the Old Whigs. Shelburne was one of the most enlightened statesmen of his time. He was an earnest advocate of parliamentary reform and of free trade. He had paid especial attention to political economy, and looked with disgust upon the whole barbaric system of discriminative duties and commercial monopolies which had been so largely instrumental in bringing about the American Revolution. But being in these respects in advance of his age, Lord Shelburne had but few followers. Moreover, although a man of undoubted integrity, quite exempt from sordid or selfish ambition, there was a cynical harshness about him which made him generally disliked and distrusted. He was so suspicious of other men that other men were suspicious of him; so that, in spite of many admirable qualities, he was extremely ill adapted for the work of a party manager.

It was doubtless for these reasons that the king, when it became clear that a new government must be formed, made up his mind that Lord Shelburne would be the safest man to conduct it. In his hands the Whig power would not be likely to grow too strong, and dissensions would be sure to arise, from which the king might hope to profit. The first place in the treasury was accordingly offered to Shelburne; and when he refused it, and the king found himself forced to appeal to Lord Rockingham, the manner in which the bitter pill was taken was quite characteristic of George III. He refused to meet Rockingham in person, but sent all his communications to him through Shelburne, who, thus conspicuously singled out as the object of royal preference, was certain to incur the distrust of his fellow ministers.

Political instability of the Rockingham ministry.

The structure of the new cabinet was unstable enough, however, to have satisfied even such an enemy as the king. Beside Rockingham himself, Lord John Cavendish, Charles Fox, Lord Keppel, and the Duke of Richmond were all Old Whigs. To offset these five there were five New Whigs, the Duke of Grafton, Lords Shelburne, Camden, and Ashburton, and General Conway; while the eleventh member was none other than the Tory chancellor, Lord Thurlow, who was kept over from Lord North's ministry. Burke was made paymaster of the forces, but had no seat in the cabinet. In this curiously constructed cabinet, the prime minister, Lord Rockingham, counted for little. Though a good party leader, he was below mediocrity as a statesman, and his health was failing, so that he could not attend to business. The master spirits were the two secretaries of state, Fox and Shelburne, and they wrangled perpetually, while Thurlow carried the news of all their quarrels to the king, and in cabinet meetings usually voted with Shelburne. The ministry had not lasted five weeks when Fox began to predict its downfall. On the great question of parliamentary reform, which was brought up in May by the young William Pitt, the government was hopelessly divided. Shelburne's party was in favour of reform, and this time Fox was found upon the same side, as well as the Duke of Richmond, who went so far as to advocate universal suffrage. On the other hand, the Whig aristocracy, led by Rockingham, were as bitterly opposed as the king himself to any change in the method of electing parliaments; and, incredible as it may seem, even such a man as Burke maintained that the old system, rotten boroughs and all, was a sacred part of the British Constitution, which none could handle rudely without endangering the country! But in this moment of reaction against the evil influences which had brought about the loss of the American colonies, there was a strong feeling in favour of reform,

and Pitt's motion was only lost by a minority of twenty in a total vote of three hundred. Half a century was to elapse before the reformers were again to come so near to victory.

But Lord Rockingham's weak and short-lived ministry was nevertheless remarkable for the amount of good work it did in spite of the king's dogged opposition. It contained great administrative talent, which made itself felt in the most adverse circumstances. To add to the difficulty, the ministry came into office at the critical moment of a great agitation in Ireland. In less than three months, not only was the trouble successfully removed, but the important bills for disfranchising revenue officers and excluding contractors from the House of Commons were carried, and a tremendous blow was thus struck at the corrupt influence of the crown upon elections. Burke's great scheme of economical reform was also put into operation, cutting down the pension list and diminishing the secret service fund, and thus destroying many sources of corruption. At no time, perhaps, since the expulsion of the Stuarts, had so much been done toward purifying English political life as during the spring of 1782. But during the progress of these important measures, the jealousies and bickerings in the cabinet became more and more painfully apparent, and as the question of peace with America came into the foreground, these difficulties hastened to a crisis.

Obstacles in the way of a treaty of peace.

From the policy which George III. pursued with regard to Lord Shelburne at this time, one would suppose that in his secret heart the king wished, by foul means since all others had failed, to defeat the negotiations for peace and to prolong the war. Seldom has there been a more oddly complicated situation. Peace was to be made with America, France, Spain, and Holland. Of these powers, America and France were leagued together by one treaty of alliance, and France and Spain by another, and these treaties in some respects conflicted with one another in the duties which they entailed upon the combatants. Spain, though at war with England for purposes of her own, was bitterly hostile to the United States; and France, thus leagued with two allies which pulled in opposite directions, felt bound to satisfy both, while pursuing her own ends against England. To deal with such a chaotic state of things, an orderly and harmonious government in England should have seemed indispensably necessary. Yet on the part of England the negotiation of a treaty of peace was to be the work of two secretaries of state who were both politically and personally hostile to each other. Fox, as secretary of state for foreign affairs, had to superintend the negotiations with France, Spain, and Holland. Shelburne was secretary of state for home and colonial affairs; and as the United States were still officially regarded as colonies, the American negotiations belonged to his department. With such a complication of conflicting interests, George III. might well hope that no treaty could be made.

Oswald talks with Franklin.

The views of Fox and Shelburne as to the best method of conceding American independence were very different. Fox understood that France was really in need of peace, and he believed that she would not make further demands upon England if American independence should once be recognized. Accordingly, Fox would have made this concession at once as a preliminary to the negotiation. On the other hand, Shelburne felt sure that France would insist upon further concessions, and he thought it best to hold in reserve the recognition of independence as a consideration to be bargained for. Informal negotiations began between Shelburne and Franklin, who for many years had been warm friends. In view of the impending change of government, Franklin had in March sent a letter to Shelburne, expressing a hope that peace might soon be restored. When the letter reached London the new ministry had already been formed, and Shelburne, with the consent of the cabinet, answered it by sending over to Paris an agent, to talk with Franklin informally, and ascertain the terms upon which the Americans would make peace. The person chosen for this purpose was Richard Oswald, a Scotch merchant, who owned large estates in America, – a man of very frank disposition and liberal views, and a friend of Adam Smith. In April, Oswald had several conversations with Franklin. In one of these conversations Franklin suggested that, in order to make a durable peace, it

was desirable to remove all occasion for future quarrel; that the line of frontier between New York and Canada was inhabited by a lawless set of men, who in time of peace would be likely to breed trouble between their respective governments; and that therefore it would be well for England to cede Canada to the United States. A similar reasoning would apply to Nova Scotia. By ceding these countries to the United States it would be possible, from the sale of unappropriated lands, to indemnify the Americans for all losses of private property during the war, and also to make reparation to the Tories, whose estates had been confiscated. By pursuing such a policy, England, which had made war on America unjustly, and had wantonly done it great injuries, would achieve not merely peace, but reconciliation, with America; and reconciliation, said Franklin, is "a sweet word." No doubt this was a bold tone for Franklin to take, and perhaps it was rather cool in him to ask for Canada and Nova Scotia; but he knew that almost every member of the Whig ministry had publicly expressed the opinion that the war against America was an unjust and wanton war; and being, moreover, a shrewd hand at a bargain, he began by setting his terms high. Oswald doubtless looked at the matter very much from Franklin's point of view, for on the suggestion of the cession of Canada he expressed neither surprise nor reluctance. Franklin had written on a sheet of paper the main points of his conversation, and, at Oswald's request, he allowed him to take the paper to London to show to Lord Shelburne, first writing upon it a note expressly declaring its informal character. Franklin also sent a letter to Shelburne, describing Oswald as a gentleman with whom he found it very pleasant to deal. On Oswald's arrival in London, Shelburne did not show the notes of the conversation to any of his colleagues, except Lord Ashburton. He kept the paper over one night, and then returned it to Franklin without any formal answer. But the letter he showed to the cabinet, and on the 23d of April it was decided to send Oswald back to Paris, to represent to Franklin that, on being restored to the same situation in which she was left by the treaty of 1763, Great Britain would be willing to recognize the independence of the United States. Fox was authorized to make a similar representation to the French government, and the person whom he sent to Paris for this purpose was Thomas Grenville, son of the author of the Stamp Act.

As all British subjects were prohibited from entering into negotiations with the revolted colonies, it was impossible for Oswald to take any decisive step until an enabling act should be carried through Parliament. But while waiting for this he might still talk informally with Franklin. Fox thought that Oswald's presence in Paris indicated a desire on Shelburne's part to interfere with the negotiations with the French government; and indeed, the king, out of his hatred of Fox and his inborn love of intrigue, suggested to Shelburne that Oswald "might be a useful check on that part of the negotiation which was in other hands." But Shelburne paid no heed to this crooked advice, and there is nothing to show that he had the least desire to intrigue against Fox. If he had, he would certainly have selected some other agent than Oswald, who was the most straightforward of men, and scarcely close-mouthed enough for a diplomatist. He told Oswald to impress it upon Franklin that if America was to be independent at all she must be independent of the whole world, and must not enter into any secret arrangement with France which might limit her entire freedom of action in the future. To the private memorandum which desired the cession of Canada for three reasons, his answers were as follows: "1. *By way of reparation.*— Answer. No reparation can be heard of. 2. *To prevent future wars.*— Answer. It is to be hoped that some more friendly method will be found. 3. *As a fund of indemnification to loyalists.*— Answer. No independence to be acknowledged without their being taken care of." Besides, added Shelburne, the Americans would be expected to make some compensation for the surrender of Charleston, Savannah, and the city of New York, still held by British troops. From this it appears that Shelburne, as well as Franklin, knew how to begin by asking more than he was likely to get.

Grenville has an interview with Vergennes.

While Oswald submitted these answers to Franklin, Grenville had his interview with Vergennes, and told him that, if England recognized the independence of the United States, she should expect France to restore the islands of the West Indies which she had taken from England. Why not, since

the independence of the United States was the sole avowed object for which France had gone to war? Now this was on the 8th of May, and the news of the destruction of the French fleet in the West Indies, nearly four weeks ago, had not yet reached Europe. Flushed with the victories of Grasse, and exulting in the prowess of the most formidable naval force that France had ever sent out, Vergennes not only expected to keep the islands which he had got, but was waiting eagerly for the news that he had acquired Jamaica into the bargain. In this mood he returned a haughty answer to Grenville. He reminded him that nations often went to war for a specified object, and yet seized twice as much if favoured by fortune; and, recurring to the instance which rankled most deeply in the memories of Frenchmen, he cited the events of the last war. In 1756 England went to war with France over the disputed right to some lands on the Ohio River and the Maine frontier. After seven years of fighting she not only kept these lands, but all of Canada, Louisiana, and Florida, and ousted the French from India into the bargain. No, said Vergennes, he would not rest content with the independence of America. He would not even regard such an offer as a concession to France in any way, or as a price in return for which France was to make a treaty favourable to England. As regards the recognition of independence, England must treat directly with America.

Effects of Rodney's victory.

Fall of the Rockingham ministry, July 1, 1782.

Grenville was disappointed and chagrined by this answer, and the ministry made up their minds that there would be no use in trying to get an honourable peace with France for the present. Accordingly, it seemed better to take Vergennes at his word, though not in the sense in which he meant it, and, by granting all that the Americans could reasonably desire, to detach them from the French alliance as soon as possible. On the 18th of May there came the news of the stupendous victory of Rodney over Grasse, and all England rang with jubilee. Again it had been shown that "Britannia rules the wave;" and it seemed that, if America could be separately pacified, the House of Bourbon might be successfully defied. Accordingly, on the 23d, five days after the news of victory, the ministry decided "to propose the independence of America in the first instance, instead of making it the condition of a general treaty." Upon this Fox rather hastily maintained that the United States were put at once into the position of an independent and foreign power, so that the business of negotiating with them passed from Shelburne's department into his own. Shelburne, on the other hand, argued that, as the recognition of independence could not take effect until a treaty of peace should be concluded, the negotiation with America still belonged to him, as secretary for the colonies. Following Fox's instructions, Grenville now claimed the right of negotiating with Franklin as well as with Vergennes; but as his written credentials only authorized him to treat with France, the French minister suspected foul play, and turned a cold shoulder to Grenville. For the same reason, Grenville found Franklin very reserved and indisposed to talk on the subject of the treaty. While Grenville was thus rebuffed and irritated he had a talk with Oswald, in the course of which he got from that simple and high-minded gentleman the story of the private paper relating to the cession of Canada, which Franklin had permitted Lord Shelburne to see. Grenville immediately took offence; he made up his mind that something underhanded was going on, and that this was the reason for the coldness of Franklin and Vergennes; and he wrote an indignant letter about it to Fox. From the wording of this letter, Fox got the impression that Franklin's proposal was much more serious than it really was. It naturally puzzled him and made him angry, for the attitude of America implied in the request for a cession of Canada was far different from the attitude presumed by the theory that the mere offer of independence would be enough to detach her from her alliance with France. The plan of the ministry seemed imperilled. Fox showed Grenville's letter to Rockingham, Richmond, and Cavendish; and they all inferred that Shelburne was playing a secret part, for purposes of his own. This was doubtless unjust to Shelburne. Perhaps his keeping the matter to himself was simply one more illustration of his want of confidence in Fox; or, perhaps he did not think it worth while to stir up the cabinet over

a question which seemed too preposterous ever to come to anything. Fox, however, cried out against Shelburne's alleged duplicity, and made up his mind at all events to get the American negotiations transferred to his own department. To this end he moved in the cabinet, on the last day of June, that the independence of the United States should be unconditionally acknowledged, so that England might treat as with a foreign power. The motion was lost, and Fox announced that he should resign his office. His resignation would probably of itself have broken up the ministry, but, by a curious coincidence, on the next day Lord Rockingham died; and so the first British government begotten of Washington's victory at Yorktown came prematurely to an end.

Shelburne prime minister.

The Old Whigs now found some difficulty in choosing a leader. Burke was the greatest statesman in the party, but he had not the qualities of a party leader, and his connections were not sufficiently aristocratic. Fox was distrusted by many people for his gross vices, and because of his waywardness in politics. In the dissipated gambler, who cast in his lot first with one party and then with the other, and who had shamefully used his matchless eloquence in defending some of the worst abuses of the time, there seemed as yet but little promise of the great reformer of later years, the Charles Fox who came to be loved and idolized by all enlightened Englishmen. Next to Fox, the ablest leader in the party was the Duke of Richmond, but his advanced views on parliamentary reform put him out of sympathy with the majority of the party. In this embarrassment, the choice fell upon the Duke of Portland, a man of great wealth and small talent, concerning whom Horace Walpole observed, "It is very entertaining that two or three great families should persuade themselves that they have a hereditary and exclusive right of giving us a head without a tongue!" The choice was a weak one, and played directly into the hands of the king. When urged to make the Duke of Portland his prime minister, the king replied that he had already offered that position to Lord Shelburne. Hereupon Fox and Cavendish resigned, but Richmond remained in office, thus virtually breaking his connection with the Old Whigs. Lord Keppel also remained. Many members of the party followed Richmond and went over to Shelburne. William Pitt, now twenty-three years old, succeeded Cavendish as chancellor of the exchequer; Thomas Townshend became secretary of state for home and colonies, and Lord Grantham became foreign secretary. The closing days of Parliament were marked by altercations which showed how wide the breach had grown between the two sections of the Whig party. Fox and Burke believed that Shelburne was not only playing a false part, but was really as subservient to the king as Lord North had been. In a speech ridiculous for its furious invective, Burke compared the new prime minister with Borgia and Catiline. And so Parliament was adjourned on the 11th of July, and did not meet again until December.

French policy opposed to American interests.

The task of making a treaty of peace was simplified both by this change of ministry and by the total defeat of the Spaniards and French at Gibraltar in September. Six months before, England had seemed worsted in every quarter. Now England, though defeated in America, was victorious as regarded France and Spain. The avowed object for which France had entered into alliance with the Americans was to secure the independence of the United States, and this point was now substantially gained. The chief object for which Spain had entered into alliance with France was to drive the English from Gibraltar, and this point was now decidedly lost. France had bound herself not to desist from the war until Spain should recover Gibraltar; but now there was little hope of accomplishing this, except by some fortunate bargain in the treaty, and Vergennes tried to persuade England to cede the great stronghold in exchange for West Florida, which Spain had lately conquered, or for Oran or Guadaloupe. Failing in this, he adopted a plan for satisfying Spain at the expense of the United States; and he did this the more willingly as he had no love for the Americans, and did not wish to see them become too powerful. France had strictly kept her pledges; she had given us valuable and timely aid in gaining our independence; and the sympathies of the French people were entirely with

the American cause. But the object of the French government had been simply to humiliate England, and this end was sufficiently accomplished by depriving her of her thirteen colonies.

The valley of the Mississippi; Aranda's prophecy.

The immense territory extending from the Alleghany Mountains to the Mississippi River, and from the border of "West Florida to the Great Lakes, had passed from the hands of France into those of England at the peace of 1763; and by the Quebec Act of 1774 England had declared the southern boundary of Canada to be the Ohio River. At present the whole territory, from Lake Superior down to the southern boundary of what is now Kentucky, belonged to the state of Virginia, whose backwoodsmen had conquered it from England in 1779. In December, 1780, Virginia had provisionally ceded the portion north of the Ohio to the United States, but the cession was not yet completed. The region which is now Tennessee belonged to North Carolina, which had begun to make settlements there as long ago as 1758. The trackless forests included between Tennessee and West Florida were still in the hands of wild tribes of Cherokees and Choctaws, Chickasaws and Creeks. Several thousand pioneers from North Carolina and Virginia had already settled beyond the mountains, and the white population was rapidly increasing. This territory the French government was very unwilling to leave in American hands. The possibility of enormous expansion which it would afford to the new nation was distinctly foreseen by sagacious men. Count Aranda, the representative of Spain in these negotiations, wrote a letter to his king just after the treaty was concluded, in which he uttered this notable prophecy: "This federal republic is born a pygmy. A day will come when it will be a giant, even a colossus, formidable in these countries. Liberty of conscience, the facility for establishing a new population on immense lands, as well as the advantages of the new government, will draw thither farmers and artisans from all the nations. In a few years we shall watch with grief the tyrannical existence of this same colossus." The letter went on to predict that the Americans would presently get possession of Florida and attack Mexico. Similar arguments were doubtless used by Aranda in his interviews with Vergennes, and France, as well as Spain, sought to prevent the growth of the dreaded colossus. To this end Vergennes maintained that the Americans ought to recognize the Quebec Act, and give up to England all the territory north of the Ohio River. The region south of this limit should, he thought, be made an Indian territory, and placed under the protection of Spain and the United States. A line was to be drawn from the mouth of the Cumberland River, following that stream about as far as the site of Nashville, thence running southward to the Tennessee, thence curving eastward nearly to the Alleghanies, and descending through what is now eastern Alabama to the Florida line. The territory to the east of this irregular line was to be under the protection of the United States; the territory to the west of it was to be under the protection of Spain. In this division, the settlers beyond the mountains would retain their connection with the United States, which would not touch the Mississippi River at any point. Vergennes held that this was all the Americans could reasonably demand, and he agreed with Aranda that they had as yet gained no foothold upon the eastern bank of the great river, unmindful of the fact that at that very moment the fortresses at Cahokia and Kaskaskia were occupied by American garrisons.

The Newfoundland fisheries.

Upon another important point the views of the French government were directly opposed to American interests. The right to catch fish on the banks of Newfoundland had been shared by treaty between France and England; and the New England fishermen, as subjects of the king of Great Britain, had participated in this privilege. The matter was of very great importance, not only to New England, but to the United States in general. Not only were the fisheries a source of lucrative trade to the New England people, but they were the training-school of a splendid race of seamen, the nursery of naval heroes whose exploits were by and by to astonish the world. To deprive the Americans of their share in these fisheries was to strike a serious blow at the strength and resources of the new nation. The British government was not inclined to grant the privilege, and on this point Vergennes took sides

with England, in order to establish a claim upon her for concessions advantageous to France in some other quarter. With these views, Vergennes secretly aimed at delaying the negotiations; for as long as hostilities were kept up, he might hope to extort from his American allies a recognition of the Spanish claims and a renouncement of the fisheries, simply by threatening to send them no further assistance in men or money. In order to retard the proceedings, he refused to take any steps whatever until the independence of the United States should first be irrevocably acknowledged by Great Britain, without reference to the final settlement of the rest of the treaty. In this Vergennes was supported by Franklin, as well as by Jay, who had lately arrived in Paris to take part in the negotiations. But the reasons of the American commissioners were very different from those of Vergennes. They feared that, if they began to treat before independence was acknowledged, they would be unfairly dealt with by France and Spain, and unable to gain from England the concessions upon which they were determined.

Jay detects the schemes of Vergennes.

Jay soon began to suspect the designs of the French minister. He found that he was sending M. de Rayneval as a secret emissary to Lord Shelburne under an assumed name; he ascertained that the right of the United States to the Mississippi valley was to be denied; and he got hold of a dispatch from Marbois, the French secretary of legation at Philadelphia, to Vergennes, opposing the American claim to the Newfoundland fisheries. As soon as Jay learned these facts, he sent his friend Dr. Benjamin Vaughan to Lord Shelburne to put him on his guard, and while reminding him that it was greatly for the interest of England to dissolve the alliance between America and France, he declared himself ready to begin the negotiations without waiting for the recognition of independence, provided that Oswald's commission should speak of the thirteen United States of America, instead of calling them colonies and naming them separately. This decisive step was taken by Jay on his own responsibility, and without the knowledge of Franklin, who had been averse to anything like a separate negotiation with England. It served to set the ball rolling at once. After meeting the messengers from Jay and Vergennes, Lord Shelburne at once perceived the antagonism that had arisen between the allies, and promptly took advantage of it. A new commission was made out for Oswald, in which the British government first described our country as the United States; and early in October negotiations were begun and proceeded rapidly. On the part of England, the affair was conducted by Oswald, assisted by Strachey and Fitzherbert, who had succeeded Grenville. In the course of the month John Adams arrived in Paris, and a few weeks later Henry Laurens, who had been exchanged for Lord Cornwallis and released from the Tower, was added to the company. Adams had a holy horror of Frenchmen in general, and of Count Vergennes in particular. He shared that common but mistaken view of Frenchmen which regards them as shallow, frivolous, and insincere; and he was indignant at the position taken by Vergennes on the question of the fisheries. In this, John Adams felt as all New Englanders felt, and he realized the importance of the question from a national point of view, as became the man who in later years was to earn lasting renown as one of the chief founders of the American navy. His behaviour on reaching Paris was characteristic. It is said that he left Count Vergennes to learn of his arrival through the newspapers. It was certainly some time before he called upon him, and he took occasion, besides, to express his opinions about republics and monarchies in terms which courtly Frenchmen thought very rude.

Franklin overruled by Jay and Adams.

The arrival of Adams fully decided the matter as to a separate negotiation with England. He agreed with Jay that Vergennes should be kept as far as possible in the dark until everything was cut and dried, and Franklin was reluctantly obliged to yield. The treaty of alliance between France and the United States had expressly stipulated that neither power should ever make peace without the consent of the other, and in view of this Franklin was loth to do anything which might seem like abandoning the ally whose timely interposition had alone enabled Washington to achieve the crowning triumph of Yorktown. In justice to Vergennes, it should be borne in mind that he had kept strict faith

with us in regard to every point that had been expressly stipulated; and Franklin, who felt that he understood Frenchmen better than his colleagues, was naturally unwilling to seem behindhand in this respect. At the same time, in regard to matters not expressly stipulated, Vergennes was clearly playing a sharp game against us; and it is undeniable that, without departing technically from the obligations of the alliance, Jay and Adams – two men as honourable as ever lived – played a very sharp defensive game against him. The traditional French subtlety was no match for Yankee shrewdness. The treaty with England was not concluded until the consent of France had been obtained, and thus the express stipulation was respected; but a thorough and detailed agreement was reached as to what the purport of the treaty should be, while our not too friendly ally was kept in the dark. The annals of modern diplomacy have afforded few stranger spectacles. With the indispensable aid of France we had just got the better of England in fight, and now we proceeded amicably to divide territory and commercial privileges with the enemy, and to make arrangements in which the ally was virtually ignored. It ceases to be a paradox, however, when we remember that with the change of government in England some essential conditions of the case were changed. The England against which we had fought was the hostile England of Lord North; the England with which we were now dealing was the friendly England of Shelburne and Pitt. For the moment, the English race, on both sides of the Atlantic, was united in its main purpose and divided only by questions of detail, while the rival colonizing power, which sought to work in a direction contrary to the general interests of English-speaking people, was in great measure disregarded.

The separate American treaty, as agreed upon:

1. Boundaries;

As soon as the problem was thus virtually reduced to a negotiation between the American commissioners and Lord Shelburne's ministry, the air was cleared in a moment. The principal questions had already been discussed between Franklin and Oswald. Independence being first acknowledged, the question of boundaries came up for settlement. England had little interest in regaining the territory between the Alleghanies and the Mississippi, the forts in which were already held by American soldiers, and she relinquished all claim upon it. The Mississippi River thus became the dividing line between the United States and the Spanish possessions, and its navigation was made free alike to British and American ships. Franklin's suggestion of a cession of Canada and Nova Scotia was abandoned without discussion. It was agreed that the boundary line should start at the mouth of the river St. Croix, and, running to a point near Lake Madawaska in the highlands separating the Atlantic watershed from that of the St. Lawrence, should follow these highlands to the head of the Connecticut River, and then descend the middle of the river to the forty-fifth parallel, thence running westward and through the centre of the water communications of the Great Lakes to the Lake of the Woods, thence to the source of the Mississippi, which was supposed to be west of this lake. This line was marked in red ink by Oswald on one of Mitchell's maps of North America, to serve as a memorandum establishing the precise meaning of the words used in the description. It ought to have been accurately fixed in its details by surveys made upon the spot; but no commissioners were appointed for this purpose. The language relating to the northeastern portion of the boundary contained some inaccuracies which were revealed by later surveys, and the map used by Oswald was lost. Hence a further question arose between Great Britain and the United States, which was finally settled by the Ashburton treaty in 1842.

2. Fisheries; commercial intercourse;

The Americans retained the right of catching fish on the banks of Newfoundland and in the Gulf of St. Lawrence, but lost the right of drying their fish on the Newfoundland coast. On the other hand, no permission was given to British subjects to fish on the coasts of the United States. As regarded commercial intercourse, Jay sought to establish complete reciprocal freedom between the two countries, and a clause was proposed to the effect that "all British merchants and merchant

ships, on the one hand, shall enjoy in the United States, and in all places belonging to them, the same protection and commercial privileges, and be liable only to the same charges and duties as their own merchants and merchant ships; and, on the other hand, the merchants and merchant ships of the United States shall enjoy in all places belonging to his Britannic Majesty the same protection and commercial privileges, and be liable only to the same charges and duties as British merchants and merchant ships, saving always to the chartered trading companies of Great Britain such exclusive use and trade, and the respective ports and establishments, as neither the other subjects of Great Britain nor any the most favoured nation participate in." Unfortunately for both countries, this liberal provision was rejected on the ground that the ministry had no authority to interfere with the Navigation Act.

3. Private debts;

Only two questions were now left to be disposed of, – the question of paying private debts, and that of compensating the American loyalists for the loss of property and general rough treatment which they had suffered. There were many old debts outstanding from American to British merchants. These had been for the most part incurred before 1775, and while many honest debtors, impoverished during the war, felt unable to pay, there were doubtless many others who were ready to take advantage of circumstances and refuse the payment which they were perfectly able to make. It was scarcely creditable to us that any such question should have arisen. Franklin, indeed, argued that these debts were more than fully offset by damages done to private property by British soldiers: as, for example, in the wanton raids on the coasts of Connecticut and Virginia in 1779, or in Prevost's buccaneering march against Charleston. To cite these atrocities, however, as a reason for the non-payment of debts legitimately owed to innocent merchants in London and Glasgow was to argue as if two wrongs could make a right. The strong sense of John Adams struck at once to the root of the matter. He declared "he had no notion of cheating anybody. The questions of paying debts and compensating Tories were two." This terse statement carried the day, and it was finally decided that all private debts on either side, whether incurred before or after 1775, remained still binding, and must be discharged at their full value in sterling money.

4. Compensation of loyalists.

The last question of all was the one most difficult to settle. There were many loyalists in the United States who had sacrificed everything in the support of the British cause, and it was unquestionably the duty of the British government to make every possible effort to insure them against further injury, and, if practicable, to make good their losses already incurred. From Virginia and the New England states, where they were few in number, they had mostly fled, and their estates had been confiscated. In New York and South Carolina, where they remained in great numbers, they were still waging a desultory war with the patriots, which far exceeded in cruelty and bitterness the struggle between the regular armies. In many cases they had, at the solicitation of the British government, joined the invading army, and been organized into companies and regiments. The regular troops defeated at King's Mountain, and those whom Arnold took with him to Virginia, were nearly all American loyalists. Lord Shelburne felt that it would be wrong to abandon these unfortunate men to the vengeance of their fellow countrymen, and he insisted that the treaty should contain an amnesty clause providing for the restoration of the Tories to their civil rights, with compensation for their confiscated property. However disagreeable such a course might seem to the victorious Americans, there were many precedents for it in European history. It had indeed come to be customary at the close of civil wars, and the effect of such a policy had invariably been good. Cromwell, in his hour of triumph, inflicted no disabilities upon his political enemies; and when Charles II. was restored to the throne the healing effect of the amnesty act then passed was so great that historians sometimes ask what in the world had become of that Puritan party which a moment before had seemed supreme in the land. At the close of the war of the Spanish Succession, the rebellious people of Catalonia were

indemnified for their losses, at the request of England, and with a similar good effect. In view of such European precedents, Vergennes agreed with Shelburne as to the propriety of securing compensation and further immunity for the Tories in America. John Adams insinuated that the French minister took this course because he foresaw that the presence of the Tories in the United States would keep the people perpetually divided into a French party and an English party; but such a suspicion was quite uncalled for. There is no reason to suppose that in this instance Vergennes had anything at heart but the interests of humanity and justice.

On the other hand, the Americans brought forward very strong reasons why the Tories should not be indemnified by Congress. First, as Franklin urged, many of them had, by their misrepresentations to the British government, helped to stir up the disputes which led to the war; and as they had made their bed, so they must lie in it. Secondly, such of them as had been concerned in burning and plundering defenceless villages, and wielding the tomahawk in concert with bloodthirsty Indians, deserved no compassion. It was rather for them to make compensation for the misery they had wrought. Thirdly, the confiscated Tory property had passed into the hands of purchasers who had bought it in good faith and could not now be dispossessed, and in many cases it had been distributed here and there and lost sight of. An estimate of the gross amount might be made, and a corresponding sum appropriated for indemnification. But, fourthly, the country was so impoverished by the war that its own soldiers, the brave men whose heroic exertions had won the independence of the United States, were at this moment in sore distress for the want of the pay which Congress could not give them, but to which its honour was sacredly pledged. The American government was clearly bound to pay its just debts to the friends who had suffered so much in its behalf before it should proceed to entertain a chimerical scheme for satisfying its enemies. For, fifthly, any such scheme was in the present instance clearly chimerical. The acts under which Tory property had been confiscated were acts of state legislatures, and Congress had no jurisdiction over such a matter. If restitution was to be made, it must be made by the separate states. The question could not for a moment be entertained by the general government or its agents.

Upon these points the American commissioners were united and inexorable. Various suggestions were offered in vain by the British. Their troops still held the city of New York, and it was doubtful whether the Americans could hope to capture it in another campaign. It was urged that England might fairly claim in exchange for New York a round sum of money wherewith the Tories might be indemnified. It was further urged that certain unappropriated lands in the Mississippi valley might be sold for the same purpose. But the Americans would not hear of buying one of their own cities, whose independence was already acknowledged by the first article of the treaty which recognized the independence of the United States and as for the western lands, they were wanted as a means of paying our own war debts and providing for our veteran soldiers. Several times Shelburne sent word to Paris that he would break off the negotiation unless the loyalist claims were in some way recognized. But the Americans were obdurate. They had one advantage, and knew it. Parliament was soon to meet, and it was doubtful whether Lord Shelburne could command a sufficient majority to remain long in office. He was, accordingly, very anxious to complete the treaty of peace, or at least to detach America from the French alliance, as soon as possible. The American commissioners were also eager to conclude the treaty. They had secured very favourable terms, and were loth to run any risk of spoiling what had been done. Accordingly, they made a proposal in the form of a compromise, which nevertheless settled the point in their favour. The matter, they said, was beyond the jurisdiction of Congress, but they agreed that Congress should *recommend* to the several states to desist from further proceedings against the Tories, and to reconsider their laws on this subject; it should further recommend that persons with claims upon confiscated lands might be authorized to use legal means of recovering them, and to this end might be allowed to pass to and fro without personal risk for the term of one year. The British commissioners accepted this compromise, unsatisfactory as it was, because it was really impossible to obtain anything better without throwing the whole negotiation overboard.

The constitutional difficulty was a real one indeed. As Adams told Oswald, if the point were further insisted upon, Congress would be obliged to refer it to the several states, and no one could tell how long it might be before any decisive result could be reached in this way. Meanwhile, the state of war would continue, and it would be cheaper for England to indemnify the loyalists herself than to pay the war bills for a single month. Franklin added that, if the loyalists were to be indemnified, it would be necessary also to reckon up the damage they had done in burning houses and kidnapping slaves, and then strike a balance between the two accounts; and he gravely suggested that a special commission might be appointed for this purpose. At the prospect of endless discussion which this suggestion involved, the British commissioners gave way and accepted the American terms, although they were frankly told that too much must not be expected from the recommendation of Congress. The articles were signed on the 30th of November, six days before the meeting of Parliament. Hostilities in America were to cease at once, and upon the completion of the treaty the British fleets and armies were to be immediately withdrawn from every place which they held within the limits of the United States. A supplementary and secret article provided that if England, on making peace with Spain, should recover West Florida, the northern boundary of that province should be a line running due east from the mouth of the Yazoo River to the Chattahoochee.

Vergennes does not like the way in which it has been done.

Thus by skilful diplomacy the Americans had gained all that could reasonably be asked, while the work of making a general peace was greatly simplified. It was declared in the preamble that the articles here signed were provisional, and that the treaty was not to take effect until terms of peace should be agreed on between England and France. Without delay, Franklin laid the whole matter, except the secret article, before Vergennes, who forthwith accused the Americans of ingratitude and bad faith. Franklin's reply, that at the worst they could only be charged with want of diplomatic courtesy, has sometimes been condemned as insincere, but on inadequate grounds. He had consented with reluctance to the separate negotiation, because he did not wish to give France any possible ground for complaint, whether real or ostensible. There does not seem, however, to have been sufficient justification for so grave a charge as was made by Vergennes. If the French negotiations had failed until after the overthrow of the Shelburne ministry; if Fox, on coming into power, had taken advantage of the American treaty to continue the war against France; and if under such circumstances the Americans had abandoned their ally, then undoubtedly they would have become guilty of ingratitude and treachery. There is no reason for supposing that they would ever have done so, had the circumstances arisen. Their preamble made it impossible for them honourably to abandon France until a full peace should be made, and more than this France could not reasonably demand. The Americans had kept to the strict letter of their contract, as Vergennes had kept to the strict letter of his, and beyond this they meted out exactly the same measure of frankness which they received. To say that our debt of gratitude to France was such as to require us to acquiesce in her scheme for enriching our enemy Spain at our expense is simply childish. Franklin was undoubtedly right. The commissioners may have been guilty of a breach of diplomatic courtesy, but nothing more. Vergennes might be sarcastic about it for the moment, but the cordial relations between France and America remained undisturbed.

A great diplomatic victory.

On the part of the Americans the treaty of Paris was one of the most brilliant triumphs in the whole history of modern diplomacy. Had the affair been managed by men of ordinary ability, some of the greatest results of the Revolutionary War would probably have been lost; the new republic would have been cooped up between the Atlantic Ocean and the Alleghany Mountains; our westward expansion would have been impossible without further warfare in which European powers would have been involved; and the formation of our Federal Union would doubtless have been effectively hindered, if not, indeed, altogether prevented. To the grand triumph the varied talents of Franklin,

Adams, and Jay alike contributed. To the latter is due the credit of detecting and baffling the sinister designs of France; but without the tact of Franklin this probably could not have been accomplished without offending France in such wise as to spoil everything. It is, however, to the rare discernment and boldness of Jay, admirably seconded by the sturdy Adams, that the chief praise is due. The turning-point of the whole affair was the visit of Dr. Vaughan to Lord Shelburne. The foundation of success was the separate negotiation with England, and here there had stood in the way a more formidable obstacle than the mere reluctance of Franklin. The chevalier Luzerne and his secretary Marbois had been busy with Congress, and that body had sent well-meant but silly and pusillanimous instructions to its commissioners at Paris to be guided in all things by the wishes of the French court. To disregard such instructions required all the lofty courage for which Jay and Adams were noted, and for the moment it brought upon them something like a rebuke from Congress, conveyed in a letter from Robert Livingston. As Adams said, in his vehement way, "Congress surrendered their own sovereignty into the hands of a French minister. Blush! blush! ye guilty records! blush and perish! It is glory to have broken such infamous orders." True enough; the commissioners knew that in diplomacy, as in warfare, to the agent at a distance from his principal some discretionary power must be allowed. They assumed great responsibility, and won a victory of incalculable grandeur.

The Spanish treaty.

The course of the Americans produced no effect upon the terms obtained by France, but it seriously modified the case with Spain. Unable to obtain Gibraltar by arms, that power hoped to get it by diplomacy; and with the support of France she seemed disposed to make the cession of the great fortress an ultimatum, without which the war must go on. Shelburne, on his part, was willing to exchange Gibraltar for an island in the West Indies; but it was difficult to get the cabinet to agree on the matter, and the scheme was violently opposed by the people, for the heroic defence of the stronghold had invested it with a halo of romance and endeared it to every one. Nevertheless, so persistent was Spain, and so great the desire for peace on the part of the ministry, that they had resolved to exchange Gibraltar for Guadaloupe, when the news arrived of the treaty with America. The ministers now took a bold stand, and refused to hear another word about giving up Gibraltar. Spain scolded, and threatened a renewal of hostilities, but France was unwilling to give further assistance, and the matter was settled by England's surrendering East Florida, and allowing the Spaniards to keep West Florida and Minorca, which were already in their hands.

The French treaty.

By the treaty with France, the West India islands of Grenada, St. Vincent, St. Christopher, Dominica, Nevis, and Montserrat were restored to England, which in turn restored St. Lucia and ceded Tobago to France. The French were allowed to fortify Dunkirk, and received some slight concessions in India and Africa; they retained their share in the Newfoundland fisheries, and recovered the little neighbouring islands of St. Pierre and Miquelon. For the fourteen hundred million francs which France had expended in the war, she had the satisfaction of detaching the American colonies from England, thus inflicting a blow which it was confidently hoped would prove fatal to the maritime power of her ancient rival; but beyond this short-lived satisfaction, the fallaciousness of which events were soon to show, she obtained very little. On the 20th of January, 1783, the preliminaries of peace were signed between England, on the one hand, and France and Spain, on the other. A truce was at the same time concluded with Holland, which was soon followed by a peace, in which most of the conquests on either side were restored.

Coalition of Fox with North.

A second English ministry was now about to be wrecked on the rock of this group of treaties. Lord Shelburne's government had at no time been a strong one. He had made many enemies by his liberal and reforming measures, and he had alienated most of his colleagues by his reserved

demeanour and seeming want of confidence in them. In December several of the ministers resigned. The strength of parties in the House of Commons was thus quaintly reckoned by Gibbon: "Minister 140; Reynard 90; Boreas 120; the rest unknown or uncertain." But "Reynard" and "Boreas" were now about to join forces in one of the strangest coalitions ever known in the history of politics. No statesman ever attacked another more ferociously than Fox had attacked North during the past ten years. He had showered abuse upon him; accused him of "treachery and falsehood," of "public perfidy," and "breach of a solemn specific promise;" and had even gone so far as to declare to his face a hope that he would be called upon to expiate his abominable crimes upon the scaffold. Within a twelvemonth he had thus spoken of Lord North and his colleagues: "From the moment when I shall make any terms with one of them, I will rest satisfied to be called the most infamous of mankind. I would not for an instant think of a coalition with men who, in every public and private transaction as ministers, have shown themselves void of every principle of honour and honesty. In the hands of such men I would not trust my honour even for a moment." Still more recently, when at a loss for words strong enough to express his belief in the wickedness of Shelburne, he declared that he had no better opinion of that man than to deem him capable of forming an alliance with North. We may judge, then, of the general amazement when, in the middle of February, it turned out that Fox had himself done this very thing. An "ill-omened marriage," William Pitt called it in the House of Commons. "If this ill-omened marriage is not already solemnized, I know a just and lawful impediment, and in the name of the public safety I here forbid the banns." Throughout the country the indignation was great. Many people had blamed Fox for not following up his charges by actually bringing articles of impeachment against Lord North. That the two enemies should thus suddenly become leagued in friendship seemed utterly monstrous. It injured Fox extremely in the opinion of the country, and it injured North still more, for it seemed like a betrayal of the king on his part, and his forgiveness of so many insults looked mean-spirited. It does not appear, however, that there was really any strong personal animosity between North and Fox. They were both men of very amiable character, and almost incapable of cherishing resentment. The language of parliamentary orators was habitually violent, and the huge quantities of wine which gentlemen in those days used to drink may have helped to make it extravagant. The excessive vehemence of political invective often deprived it of half its effect. One day, after Fox had exhausted his vocabulary of abuse upon Lord George Germaine, Lord North said to him, "You were in very high feather to-day, Charles, and I am glad you did not fall upon me." On another occasion, it is said that while Fox was thundering against North's unexampled turpitude, the object of his furious tirade cosily dropped off to sleep. Gibbon, who was the friend of both statesmen, expressly declares that they bore each other no ill will. But while thus alike indisposed to harbour bitter thoughts, there was one man for whom both Fox and North felt an abiding distrust and dislike; and that man was Lord Shelburne, the prime minister.

As a political pupil of Burke, Fox shared that statesman's distrust of the whole school of Lord Chatham, to which Shelburne belonged. In many respects these statesmen were far more advanced than Burke, but they did not sufficiently realize the importance of checking the crown by means of a united and powerful ministry. Fox thoroughly understood that much of the mischief of the past twenty years, including the loss of America, had come from the system of weak and divided ministries, which gave the king such great opportunity for wreaking his evil will. He had himself been a member of such a ministry, which had fallen seven months ago. When the king singled out Shelburne for his confidence, Fox naturally concluded that Shelburne was to be made to play the royal game, as North had been made to play it for so many years. This was very unjust to Shelburne, but there is no doubt that Fox was perfectly honest in his belief. It seemed to him that the present state of things must be brought to an end, at whatever cost. A ministry strong enough to curb the king could be formed only by a coalescence of two out of the three existing parties. A coalescence of Old and New Whigs had been tried last spring, and failed. It only remained now to try the effect of a coalescence of Old Whigs and Tories.

Such was doubtless the chief motive of Fox in this extraordinary move. The conduct of North seems harder to explain, but it was probably due to a reaction of feeling on his part. He had done violence to his own convictions out of weak compassion for George III., and had carried on the American war for four years after he had been thoroughly convinced that peace ought to be made. Remorse for this is said to have haunted him to the end of his life. When in his old age he became blind, he bore this misfortune with his customary lightness of heart; and one day, meeting the veteran Barré, who had also lost his eyesight, he exclaimed, with his unfailing wit, "Well, colonel, in spite of all our differences, I suppose there are no two men in England who would be gladder to *see* each other than you and I." But while Lord North could jest about his blindness, the memory of his ill-judged subservience to the king was something that he could not laugh away, and among his nearest friends he was sometimes heard to reproach himself bitterly. When, therefore, in 1783, he told Fox that he fully agreed with him in thinking that the royal power ought to be curbed, he was doubtless speaking the truth. No man had a better right to such an opinion than he had gained through sore experience. In his own ministry, as he said to Fox, he took the system as he found it, and had not vigour and resolution enough to put an end to it; but he was now quite convinced that in such a country as England, while the king should be treated with all outward show of respect, he ought on no account to be allowed to exercise any real power.

Now this was in 1783 the paramount political question in England, just as much as the question of secession was paramount in the United States in 1861. Other questions could be postponed; the question of curbing the king could not. Upon this all-important point North had come to agree with Fox; and as the principal motive of their coalition may be thus explained, the historian is not called upon to lay too much stress upon the lower motives assigned in profusion by their political enemies. This explanation, however, does not quite cover the case. The mass of the Tories would never follow North in an avowed attempt to curb the king, but they agreed with the followers of Fox, though not with Fox himself, in holy horror of parliamentary reform, and were alarmed by a recent declaration of Shelburne that the suffrage must be extended so as to admit a hundred new county members. Thus while the two leaders were urged to coalescence by one motive, their followers were largely swayed by another, and this added much to the mystery and general unintelligibleness of the movement. In taking this step Fox made the mistake which was characteristic of the Old Whig party. He gave too little heed to the great public outside the walls of the House of Commons. The coalition, once made, was very strong in Parliament, but it mystified and scandalized the people, and this popular disapproval by and by made it easy for the king to overthrow it.

Fall of Shelburne's ministry.

It was agreed to choose the treaty as the occasion for the combined attack upon the Shelburne ministry. North, as the minister who had conducted the unsuccessful war, was bound to oppose the treaty, in any case. It would not do for him to admit that better terms could not have been made. The treaty was also very unpopular with Fox's party, and with the nation at large. It was thought that too much territory had been conceded to the Americans, and fault was found with the article on the fisheries. But the point which excited most indignation was the virtual abandonment of the loyalists, for here the honour of England was felt to be at stake. On this ground the treaty was emphatically condemned by Burke, Sheridan, and Wilberforce, no less than by North. It was ably defended in the Commons by Pitt, and in the Lords by Shelburne himself, who argued that he had but the alternative of accepting the terms as they stood, or continuing the war; and since it had come to this, he said, without spilling a drop of blood, or incurring one fifth of the expense of a year's campaign, the comfort and happiness of the American loyalists could be easily secured. By this he meant that, should America fail to make good their losses, it was far better for England to indemnify them herself than to prolong indefinitely a bloody and ruinous struggle. As we shall hereafter see, this liberal and enlightened policy was the one which England really pursued, so far as practicable, and her honour

was completely saved. That Shelburne and Pitt were quite right there can now be little doubt. But argument was of no avail against the resistless power of the coalition. On the 17th of February Lord John Cavendish moved an amendment to the ministerial address on the treaty, refusing to approve it. On the 21st he moved a further amendment condemning the treaty. Both motions were carried, and on the 24th Lord Shelburne resigned. He did not dissolve Parliament and appeal to the country, partly because he was aware of his personal unpopularity, and partly because, in spite of the general disgust at the coalition, there was little doubt that on the particular question of the treaty the public opinion agreed with the majority in Parliament, and not with the ministry. For this reason, Pitt, though personally popular, saw that it was no time for him to take the first place in the government, and when the king proceeded to offer it to him he declined.

The king's wrath.

The treaty is adopted, after all, by the coalition ministry, which presently falls.

For more than five weeks, while the treasury was nearly empty, and the question of peace or war still hung in the balance, England was without a regular government, while the angry king went hunting for some one who would consent to be his prime minister. He was determined not to submit to the coalition. He was naturally enraged at Lord North for turning against him. Meeting one day North's father, Lord Guilford, he went up to him, tragically wringing his hands, and exclaimed in accents of woe, "Did I ever think, my Lord Guilford, that your son would thus have betrayed me into the hands of Mr. Fox?" He appealed in vain to Lord Gower, and then to Lord Temple, to form a ministry. Lord Gower suggested that perhaps Thomas Pitt, cousin of William, might be willing to serve. "I desired him," said the king, "to apply to Mr. Thomas Pitt, or Mr. Thomas anybody." It was of no use. By the 2d of April Parliament had become furious at the delay, and George was obliged to yield. The Duke of Portland was brought in as nominal prime minister, with Fox as foreign secretary, North as secretary for home and colonies, Cavendish as chancellor of the exchequer, and Keppel as first lord of the admiralty. The only Tory in the cabinet, excepting North, was Lord Stormont, who became president of the council. The commissioners, Fitzherbert and Oswald, were recalled from Paris, and the Duke of Manchester and David Hartley, son of the great philosopher, were appointed in their stead. Negotiations continued through the spring and summer. Attempts were made to change some of the articles, especially the obnoxious article concerning the loyalists, but all to no purpose. Hartley's attempt to negotiate a mutually advantageous commercial treaty with America also came to nothing. The definitive treaty which was finally signed on the 3d of September, 1783, was an exact transcript of the treaty which Shelburne had made, and for making which the present ministers had succeeded in turning him out of office. No more emphatic justification of Shelburne's conduct of this business could possibly have been obtained.

The coalition ministry did not long survive the final signing of the treaty. The events of the next few months are curiously instructive as showing the quiet and stealthy way in which a political revolution may be consummated in a thoroughly conservative and constitutional country. Early in the winter session of Parliament Fox brought in his famous bill for organizing the government of the great empire which Clive and Hastings had built up in India. Popular indignation at the ministry had been strengthened by its adopting the same treaty of peace for the making of which it had assaulted Shelburne; and now, on the passage of the India Bill by the House of Commons, there was a great outcry. Many provisions of the bill were exceedingly unpopular, and its chief object was alleged to be the concentration of the immense patronage of India into the hands of the old Whig families. With the popular feeling thus warmly enlisted against the ministry, George III. was now emboldened to make war on it by violent means; and, accordingly, when the bill came up in the House of Lords, he caused it to be announced, by Lord Temple, that any peer who should vote in its favour would be regarded as an enemy by the king. Four days later the House of Commons, by a vote of 153 to 80, resolved that "to report any opinion, or pretended opinion, of his majesty upon any bill or other proceeding depending

in either house of Parliament, with a view to influence the votes of the members, is a high crime and misdemeanour, derogatory to the honour of the crown, a breach of the fundamental privileges of Parliament, and subversive of the constitution of this country." A more explicit or emphatic defiance to the king would have been hard to frame. Two days afterward the Lords rejected the India Bill, and on the next day, the 18th of December, George turned the ministers out of office.

Constitutional crisis, ending in the overwhelming victory of Pitt, May, 1784.

In this grave constitutional crisis the king invited William Pitt to form a government, and this young statesman, who had consistently opposed the coalition, now saw that his hour was come. He was more than any one else the favourite of the people. Fox's political reputation was eclipsed, and North's was destroyed, by their unseemly alliance. People were sick of the whole state of things which had accompanied the American war. Pitt, who had only come into Parliament in 1780, was free from these unpleasant associations. The unblemished purity of his life, his incorruptible integrity, his rare disinterestedness, and his transcendent ability in debate were known to every one. As the worthy son of Lord Chatham, whose name was associated with the most glorious moment of English history, he was peculiarly dear to the people. His position, however, on taking supreme office at the instance of a king who had just committed an outrageous breach of the constitution, was extremely critical, and only the most consummate skill could have won from the chaos such a victory as he was about to win. When he became first lord of the treasury and chancellor of the exchequer, in December, 1783, he had barely completed his twenty-fifth year. All his colleagues in the new cabinet were peers, so that he had to fight single-handed in the Commons against the united talents of Burke and Sheridan, Fox and North; and there was a heavy majority against him, besides. In view of this adverse majority, it was Pitt's constitutional duty to dissolve Parliament and appeal to the country. But Fox, unwilling to imperil his great majority by a new election, now made the fatal mistake of opposing a dissolution; thus showing his distrust of the people and his dread of their verdict. With consummate tact, Pitt allowed the debates to go on till March, and then, when the popular feeling in his favour had grown into wild enthusiasm, he dissolved Parliament. In the general election which followed, 160 members of the coalition lost their seats, and Pitt obtained the greatest majority that has ever been given to an English minister.

Overthrow of George III.'s system of personal government.

Thus was completed the political revolution in England which was set on foot by the American victory at Yorktown. Its full significance was only gradually realized. For the moment it might seem that it was the king who had triumphed. He had shattered the alliance which had been formed for the purpose of curbing him, and the result of the election had virtually condoned his breach of the constitution. This apparent victory, however, had been won only by a direct appeal to the people, and all its advantages accrued to the people, and not to George III. His ingenious system of weak and divided ministries, with himself for balance-wheel, was destroyed. For the next seventeen years the real ruler of England was not George III., but William Pitt, who, with his great popular following, wielded such a power as no English sovereign had possessed since the days of Elizabeth. The political atmosphere was cleared of intrigue; and Fox, in the legitimate attitude of leader of the new opposition, entered upon the glorious part of his career. There was now set in motion that great work of reform which, hindered for a while by the reaction against the French revolutionists, won its decisive victory in 1832. Down to the very moment at which American and British history begin to flow in distinct and separate channels, it is interesting to observe how closely they are implicated with each other. The victory of the Americans not only set on foot the British revolution here described, but it figured most prominently in each of the political changes that we have witnessed, down to the very eve of the overthrow of the coalition. The system which George III. had sought to fasten upon America, in order that he might fasten it upon England, was shaken off and shattered by the good people of both countries at almost the same moment of time.

CHAPTER II. THE THIRTEEN COMMONWEALTHS

Departure of the British troops, Nov. 25, 1783.

Washington resigns his command, Dec. 23.

"The times that tried men's souls are over," said Thomas Paine in the last number of the "Crisis," which he published after hearing that the negotiations for a treaty of peace had been concluded. The preliminary articles had been signed at Paris on the 20th of January, 1783. The news arrived in America on the 23d of March, in a letter to the president of Congress from Lafayette, who had returned to France soon after the victory at Yorktown. A few days later Sir Guy Carleton received his orders from the ministry to proclaim a cessation of hostilities by land and sea. A similar proclamation made by Congress was formally communicated to the army by Washington on the 19th of April, the eighth anniversary of the first bloodshed on Lexington green. Since Wayne had driven the British from Georgia, early in the preceding year, there had been no military operations between the regular armies. Guerrilla warfare between Whig and Tory had been kept up in parts of South Carolina and on the frontier of New York, where Thayendanegea was still alert and defiant; while beyond the mountains the tomahawk and scalping-knife had been busy, and Washington's old friend and comrade, Colonel Crawford, had been scorched to death by the firebrands of the red demons; but the armies had sat still, awaiting the peace which every one felt sure must speedily come. After Cornwallis's surrender, Washington marched his army back to the Hudson, and established his headquarters at Newburgh. Rochambeau followed somewhat later, and in September joined the Americans on the Hudson; but in December the French army marched to Boston, and there embarked for France. After the formal cessation of hostilities on the 19th of April, 1783, Washington granted furloughs to most of his soldiers; and these weather-beaten veterans trudged homeward in all directions, in little groups of four or five, depending largely for their subsistence on the hospitality of the farm-houses along the road. Arrived at home, their muskets were hung over the chimney-piece as trophies for grandchildren to be proud of, the stories of their exploits and their sufferings became household legends, and they turned the furrows and drove the cattle to pasture just as in the "old colony times." Their furloughs were equivalent to a full discharge, for on the 3d of September the definitive treaty was signed, and the country was at peace. On the 3d of November the army was formally disbanded, and on the 25th of that month Sir Guy Carleton's army embarked from New York. Small British garrisons still remained in the frontier posts of Ogdensburg, Oswego, Niagara, Erie, Sandusky, Detroit, and Mackinaw, but by the terms of the treaty these places were to be promptly surrendered to the United States. On the 4th of December a barge waited at the South Ferry in New York to carry General Washington across the river to Paulus Hook. He was going to Annapolis, where Congress was in session, in order to resign his command. At Fraunces's Tavern, near the ferry, he took leave of the officers who so long had shared his labours. One after another they embraced their beloved commander, while there were few dry eyes in the company. They followed him to the ferry, and watched the departing boat with hearts too full for words, and then in solemn silence returned up the street. At Philadelphia he handed to the comptroller of the treasury a neatly written manuscript, containing an accurate statement of his expenses in the public service since the day when he took command of the army. The sums which Washington had thus spent out of his private fortune amounted to \$64,315. For his personal services he declined to take any pay. At noon of the 23d, in the presence of Congress and of a throng of ladies and gentlemen at Annapolis, the great general gave up his command, and requested as an "indulgence" to be allowed to retire into private life. General Mifflin, who during the winter of Valley Forge had conspired with Gates to undermine the confidence of the people in Washington, was now president of Congress, and it was

for him to make the reply. "You retire," said Mifflin, "from the theatre of action with the blessings of your fellow-citizens, but the glory of your virtues will not terminate with your military command; it will continue to animate remotest ages." The next morning Washington hurried away to spend Christmas at his pleasant home at Mount Vernon, which, save for a few hours in the autumn of 1781, he had not set eyes on for more than eight years. His estate had suffered from his long absence, and his highest ambition was to devote himself to its simple interests. To his friends he offered unpretentious hospitality. "My manner of living is plain," he said, "and I do not mean to be put out of it. A glass of wine and a bit of mutton are always ready, and such as will be content to partake of them are always welcome. Those who expect more will be disappointed." To Lafayette he wrote that he was now about to solace himself with those tranquil enjoyments of which the anxious soldier and the weary statesman know but little. "I have not only retired from all public employments, but I am retiring within myself, and shall be able to view the solitary walk and tread the paths of private life with heartfelt satisfaction. Envious of none, I am determined to be pleased with all; and this, my dear friend, being the order of my march, I will move gently down the stream of life until I sleep with my fathers."

His "legacy" to the American people, June 8, 1783.

In these hopes Washington was to be disappointed. "All the world is touched by his republican virtues," wrote Luzerne to Vergennes, "but it will be useless for him to try to hide himself and live the life of a private man: he will always be the first citizen of the United States." It indeed required no prophet to foretell that the American people could not long dispense with the services of this greatest of citizens. Washington had already put himself most explicitly on record as the leader of the men who were urging the people of the United States toward the formation of a more perfect union. The great lesson of the war had not been lost on him. Bitter experience of the evils attendant upon the weak government of the Continental Congress had impressed upon his mind the urgent necessity of an immediate and thorough reform. On the 8th of June, in view of the approaching disbandment of the army, he had addressed to the governors and presidents of the several states a circular letter, which he wished to have regarded as his legacy to the American people. In this letter he insisted upon four things as essential to the very existence of the United States as an independent power. First, there must be an indissoluble union of all the states under a single federal government, which must possess the power of enforcing its decrees; for without such authority it would be a government only in name. Secondly, the debts incurred by Congress for the purpose of carrying on the war and securing independence must be paid to the uttermost farthing. Thirdly, the militia system must be organized throughout the thirteen states on uniform principles. Fourthly, the people must be willing to sacrifice, if need be, some of their local interests to the common weal; they must discard their local prejudices, and regard one another as fellow-citizens of a common country, with interests in the deepest and truest sense identical.

Absence of a sentiment of union, and consequent danger of anarchy.

The unparalleled grandeur of Washington's character, his heroic services, and his utter disinterestedness had given him such a hold upon the people as scarcely any other statesman known to history, save perhaps William the Silent, has ever possessed. The noble and sensible words of his circular letter were treasured up in the minds of all the best people in the country, and when the time for reforming the weak and disorderly government had come it was again to Washington that men looked as their leader and guide. But that time had not yet come. Only through the discipline of perplexity and tribulation could the people be brought to realize the indispensable necessity of that indissoluble union of which Washington had spoken. Thomas Paine was sadly mistaken when, in the moment of exultation over the peace, he declared that the trying time was ended. The most trying time of all was just beginning. It is not too much to say that the period of five years following the peace of 1783 was the most critical moment in all the history of the American people. The dangers from which we were saved in 1788 were even greater than the dangers from which we were saved

in 1865. In the War of Secession the love of union had come to be so strong that thousands of men gave up their lives for it as cheerfully and triumphantly as the martyrs of older times, who sang their hymns of praise even while their flesh was withering in the relentless flames. In 1783 the love of union, as a sentiment for which men would fight, had scarcely come into existence among the people of these states. The souls of the men of that day had not been thrilled by the immortal eloquence of Webster, nor had they gained the historic experience which gave to Webster's words their meaning and their charm. They had not gained control of all the fairest part of the continent, with domains stretching more than three thousand miles from ocean to ocean, and so situated in geographical configuration and commercial relations as to make the very idea of disunion absurd, save for men in whose minds fanaticism for the moment usurped the place of sound judgment. The men of 1783 dwelt in a long, straggling series of republics, fringing the Atlantic coast, bordered on the north and south and west by two European powers whose hostility they had some reason to dread. But nine years had elapsed since, in the first Continental Congress, they had begun to act consistently and independently in common, under the severe pressure of a common fear and an immediate necessity of action. Even under such circumstances the war had languished and come nigh to failure simply through the difficulty of insuring concerted action. Had there been such a government that the whole power of the thirteen states could have been swiftly and vigorously wielded as a unit, the British, fighting at such disadvantage as they did, might have been driven to their ships in less than a year. The length of the war and its worst hardships had been chiefly due to want of organization. Congress had steadily declined in power and in respectability; it was much weaker at the end of the war than at the beginning; and there was reason to fear that as soon as the common pressure was removed the need for concerted action would quite cease to be felt, and the scarcely formed Union would break into pieces. There was the greater reason for such a fear in that, while no strong sentiment had as yet grown up in favour of union, there was an intensely powerful sentiment in favour of local self-government. This feeling was scarcely less strong as between states like Connecticut and Rhode Island, or Maryland and Virginia, than it was between Athens and Megara, Argos and Sparta, in the great days of Grecian history. A most wholesome feeling it was, and one which needed not so much to be curbed as to be guided in the right direction. It was a feeling which was shared by some of the foremost Revolutionary leaders, such as Samuel Adams and Richard Henry Lee. But unless the most profound and delicate statesmanship should be forthcoming, to take this sentiment under its guidance, there was much reason to fear that the release from the common adhesion to Great Britain would end in setting up thirteen little republics, ripe for endless squabbling, like the republics of ancient Greece and mediæval Italy, and ready to become the prey of England and Spain, even as Greece became the prey of Macedonia.

False historic analogies.

As such a lamentable result was dreaded by Washington, so by statesmen in Europe it was generally expected, and by our enemies it was eagerly hoped for. Josiah Tucker, Dean of Gloucester, was a far-sighted man in many things; but he said, "As to the future grandeur of America, and its being a rising empire under one head, whether republican or monarchical, it is one of the idlest and most visionary notions that ever was conceived even by writers of romance. The mutual antipathies and clashing interests of the Americans, their difference of governments, habitudes, and manners, indicate that they will have no centre of union and no common interest. They never can be united into one compact empire under any species of government whatever; a disunited people till the end of time, suspicious and distrustful of each other, they will be divided and subdivided into little commonwealths or principalities, according to natural boundaries, by great bays of the sea, and by vast rivers, lakes, and ridges of mountains." Such were the views of a liberal-minded philosopher who bore us no ill-will. George III. said officially that he hoped the Americans would not suffer from the evils which in history had always followed the throwing off of monarchical government: which

meant, of course, that he hoped they *would* suffer from such evils. He believed we should get into such a snarl that the several states, one after another, would repent and beg on their knees to be taken back into the British empire. Frederick of Prussia, though friendly to the Americans, argued that the mere extent of country from Maine to Georgia would suffice either to break up the Union, or to make a monarchy necessary. No republic, he said, had ever long existed on so great a scale. The Roman republic had been transformed into a despotism mainly by the excessive enlargement of its area. It was only little states, like Venice, Switzerland, and Holland, that could maintain a republican government. Such arguments were common enough a century ago, but they overlooked three essential differences between the Roman republic and the United States. The Roman republic in Cæsar's time comprised peoples differing widely in blood, in speech, and in degree of civilization; it was perpetually threatened on all its frontiers by powerful enemies; and representative assemblies were unknown to it. The only free government of which the Roman knew anything was that of the primary assembly or town meeting. On the other hand, the people of the United States were all English in speech, and mainly English in blood. The differences in degree of civilization between such states as Massachusetts and North Carolina were considerable, but in comparison with such differences as those between Attika and Lusitania they might well be called slight. The attacks of savages on the frontier were cruel and annoying, but never since the time of King Philip had they seemed to threaten the existence of the white man. A very small military establishment was quite enough to deal with the Indians. And to crown all, the American people were thoroughly familiar with the principle of representation, having practised it on a grand scale for four centuries in England, and for more than a century in America. The governments of the thirteen states were all similar, and the political ideas of one were perfectly intelligible to all the others. It was essentially fallacious, therefore, to liken the case of the United States to that of ancient Rome.

Influence of railroad and telegraph upon perpetuity of the American Union.

But there was another feature of the case which was quite hidden from the men of 1783. Just before the assembling of the first Continental Congress James Watt had completed his steam-engine; in the summer of 1787, while the Federal Convention was sitting at Philadelphia, John Fitch launched his first steamboat on the Delaware River; and Stephenson's invention of the locomotive was to follow in less than half a century. Even with all other conditions favourable, it is doubtful if the American Union could have been preserved to the present time without the railroad. But for the military aid of railroads our government would hardly have succeeded in putting down the rebellion of the southern states. In the debates on the Oregon Bill in the United States Senate in 1843, the idea that we could ever have an interest in so remote a country as Oregon was loudly ridiculed by some of the members. It would take ten months – said George McDuffie, the very able senator from South Carolina – for representatives to get from that territory to the District of Columbia and back again. Yet since the building of railroads to the Pacific coast, we can go from Boston to the capital of Oregon in much less time than it took John Hancock to make the journey from Boston to Philadelphia. Railroads and telegraphs have made our vast country, both for political and for social purposes, more snug and compact than little Switzerland was in the Middle Ages or New England a century ago.

Difficulty of travelling a hundred years ago.

At the time of our Revolution the difficulties of travelling formed an important social obstacle to the union of the states. In our time the persons who pass in a single day between New York and Boston by six or seven distinct lines of railroad and steamboat are numbered by thousands. In 1783 two stage-coaches were enough for all the travellers, and nearly all the freight besides, that went between these two cities, except such large freight as went by sea around Cape Cod. The journey began at three o'clock in the morning. Horses were changed every twenty miles, and if the roads were in good condition some forty miles would be made by ten o'clock in the evening. In bad weather, when the passengers had to get down and lift the clumsy wheels out of deep ruts, the progress was

much slower. The loss of life from accidents, in proportion to the number of travellers, was much greater than it has ever been on the railway. Broad rivers like the Connecticut and Housatonic had no bridges. To drive across them in winter, when they were solidly frozen over, was easy; and in pleasant summer weather to cross in a row-boat was not a dangerous undertaking. But squalls at some seasons and floating ice at others were things to be feared. More than one instance is recorded where boats were crushed and passengers drowned, or saved only by scrambling upon ice-floes. After a week or ten days of discomfort and danger the jolted and jaded traveller reached New York. Such was a journey in the most highly civilized part of the United States. The case was still worse in the South, and it was not so very much better in England and France. In one respect the traveller in the United States fared better than the traveller in Europe: the danger from highwaymen was but slight.

Local jealousies and antipathies, an inheritance from primeval savagery.

Such being the difficulty of travelling, people never made long journeys save for very important reasons. Except in the case of the soldiers, most people lived and died without ever having seen any state but their own. And as the mails were irregular and uncertain, and the rates of postage very high, people heard from one another but seldom. Commercial dealings between the different states were inconsiderable. The occupation of the people was chiefly agriculture. Cities were few and small, and each little district for the most part supported itself. Under such circumstances the different parts of the country knew very little about each other, and local prejudices were intense. It was not simply free Massachusetts and slave-holding South Carolina, or English Connecticut and Dutch New York, that misunderstood and ridiculed each the other; but even between such neighbouring states as Connecticut and Massachusetts, both of them thoroughly English and Puritan, and in all their social conditions almost exactly alike, it used often to be said that there was no love lost. These unspeakably stupid and contemptible local antipathies are inherited by civilized men from that far-off time when the clan system prevailed over the face of the earth, and the hand of every clan was raised against its neighbours. They are pale and evanescent survivals from the universal primitive warfare, and the sooner they die out from human society the better for every one. They should be stigmatized and frowned down upon every fit occasion, just as we frown upon swearing as a symbol of anger and contention. But the only thing which can finally destroy them is the widespread and unrestrained intercourse of different groups of people in peaceful social and commercial relations. The rapidity with which this process is now going on is the most encouraging of all the symptoms of our modern civilization. But a century ago the progress made in this direction had been relatively small, and it was a very critical moment for the American people.

Conservative character of the Revolution.

The thirteen states, as already observed, had worked in concert for only nine years, during which their coöperation had been feeble and halting. But the several state governments had been in operation since the first settlement of the country, and were regarded with intense loyalty by the people of the states. Under the royal governors the local political life of each state had been vigorous and often stormy, as befitted communities of the sturdy descendants of English freemen. The legislative assembly of each state had stoutly defended its liberties against the encroachments of the governor. In the eyes of the people it was the only power on earth competent to lay taxes upon them, it was as supreme in its own sphere as the British Parliament itself, and in behalf of this rooted conviction the people had gone to war and won their independence from England. During the war the people of all the states, except Connecticut and Rhode Island, had carefully remodelled their governments, and in the performance of this work had withdrawn many of their ablest statesmen from the Continental Congress; but except for the expulsion of the royal and proprietary governors, the work had in no instance been revolutionary in its character. It was not so much that the American people gained an increase of freedom by their separation from England, as that they kept the freedom they had always enjoyed, that freedom which was the inalienable birthright of Englishmen, but which George III. had

foolishly sought to impair. The American Revolution was therefore in no respect destructive. It was the most conservative revolution known to history, thoroughly English in conception from beginning to end. It had no likeness whatever to the terrible popular convulsion which soon after took place in France. The mischievous doctrines of Rousseau had found few readers and fewer admirers among the Americans. The principles upon which their revolution was conducted were those of Sidney, Harrington, and Locke. In remodelling the state governments, as in planning the union of the states, the precedents followed and the principles applied were almost purely English. We must now pass in review the principal changes wrought in the several states, and we shall then be ready to consider the general structure of the Confederation, and to describe the remarkable series of events which led to the adoption of our Federal Constitution.

State governments remodelled; assemblies continued from colonial times.

It will be remembered that at the time of the Declaration of Independence there were three kinds of government in the colonies. Connecticut and Rhode Island had always been true republics, with governors and legislative assemblies elected by the people. Pennsylvania, Delaware, and Maryland presented the appearance of limited hereditary monarchies. Their assemblies were chosen by the people, but the lords proprietary appointed their governors, or in some instances acted as governors themselves. In Maryland the office of lord proprietary was hereditary in the Calvert family; in Delaware and Pennsylvania, which, though distinct commonwealths with separate legislatures, had the same executive head, it was hereditary in the Penn family. The other eight colonies were vicerealties, with governors appointed by the king, while in all alike the people elected the legislatures. Accordingly in Connecticut and Rhode Island no change was made necessary by the Revolution, beyond the mere omission of the king's name from legal documents; and their charters, which dated from the middle of the seventeenth century, continued to do duty as state constitutions till far into the nineteenth. During the Revolutionary War all the other states framed new constitutions, but in most essential respects they took the old colonial charters for their model. The popular legislative body remained unchanged even in its name. In North Carolina its supreme dignity was vindicated in its title of the House of Commons; in Virginia it was called the House of Burgesses; in most of the states the House of Representatives. The members were chosen each year, except in South Carolina, where they served for two years. In the New England states they represented the townships, in other states the counties. In all the states except Pennsylvania a property qualification was required of them.

Origin of the senates.

In addition to this House of Representatives all the legislatures except those of Pennsylvania and Georgia contained a second or upper house known as the Senate. The origin of the senate is to be found in the governor's council of colonial times, just as the House of Lords is descended from the Witenagemot or council of great barons summoned by the Old-English kings. The Americans had been used to having the acts of their popular assemblies reviewed by a council, and so they retained this revisory body as an upper house. A higher property qualification was required than for membership of the lower house, and, except in New Hampshire, Massachusetts, and South Carolina, the term of service was longer. In Maryland senators sat for five years, in Virginia and New York for four years, elsewhere for two years. In some states they were chosen by the people, in others by the lower house. In Maryland they were chosen by a college of electors, thus affording a precedent for the method of electing the chief magistrate of the union under the Federal Constitution.

Governors viewed with suspicion.

Governors were unpopular in those days. There was too much flavour of royalty and high prerogative about them. Except in the two republics of Rhode Island and Connecticut, American political history during the eighteenth century was chiefly the record of interminable squabbles

between governors and legislatures, down to the moment when the detested agents of royalty were clapped into jail, or took refuge behind the bulwarks of a British seventy-four. Accordingly the new constitutions were very chary of the powers to be exercised by the governor. In Pennsylvania and Delaware, in New Hampshire and Massachusetts, the governor was at first replaced by an executive council, and the president of this council was first magistrate and titular ruler of the state. His dignity was imposing enough, but his authority was merely that of a chairman. The other states had governors chosen by the legislatures, except in New York where the governor was elected by the people. No one was eligible to the office of governor who did not possess a specified amount of property. In most of the states the governor could not be reëlected, he had no veto upon the acts of the legislature, nor any power of appointing officers. In 1780, in a new constitution drawn up by James Bowdoin and the two Adamses, Massachusetts led the way in the construction of a more efficient executive department. The president was replaced by a governor elected annually by the people, and endowed with the power of appointment and a suspensory veto. The first governor elected under this constitution was John Hancock. In 1783 New Hampshire adopted a similar constitution. In 1790 Pennsylvania added an upper house to its legislature, and vested the executive power in a governor elected by the people for a term of three years, and twice reëligible. He was intrusted with the power of appointment to offices, with a suspensory veto, and with the royal prerogative of reprieving or pardoning criminals. In 1792 similar changes were made in Delaware. In 1789 Georgia added the upper house to its legislature, and about the same time in several states the governor's powers were enlarged.

Thus the various state governments were repetitions on a small scale of what was then supposed to be the triplex government of England, with its King, Lords, and Commons. The governor answered to the king with his dignity curtailed by election for a short period, and by narrowly limited prerogatives. The senate answered to the House of Lords, except in being a representative and not a hereditary body. It was supposed to represent more especially that part of the community which was possessed of most wealth and consideration; and in several states the senators were apportioned with some reference to the amount of taxes paid by different parts of the state. The senate of New York, in direct imitation of the House of Lords, was made a supreme court of errors. On the other hand, the assembly answered to the House of Commons, save that its power was really limited by the senate as the power of the House of Commons is not really limited by the House of Lords. But this peculiarity of the British Constitution was not well understood a century ago; and the misunderstanding, as we shall hereafter see, exerted a very serious influence upon the form of our federal government, as well as upon the constitutions of the several states.

The judiciary.

In all the thirteen states the common law of England remained in force, as it does to this day save where modified by statute. British and colonial statutes made prior to the Revolution continued also in force unless expressly repealed. The system of civil and criminal courts, the remedies in common law and equity, the forms of writs, the functions of justices of the peace, the courts of probate, all remained substantially unchanged. In Pennsylvania, Delaware, and New Jersey, the judges held office for a term of seven years; in all the other states they held office for life or during good behaviour. In all the states save Georgia they were appointed either by the governor or by the legislature. It was Georgia that in 1812 first set the pernicious example of electing judges for short terms by the people,¹— a practice which is responsible for much of the degradation that the courts have suffered in many of our states, and which will have to be abandoned before a proper administration of justice can ever be secured.

The limited suffrage.

¹ In recent years Georgia has been one of the first states to abandon this bad practice.

In bestowing the suffrage, the new constitutions were as conservative as in all other respects. The general state of opinion in America at that time, with regard to universal suffrage, was far more advanced than the general state of opinion in England, but it was less advanced than the opinions of such statesmen as Pitt and Shelburne and the Duke of Richmond. There was a truly English irregularity in the provisions which were made on this subject. In New Hampshire, Pennsylvania, Delaware, and South Carolina, all resident freemen who paid taxes could vote. In North Carolina all such persons could vote for members of the lower house, but in order to vote for senators a freehold of fifty acres was required. In Virginia none could vote save those who possessed such a freehold of fifty acres. To vote for governor or for senators in New York, one must possess a freehold of \$250, clear of mortgage, and to vote for assemblymen one must either have a freehold of \$50, or pay a yearly rent of \$10. The pettiness of these sums was in keeping with the time when two daily coaches sufficed for the traffic between our two greatest commercial cities. In Rhode Island an unincumbered freehold worth \$134 was required; but in Rhode Island and Pennsylvania the eldest sons of qualified freemen could vote without payment of taxes. In all the other states the possession of a small amount of property, either real or personal, varying from \$33 to \$200, was the necessary qualification for voting. Thus slowly and irregularly did the states drift toward universal suffrage; but although the impediments in the way of voting were more serious than they seem to us in these days when the community is more prosperous and money less scarce, they were still not very great, and in the opinion of conservative people they barely sufficed to exclude from the suffrage such shiftless persons as had no visible interest in keeping down the taxes.

Abolition of primogeniture, entails, and manorial privileges.

At the time of the Revolution the succession to property was regulated in New York and the southern states by the English rule of primogeniture. The eldest son took all. In New Jersey, Pennsylvania, Delaware, and the four New England states, the eldest son took a double share. It was Georgia that led the way in decreeing the equal distribution of intestate property, both real and personal; and between 1784 and 1796 the example was followed by all the other states. At the same time entails were either definitely abolished, or the obstacles to cutting them off were removed. In New York the manorial privileges of the great patroons were swept away. In Maryland the old manorial system had long been dying a natural death through the encroachments of the patriarchal system of slavery. The ownership of all ungranted lands within the limits of the thirteen states passed from the crown not to the Confederacy, but to the several state governments. In Pennsylvania and Maryland such ungranted lands had belonged to the lords proprietary. They were now forfeited to the state. The Penn family was indemnified by Pennsylvania to the amount of half a million dollars; but Maryland made no compensation to the Calverts, inasmuch as their claim was presented by an illegitimate descendant of the last Lord Baltimore.

Steps toward the abolition of slavery and the slave-trade.

The success of the American Revolution made it possible for the different states to take measures for the gradual abolition of slavery and the immediate abolition of the foreign slave-trade. On this great question the state of public opinion in America was more advanced than in England. So great a thinker as Edmund Burke, who devoted much thought to the subject, came to the conclusion that slavery was an incurable evil, and that there was not the slightest hope that the trade in slaves could be stopped. The most that he thought could be done by judicious legislation was to mitigate the horrors which the poor negroes endured on board ship, or to prevent wives from being sold away from their husbands or children from their parents. Such was the outlook to one of the greatest political philosophers of modern times just eighty-two years before the immortal proclamation of President Lincoln! But how vast was the distance between Burke and Bossuet, who had declared about eighty years earlier that "to condemn slavery was to condemn the Holy Ghost!" It was equally vast between Burke and his contemporary Thurlow, who in 1799 poured out the vials of his wrath upon "the

altogether miserable and contemptible" proposal to abolish the slave-trade. George III. agreed with his chancellor, and resisted the movement for abolition with all the obstinacy of which his hard and narrow nature was capable. In 1769 the Virginia legislature had enacted that the further importation of negroes, to be sold into slavery, should be prohibited. But George III. commanded the governor to veto this act, and it was vetoed. In Jefferson's first-draft of the Declaration of Independence, this action of the king was made the occasion of a fierce denunciation of slavery, but in deference to the prejudices of South Carolina and Georgia the clause was struck out by Congress. When George III. and his vetoes had been eliminated from the case, it became possible for the states to legislate freely on the subject. In 1776 negro slaves were held in all the thirteen states, but in all except South Carolina and Georgia there was a strong sentiment in favour of emancipation. In North Carolina, which contained a large Quaker population, and in which estates were small and were often cultivated by free labour, the pro-slavery feeling was never so strong as in the southernmost states. In Virginia all the foremost statesmen – Washington, Jefferson, Lee, Randolph, Henry, Madison, and Mason – were opposed to the continuance of slavery; and their opinions were shared by many of the largest planters. For tobacco-culture slavery did not seem so indispensable as for the raising of rice and indigo; and in Virginia the negroes, half-civilized by kindly treatment, were not regarded with horror by their masters, like the ill-treated and ferocious blacks of South Carolina and Georgia. After 1808 the policy and the sentiments of Virginia underwent a marked change. The invention of the cotton-gin, taken in connection with the sudden and prodigious development of manufactures in England, greatly stimulated the growth of cotton in the ever-enlarging area of the Gulf states, and created an immense demand for slave-labour, just at the time when the importation of negroes from Africa came to an end. The breeding of slaves, to be sold to the planters of the Gulf states, then became such a profitable occupation in Virginia as entirely to change the popular feeling about slavery. But until 1808 Virginia sympathized with the anti-slavery sentiment which was growing up in the northern states; and the same was true of Maryland. Emancipation was, however, much more easy to accomplish in the north, because the number of slaves was small, and economic circumstances distinctly favoured free labour. In the work of gradual emancipation the little state of Delaware led the way. In its new constitution of 1776 the further introduction of slaves was prohibited, all restraints upon emancipation having already been removed. In the assembly of Virginia in 1778 a bill prohibiting the further introduction of slaves was moved and carried by Thomas Jefferson, and the same measure was passed in Maryland in 1783, while both these states removed all restraints upon emancipation. North Carolina was not ready to go quite so far, but in 1786 she sought to discourage the slave-trade by putting a duty of £5 per head on all negroes thereafter imported. New Jersey followed the example of Maryland and Virginia. Pennsylvania went farther. In 1780 its assembly enacted that no more slaves should be brought in, and that all children of slaves born after that date should be free. The same provisions were made by New Hampshire in its new constitution of 1783, and by the assemblies of Connecticut and Rhode Island in 1784. New York went farther still, and in 1785 enacted that all children of slaves thereafter born should not only be free, but should be admitted to vote on the same conditions as other freemen. In 1788 Virginia, which contained many free negroes, enacted that any person convicted of kidnapping or selling into slavery any free person should suffer death on the gallows. Summing up all these facts, we see that within two years after the independence of the United States had been acknowledged by England, while the two southernmost states had done nothing to check the growth of slavery, North Carolina had discouraged the importation of slaves; Virginia, Maryland, Delaware, and New Jersey had stopped such importation and removed all restraint upon emancipation; and all the remaining states, except Massachusetts, had made gradual emancipation compulsory. Massachusetts had gone still farther. Before the Revolution the anti-slavery feeling had been stronger there than in any other state, and cases brought into court for the purpose of testing the legality of slavery had been decided in favour of those who were opposed to the continuance of that barbarous institution. In 1777 an American cruiser brought into the port of Salem a captured British ship with slaves on board, and

these slaves were advertised for sale, but on complaint being made before the legislature they were set free. The new constitution of 1780 contained a declaration of rights which asserted that all men are born free and have an equal and inalienable right to defend their lives and liberties, to acquire property, and to seek and obtain safety and happiness. The supreme court presently decided that this clause worked the abolition of slavery, and accordingly Massachusetts was the first of American states, within the limits of the Union, to become in the full sense of the words a free commonwealth. Of the negro inhabitants, not more than six thousand in number, a large proportion had already for a long time enjoyed freedom; and all were now admitted to the suffrage on the same terms as other citizens.

Progress toward freedom in religion.

By the revolutionary legislation of the states some progress was also effected in the direction of a more complete religious freedom. Pennsylvania and Delaware were the only states in which all Christian sects stood socially and politically on an equal footing. In Rhode Island all Protestants enjoyed equal privileges, but Catholics were debarred from voting. In Massachusetts, New Hampshire, and Connecticut, the old Puritan Congregationalism was the established religion. The Congregational church was supported by taxes, and the minister, once chosen, kept his place for life or during good behaviour. He could not be got rid of unless formally investigated and dismissed by an ecclesiastical council. Laws against blasphemy, which were virtually laws against heresy, were in force in these three states. In Massachusetts, Catholic priests were liable to imprisonment for life. Any one who should dare to speculate too freely about the nature of Christ, or the philosophy of the plan of salvation, or to express a doubt as to the plenary inspiration of every word between the two covers of the Bible, was subject to fine and imprisonment. The tithing-man still arrested Sabbath-breakers and shut them up in the town-cage in the market-place; he stopped all unnecessary riding or driving on Sunday, and haled people off to the meeting-house whether they would or not. Such restraints upon liberty were still endured by people who had dared and suffered so much for liberty's sake. The men of Boston strove hard to secure the repeal of these barbarous laws and the disestablishment of the Congregational church; but they were outvoted by the delegates from the rural towns. The most that could be accomplished was the provision that dissenters might escape the church-rate by supporting a church of their own. The nineteenth century was to arrive before church and state were finally separated in Massachusetts. The new constitution of New Hampshire was similarly illiberal, and in Connecticut no change was made. Rhode Island nobly distinguished herself by contrast when in 1784 she extended the franchise to Catholics.

In the six states just mentioned the British government had been hindered by charter, and by the overwhelming opposition of the people, from seriously trying to establish the Episcopal church. The sure fate of any such mad experiment had been well illustrated in the time of Andros. In the other seven states there were no such insuperable obstacles. The Church of England was maintained with languid acquiescence in New York. By the Quakers and Presbyterians of New Jersey and North Carolina, as well as in half-Catholic, half-Puritan Maryland, its supremacy was unwillingly endured; in the turbulent frontier commonwealth of Georgia it was accepted with easy contempt. Only in South Carolina and Virginia had the Church of England ever possessed any real hold upon the people. The Episcopal clergy of South Carolina, men of learning and high character, elected by their own congregations instead of being appointed to their livings by a patron, were thoroughly independent, and in the late war their powerful influence had been mainly exerted in behalf of the patriot cause. Hence, while they retained their influence after the close of the war, there was no difficulty in disestablishing the church. It felt itself able to stand without government support. As soon as the political separation from England was effected, the Episcopal church was accordingly separated from the state, not only in South Carolina, but in all the states in which it had hitherto been upheld by the authority of the British government; and in the constitutions of New Jersey, Georgia, and the two

Carolinas, no less than in those of Delaware and Pennsylvania, it was explicitly provided that no man should be obliged to pay any church rate or attend any religious service save according to his own free and unhampered will.

Church and state in Virginia.

The case of Virginia was peculiar. At first the Church of England had taken deep root there because of the considerable immigration of members of the Cavalier party after the downfall of Charles I. Most of the great statesmen of Virginia in the Revolution – such as Washington, Madison, Mason, Jefferson, Pendleton, Henry, the Lees, and the Randolphs – were descendants of Cavaliers and members of the Church of England. But for a long time the Episcopal clergy had been falling into discredit. Many of them were appointed by the British government and ordained by the Bishop of London, and they were affected by the irreligious listlessness and low moral tone of the English church in the eighteenth century. The Virginia legislature thought it necessary to pass special laws prohibiting these clergymen from drunkenness and riotous living. It was said that they spent more time in hunting foxes and betting on race-horses than in conducting religious services or visiting the sick; and according to Bishop Meade, many dissolute parsons, discarded from the church in England as unworthy, were yet thought fit to be presented with livings in Virginia. To this general character of the clergy there were many exceptions. There were many excellent clergymen, especially among the native Virginians, whose appointment depended to some extent upon the repute in which they were held by their neighbours. But on the whole the system was such as to illustrate all the worst vices of a church supported by the temporal power. The Revolution achieved the discomfiture of a clergy already thus deservedly discredited. The parsons mostly embraced the cause of the crown, but failed to carry their congregations with them, and thus they found themselves arrayed in hopeless antagonism to popular sentiment in a state which contained perhaps fewer Tories in proportion to its population than any other of the thirteen.

Madison and the Religious Freedom Act, 1785.

At the same time the Episcopal church itself had gradually come to be a minority in the commonwealth. For more than half a century Scotch and Welsh Presbyterians, German Lutherans, English Quakers, and Baptists, had been working their way southward from Pennsylvania and New Jersey, and had settled in the fertile country west of the Blue Ridge. Daniel Morgan, who had won the most brilliant battle of the Revolution, was one of these men, and sturdiness was a chief characteristic of most of them. So long as these frontier settlers served as a much-needed bulwark against the Indians, the church saw fit to ignore them and let them build meeting-houses and carry on religious services as they pleased. But when the peril of Indian attack had been thrust westward into the Ohio valley, and these dissenting communities had waxed strong and prosperous, the ecclesiastical party in the state undertook to lay taxes on them for the support of the Church of England, and to compel them to receive Episcopal clergymen to preach for them, to bless them in marriage, and to bury their dead. The immediate consequence was a revolt which not only overthrew the established church in Virginia, but nearly effected its ruin. The troubles began in 1768, when the Baptists had made their way into the centre of the state, and three of their preachers were arrested by the sheriff of Spottsylvania. As the indictment was read against these men for "preaching the gospel contrary to law," a deep and solemn voice interrupted the proceedings. Patrick Henry had come on horseback many a mile over roughest roads to listen to the trial, and this phrase, which savoured of the religious despotisms of old, was quite too much for him. "May it please your worships," he exclaimed, "what did I hear read? Did I hear an expression that these men, whom your worships are about to try for misdemeanour, are charged with preaching the gospel of the Son of God!" The shamefast silence and confusion which ensued was of ill omen for the success of an undertaking so unwelcome to the growing liberalism of the time. The zeal of the persecuted Baptists was presently reinforced by the learning and the dialectic skill of the Presbyterian ministers. Unlike the Puritans of New England, the Presbyterians were in favour of the

total separation of church from state. It was one of their cardinal principles that the civil magistrate had no right to interfere in any way with matters of religion. By taking this broad ground they secured the powerful aid of Thomas Jefferson, and afterwards of Madison and Mason. The controversy went on through all the years of the Revolutionary War, while all Virginia, from the sea to the mountains, rang with fulminations and arguments. In 1776 Jefferson and Mason succeeded in carrying a bill which released all dissenters from parish rates and legalized all forms of worship. At last in 1785 Madison won the crowning victory in the Religious Freedom Act, by which the Church of England was disestablished and all parish rates abolished, and still more, all religious tests were done away with. In this last respect Virginia came to the front among all the American states, as Massachusetts had come to the front in the abolition of negro slavery. Nearly all the states still imposed religious tests upon civil office-holders, from simply declaring a general belief in the infallibility of the Bible to accepting the doctrine of the Trinity. The Virginia statute, which declared that "opinion in matters of religion shall in nowise diminish, enlarge, or affect civil capacities," was translated into French and Italian, and was widely read and commented on in Europe.

It is the historian's unpleasant duty to add that the victory thus happily won was ungenerously followed up. Theological and political odium combined to overwhelm the Episcopal church in Virginia. The persecuted became persecutors. It was contended that the property of the church, having been largely created by unjustifiable taxation, ought to be forfeited. In 1802 its parsonages and glebe lands were sold, its parishes wiped out, and its clergy left without a calling. "A reckless sensualist," said Dr. Hawks, "administered the morning dram to his guests from the silver cup" used in the communion service. But in all this there is a manifest historic lesson. That it should have been possible thus to deal with the Episcopal church in Virginia shows forcibly the moribund condition into which it had been brought through dependence upon the extraneous aid of a political sovereignty from which the people of Virginia were severing their allegiance. The lesson is most vividly enhanced by the contrast with the church of South Carolina which, rooted in its own soil, was quite able to stand alone when government aid was withdrawn. In Virginia the church in which George Washington was reared had so nearly vanished by the year 1830 that Chief Justice Marshall said it was folly to dream of reviving so dead a thing. Nevertheless, under the noble ministration of its great bishop, William Meade, the Episcopal church in Virginia, no longer relying upon state aid, but trusting in the divine persuasive power of spiritual truth, was even then entering upon a new life and beginning to exercise a most wholesome influence.

Mason Weems and Samuel Seabury.
November 14, 1784.

The separation of the English church in America from the English crown was the occasion of a curious difficulty with regard to the ordination of bishops. Until after the Revolution there were no bishops of that church in America, and between 1783 and 1785 it was not clear how candidates for holy orders could receive the necessary consecration. In 1784 a young divinity student from Maryland, named Mason Weems, who had been studying for some time in England, applied to the Bishop of London for admission to holy orders, but was rudely refused. Weems then had recourse to Watson, Bishop of Llandaff, author of the famous reply to Gibbon. Watson treated him kindly and advised him to get a letter of recommendation from the governor of Maryland, but after this had been obtained he referred him to the Archbishop of Canterbury, who said that nothing could be done without the consent of Parliament. As the law stood, no one could be admitted into the ranks of the English clergy without taking the oath of allegiance and acknowledging the king of England as the head of the church. Weems then wrote to John Adams at the Hague, and to Franklin at Paris, to see if there were any Protestant bishops on the Continent from whom he could obtain consecration. A rather amusing diplomatic correspondence ensued, and finally the king of Denmark, after taking theological advice, kindly offered the services of a Danish bishop, who was to perform the ceremony in Latin.

Weems does not seem to have availed himself of this permission, probably because the question soon reached a more satisfactory solution.² About the same time the Episcopal church in Connecticut sent one of its ministers, Samuel Seabury of New London, to England, to be ordained as bishop. The oaths of allegiance and supremacy stood as much in the way of the learned and famous minister as in that of the young and obscure student. Seabury accordingly appealed to the non-juring Jacobite bishops of the Episcopal church of Scotland, and at length was duly ordained at Aberdeen as bishop of the diocese of Connecticut. While Seabury was in England, the churches in the various states chose delegates to a general convention, which framed a constitution for the "Protestant Episcopal Church of the United States of America." Advowsons were abolished, some parts of the liturgy were dropped, and the tenure of ministers, even of bishops, was to be during good behaviour. At the same time a friendly letter was sent to the bishops of England, urging them to secure, if possible, an act of Parliament whereby American clergymen might be ordained without taking the oaths of allegiance and supremacy. Such an act was obtained without much difficulty, and three American bishops were accordingly consecrated in due form. The peculiar ordination of Seabury was also recognized as valid by the general convention, and thus the Episcopal church in America was fairly started on its independent career.

Francis Asbury and the Methodists.

This foundation of a separate episcopacy west of the Atlantic was accompanied by the further separation of the Methodists as a distinct religious society. Although John Wesley regarded the notion of an apostolical succession as superstitious, he had made no attempt to separate his followers from the national church. He translated the titles of "bishop" and "priest" from Greek into Latin and English, calling them "superintendent" and "elder," but he did not deny the king's headship. Meanwhile during the long period of his preaching there had begun to grow up a Methodist church in America. George Whitefield had come over and preached in Georgia in 1737, and in Massachusetts in 1744, where he encountered much opposition on the part of the Puritan clergy. But the first Methodist church in America was founded in the city of New York in 1766. In 1772 Wesley sent over Francis Asbury, a man of shrewd sense and deep religious feeling, to act as his assistant and representative in this country. At that time there were not more than a thousand Methodists, with six preachers, and all these were in the middle and southern colonies; but within five years, largely owing to the zeal and eloquence of Asbury, these numbers had increased sevenfold. At the end of the war, seeing the American Methodists cut loose from the English establishment, Wesley in his own house at Bristol, with the aid of two presbyters, proceeded to ordain ministers enough to make a presbytery, and thereupon set apart Thomas Coke to be "superintendent" or bishop for America. On the same day of November, 1784, on which Seabury was consecrated by the non-jurors at Aberdeen, Coke began preaching and baptizing in Maryland, in rude chapels built of logs or under the shade of forest trees. On Christmas Eve a conference assembled at Baltimore, at which Asbury was chosen bishop by some sixty ministers present, and ordained by Coke, and the constitution of the Methodist church in America was organized. Among the poor white people of the southern states, and among the negroes, the new church rapidly obtained great sway; and at a somewhat later date it began to assume considerable proportions in the north.

² I suppose it was this same Mason Weems that was afterward known in Virginia as Parson Weems, of Pohick parish, near Mount Vernon. See *Magazine of American History*, iii. 465–472; v. 85–90. At first an eccentric preacher, Parson Weems became an itinerant violin-player and book-peddler, and author of that edifying work, *The Life of George Washington, with Curious Anecdotes equally Honourable to Himself and Exemplary to his Young Countrymen*. On the title-page the author describes himself as "formerly rector of Mount Vernon Parish," – which Bishop Meade calls preposterous. The book is a farrago of absurdities, reminding one, alike in its text and its illustrations, of an overgrown English chap-book of the olden time. It has had an enormous sale, and has very likely contributed more than any other single book toward forming the popular notion of Washington. It seems to have been this fiddling parson that first gave currency to the everlasting story of the cherry-tree and the little hatchet.

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