

CHAPTER VI

THE AMERICAN REVOLUTION. 1775-1777

I

THE summer and autumn of 1775 were disastrous to the English government. Bribery and threats were able to bring no more than four hundred recruits to the colours. Foreign levies were attempted, and there was one wild project for hiring twenty thousand Russian troops. Civic addresses against the war, chiefly representing mercantile interests, were met by counter-addresses furtively organised by the ministers and often handsomely paid for. Parliament rose at the end of May, and remained in recess until the end of October. The administration continued to be voluble in threats, and prosecuted them with a total want of capacity or design. North, "of astonishingly gay insolence," who had neither devised the war nor liked it, "but liked his place, whatever he pretended," faced the consequences of his pliancy to the King's commands by "taking his pleasure in the country." Burke, writing to a friend in July, said, "Things look gloomy. However, they have a more cheerful aspect to those who know them better; for I am told by one who has lately seen Lord North, that he has never seen him or any body else in higher spirits." And in August he wrote to the Marquis of Rockingham this of the King, "Nothing can equal the ease, composure, and even gaiety, of the great disposer of all in this lower orb. It is too much, if not real, for the most perfect King-craft." Supplies on a large scale were ordered, and in many instances lay for weeks rotting in the London docks. In August the crown issued a proclamation officially declaring the colonists to be rebels, and Wilkes, now, to the indignation of the court, Lord Mayor of London, declined to lend horses for the use of the heralds in the city. In the meantime, while the govern-

ment had been blandly unaware of the magnitude of the task they had set themselves, and had given no signs of being able to accomplish any task at all, the Americans had addressed themselves to a state of war with competent determination. In the forlorn years that were to follow, they were often enough to be the despair of their leaders, but they took up the struggle in a spirit of well-regulated efficiency. In June, a congress of the states appointed George Washington commander-in-chief of the colonial forces. He was offered two thousand pounds a year, and five pounds a day for table-money, but while accepting the allowance refused the pay. He had served for fifteen years in the Virginian House of Burgesses, and was already known far beyond his own state for the authority and just measure of his speech. Of magnificent physique—Lincoln with six feet four could only give him an inch—and an enthusiastic sportsman, the man who was to found a nation under arms against England, was in his bearing and habits a characteristic type of the English country gentleman, bred in traditions of patriarchal pride and courtesy, self-sufficient, liberal in his pleasures, and severe in his views of responsibility. As he travelled north to take up his duties at Boston, he was met by a messenger with news of the battle of Bunker's Hill, which had been fought on June 17. The high hopes of Lexington had been confirmed. The British troops might claim a victory, but their losses had again exceeded those of the Americans, and again it had been shown that if the colonials could add discipline to their courage, they might with confidence face any antagonists in the field. A few days later, at the head of the army, he issued an order to the troops of "The United Provinces of North America."

The King addressed his assembled parliament on October 26. He said that the Americans "designed to establish an independent empire," which even at this date there was no evidence that they did; that the

government had received offers of foreign assistance, which they had not; that the government had made conciliatory proposals, omitting to add that these proposals had been passed only on the express assurance that there was no intention of making them effective; and that they were about to send out commissioners to treat with the Americans, omitting here also to add that there was not the slightest possibility of the Americans having anything further to do with the present administration. On the Address of Thanks being moved, Lord John Cavendish proposed an amendment to the effect that the government was corrupt and incapable, and calling for a drastic investigation of "the most effectual means of restoring order to the distracted affairs of the British Empire, confidence to His Majesty's government, obedience, by a prudent and temperate use of its powers, to the authority of parliament, and satisfaction and happiness to all his people," trusting by this to avoid "the alarming and dangerous expedient of calling in foreign forces to the support of His Majesty's authority within his own dominions, and the still more dreadful calamity of shedding British blood by British hands." In the debate that followed, Fox called upon North, "a blundering pilot," to resign. The minister had culpably withheld information from the House, he had misled the people, his military undertakings had miscarried, and he had contemptibly tried to shift the blame from himself to General Gage. Instead of being contrite in this deplorable situation, he seemed to exult. He had, indeed, reason to congratulate himself on an extraordinary exploit—he had contrived to lose more in one campaign than Alexander, Cæsar, Marlborough and Pitt had ever won. He himself, foolishly deceived by government assurances that with the arrival of troops in America the revolt would cease, had voted for their despatch. "Peace was my object; but now that the minister has

declared himself for war, I cannot but oppose his proceedings. I cannot consent to the bloody consequences of so silly a contest about so silly an object, conducted in the silliest manner that history, or observation, has ever furnished an instance of; and from which we are likely to derive nothing but poverty, disgrace, defeat, and ruin."

The amendment was defeated by the usual majority, which, however, lacked one accustomed echo of approval in the Lords. Even if the venom of Junius be liberally discounted, Augustus Henry Fitzroy, third Duke of Grafton, makes no very pretty figure of a man. The notoriety of his undergraduate days had been amply sustained in later life, and his many indiscretions reached an effective climax when as Prime Minister he took his mistress to the Opera House in the presence of the Queen. On one occasion he instituted proceedings against someone who had offered him five thousand pounds for a place, making an unexpected demonstration of virtue, until Junius exposed the fact that he had recently sold a place of the same kind, when the prosecution was withdrawn. It was, indeed, on account of their invective against Grafton that the famous letters achieved a great part of their success. "There are some hereditary strokes of character by which a family may be as clearly distinguished as by the blackest features of the human face. Charles the First lived and died a hypocrite. Charles the Second was a hypocrite of another sort, and should have died upon the same scaffold. At the distance of a century, we see their different characters happily revived, and blended in your grace. Sullen and severe without religion, profligate without gaiety, you live like Charles the Second, without an amiable companion, and, for aught I know, may die as his father did, without the reputation of a martyr." The savagery was not lessened by its contact with reality. The Duke's record was a bad one, and he was his grace very much by courtesy. An early biog-

rapher, writing within ten years of his death, and inclined to allow his subject what merit he can, confesses that "In manners and person he was equally, disagreeable; his countenance being heavy and saturnine, and his deportment haughty, sullen, and repulsive." He patronised the unfortunate Robert Bloomfield, and as Chancellor of Cambridge University made Gray professor of history, amiabilities that at least may stand to his credit. But with all his deficiencies, he was a nobleman of some parts and a good deal of influence, and his support was valuable. It may even be that the prejudice—a very violent prejudice—of Junius was chastening his victim for no more than faults that were notoriously common to the age, and that Grafton was conspicuous for villainy only in that angry imagination. It is certain that Fox, who flattered nobody, was later to use expressions that leave us with a picture strangely unlike that of Junius's painting.

II

Grafton, who had once led the government, was now Lord Privy Seal under North. A few days before the opening of parliament in October, 1775, Fox was dining with the Duke at Newmarket, and was astonished to hear his host exclaim openly against the government's American policy. No pledge of secrecy was asked or given, and the next day town gossip was busy with the rumour that the session would open with the Lord Privy Seal in opposition. Grafton, being taxed by his colleagues, hedged, and wrote to Charles saying that, while he was confident that Fox had not misrepresented his words, plainly somebody had. Fox, doubtless, had confided in a third party who, doubtless also, was responsible for the corrupt version. Charles went forthwith to Newmarket to answer the challenge, and before the Duke could speak, said, "My Lord, I will save your Grace

trouble, and repeat what I have said." The repetition coincided with the public report, and Grafton was compelled to admit, "Sir, you have repeated my words more exactly than I could myself," and then added, "still, I desire not to be thought out of humour. Lord North and the Ministers have been very civil to me; I only disapprove of all their measures." North had, in fact, been anything but civil to him. Grafton had already written to his chief—once his subordinate—criticising government measures affecting the colonies; and North had left the letter unanswered. It is possible that Grafton delivered his outburst at Newmarket piqued by this neglect. But, whatever the inducement, the consequence was that the King sent for him and required an explanation. The Duke, whether of candour or necessity, confessed his disagreement, and two days later opposed the Speech from the Throne. The junto took a fortnight to deliberate upon this enormity, at the end of which time Grafton was ordered to deliver up the Privy Seal. Thenceforth he voted against North's government.

If the opposition was badly disciplined, its chiefs did not follow the indolent example of the government. Burke wrote to Rockingham in August, "This is no time for taking public business in their course and order, and only as a part of the scheme of life, which comes and goes at its proper periods, and is mixed in with occupations and amusements. It calls for the whole of the best of us; and everything else, however just or even laudable at another time, ought to give way to this great, urgent, instant concern." And Burke himself was indefatigable, canvassing his constituents at Bristol, corresponding with Franklin and other American leaders, receiving deputations, begging the great men of his own party, Rockingham—as in this letter—the Dukes of Richmond and Portland and the rest of them, to spare no effort to

avert the threatened disasters, disasters of which, indeed, there was already more than a threat. These men, Burke and Fox and a few others, did desire peace and their country's honour, with a passion that never for a moment inspired the government's prosecution of war. And to this end they did give "the whole of the best of them." A charming letter written by the Duke of Richmond to Burke in November tells its own tale: "My dear Burke,—When you promised me to sit for your picture to Mr. Romney, you only desired not to begin it till after you had got rid of your conciliatory motion. I doubt not but you have now some other business of great importance on your hands; but if I wait for my picture till you have nothing to do, I am likely to go without it." The motion in question was brought forward by Burke on November 16, and in general terms followed the proposal that he had so brilliantly and so unavailingly advanced in the preceding March. On this occasion Richard Fitzpatrick and his brother, the Earl of Ossory, were persuaded by Fox to abandon their support of the government. "I am sure," he had written to Ossory on the 5th, "if you do think seriously enough of this matter to let your opinion regulate your conduct, it is impossible but you must consider this as the true opportunity of declaring yourself. It does not need surely the tenth part of your good sense to see how cruel and intolerable a thing it is to sacrifice thousands of lives almost without prospect of advantage." Charles himself, according to Walpole, "outshone himself, made a very pathetic eulogium on the two brothers, and a very humorous description of the Treasury Bench."

On the 20th, North introduced a Bill to prohibit trading with America and to empower the King's subjects "to seize and destroy all American vessels." Fox protested against this continued policy of attempting to carry on war by Acts of Parliament. He disapproved of the war

generally, but assuming its justice, nothing still could exceed the folly of ministers in conducting it. "In order to induce the Americans to submit to your legislature, you pass laws against them, cruel and tyrannical in the extreme. If they complain of one law, your answer to their complaint is to pass another more rigorous than the former. But they are in rebellion, you say; if so, treat them as rebels are wont to be treated. Send out your fleets and armies against them, and subdue them, but let them have no reason to complain of your laws. Show them that your laws are just, mild, and equitable, that they are therefore in the wrong, and deserve the punishment they meet with. The very contrary of this has been your wretched policy." The lash of this inexorable logic produced no effect; North hardly turned in his sleep as Fox sat down, and the vote on division was announced as a hundred and forty-three for the Bill, thirty-eight against. So secure, indeed, was the government in its abuse of power, that when on the 22nd Fox moved that an account of the expenses incurred by the British army in America be laid before the House, the motion was negatived without a division at all. And so disheartened was the opposition by this constant failure to make an inch of headway, that on the final reading of North's prohibitory Bill in December, the minority could muster only sixteen votes. At the end of November Walpole could write of Charles as the "only active man in the Opposition," but complained that he "would not give up his dissolute life, sat up all night, and was seldom out of bed before two in the afternoon." It does not appear that Charles was incapacitated by these unconventional but apparently not irregular hours, though it must be allowed that he sometimes seemed a little uneasy about himself. In a debate at this time he asserted that it was not fit to trust the militia to men who were urging the King to make war on his own people, whereupon

an angry Tory replied that it was fitter than to trust it to "men who had ruined themselves by the most scandalous vices." The House did not much like the personality, and showed signs of disapproval. Charles stood up, and modestly told the House that it was wrong; that the previous speaker was justified of his reproof; that he was conscious of his private errors, and wished he might be able to atone for them.

III

The new year, 1776, opened with prospects gloomy enough to all but such as were blinded by complacent obstinacy, like the King, or by apathy, like North. Walpole summarised the situation with his usual shrewdness: "If America gets the better, it will be independent, or will not return to us without effectuating by stipulation a total change of Administration, and a blow to despotism. If Britain prevails, it cannot be but by ruining the towns and trade of America, and by wasting the King's fleet, armies, and treasure, his best means of despotism. . . . No case can happen in which, if the King prevails, he will not be a far less potent monarch than before the war." North informed a credulous public that France and Spain had given solemn assurances of neutrality, but no candid and intelligent mind for a moment supposed that either of those powers would hesitate to take advantage of any misfortune that might befall the British crown. Under Lord George Germaine, who, in the cabinet changes consequent upon Grafton's resignation, had become Secretary of State for the Colonies, a new but by no means effective vigour was imparted to the conduct of the war. Inefficient commanders were capriciously sent out, and as capriciously exonerated on recall, bad news was suppressed and good freely manufactured; service was bought and promotion sold; an illusion of trade prosperity was created by a reckless

distribution of war contracts; mob feeling, inflamed by patriotic falsehoods, drowned or intimidated criticism; and while North during the recess allowed no public business to disturb the domestic amenities of Bushey, the King continued to derive the utmost satisfaction from almost everything that happened.

On February 20, Fox exposed this record of mismanagement and deception in a speech that disregarded the origins of the war and dwelt only on its progress. He was able to show that there was no trustworthy evidence that anything was going well, while there was ample evidence to show that a great deal was going badly. He argued that if it could be shown that ministers had discharged their duties faithfully, then the blame must attach to officers in the field; if, on the other hand, it could be shown that the officers had dutifully obeyed commands and made the best possible use of resources placed at their disposal, then the ministers must be held responsible. In either case the nation had a right to know where the fault lay, and he moved "That it be referred to a Committee to enquire into the Causes of the Ill Success of His Majesty's Arms in North America." The motion was lost by two hundred and forty votes to one hundred and four.

Charles, who at the age of twenty-seven was already becoming the most effective voice of the opposition, was astutely ringing the changes in his method of attack. At intervals he reasserted his objections to the war as an evil conception; then for a time he would be silent on that topic, and confine his censure to the incompetence of ministers in their own designs. It might be suggested that if he really thought justice was with the American cause, nothing could have pleased him better than that the government should lose the war with as much despatch as possible. The answer is twofold. Fox did not want to lose the war. He did not want it to be lost or won by

anybody; he wanted it to be stopped. He was convinced that whatever happened, there was neither advantage nor honour in it for his country. He realised, however, that merely to persist in the demand that North—and the King—should stop it, would be to go on for ever whistling jigs to milestones. So long as North remained in power the war would go on unless ended by some capital disaster, and there was no hope of removing him by indicting a policy for which he had been able to secure the support of popular feeling. There was but one possible means of discrediting the minister, which was to make his misconduct of the war notorious. No great hope in that, perhaps, but in that or nowhere. Had Fox and his friends succeeded in their purpose of forcing North to resign, it is clear that the efficient prosecution of the war would have disappeared from their programme, but in the meantime no other purpose could occupy them, and there was no other way of achieving it. It was a shrewd piece of political speculation, for which Fox was chiefly responsible. North's power was secure against onsets on his policy; as it turned out it was even able to survive a long succession of grave administrative blunders; but Fox was right in seeing that for a time the blunders and not the policy were the most promising mark at which to aim.

In March the Dukes of Richmond and Grafton separately moved addresses in the Lords against the war, and were heavily defeated. In that month also Washington drove the British troops out of Boston. It is not within the scope of this study to show the action of the American War in any detail. It is enough to say at this point that until the surrender of General Burgoyne at Saratoga in October, 1777, the actual advantage in the field commonly lay with the British, and that no far-sighted observer was ever deluded by such advantage into the belief that British arms could prevail in the end. And yet the

situation of the Americans was often so desperately critical, that anything like real efficiency in the crown command and government might at any time have struck a blow that without being decisive would have put a long period to American resistance in the field. In the early days of the war, Washington's army before Boston was undisciplined, constantly disorganised by the system of short enlistments, demoralised by domestic jealousies between the states, and quite inadequately armed. At one time he had two thousand men in camp without muskets. A determined attack in force on such troops could have had but one result. But the determination and the force alike were lacking. Washington wrote that if he escaped destruction, he should religiously believe that the hand of Providence was in it to blind the eyes of his enemies.

On April 24 the King wrote to North: "The hearing that the loan and taxes have passed this day without a division gives me infinite satisfaction. That Opposition debated at large on American measures instead of objecting to the business is a convincing proof that your proposals were just." The explanation was that North, on the occasion of reading his Budget, had caused the Strangers' Gallery to be opened. By a standing order the gallery had been closed to the public throughout the session, the opposition asserting, no doubt with justice, that this was with a view to keeping the people ignorant of such unfavourable news from America as the ministers might be forced to divulge. It was now submitted by Fox that North had overruled the order to suit his own convenience, it being a day upon which these dangerous colonial topics were not to be introduced, and therefore one upon which his lordship could safely admit the public to hear what he chose to say. That being so, Fox took leave to observe that he should vote against the financial proposals now before them, and that he thought it proper

that the public should also know the precise grounds upon which he had come to this decision. The government might complain that this was irregular, but the government had itself to thank. He thereupon proceeded to give a brilliant and destructive survey of North's American policy as a whole, and characterised the pursuance of the war as "bloodthirsty and oppressive." He would not vote for the supply of money for "so ignoble a purpose as the carrying on a war commenced unjustly, and supported with no other view than to the extirpation of freedom, and the violation of every social comfort." As for the Budget resolutions, he perfectly saw the noble lord's point in declaring that a subject was greatly obliged when he was taxed four shillings in the pound, since he was allowed to keep the other sixteen for himself.

But though they continued to record large majorities or pass their measures unchallenged, the ministers could collect little but cold comfort. The news of the evacuation of Boston, and unpropitious intelligence from the French court, caused North to exclaim in a moment of candour, "I wish the time were come for my being abused for having made a disgraceful peace with America." In June, Charles was similarly depressed by tidings of Canadian successes that might encourage the government, but wrote to Ossory, "let us still maintain the Whig cause, however discredited by defeats, to be the only true principle for this country." Ten days later the "Representatives of the United States of America, in General Congress assembled," issued the Declaration of Independence.

IV

It must be remembered that this famous instrument was drawn in the heat of bitter conflict. Some of its clauses hardly bear examination in the light of historical

reason; it was, in fact, as a modern writer* has admirably said, "less a declaration of independence than a declaration of war—less an assertion of right than a cry of defiance." It was made at a moment when the American arms were in a state of extreme precariousness, and yet a moment when the American spirit was somehow conscious that it was now destined for independence, be the conclusion of the argument by arms what it might. It is no paradox to say that if after July 4, 1776, George III. had been able to win his war, the declaration framed by Thomas Jefferson would still have become effective.

During the summer the hopes of the crown were raised by successes which, however, still remained inconclusive. The colonists failed in an invasion of Canada, and lost sixteen hundred men in a heavy defeat on Long Island. But the fruits of victory never seemed to be gathered by leaders who, having shown their valour in the field, were content to leave it at that. "I do not know," said North, "whether our Generals frighten the enemy, but I know that whenever I think of them, they frighten me." There came, too, news of reverses. On one such occasion a colleague went to Bushey Park to condole with North, whom he found unaccountably cheerful. "Faith, my lord, if fretting would make me thin, I would be as sour as your Grace; but since it will not have that effect, I bear it as well as I can." The King also bore it as well as he could. Once he wrote to North, "I have this moment received your letter, which throws me into the greatest state of uneasiness I ever felt." These, indeed, were difficult days, full of dangers that might well wring such a cry from the father of his people. But the trouble was not America; the King had promised an earldom to someone who was already a duke, and now learnt that North desired the earldom for someone else, in fact had given

* John Malcolm Ludlow, *The War of American Independence*. (Longmans, Green and Co.)

his word for it. Matter for distress indeed. North really must come at once; "I cannot go to my levee, nor see any mortal, till you have been here." In September, Fox wrote to Ossory observing that, whatever the news, it was plain that Washington and Congress were in perfect agreement, and that they were together confident of overcoming all difficulties. "Is it not charming, their setting about their new government so deliberately in the face, as it were, of the enemy?" In the same month, while the King's Hanoverians, for whose loan to Great Britain he claimed nothing but to be "reimbursed all expenses," were arriving in America, the King's statues were being melted down by the colonials to make bullets.

The Rockingham Whigs, weary of ineffectual opposition, were now considering the advisability of absenting themselves from parliament as an alternative form of protest, a course which was later to be taken by the body of the party. On October 13, 1776, Fox wrote a remarkable letter to Rockingham, which is so characteristic as to call for extensive quotation; Charles's correspondent was twenty years his senior: "My dear Lord,—Though I am far from being dismayed by the terrible news from Long Island, I cannot help thinking that it ought, with what will naturally follow it, to have considerable influence upon our counsels, and that we ought, under the present circumstances, to pursue a conduct somewhat different from that which was projected at Wentworth. A secession at present would be considered as a running away from the conquerors, and we should be thought to give up a cause which we think no longer tenable. But the more I am convinced that a secession is become improper, the clearer I am that it has become still more necessary than ever to produce some manifesto, petition, or public instrument, upon the present situation of affairs; either to exhort His Majesty to make the proper use of his victory, by seizing this opportunity of making ad-

vantageous offers of accommodation, or to express openly and fairly to him the well-grounded apprehensions every man must entertain from the power of the Crown, in case His Majesty should be able to subdue the American continent by the force of his arms. Above all, my dear Lord, I hope that it will be a point of honour among us all to support the American pretensions in adversity as much as we did in their prosperity, and that we shall never desert those who have acted *unsuccessfully* upon Whig principles. . . . Whatever is intended, I am sure it is not necessary for me to press upon your Lordship the expediency of using every means possible to have a great attendance on the 31st.* . . . I am so clear that firmness in Whig principles is become more necessary than ever, that I cannot help conjuring you, over and over again, to consider the importance of this crisis. In regard to myself I dare hope that professions are unnecessary. . . . I am resolved . . . to maintain that if America should be at our feet (which God forbid !), we ought to give them as good terms (at least) as those offered in Burke's proposition." These veiled misgivings were not groundless. Rockingham was energetic and staunch in parliament, but a dilatory and indecisive leader outside. An example of his inertness had occurred but a few days before the date of Charles's letter. The Mayor and Corporation of York had presented an unchallenged address of congratulation to the King on the victory of Long Island; and Yorkshire was the seat of Rockingham's most powerful connection.

On October 31, in the debate on the Speech from the Throne, which dwelt at length on the enormity of the revolted provinces in defying a mild and benevolent government, a number of speakers made effective play of the King's ambiguity, and stated the opposition case with great spirit. "The whole strength of this country

* When parliament was to be opened.

had been tried," said one, "and had produced only a Declaration of Independence. . . . The idea of marching through the continent of America was absurd. . . . Were not the army and fleet now in America at the mercy of the French?" Others enquired what terms the House had to offer to the Americans?—had they any terms?—were the present measures Lord North's, or were they forced upon him?—we had called in foreign assistance—might not the Americans do the same? General Gage had issued a proclamation against hypocrisy—it ought in justice to be executed on His Majesty's ministers. Did these ministers ever take a walk in the London streets, where over eight hundred men had been seized by the press-gang in less than a month? Wilkes hereupon interpolated a remark that the press-officers had more regard for their own skins than to enter the precincts of the City, where Liberty was still respected. He added that ministers considered themselves very knowing in that they had prophesied that American iniquity would proceed even as far as separation; if it came to that, the Jesuits had prophesied the death of Henri IV. within the year, and had hired Ravaiillac to murder him. There was but one proper course open to the government—to repeal all oppressive Acts and to recall the army.

At first North offered no reply; he even started to leave the House, when he was arrested by indignant cries. He then delivered a speech halting between bluster and evasion. If they were patient, some of the colonies would doubtless break off from the confederation; certainly there was no reason to believe in the hostile intention of any foreign power; it was true that we were manning guardships—partly manning them, that was to say—but he hoped earnestly that this could be regarded as a precaution merely; the oppressive Acts were a necessary consequence of insults received; and the gentlemen of the opposition might consider themselves

very fortunate that they lived in a land of liberty, as otherwise they would have reason to lament the melancholy consequences to themselves of their highly improper observations. This speech, in which random assertion was unsupported by any fragment of evidence, was, in words written eighty years after the event, in itself "a full condemnation of the Ministry." A member reminded North that he had formerly said, "Let France and Spain both interfere, this country was ready to face them." Did his lordship abide still by the boast? Lord George Germaine took up the defence. Surely everybody knew that the Legislative Power in New York was on the point of asking for peace. Did not everybody know that? Then everybody ought to. And what was all this about French preparations? He had heard of none. And must we ask leave of France and Spain to control our own colonies? It fell to Fox to answer Lord George.

V

In what Walpole described as "one of his finest and most animated crations," Charles swept over the policy and the argument of the government in a cascade of wit and passion. The House had been asked for unanimity—in what? in measures that had been uniformly attended with the mischief that had been predicted. Every step in American policy had been dictated by our own obstinate folly. "When the late severe laws were passed against the Americans, they were thrown into anarchy; they declared we had abdicated the government, and were therefore at liberty to choose a government for themselves." As to the Legislative Power of New York, everyone knew perfectly well that it was functioning in the shadow of a garrison of our men thirty thousand strong, and who would take any notice of resolutions passed under pressure of that kind—who, especially,

among the Americans themselves? His lordship (North) told them that the King's chief desire was to restore law and liberty to America. Why, then, were these ever disturbed? There they had "reigned till the abominable doctrine of gaining money by taxes infatuated the heads of our statesmen. Why did you destroy the fair work of so many ages, in order to re-establish that by the sword, which prudence and the good government of the country, had seemed to fix for ever?" And now, how was this happy time to be re-established? "By the bayonets of disciplined Germans." They had further been informed that it was not to the interest of France and Spain to have America independent. "Sir, I deny it, and say it is contrary to every principle of common sense. Is not the division of the enemy's power advantageous? Is not a free country engaged in trade less formidable than the ambition of an old corrupted government, their only formidable rival in Europe? The noble lord who moved the amendment said that we were in the dilemma of conquering or abandoning America: if we are reduced to that, I am for abandoning America. What have been the advantages of America to this kingdom? Extent of trade, increase of commercial advantages, and a numerous people growing up in the same ideas and sentiments as ourselves. Now, Sir, would those advantages accrue to us if America was conquered? Not one of them!" Gibbon, who was present, stated that he had never heard a more masterly speech than that delivered by Fox on this occasion. Burke wrote to a friend, "I never knew Charles Fox better, or indeed anyone, on any occasion. His speech was a noble performance." On dividing, the government defeated the amendment by two hundred and forty-two votes to eighty-seven. And the next day the King wrote to North that he had been "infinitely amused" by the accounts of the debate.

Rockingham led the opposition motion in the Lords,

and upon defeat retired with his party, and appeared no more in parliament during the session when American business was on hand. Fox, however, had not yet formally allied himself with the Rockingham Whigs, and continued to fight his cause in the Commons. On November 6, members learnt, not from ministers but from a public print, that commissioners had been sent out with power to treat with the Americans, and that a royal Declaration offering to discuss conditions of peace had actually been issued in New York. The situation thus created was full of possibilities, and Fox seized them. The Declaration assumed a pacific tone, and signified that the King was most graciously pleased "to direct a revision of such of his royal instructions as may be construed to lay an improper restraint upon the freedom of legislation in any of his colonies, and to concur in the revision of all his acts by which his subjects there may think themselves aggrieved." That seemed to be going very far, but Fox and his friends had no reason to believe in the good faith of the government, and they improvised a crucial test. If the government sincerely meant to promote this temper, members of opposition would certainly place no obstacles in the way of a solution that they had themselves so long sought. But at the outset let the sincerity be established. Why, asked Fox, had this highly important intelligence been conveyed to them in a newspaper? Ministers had in many matters shown themselves to be capricious, but in their contempt for parliament at least they had been uniformly consistent. Victories were paraded to stimulate public opinion, but of information on other matters—these alleged peace overtures for example—the House was honoured with none. By what right did the administration issue an instrument of this capital importance without the consent, or even the knowledge, of parliament? Was not the Declaration itself an undertaking to do

something that could not be done without that consent? Could ministers for a moment complain if members judged them by their conduct in the House? And what in that conduct was there that lent a touch of plausibility to the professions of this New York Declaration? A repeal of the obnoxious Acts was proposed. Had not ministers been asked time and time again to repeal them, and had they not always flatly refused? "In America, it seems, all is peace, conciliation, and parental tenderness; in England nothing is heard of but subjugation, unconditional submission, and a war of conquest.* What conceivably could be the purpose of this wholly irregular secrecy? Was it not that the government knew perfectly well that these promises of reform would no longer make any impression on a people that had declared its independence, and had learnt by sad experience what such promises were worth? And knowing this, had not the government, wishing, when convenient, to point to its conciliatory advances, feared to take parliament into its confidence lest the farcical pretence should be exposed? It was doubtful whether America could by any means at this stage be saved to the empire, but it was certain that it could not be saved by promises. The only hope lay in immediate and decisive action. It was useless to promise repeal; the only remaining hope was here and now to make repeal an accomplished fact. That was the test to which the sincerity of the ministry must now be put, and to that end Lord John Cavendish's motion lay before them: "That this House will resolve itself into a committee to consider of the revisal of all acts of parliament, by which His Majesty's subjects in America think themselves aggrieved." Defeat that motion, said Fox, and America must "plainly perceive, that the Com-

* Washington himself had written in April: "The accounts . . . of the favourable disposition in the Ministry to accomodate matters, does not correspond with their speeches in Parliament."

mons of Great Britain had peremptorily refused to concur in rendering His Majesty's gracious dispositions effective."

If Charles in his speech of October 31 had risen to oratorical greatness, it is doubtful whether parliament had ever heard a more withering dialectical display than the one upon which he now paused. But North was not easily withered. He had neither credit to gain, nor credit to lose. A better man, a more sensitive man, even a stupider man, must have felt his honour at stake under this logical and relentless inquisition. But North felt nothing of the kind. He complained that this was a surprise manœuvre, "no business of consequence having been expected before the recess," which we may remark was not due to begin until four weeks later. That the information now acquired by members from the columns of *The Gazette* was also a surprise, he did not condescend to notice. Opposition was really very inconsiderate. He might even use a stronger expression. The motion should now be put, which it was, and the Yeas told forty-seven to a hundred and nine Noes.

VI

Charles decided that he too had said all that could profitably be said for the moment. The profit, indeed, was not apparent; every day showed more clearly that the court was wholly inaccessible to ideas of any kind. But that he was beginning to ruffle even royal composure is pleasingly divulged in a waspish little note written on November 15 at 49 min. pt. 6 p.m. "Lord North . . . I learnt from Lord Weymouth that Charles Fox had declared at Arthur's last night that he should attend the business of the House this day, and either tomorrow or Sunday should set out for Paris, and not return till after the recess. I think, therefore, you cannot do better than

bring as much forward during the time Parliament shall be assembled as can with propriety be done, as real business is never so well considered as when the attention of the House is not taken up by noisy declamations." So that the sustained pressure of over two years was producing a deeper effect than might be supposed from the incurious torpor of the treasury bench. George III. was himself the fount of all ministerial obstinacy, but, unlike his ministers, he was at least awake.

Charles went to Paris with Richard Fitzpatrick, lost large sums of money at the tables and spent some time with Madame du Deffand. That celebrated wit and leader of Parisian literary fashion, who was now nearly eighty and blind, formed an unfavourable but singularly undiscerning opinion of her guest. She disliked his gaming, conjectured that he drank above her standard, and was shocked to find that impecuniosity and inability to pay his debts caused him no apparent anxiety. He was, she feared, a bad example to *la jeunesse*. In fact, although she desired Walpole to report that she had spoken well of him, she found his moral character very unsatisfactory, perhaps with insufficient regard to her own history. On the other hand, she allowed that he had candour and a good heart. The balance in this respect was no doubt truly struck by Madame herself when she said that Fox seemed to her "un sublime extravagant," and she to him "une platte moraliste." But other judgments that she passed merely show that her venerable Parisian mind was insensible to the gifts and promise of this English youth. He had spirit but no acumen; he had no principles, and pitied those who had; he had no thought for the morrow [he was twenty-eight, and busy]; he had an undistinguished mind; he had neither taste nor knowledge, he was crude and uncultivated; he showed no promise of development in anything but audacity; and he would always neglect accomplishments and learning

for which he had no immediate need.* The miscalculation is surprising in a woman of so much wit. We cannot help surmising that she knew a little better than that. Had Charles, perhaps, in an unguarded moment allowed her to suspect that he thought her "an insipid moralist"? Once, in 1777, she saw at least that here was something formidable: "Votre Charles Fox n'est pas un homme; il a l'audace d'un Cromwell."

VII

On his return to London, Fox found fresh matter for his attention. North was introducing a Bill to suspend the Habeas Corpus Act in respect of the "Crime of High Treason committed in North America, or on the High Seas." Rockingham, Burke, and their party still absented themselves from parliament, but Fox refused to follow their lead. On February 10, 1777, he attacked the Bill in the House. He argued that "it was nothing less than robbing America of her franchises, as a previous step to the introduction of the same system of government in this country." Let the House sanction this measure, and another would inevitably be taken under which no man among them would be safe. Any knowledge of autocratic government will tell us that Fox did not exaggerate the danger. Never was wit more convincingly employed than in his figure of what might, what assuredly would happen if this infringement of an age-old charter were not arrested. "Who knows but the ministers, in the fullness of their malice, may take it into their heads that I have served on Long Island, under General Washington? What would it avail me in such an event to plead an *alibi*; to assure my old friends that I was, during the whole of the campaign, in England; that I was never

* These opinions are summarised from letters of different dates, extending from 1769 to 1777.

in America, nor on any sea but between Dover and Calais . . . ? All this may be very true, says a minister . . . you are for the present suspected, that is sufficient . . . this is not the time for proof; you may be, and very probably are, innocent; what of that? This Bill cares not a fig whether you are guilty or innocent. I send you, under this sign manual, to study the Erse language in the Isle of Butè; and as soon as the operation of the Bill is spent, you will be at liberty to return whither you please; and then you may, if you like, call on your accusers to prove their charges . . . but they will laugh in your face, and tell you they never charged you, they only suspected you." He proceeded to point out that it was further suggested by the proposers that treason might be interpreted to cover even correspondence with the Americans. "Suppose, for instance, I had an old school-fellow or intimate companion [in America]: I should most probably have kept up a correspondence . . . and have told him that the Whigs . . . were looked upon now as factious persons, for these are the times that large strides are taken, not only to destroy the liberties of America, but of this country likewise. Would not such a paragraph as this furnish a good ground for suspicion? . . . Ministers are credulous in the extreme, because they are fearful . . . from a consciousness of their crimes. . . . I am not surprised at anything. The tone of the Minister is become firm, loud, and decisive. He has already assured us, in this House, that he has nearly subdued America; and by what we are able to collect from this Bill, we may presume he means to extend his conquests nearer home."

The debate lasted several days, and the alarm caused by the arbitrary nature of the Bill brought a few of the abstaining Whigs back to their posts. An opposition amendment, expressly providing that the measure should not apply to offences or suspected offences committed in

Great Britain was, to the indignant surprise of his fanatical followers, accepted by North. Charles congratulated him, sincerely, and the Tory protests rose to a shriller pitch. One ornament of the administration, Richard Rigby, who was Paymaster and doing extremely well in his private fortune by the war, thundered that the Bill ought not to modify Habeas Corpus, but suspend it altogether. But Fox's party, for it is now hardly too much so to designate its practical character, had scored a notable victory. The amendment was incorporated in the Bill without a division. Fox still voted against the measure as dangerous and unnecessary, but rejoicing that the efforts of a faithful minority had confined its more mischievous powers. The Bill in its amended form secured a hundred and twelve votes; the opposition could muster only thirty-three, and the King found it "highly agreeable that they have made so poor a figure."

In April Charles spoke on an application made for relief of the King's debts, and while he made an acute analysis of irresponsible ministerial finance, his speech was "commended even by the courtiers . . . because it was remarkably decent and respectful to the King." Which, in view of the fact that His Majesty at the time owed his coal merchant six thousand pounds, may have been a compliment not quite untouched by an ironical sympathy. In the same month Charles spoke up boldly for a harmless fellow, an actor; who wanted a license for a playhouse in Birmingham, and had been much abused by a member who talked rather irrelevantly of Roman bread and circuses, and by another who said, on what grounds it is not clear, that the petitioner was an impudent creature. Fox would have none of this, called the previous speakers to account for their incivilities towards a profession to which he gratefully owed so much entertainment, and suggested that a little cultivated theatre-going might help them to mend their manners.

During the session he continued to bring forward the liberal view on every subject that came before the House. He wished the Strangers' Gallery to be opened in order that young citizens might early be acquainted with the conduct of state affairs; he supported a motion for increasing the incomes of the King's brothers, the Dukes of Cumberland and Gloucester, the latter of whom had been driven out of the country by fraternal persecution; he supported the Speaker when that gentleman, in acquainting the King of his own increased vote, took it upon himself to hope that what had been granted liberally would be applied wisely, thereby, as he insisted, communicating the sense of the House, but greatly offending the royal sensibility; he "displayed astonishing parts on the revenue," in Walpole's phrase, when North introduced his new budget in May; and he roused his hearers to cries of "Bravo," and even to an unwonted clapping of hands, as he denounced the ministry for repudiating their obligations to Lord Pigot, Governor of Madras, who was a few months later to die in confinement under the tyranny of a corrupt government. With this prelude to his part in Indian affairs, Fox's work for the session ended.

VIII

It was a session made memorable at its close by the reappearance of Chatham, who, with health irretrievably broken at the age of seventy, came once more to plead for enlightenment and peace. Greatly aged since his last visit to the House, a mortal pallor on his face, his limbs swathed in flannels, and leaning on a crutch, he began to speak in a voice so feeble that he could be heard distinctly only by a few peers seated near him. As he proceeded, the old fire and eloquence returned. He was no advocate of colonial independence, but on grounds of both expediency and justice he pleaded with the government for a

radical reform of its policy. Our chances of conquering America, where three million men were being organised in military discipline, grew less with each campaign. Our expeditionary troops were in daily and increasing danger of destruction, our finances were being strained to the point of ruin, and our breach with the colonies, already gravely critical, might at any moment prove to be irreparable. "You cannot conquer the Americans. - You talk of your powerful forces to disperse their army—I might as well talk of driving them before me with this crutch!" France had threatened war, but France, he surmised, would be content to let us waste ourselves in the destruction of our own colonies. "The Americans are rebels—but what are they rebels for? Surely not for defending their unquestionable rights." Unconditional submission had been the demand; it had been refused, and rightly, and it would be refused to the end, an end that we could no longer shape. It was a demand that ought never to have been made; there was now but one wise and just alternative—unconditional redress. Let the government forthwith repeal their aggressive Acts, and he had hope that they might even yet recover their lost authority. The speech suggests that Chatham had by this time lost touch with the realities of the situation, but it shows him to have been all clarity of vision as compared with the blind infatuation of the crown. It may have been too late to hope that his remedies would save America to the empire, but it was not too late to argue that they might yet redeem the national honour. But the ministers heeded Chatham as little as they heeded Fox, and defeated him by ninety-nine votes to twenty-eight. The King was delighted by this contempt for a "highly unseasonable motion," and to find that the "specious words and malevolence of that extraordinary brain" so little represented the views of his loyal subjects. Elsewhere another view was taken. Among Chatham's audience on this occasion

was his son William, who two days before had celebrated his eighteenth birthday. "I cannot help expressing to you," he wrote to his mother, "how happy, beyond description, I feel that my father was able to exert, in their full vigour, the sentiments and eloquence which have always distinguished him. His . . . speech . . . was full of his usual force and vivacity." The proud son reported that his father's demand for "the repeal of all the Acts of Parliament which form the system of chastisement" was "animated and striking beyond conception."

Parliament rose on June 6. "The King," says Walpole, "put an end to the session. The Speech was exceedingly humbled in tone, and talked of maintaining the right of Legislature, and of re-establishing Constitutional, not *unconditional*, obedience, which all subjects of a *free* state owe to the authority of law." Humbled in tone—thus much the constant effort and argument of seven months had achieved, but hardly more. The government had been persuaded to moderate their words; but their policy remained unchanged. They were, in fact, a little frightened by now, but they showed no greater wisdom in their counsels, nor firmer decision in the field. "England," said Frederic III of Prussia, "at this period had involved herself in a war with her Colonies, undertaken in a spirit of despotism, and conducted in that of folly." She continued to attempt a victory that would have been discreditable, and her ministers by their incapacity combined to make the attempt doubly inglorious. But Charles Fox and a few men like him were not to be dispirited, even in those dark hours.