

for England to offer it? Nothing would have a greater tendency to conciliate. And much of the future commerce and returning intercourse between the two countries may depend on the reconciliation. Would not the advantage of reconciliation by such means be greater than the expense?

If, then, a way can be proposed which may tend to efface the memory of injuries, at the same time that it takes away the occasions of fresh quarrels and mischief, will it not be worth considering, especially if it can be done not only without expense, but be a means of saving?

Britain possesses Canada. Her chief advantage from that possession consists in the trade for peltry. Her expenses in governing and defending that settlement must be considerable. It might be humiliating to her to give it up on the demand of America. Perhaps America will not demand it. Some of her political rulers may consider the fear of such a neighbour as a means of keeping the thirteen States more united among themselves, and more attentive to military discipline. But in the mind of the people in general, would it not have an excellent effect if Britain should voluntarily offer to give up that province; though on these conditions: that she should in all times coming have and enjoy the right of free trade thither unincumbered with any duties whatsoever; that so much of the waste lands there shall be sold as will raise a sum sufficient to pay for the houses burnt by the British troops and their Indians, and also to indemnify the Royalists for the confiscation of their estates.

This is mere conversation matter between Mr. O. and Mr. F., as the former is not empowered to make propositions, and the latter cannot make any without the concurrence of his colleagues.

Shelburne has been defended by a high authority for not disclosing this vital proposition to the cabinet. In doing so, no doubt, he would have discredited his agent, and another negotiator would have stiffened up the terms with America, because as time went on the victories of Admiral Rodney over the French at sea and the defeat of the attack upon Gibraltar proved that England's position was not so hopeless as her statesmen believed it to be. Sir George Cornwall Lewis argues that as the paper was confidential, drew forth no

answer, and was handed back, Shelburne was not obliged to communicate it to his colleagues. Oswald was again sent to Paris, this time as a regularly accredited representative with authority to sign a treaty and Shelburne thus assumed responsibility for what had happened before and for what happened afterwards. About this time, Fox resigned, refusing to serve under Shelburne. Until the Americans put forth their demands in set form, it does not seem that Oswald had any special instructions. No definite statement was given him as to the limit of concession or what things the honour and the interest of England regarded as inviolate.* There are notes among the Lansdowne papers on the negotiations and even a reply to the "Canada Paper," but there is no evidence that they were shown to Oswald, or that he used them to secure the best terms possible for his country. Nor had Shelburne the excuse that he did not recognize the incapacity of his representative. He wrote to him on finding that he backed up every American demand:

I should act with great insincerity if I did not convey to you that I find it difficult if not impossible to enter into the policy of all that you recommend upon the subject of the fishery and the boundaries, and of the principle which you seem to have adopted of going before the Commissioners in every point of favour and confidence. The maxim is not only new in all negotiations, but I consider it as no way adapted to our present circumstances and as diametrically opposite to our interests in the present moment.

The American Commissioners thus had the game in their own hands and they played it skilfully. With Franklin were associated John Adams, John Jay, and Henry Laurens. Laurens arrived too late to join in the principal discussions. Although each of them acquitted himself with distinction the palm must be awarded

*It should be stated that the King's Commission and Instructions to Oswald, dated July 31, 1782, contain brief but definite directions as to the course to be followed. But Oswald had already given his case away in the preliminary conversations with Franklin.