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A Mission to America: The Career of George Hammond as the first
British Minister to the United States, 1791-1795

PhD History

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In 1785, John Adams was formally introduced to George III as the first American Minister to Great Britain. However, even as Adams and the King spoke of Britain and America's shared language, similar religions, and "kindred blood", an awkward question remained: where was the British Minister to the United States?

This thesis shall examine the story of George Hammond's career as the first British Minister Plenipotentiary to the United States from 1791-95. Examining the context of Anglo-American relations at the time of his appointment, this paper shall attempt to explain the challenges faced by the Foreign Office in establishing permanent diplomatic presence in not only a republic, but a former British colony. From there, this paper shall examine the multiple challenges Hammond faced as British Minister, including establishing a permanent legation in America, his relationship with American policymakers, the French Revolution, the Crisis of 1794, and the Jay Treaty.

The career of George Hammond presents not only a fascinating example of the challenging processes which characterised diplomatic service, but also the perfect prism through which we can understand British policy towards the United States in the 1790s. In doing so, this thesis will consider many fundamental questions. Was Hammond successful? How do you establish an embassy in both a republic and former British colony? What does Hammond's career tell us about both Anglo-American relations following 1776, and British foreign policy at the end of the eighteenth century? In the end, far from being a footnote in the history of Anglo-American relations, Hammond proved integral to stabilising relations between Britain and the United States and preventing a second Anglo-American conflict before the War of 1812.

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Introduction

'On the subject of the history of the American Revolution, you ask Who shall write it? Who can write it? And who ever will be able to write it? Nobody.'

- Thomas Jefferson to John Adams, 10 August 1815¹

If someone were asked to name the first American ambassador to Britain, an educated person might be able to answer that it was John Adams. However, if someone were to be asked who the first British diplomatic representative in the United States was, the name George Hammond would probably not come to mind. Indeed, there has been a surprising lack of interest in the British perspective on early Anglo-American relations. This study will explore the career of Britain's first Minister to the United States between his appointment in 1791 and his departure in 1795, and analyse the ways in which he attempted to foster a relationship with a new nation founded on the rejection of European methods of governance. Exploring the trials and tribulations of his embassy allows detailed consideration of the nature and development of Anglo-American relations in the 1790s.

Modern scholarship examining British diplomacy in this period has a long trajectory, beginning in the 1920s as historians began to publish comprehensive histories of British foreign policy. The most significant of these was Ward and Gooch's *Cambridge History of British Foreign Policy* (1922), which traced the story of British diplomacy from the late eighteenth century to the First World War, and provided a vital

¹ Thomas Jefferson to John Adams, 10 August 1815, in J. Jefferson Looney, ed., *The Papers of Thomas Jefferson*, Retirement Series, vol. 8, *1 October 1814 to 31 August 1815* (Princeton: Princeton University Press, 2011), 656–659.

guide for the British government as it formulated the peace process in the wake of the Treaty of Versailles (1919). As with most histories of British foreign policy, Europe was their primary focus. Anglo-American relations, and Hammond's mission, meanwhile are viewed as a missed opportunity on the part of the government, who viewed the presence of the United States with peripheral indifference.² These publications were integral to the development of diplomatic history and foreign policy, providing standard narrative accounts, but were superseded as more sophisticated methods began to emerge. More detailed histories sought to provide accounts of nineteenth-century British foreign policy.³ In the late 1960s and 1970s, historians such as C. R. Middleton and Raymond Jones began to focus more closely on the history of the Foreign Office, believing that a structural knowledge of its inner workings was essential to understanding British diplomacy and foreign policy.⁴ And new 'international' histories (including, for example, Paul Kennedy's *The Realities Behind Diplomacy* (1981) and *Strategy and Diplomacy* (1989), began to examine the multiple pressures that lay behind the actions of British diplomats.⁵ Again, in these histories, whilst Anglo-American relations features in the story of diplomacy, European, and larger global

² A. W. Ward and G. P. Gooch, *The Cambridge History of British Foreign Policy, 1783-1919*, (London: The Macmillan Company, 1922), 157; John Tilley and Stephen Gaselee, *The Foreign Office* (London: G. P. Putnam's Sons, 1933).

³ H. W. V. Temperley, *The Foreign Policy of Canning, 1822-1827*, 2nd Edition. (Abingdon: Frank Cass & Co. Ltd, 1966), C. Webster, *The Foreign Policy of Castlereagh*, 2 vols, 2nd edition. (London: Bell, 1934); C. Webster, *The Foreign Policy of Palmerston, 1830-1841*, 2 vols. (London: G. Bell, 1951).

⁴ C. R. Middleton, *The Administration of British Foreign Policy, 1782-1846* (Durham, NC: Duke University Press, 1977); Raymond Jones, *The Nineteenth Century Foreign Office* (London: London School of Economics and Political Science, 1971); Zara. S. Steiner, *The Foreign Office and Foreign Policy, 1898-1914* (Cambridge: Cambridge University Press, 1969); Zara S. Steiner, "Grey, Hardinge and the Foreign Office, 1906-1910", *Historical Journal*, 15 (1969), 143-172; E. T. Corp, "Sir Eyre Crowe and the Administration of the Foreign Office, 1906-1914", *Historical Journal*, 20 (1979), 443-54.

⁵ Paul M. Kennedy, *The Realities Behind Diplomacy: Background Influences on British External Policy, 1865-1980* (London: Fortuna Press, 1981); Paul M. Kennedy, *Strategy and Diplomacy, 1870-1945* (London: Fortuna Press, 1989).

aspects of diplomacy have taken precedence over earlier periods, including the eighteenth century.

In more recent years, historians of British diplomacy have developed their methodologies and field still further. Scholars have begun to analyse foreign policy through new cultural lenses. This has involved studying other facets of diplomatic life, including education, marriage, the role of women, domestic life, gifts between nations, and participation in the 'information society', as Jeremy Black has described it. A good example of this this shift is Jennifer Mori's *The Culture of Diplomacy* (2012). Similarly, Paul Brummell's *Diplomatic Gifts* (2022) has attempted to tell a cultural history of diplomacy through notable gifts exchanged between nations.⁶ G. R. Berridge's recently published *Outposts of Diplomacy* (2024) has attempted to follow Mori's work in bringing a cultural understanding to the history of the embassy. This includes analysing the evolving architecture of embassy buildings and the development of communication networks before the onset of the telegraph. Berridge's work also provides a fascinating account of how the birth of the United States presented new shifts to the business of diplomacy. How would information safely travel across the Atlantic Ocean? How would the United States diplomatically assert itself in a world of monarchies? How should a republican diplomat dress?⁷ All these questions posed by Berridge and Mori have enriched our understanding of a broader diplomatic culture and how the United States attempted to find its place in the diplomatic world.

The historiography has primarily been focused on the nineteenth and twentieth centuries. This has left the historiography of the eighteenth century underdeveloped,

⁶ Jennifer Mori, *The Culture of Diplomacy: Britain in Europe, 1750-1830* (Manchester: Manchester University Press, 2010); Paul Brummell, *Diplomatic Gifts: A History in Fifty Gifts* (London: Hurst and Company, 2022).

⁷ G. R. Berridge, *Outposts of Diplomacy: A History of the Embassy* (London: Reaktion Books Ltd, 2024).

portraying it, as J. H. Plumb long ago described, as a 'pudding time' of stagnation between the seismic changes of the sixteenth, seventeenth and nineteenth centuries.⁸ Even since the introduction of innovative methods which have brought new life to the field of study, the weight of new scholarship has not been evenly divided throughout the chronology of diplomatic history. For example, in Robert Cooper's recent study (2021) of the lives of the West's most famous diplomats, Machiavelli and Richelieu are immediately succeeded by Talleyrand, omitting most of the eighteenth century.⁹ Furthermore, although diplomatic historians have examined the lives of diplomatic wives and how their activities influenced their husbands' work, including Gemma Allen's research into Early Modern English Ambassadors (2019), and Kate Hickman's *Daughters of Britannia* (2000), again the eighteenth century has remained largely neglected.¹⁰

The long eighteenth century (c.1688-1815) saw the emergence of one of the most fundamental debates of Britain's place in the world. At this time, policymakers became divided over whether Britain's destiny lay within the continental power system, or out at sea with its maritime empire, a debate which persists in new forms to the present. The political debate inevitably seeped into the historiography of the period, with historians like Linda Colley, Kathleen Wilson, and David Armitage emphasising Britain's distinction from the rest of Europe and unique maritime proximity to the Atlantic, unattached to the European continent.¹¹ Rather than the balance of power in

⁸ J. H. Plumb, *The Growth of Political Stability in England, 1675-1725* (London: Penguin Books Ltd, 1969); J. H. Plumb, *England in the Eighteenth Century, 1714-1815* (London: Penguin Books Ltd, 1950).

⁹ Robert Cooper, *The Ambassadors: Thinking about Diplomacy from Machiavelli to Modern Times* (London: Weidenfeld & Nicolson, 2021).

¹⁰ Gemma Allen, 'The Rise of the Ambassador: English Ambassadorial Wives and Early Modern Diplomatic Culture', *The Historical Journal*, 62, vol. 3 (2019), 617-638; Katie Hickman, *Daughters of Britannia: The Lives & Times of Diplomatic Wives* (London: Flamingo, 2000).

¹¹ Linda Colley, *Britons: Forging a Nation, 1707-1837* (New Haven: Yale University Press, 1992); Kathleen Wilson, *A Sense of the People: Politics, Culture and Imperialism in England, 1715-1785*

Europe, Britain's destiny, and the idea of Britishness itself, lay away from the continent and upon the seas. Brendan Simms meanwhile took the contrary view in *Three Victories and a Defeat* (2007). Examining the many European and global conflicts that Britain fought in the eighteenth century, he argued that Britain's foreign policy was always focused on the balance of power in Europe, and that imperial expansion was simply a means to achieve that.¹² The British policy debate would have its echoes in American foreign policy, in divisions between those favouring isolationism or entangling alliances. Works by Alexander DeConde, Michael Sheehan, and Felix Gilbert's *To the Farewell Address* (1970) have best illustrated this debate.¹³ The eighteenth century is therefore vital to our broader understanding of British foreign policy, since it marked the origin of a British diplomatic dilemma that would often recur in succeeding centuries.

Perhaps the central challenge of the established history of British diplomacy in this period is its overwhelmingly Eurocentric stance. Although an appreciation of European questions is, naturally, important when analysing British foreign relations, an over-emphasis on this region can confine the emergence of the United States to the side-lines of a greater struggle for supremacy amongst the 'Old World' nations. This has been the case since the twentieth century and is apparent, for example, in Jeremy Black's key works: *A System of Ambition?* (1991), *British Foreign Policy in the Age of Revolutions* (1994), and *British Diplomats and Diplomacy* (2001), along with

(Cambridge: Cambridge University Press, 1995); David Armitage, 'Three Concepts of Atlantic History' in David Armitage and Mike Braddick, *The British Atlantic World, 1500-1800* (Basingstoke: Palgrave MacMillan, 2002).

¹² Brendan Simms, *Three Victories and a Defeat: The Rise and Fall of Britain's First Empire, 1714-1783* (London: Allen Lane, 2007), 1-5.

¹³ Felix Gilbert, *To the Farewell Address: Ideas of Early American Foreign Policy* (Princeton: Princeton University Press, 1970), 19-20, Michael Sheehan, 'The Sincerity of the British Commitment to the Maintenance of the Balance of Power, 1714-1763', *Diplomacy and Statecraft*, 15, no. 3 (2004), 489-506; Alexander DeConde, *Entangling Alliance: Politics and Diplomacy under George Washington* (Durham, NC: Duke University Press, 1958).

most histories of British diplomacy up to the present.¹⁴ It is true that during the 1790s, the primary focus of British foreign policy was the containment of revolutionary and later Napoleonic France. However, as a result, histories have placed Britain's European foreign policy centre stage whilst world affairs have been neglected or placed into different contexts. For example, Anglo-American relations are principally fitted into the context of the United States' national story, with Britain largely playing the role of the pantomime villain.

While broader accounts of Anglo-American relations, published after the Second World War, such as Kathleen Burk's *Old World, New World* (2007) have provided vital context, detailed British scholarship on the fledgling Anglo-American relationship has been limited.¹⁵ Again, this lack of scholarship reinforces the Eurocentric stance taken by British historians, allowing American historians to build a historiographical Monroe Doctrine in which early Anglo-American relations are closely tied to the founding of the United States and its attempts to establish itself as an independent presence in the British Atlantic world. Notable North American examples include Henry Beckles Wilson's accounts of British ambassadors in *Friendly Relations* (1934), Charles Ritcheson's *Aftermath of Revolution* (1969) and Bradford Perkins' *The First Rapprochement* (1967).¹⁶ These histories are from an American perspective and typically neglect the British side of Anglo-American relations. Perkins, for example,

¹⁴ Jeremy Black, *A System of Ambition? British Foreign Policy, 1660-1793*, 2nd Edition (Stroud: Sutton Publishing Limited, 2000); Jeremy Black, *British Diplomats and Diplomacy, 1688-1800* (Exeter: University of Exeter Press, 2001); Jeremy Black, *British Foreign Policy in the Age of Revolutions, 1783-1793* (Cambridge: Cambridge University Press, 1994).

¹⁵ Henry C. Allen, *Great Britain and the United States: A History of Anglo-American Relations, 1783-1952* (New York: St Martin's Press, 1955); Kathleen Burk, *Old World, New World* (London: Little, Brown, 2007).

¹⁶ Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors to America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934); Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (Dallas, Texas: Southern Methodist University Press, 1969); Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967).

while thorough in his analysis, is writing a history of the early United States' place in the world through the prism of its relationship with Britain. Andrew Lambert has discussed this phenomenon through the prism of American attempts to rewrite the history of the War of 1812.¹⁷ This standpoint places the emphasis on the United States' attempts to establish itself and not with the British policymakers seeking to contain Revolutionary France. Britain therefore comes to play the antagonist, with particular emphasis on the practice of impressment and seizing of goods from American ships.

In addition, when in-depth studies have been undertaken into Anglo-American relations in the early American Republic, the movement of the federal government to the newly established Washington D.C. in 1800 offers an easy – if misleading – point of entry. For example, Charles O. Paullin considered that an easier start point than earlier dates.¹⁸ Similarly, research conducted by Perkins on Henrietta Liston, wife of the second British ambassador to the United States, also places emphasis on the move to Washington. Whilst the majority of the monograph focuses on the Adams Administration, Liston's letters offer intriguing accounts of George Washington's retirement, Adams' election, and the move to Washington D. C., three events integral to the history of the United States.¹⁹ The growth of the new national capital, together with an emphasis on the nation-building of the United States, serves as a useful framework for examining the lives of British diplomats in the new nation. Regrettably,

¹⁷ Andrew Lambert, 'Creating Cultural Difference: The Military, Political and Cultural Legacy of the Anglo-American War of 1812-1815', in Alan Forrest, Karen Hagemann, and Michael Rowe, ed., *War, Demobilization and Memory: The Legacy of War in the Era of Atlantic Revolutions* (New York: Palgrave Macmillan, 2016), 303-319; Andrew Lambert, "'Faithful History': British Representations of the War of 1812", *Historically Speaking*, 13, no. 14 (2012), 8-11.

¹⁸ Charles O. Paullin, "Early British Diplomats in Washington", *Records of the Columbia Historical Society, Washington, D.C.*, 44/45, no. 37 (1942/1943), 241-262.

¹⁹ Bradford Perkins, "A Diplomat's Wife in Philadelphia: Letters of Henrietta Liston, 1796-1800", *The William and Mary Quarterly*, 11, no. 4 (1954), 592-632.

however, such an approach either diminishes the vital importance of the events of the early 1790s or completely ignores them.

Regarding Hammond himself, there is unfortunately no complete biography or full account of his time in America. In Burk's *Old World, New World*, perhaps the most recent comprehensive history of the Anglo-American relationship, Hammond is never mentioned, although John Adams' largely ineffective London mission receives plenty of attention.²⁰ Furthermore, when historians dedicate space to Hammond's tenure as British minister, he is accorded merely a chapter in wider histories of British diplomats in the United States. This is very much the case for Beckles Wilson's *Friendly Relations* (1934) and William Masterton's *Tories and Democrats* (1985).²¹ Strangely, Hammond's colleague Phineas Bond, Britain's Consul-General in Philadelphia, has received his own biography, while Hammond has been consigned to the footnotes.²² Meanwhile, Perkins began his *First Rapprochement* (1967) in 1795 with the enactment of the Jay Treaty, right at the end of Hammond's time in America.

Like many British politicians and diplomats of the late eighteenth century, Hammond did not write a memoir of his career in diplomatic service, or his subsequent time in the Foreign Office. Furthermore, many of Hammond's letters relating to America are official despatches and therefore lacking the cultural curiosities which historians have searched for in their studies of British diplomats in the early United States. Nevertheless, this is no reason to ignore Hammond. Even his secretary,

²⁰ Kathleen Burk, *Old World, New World: The Story of Britain and America* (London: Little, Brown, 2007), 196-198.

²¹ Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors to America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934); William H. Masterton, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985).

²² Joanne Lowe Neel, *Phineas Bond: A Study of Anglo-American Relations, 1786-1812* (Philadelphia: University of Philadelphia Press, 1968).

Edward Thornton, has attracted historians' attention.²³ Yet Hammond rose high through the ranks of the Foreign Office, reaching the rank of Under-Secretary at the Foreign Office, the most senior administrative position in the department.²⁴ Of course, the situation is compounded by the fact that Hammond never wrote a full account of his mission in America, despite the production of one being requested by his official instructions at the time. Hammond's only real literary legacy outside of official despatches was his joint editorship of George Canning's short-lived *Anti-Jacobin* magazine, an endeavour that he only undertook after his American mission. This has not made Hammond an attractive subject for historians looking to understand early Anglo-American relations.

Hammond's tenure forms only part of larger histories of Britain's ministers and ambassadors to the United States, and of Anglo-American relations in general. Hammond's character is also, arguably, the subject of ridicule among principally American historians who have studied this subject. William Masterson does not hold back on his almost mocking description of Hammond's punctiliousness for diplomatic etiquette, describing him, in twentieth century fashion, as spoiled, pompous, and aggressive.²⁵ Whilst Masterson's analysis is not wholly inaccurate, it fails to consider the cultural frameworks which lay behind Hammond's behaviour. Hammond was a product of his education and training for diplomatic service. His behaviour when interacting his American interlocutors, rather than stemming purely from an innate

²³ Frederick J. Turner, 'English Policy Toward America in 1790-1791', *The American Historical Review*, 7, no. 4 (1902), 706-735; Edward Thornton, "The United States through English Spectacles in 1792-1794", *The Pennsylvania Magazine of History and Biography*, 9, No. 2 (1885), 214-222; This is the same Frederick Jackson Turner who wrote the influential article, *The Significance of the Frontier in American History*.

²⁴ Keith Neilson, T. G. Otte, *The Permanent Under-Secretary for Foreign Affairs, 1854-1946* (London: Routledge, 2009), 1-2, 5.

²⁵ William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 21.

feeling of superiority, was the result of a strict educational system which British diplomats undertook. Masterson's anachronistic portrayal of the British as being "Tories" and Americans being "Democrats" – ignoring the Whig tradition in British politics and aligning American viewpoints with Jeffersonian Anglophobia – goes a long way to explaining his mocking description of Hammond.²⁶ The only positive opinion of Hammond's character comes from Alexander DeConde (1958), who commends his tactics 'to delay positive action' in his negotiations with Jefferson.²⁷ When commenting on the behaviour of British diplomats of the late eighteenth century, one should perhaps study the system which lay behind the individual's actions and behaviours rather than the individual's actions on their own.

The practice of British diplomacy itself is also a subject that has received little attention from wider histories. During the eighteenth century, a diplomatic posting was not always seen positively by aspiring British gentlemen. For young British aristocrats returning from the Grand Tour, the ultimate dream was to acquire a job at home. This would then allow them to rise through the ranks, potentially to gain a position within government. Diplomacy, on the other hand, as D. B. Horn described, was seen as a polite form of exile, and as a means to send political rivals far away from the corridors of power.²⁸ This tradition continued into the modern era, as can be seen in the later careers of Edward Grey, Lord Halifax and Chris Patten, who all took diplomatic posts as result of rivalries in office or declining political fortunes at home.²⁹ There is an

²⁶ Ian R. Christie, *Myth and Reality in Late Eighteenth-Century British Politics* (London: MacMillan Publishing Ltd, 1970), 198; J. C. D. Clark, "A General Theory of Party, Opposition and Government, 1688-1832", *Historical Journal*, 23, No. 2 (1980), 305.

²⁷ Alexander DeConde, *Entangling Alliance: Politics and Diplomacy under George Washington* (Durham, NC: Duke University Press, 1958), 81-82.

²⁸ D. B. Horn, *The British Diplomatic Service, 1689-1789* (Oxford: Oxford University Press, 1961), 86-88.

²⁹ T. G. Otte, *Statesman of Europe: A Life of Sir Edward Grey* (London: Allen Lane, Penguin Books Ltd, 2020), 626-627; Andrew Roberts, *'The Holy Fox': The Life of Lord Halifax* (London: Phoenix

apparent divergence between those in the metropole driving foreign policy and their diplomats who either serve merely as tools or watch powerless from the sidelines. As a result, the lives of British diplomats have therefore played a secondary role in wider histories of foreign policy, with their counterparts in the metropole or broader historical forces taking centre stage.

There is a wider lack of scholarly interest in eighteenth-century British 'high' politics. With few exceptions, most of the eighteenth-century British monarchs and Prime Ministers remain virtually unknown compared to their early modern or modern counterparts. At a glance, they are a long procession of indistinguishable bewigged figures. This not to argue that the British monarchs and policymakers have been completely ignored. John Ehrman's multivolume biography of *The Younger Pitt* (1969), and William Hague's more recent study (2004) offer comprehensive in-depth accounts of one of Britain's most consequential Prime Ministers, who presided over its transition into a modern industrial state.³⁰ Similarly, Charles James Fox, Pitt the Younger's great political adversary, has received his fair share of consideration from John Derry (1972), David Powell (1989), Ayling (1991), and L. G. Mitchell (1992).³¹ However, this is not the case for other British politicians of the period, some of whom were just as influential in British politics. Lord Grenville, whilst only briefly Prime Minister in the nineteenth century, sent Hammond to America and dominated British foreign policy for the entire 1790s, but has received consideration only by Peter Jupp (1985) and a

Books, 1997), 280-281; Jonathan Dimbleby, *The Last Governor: Chris Patten and the Handover of Hong Kong* (London: Little Brown & Company, 1997), 1-15.

³⁰ John Ehrman, *The Younger Pitt*, 4 Vols (London: Constable and Company Limited, 1969-2000); William Hague, *William Pitt the Younger* (London: Harper Collins Publishers, 2004).

³¹ John Derry, *Charles James Fox* (London: HarperCollins, 1972); David Powell, *Charles James Fox: Man of the People* (London: Century Hutchinson, 1989); Stanley Ayling, *Fox: The Life of Charles James Fox* (London: John Murray Publishers, 1991); L. G. Mitchell, *Charles James Fox* (Oxford: Oxford University Press, 1992).

brief overview of his European foreign policy from E. Douglass Adams (1904).³² A common thread with these biographies is that interest in eighteenth-century politics has subsided since their publication. Only in recent years has George III's reputation been reconsidered, with Andrew Roberts' recent biography (2021) attempting to rescue Britain's "most misunderstood monarch" from the negative attention he has received from historians like Ayling (1972) and Black (2006).³³ This has left eighteenth-century British politics underappreciated and its policymakers in need of further consideration.

American diplomats of the eighteenth century have tended to escape this anonymity because they have been remembered for other exploits before or after their diplomatic careers – particularly John Adams, Benjamin Franklin, and Thomas Jefferson. American diplomacy of the period is furthermore associated with national birth, the lives of the American founders, and the process of establishing America's place in the wider world; thus, adding a level of prestige to American diplomacy. As a result, when considering this in the context of Anglo-American relations, more emphasis is placed on the exploits of American diplomats in Britain and Europe than British diplomats in the United States.³⁴ Such an imbalance downgrades Britain's role in establishing the early Anglo-American relationship and consigns it to nothing but an

³² Peter Jupp, *Lord Grenville, 1759-1834* (Oxford: Clarendon Press, 1985); E. Douglass Adams, *The Influence of Grenville on Pitt's Foreign Policy, 1787-1798* (Washington D.C.: Carnegie Institution of Washington, 1904), 1-77.

³³ Andrew Roberts, *George III: The Life and Reign of Britain's Most Misunderstood Monarch* (London: Allen Lane, Penguin Books, 2021); Stanley Ayling, *George the Third* (London: William Collins Sons & Co, 1972); Jeremy Black, *George III: America's Last King* (New Haven: Yale University Press, 2006).

³⁴ John Ferling, "John Adams: Diplomat", *The William and Mary Quarterly*, 52, no. 2 (1994), 227-252; R. R. Palmer, "The Dubious Democrat: Thomas Jefferson in Bourbon France", *Political Science Quarterly*, 72, no. 3 (1957), 388-404; Jonathan R. Dull, "Benjamin Franklin: The French Mission", *Transactions of the American Philosophical Society*, 72, no. 1 (1982), 1-76; Jonathan R. Dull, "Benjamin Franklin and the Nature of American Diplomacy", *The International History Review*, 5, no. 3 (1983), 346-363; Stacy Schiff, *A Good improvisation: Franklin, France, and the Birth of America* (New York: Henry Holt and Company, 2005).

antagonist, run by reactionary “Tories” – as Masterson would say – with the Americans serving as agents of democracy.

Very much linked to the imbalance in understanding the early Anglo-American relationship is the tendency to examine the 1790s only within the context of the Revolutionary War and the War of 1812. In his three accounts of early Anglo-American relations, Perkins’ *First Rapprochement* (1967), *Prologue to War* (1961) and *Castlereagh and Adams* (1964) are written on the premise that the War of 1812 was inevitable.³⁵ This determinist viewpoint has heavily influenced American scholarship examining the early Anglo-American relationship and lends credence to a description of the 1812 war, as Donald Hickey and Norman Risjord observe, as the “Second War of Independence.” The casus belli is therefore continued British encroachment on American sovereignty and identity and not Democratic-Republican imperial dreams of annexing Canada.³⁶ Through such a lens, the 1790s, and the diplomatic achievements of that period – most notably the Jay Treaty (1794) - are relegated to little more than a prolonged armistice in the long struggle for American identity. Alternatively, using the War of 1812 as a start point, as Duncan Andrew Campbell does, or 1815 as Sam W. Haynes does, serves as a helpful benchmark against earlier dates because it ushered in the peaceful, albeit suspicious, relationship that developed during the nineteenth century.³⁷ Whilst examining Anglo-American relations post-War of 1812 is appealing from a geopolitical standpoint, it implies that the War of 1812 was inevitable

³⁵ Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967); Bradford Perkins, *Prologue to War: England and the United States, 1805-1812* (Berkeley: University of California Press, 1961), Bradford Perkins, *Castlereagh and Adams: England and the United States* (Berkeley: University of California Press, 1964).

³⁶ Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana, Chicago: University of Illinois Press, 1989); Norman K. Risjord, “1812: Conservatives, War Hawks, and the Nation’s Honor”, *William and Mary Quarterly*, vol. 18, no. 2 (1961), 196-210.

³⁷ Duncan Andrew Campbell, *Unlikely Allies: Britain, America and the Victorian Origins of the Special Relationship* (London: Hambledon continuum, 2007); Sam W. Haynes, *Unfinished Revolution: The Early American Republic in a British World* (Charlottesville: University of Virginia Press, 2010).

and that the two nations were caught in Graham Allison's so called "Thucydides Trap", whereby the rising power of the United States would naturally challenge and subsequently threaten British hegemony.³⁸ The role of contingency, and the Jay Treaty specifically, played in preventing an earlier Anglo-American conflict is therefore negated. Though the Jay Treaty was not perfect, and left many issues unresolved, it laid the foundation for a rapprochement that, while temporary, built a stable relationship between the two nations and that, despite the War of 1812, remained so throughout the nineteenth century.³⁹

A study of Hammond's diplomatic mission to the United States also requires an understanding of the Revolutionary Crisis and Treaty of Paris (1783) and its importance to British and American history. Historians such as Bemis have described the treaty as the 'greatest victory in the annals of American diplomacy.'⁴⁰ Particular praise is given to Benjamin Franklin and John Adams' astute negotiation and apparent victory over the Old World. It was not just the first major victory of the New World over the Old World of Kings and Emperors, but in Felix Gilbert's opinion, a victory of Enlightenment internationalism.⁴¹ And indeed it was. Whilst scholars, including James Huston, Richard Van Alstyne and Bradford Perkins, have debated what factors influenced the negotiations, reflecting changes in American historiography during the twentieth century, the importance of the treaty, and that of the American negotiators,

³⁸ Graham Allison, "Thucydides' Trap has been sprung in the Pacific", 21 August 2012, *Financial Times*, Accessed 24 October 2024, <https://www.ft.com/content/5d695b5a-ead3-11e1-984b-00144feab49a>; Graham Allison, "The Thucydides Trap", 9 June 2017, *Foreign Policy*, Accessed 24 October 2024, <https://foreignpolicy.com/2017/06/09/the-thucydides-trap/>.

³⁹ Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967), 185.

⁴⁰ Samuel Flagg Bemis, *The Diplomacy of the American Revolution*, 3rd Edition (Bloomington, ID: Indian University Press, 1957), 256.

⁴¹ Richard B. Morris, *The Peacemakers: The Great Powers and American Independence* (New York: Harper & Row, 1965); Felix Gilbert, *To the Farewell Address: Ideas of American Foreign Policy* (Princeton: Princeton University Press, 1961); James H. Huston, *John Adams and the Diplomacy of the American Revolution* (Lexington, KY: University of Kentucky Press, 1980).

remains unchallenged.⁴² The importance of the period has been sustained by the long history of publishing surveys of the American records relating to the Continental Congress and the Revolutionary War. Beginning in the 1880s and continuing to the present, these surveys have allowed historians a comprehensive and up to date review of the American records relating to the Founding era.⁴³

This, however, cannot be said for the British side of the crisis. The Historical Manuscripts Commission's *Report on American Manuscripts*, compiled at the beginning of the twentieth century (1904-9), remains the only documentary survey of Britain's conduct of the Revolutionary War to which historians can refer. The same goes for those of other European belligerents in the Revolutionary War, who have only single complete surveys of their records from the period, including France (1885-92), Spain (1925), and the Netherlands (1977).⁴⁴ This lack of regular scholarly review of the historical record, in contrast to the plethora of American surveys, has left the British side of Revolutionary War and Treaty of Paris largely neglected and limited in scope to the popular sources of the late nineteenth and early twentieth centuries, namely, high political sources related to the primary policymakers. The antics of some of the historians involved in the European documentary surveys have also led to their

⁴² Richard Van Alstyne, *Empire and Independence: The International History of the American Revolution* (New York: John Wiley & Sons, 1965); Bradford Perkins, "The Peace of Paris: Patterns and Legacies", "Peace and Peacemakers: The Treaty of 1783" (Conference Paper, US Capitol Historical Society, Washington D.C., 1983).

⁴³ Benjamin Stevens, ed., *Facsimiles of Manuscripts in European Archives Relating to America, 1775-1783*, 25 vols (London: Malby & Sons, 1889-95); Francis Wharton, ed., *The Revolutionary Diplomatic Correspondence of the United States*, 6 vols (Washington D.C.: Government Printing Office, 1889); Edmund C. Burrett, ed., *Letters of Members of Continental Congress*, 8 vols (Washington D.C.: Carnegie Institution, 1921-36); Paul H. Smith, ed., *Letters of Delegates to Congress*, 8 vols (Washington D.C.: Library of Congress, 1976-).

⁴⁴ Historical Manuscripts Commission, ed., *Report on American Manuscripts in the Royal Institution of Great Britain*, 4 vols (London: His Majesty's Stationary Office, 1904-9); Henri Doniol, ed., *Histoire de la participation de la France à l'establishment des Etats-Unis d'Amérique*, 5 vols (Paris: Imprimerie Nationale, 1885-92); Juan F. Yela Utrilla, *Espana ante la Independencia de los Estados Unidos*, 2 vols (Lerida: Graficos Academia Mariana, 1925); Pieter van Winter, *American Finance and Dutch Investment, 1780-1805*, 2 vols, trans. C. M. Geyl and I. Clephanex (New York: Arno Press, 1977).

disregard by others. For example, Doniel's French survey has been rejected as unreliable by some due to his editorially manipulating the records to suit his ends. Other historians, including Bernard Fay, have been viewed with suspicion because of their collaboration with the Vichy Regime.⁴⁵

Only in more recent years have historians attempted to understand the British perspective of the Revolutionary Crisis, or to place it within a broader context. Historians have utilised many methodologies to achieve this. Andrew O'Shaughnessy's *The Men Who Lost America* (2013) offers a new viewpoint on Britain's conduct in the crisis and attempts to salvage the reputations of many of the British players in the crisis and illustrate the many victories Britain achieved when faced with humiliation by the United States and its European rivals.⁴⁶ Away from the corridors of power, Maya Jasanoff's *Liberty's Exiles* (2011) and Linda Colley's *Captives* (2002) has examined Britain's role in the history of the Revolutionary War (which Jasanoff brands a civil war), the Treaty of Paris, and the wider British Empire in Colley's case, through the lives of the many thousands of Loyalist refugees – black, white, and Native American – who were the great losers of American independence.⁴⁷ Recent debates over the role of slavery in the Revolutionary War have also led to re-examinations of British players in the crisis – albeit not without intense controversy. The published works of the *1619 Project* (2021) have gone so far as to label Lord Dunmore's 1775 Royal Proclamation, promising freedom to enslaved people who

⁴⁵ Bernard Fay, *A Study of Moral and Intellectual Relations between France and the United States at the End of the Eighteenth Century*, trans. Ramond Guthrie (New York: Harcourt, Brace, 1927); Lawrence S. Kaplan, "The Treaty of Paris: A Historiographical Challenge", *The International History Review*, 5, No. 3 (1984), 434.

⁴⁶ Andrew O'Shaughnessy, *The Men Who Lost America: British Command During the Revolutionary War and the Preservation of an Empire* (London: Oneworld, 2013).

⁴⁷ Maya Jasanoff, *Liberty's Exiles: The Loss of America and the Remaking of the British Empire* (London: HarperPress, 2011); Linda Colley, *Captives: Britain, Empire and the World, 1650-1850* (London: Jonathan Cape, Random House, 2002).

supported the British cause, as an “Emancipation Proclamation”, on a par with Abraham Lincoln’s own in 1863. Such an argument offers a new perspective on Britain’s conduct, painting it as an abolitionist force fighting against a fledgling United States determined to preserve slavery. This viewpoint is supported in Woody Holton’s *Liberty is Sweet* (2021) but remains deeply controversial.⁴⁸

The rise of Atlantic, Imperial, and Global History has also allowed historians to fit the American Revolutionary Crisis into the context of the wider history of the British Atlantic. P. J. Marshall, in his *Remaking the British Atlantic* (2012), argues that the Revolutionary War did little to alter the inherently close relationship between Britain and America. Rather than acting as a new force in world geopolitics, the United States remained closely tied to the British Atlantic trade system, with most American trade going to the British West Indies, and thousands of British colonists continuing to travel to America even after independence. Even with the public show of irritation over the loss of the colonies, most British policymakers viewed the United States with indifference, wishing only to maintain the status quo in terms of trade across the Atlantic. Alongside Marshall’s argument, Bruce Collins and A. G. Hopkins contend that the American War was the result of British attempts to consolidate its expanding commercial interests. Whilst attempts to do so failed in America, those same attempts succeeded in India and met with mixed success in Ireland. This shifts the importance of the American War simply to being a test in the ongoing British imperial experiment.⁴⁹ Similarly, and in the vein of Jasanoff, Jerry Bannister and Liam Riordan’s edited study,

⁴⁸ Nikole Hannah Jones, Caitlin Roper, Ilena Silverman, Jake Silverstein, ed., *The 1619 Project: A New American Origin Story* (London: W. H. Allen, 2021); Woody Holton, *Liberty is Sweet: The Hidden History of the American Revolution* (New York: Simon & Schuster, 2021), 202.

⁴⁹ P. J. Marshall, *Remaking the British Atlantic: The United States and the British Empire after American Independence* (Oxford: Oxford University Press, 2012), 1-11; Bruce Collins, *War and Empire: The Expansion of Britain, 1790-1830* (London: Pearson Education Limited, 2010), 5. Citations refer to Routledge Edition; A. G. Hopkins, *American Empire: A Global History* (Princeton: Princeton University Press, 2018), 135-141.

The Loyal Atlantic (2012), examines how loyalism manifested itself throughout the British Atlantic. The resulting argument contends that loyalism was founded on traditions as equally well-founded as American patriotism.⁵⁰ The American Revolution is therefore more of an outlier in a British Atlantic empire which remained more loyal than previously understood. This reinforces the notion of the Revolutionary War as in many ways a civil war and the end of one phase of a longer British imperial story.

Naval and Maritime history has also contributed to placing the American Revolution, and early Anglo-American relations, into a wider Atlantic context. Throughout the eighteenth century, the Royal Navy was Britain's primary weapon in asserting its power in the world. The works of N. A. M. Rodger and Ben Wilson illustrate how the navy was always at the forefront of British military strategy in the age of sail.⁵¹ On the back of this development, more in-depth naval accounts of the American Revolutionary War and subsequent wars up to 1815 have shifted the perspective away from the battlefields of North America, where American historians have dominated, to the sea, where Britain's naval power could be brought to bear.⁵² For example, Sam Willis' *Struggle for Sea Power* (2015), Roger Knight's *Britain Against Napoleon* (2013), and Andrew Lambert's *The Challenge* (2012) – examining the American Revolutionary War, Napoleonic Wars, and War of 1812 respectively – present a more nuanced understanding of not only the role of the navy in British

⁵⁰ Jerry Bannister & Liam Riordan, ed., *The Loyal Atlantic: Remarking the British Atlantic in the Revolutionary Era* (Toronto: University of Toronto Press, 2012), xi.

⁵¹ N. A. M. Rodger, *A Naval History of Britain*, 3 vols (London: Harper Collins, 1997-2024); Ben Wilson, *Empire of the Deep: The Rise and Fall of the British Navy* (Weidenfeld & Nicolson, 2013).

⁵² Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, & Indian Allies* (New York: Alfred A. Knopf, 2010); Troy Bickham, *The Weight of Vengeance: The United States, The British Empire, and the War of 1812* (Oxford: Oxford University Press, 2012); A. J. Langguth, *Union 1812: The American Who Fought the Second War of Independence* (New York: Simon & Schuster, 2006).

military thinking, but the role that naval power in general played in warfare and foreign policy.⁵³

The outcome of their research is that, regardless of its military performance on land, naval supremacy always took primacy in British thinking and remained the primary weapon in asserting British power in the eighteenth and nineteenth centuries. As the principal naval power in the war with France between 1793 and 1815, maintaining control of commerce was integral to Britain's war effort, and Hammond's mission to America was no exception. As Britain's chief diplomat in a neutral country, it was Hammond's job to guarantee that British commerce was safeguarded through American waters and ensure that the United States did not allow belligerent powers to outfit privateers to raid British shipping.

A final shift in historiography has been driven by Michael D. Hattem in *Past and Prologue* (2021). In the vein of Marshall and Jasanoff, Hattem attempts to reinterpret the American Revolution, but through memory. Previous historians of American nationalism have sought to express the exceptionalism of the United States, with Michael Kammen, Jack Greene, and Benedict Anderson observing that Americans believed themselves to be 'liberated from their past.'⁵⁴ The British connections with American history were therefore downplayed as the United States defined its own republican society. The history of the American Revolution and Early Republic, Hattem argues, was far more conservative than its later French and Russian counterparts.

⁵³ Sam Willis, *The Struggle for Sea Power: A Naval History of American Independence* (London: Atlantic Books Ltd, 2015); Roger Knight, *Britain Against Napoleon: The Organisation of Victory, 1793-1815* (London: Allen Lane, Penguin Books, 2013); Andrew Lambert, *The Challenge: Britain Against America in the War of 1812* (London: Faber & Faber, 2012).

⁵⁴ Michael Kammen, *Mystic Chords of Memory: The Transformation of Tradition in American Culture* (New York: Alfred A. Knopf Inc, 1991), 5; Jack P. Greene, *The Intellectual Construction of America: Exceptionalism and Identity from 1492 to 1800* (Chapel Hill: University of North Carolina Press, 1993), 165; Benedict Anderson, *Imagined Communities: Reflections of the Origin and Spread of Nationalism* (New York: Verso Books, 1991), 192.

Rather than attempting to reset the clock and abandon their colonial period, as later revolutions attempted to do, the founders of the American republic believed it to be fundamental to its founding. The British past was therefore integral to creating early American history and memory.⁵⁵ Britain and the United States were therefore defined far more by their similarities and shared history than their differences.

This argument finds its most vivid echo in John Adams' hopeful pledge to George III that they might '[restore] "the old good Nature and the old good Humour" between People who, tho Separated by an Ocean and under different Governments have the Same Language, a Similar Religion and kindred Blood.'⁵⁶ These sentiments found their home in sections of the emerging Federalist Party and Anglophilic societies, some of which Hammond himself frequented. In order to build a permanent diplomatic presence in the United States, Hammond knew it would be necessary to utilise the established American Anglophile networks, both to understand American society and policy and perhaps influence it.

Ultimately, whilst headway has been made in redressing the balance of scholarship, presenting nuanced accounts of Britain's role in the Revolutionary Crisis and early American history and culture faces difficulties. Recent studies of British policies and policymakers, loyalists, wider imperial and maritime history, and cultural memory combat a long American tradition of historiography dating back over a century. Understanding Britain's perspective on the crisis also raises uncomfortable questions about the United States' founding. Whilst some saw the Revolutionary War

⁵⁵ Michael D. Hattem, *Past and Prologue: Politics and Memory in the American Revolution* (New Haven: Yale University Press, 2021), 1-18.

⁵⁶ John Adams to John Jay, 2 June 1785, Gregg L. Lint, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda A. Mathews, and Sara Martin, ed., *The Adams Papers*, Papers of John Adams, vol. 17, *April–November 1785* (Cambridge, MA: Harvard University Press, 2014), 134–145.

as a successful struggle for independence, others saw it as a vicious civil war in which they were displaced from their homes or freed from enslavement. Furthermore, not only did the war serve as one episode in the history of the wider British Atlantic which remained loyal, but the British past also formed much of the basis of the United States' emerging national history and culture. Of course, despite these historiographical shifts, popular notions of American exceptionalism espoused by historians remain entrenched and difficult to alter. This complex state of affairs, where an outlying United States existed within a predominantly loyal British Atlantic world, and was held together by an unfinished peace which left multiple groups unsatisfied, is where Hammond found himself in 1791.

This study will utilise Hammond's personal papers and his correspondence with British and US policymakers, including, for example, Lord Grenville, Phineas Bond, Edward Thornton, US Secretary of State Thomas Jefferson, and US Treasury Secretary Alexander Hamilton. It has been greatly assisted by the inclusion of several records held privately by Michael Fitzroy, a descendant of Hammond. It will also utilise many of the American papers which have been published in extensive volumes over the past eighty years by teams of dedicated historians. Alongside the records themselves, the editors have contributed extensive comments, footnotes, and editorial notes to supplement their content. In recent years, those same published papers have begun to be uploaded to online databases, such as *Founders Online*, with full keyword searches and citations, thus further widening their availability to researchers.

Hammond's papers have remained mostly untouched in large bound books in the National Archives' extensive Foreign Office collections. Similarly, Edward Thornton's memoir of the period, which he wrote in the 1830s, has remained unpublished and in manuscript form in the same collection. The same goes for the

Grenville (Dropmore) Papers, which remain in the British Library, but inadequately documented. This has meant that many of the records that present an in-depth perspective of Britain's role in early Anglo-American relations have been neglected. However, this neglect presents an enticing opportunity for this thesis. Rather than focusing on the American perspective, as previous histories have done, this thesis will utilise previously overlooked British sources to present a new perspective focused on Britain's role in early Anglo-American relations during the 1790s.

Hammond's career is a fascinating viewpoint through which to do this. As the first British Minister to the United States, Hammond represented a great divergence of British policy towards its former colonies. Before Hammond's embassy, Britain viewed the United States as an ephemeral annoyance on the world stage; something to be viewed with indifference until their experiment in republican democracy failed and they returned to the British yoke. Consequently, British representation in the United States had been virtually non-existent, with only unofficial diplomatic missions being established in various American cities. In the 1790s this policy shifted. Hammond's arrival consolidated those previous missions into an official embassy, established to accommodate the new United States within the British Atlantic and settle the outstanding issues from the Treaty of Paris. Hammond therefore gave British policymakers in London their first official accounts detailing the American constitution and government, as well as American domestic and foreign policy. As Europe descended into war in 1792, ensuring that the United States remained in a neutral, yet ultimately pro-British, position was essential to Britain's global war with France. With Hammond as the chief of their permanent diplomatic presence in the United States, the British government now had the means of ensuring a favourable relationship with their new North American neighbour.

This thesis will have a predominantly political focus but will pay due cognisance to the rise of cultural reflections in the history of foreign policy and the historiographical shifts in diplomatic history represented by historians such as Mori and Brummell. Aspects of earlier historiographical methods will also be employed, including those underpinning the administrative histories of foreign policy presented by Middleton and Jones. In keeping with the methods of diplomacy in the eighteenth century, the study will examine Hammond's written interactions with key British and US policymakers, including Grenville, Jefferson, and Hamilton. Through these interactions, the study will examine the attempts to establish a new culture of British diplomacy in the United States.

Alongside the primary political focus, the cultural aspects of this thesis will examine how Hammond accommodated himself in American society as the first British Minister. Among such aspects is his marriage to an American heiress, Margaret Allen. The records held by Hammond's descendant have helped bring much-needed colour to this period in Hammond's life. They offer the most complete picture of Margaret Allen – only briefly mentioned in earlier histories – and provide an insight into the characteristics Hammond and his family looked for in a potential diplomatic match. Beyond such matrimonial pursuits, this thesis will examine Hammond's place in American society, utilising overlooked records in the National Archives' and British Library's collections. It will place particular emphasis on his relationship with the American press and his view of the United States' growth as a new nation.

The first chapter of the thesis will examine Hammond's appointment as Britain's first Minister to the United States. Beginning in 1783, the chapter considers how, even with the signing of the Treaty of Paris, unresolved and deeply controversial issues remained to be settled between Britain and the United States. Disputes about

outstanding debts, the confiscation of property, and the continued presence of British troops in American territory dogged Anglo-American relations throughout the 1780s. Moving into the 1790s, the chapter examines how the British government went about selecting a suitable candidate to send to America, and the challenges that accompanied sending a diplomat so far from the imperial metropole. The final section of the chapter explores Hammond's arrival in America and formal introduction as Minister to the United States.

The second chapter explores how Hammond went about establishing a permanent British embassy in the United States and how he interacted with the new nation in which he was to reside. As the principal British diplomat in the United States, Hammond's observations on American politics, economics, culture, and society were vital in developing the British government's understanding of the new American republic. Previous American historians, including Wilson and Stanton (1999), McCollough (2001), and Schiff (2005), have explored in some depth the interactions of American diplomats in Europe.⁵⁷ However, this chapter will redirect that focus to examine how Hammond, as a British diplomat, interacted with American society.

The third chapter follows Hammond's relationship with Secretary of State Thomas Jefferson and their negotiations to settle outstanding issues from the Treaty of Paris. Through the discussion of debts and confiscated property, the British government finally had a platform, in the person of Hammond, to voice its objections to American policy following the Revolutionary War. In his negotiations, Hammond demonstrated himself to be a capable diplomat in arguing Britain's position and

⁵⁷ Douglas L. Wilson and Lucia Stanton, ed., *Jefferson Abroad* (New York: The Modern Library, 1999); David McCollough, *John Adams* (New York: Simon & Schuster, 2001); Stacy Schiff, *A Great Improvisation: Franklin, France, and the Birth of America* (New York: Henry Holt and Company, 2005).

thwarting American assaults on British policy, whilst using the emerging political divisions in the US government to achieve his ends. Whilst previous histories have considered the role of Jefferson in his relationship with Hammond, this thesis will be the first study to focus on Hammond and his attempts to secure a settlement favourable to British interests.

Chapters four and six encompass the entirety of Hammond's tenure as British Minister and discuss how he attempted to reach a settlement on the American frontier. Hammond's diplomatic mission coincided with a period of great instability between the United States, the colonial empires of Britain and Spain, and the many Native American peoples already living along the frontier. As in his negotiations with Jefferson, Hammond showed himself to be an adept diplomat in rebutting accusations of British intrigue on the frontier and acting as a conduit between the British government in London, the US government in Philadelphia, and British colonial officials in Canada. As war and insurrection swept the frontier after 1793, Hammond's position in America would prove pivotal in Britain's policy of maintaining friendly relations with the United States at the expense of the new French republic.

The fifth chapter will explore how the outbreak of the French Revolution caused a divergence in the ways nations believed diplomacy should be conducted. The emergence of the French republic brought with it a new French Minister, Charles Edmond "Citizen" Genet, who sought to rip up the diplomatic manual whilst reinvigorating the Franco-American alliance of 1778, precipitating a diplomatic crisis in the process. Examining the rise and fall of Genet through Hammond's observations, this chapter will serve as an example of how silence and inaction can be some of the most effective diplomatic tools. Only when British interests were threatened did Hammond actively involve himself in the diplomatic furore caused by Genet.

Hammond's strategy would prove successful. Whilst Genet fell from favour, through diligent silence and careful practice, Hammond survived the crisis, demonstrating what the Marquis de Condorcet described as the ability to '[observe] much and [act] little.'⁵⁸

The final chapter examines the crucial role Hammond played in the Anglo-American crisis of 1794 and the signing of the Jay Treaty. Whilst Hammond was not an active negotiator, his presence in the United States proved indispensable to the British government. As negotiations took place in London, it was Hammond's responsibility to ensure that relations between Britain and the United States remained cordial until the treaty was concluded and ratified. At the same time, his shrewd observations on American affairs provided the British government with crucial information which greatly enhanced its negotiating position in London. Ultimately, Hammond would leave the United States victorious, with the Jay Treaty ratified and the threat of war between Britain and the United States averted for almost two decades.

For too long, the early Anglo-American relationship has been trapped in the stasis of traditional, narrative-based, Eurocentric diplomatic histories, or relegated to a mere chapter in the United States' emergence as an independent power. Furthermore, Hammond's time in America has become nothing more than a footnote in the long history of Anglo-American relations. His embassy was ultimately viewed as a failure, with Britain and the United States going to war seventeen years after Hammond's departure from America in 1795. This study seeks to challenge this analysis, via the first thorough assessment of Britain's first embassy to the new United

⁵⁸ Edward E. Hale and Edward E. Hale Jr, *Franklin in France*, Volume 1, *The Alliance* (Boston: Roberts Brothers, 1888), 141.

States, examining the relationships Hammond fostered while in office and how he accommodated himself as a British diplomat in a former British colony.

Beginning in 1791, this thesis will consider what an assessment of Hammond's mission in the United States tells us about the development of Anglo-American relations. Rescuing Hammond from obscurity, it will argue that he served an important purpose in preventing an Anglo-American war whilst diplomats in London attempted to settle outstanding issues that threatened to shatter the peace. The subject of Anglo-American relations has hitherto been intrinsically tied up with the history of US foreign relations and the rise and fall of the British Empire. British diplomacy and foreign policy meanwhile has been dominated by the history of Britain's relations with Europe. This thesis is therefore not only the first extensive study of Hammond's time as British minister to the United States but brings the subject of Anglo-American relations into a closer association with the wider history of British diplomacy and foreign policy.

Chapter 1: An Unwanted Posting?

‘Sir, they [the American colonists] are a race of convicts, and ought to be thankful for anything we allow them short of hanging.’

- Samuel Johnson, 1775¹

In June 1785, during his official introduction as the first American Minister Plenipotentiary to the Court of St James, John Adams recalled George III announcing that

the circumstances of this audience are so extraordinary, the language you have now held is so extremely proper, and the feelings you have discovered, so justly adapted to the occasion, that I must say, that I not only receive with pleasure, the assurances of the friendly dispositions of the United States, but that I am very glad the choice has fallen upon you to be their Minister.²

At face value, such a gracious gesture by a British king to an American minister, barely two years after the end of the Revolutionary War, can be seen as a pivotal moment in the long story of Anglo-American relations; and indeed it was. However, one important figure was missing from this crucial point in the history of the two countries, which was a British minister in America. Writing in 1788, in a sentiment quite opposed to the conciliatory feeling of Adams’ meeting, the President of the Commonwealth of Pennsylvania, Thomas Mifflin, wrote, ‘If King George is really well-disposed towards us, why has he not sent a Minister Plenipotentiary to America?’³ Sending a minister to the United States, a new nation, born out of thirteen former colonies, and a republic in

¹ James Boswell, *The Life of Samuel Johnson* (Ware, Herefordshire: Wordsworth Editions Ltd, 1999), 418.

² John Adams to John Jay, 2 June 1785, in Gregg L. Lint, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda A. Mathews, and Sara Martin, ed., *The Adams Papers*, Papers of John Adams, vol. 17, *April–November 1785* (Cambridge, MA: Harvard University Press, 2014), 134–145.

³ Beckles Wilson, *Friendly Relations: A Narrative of Britain’s Ministers and Ambassadors in America, 1791–1930* (Freeport, New York: Books for Libraries Press, 1934), 3.

a world of monarchies, presented challenges for the British government in selecting a suitable candidate, and their willingness to accept the position.

An Unfinished Peace

On 27 July 1783, as the final peace treaty between Britain and the United States was to be signed, Benjamin Franklin remarked to the British naturalist Joseph Banks that 'there never was a good war, or a bad peace.'⁴ Franklin's words are profound, but not infallible. Since the end of the American Revolutionary War, the fledgling United States had been engaged in a cold war with Britain over not only the appointment of a British minister, but a series of outstanding issues relating to the post war settlement. Questions regarding the restitution of property, the western frontier, and escaped slaves had created an atmosphere of coldness between the two countries, with neither side wishing to concede their respective viewpoints. The British government, still smarting from defeat in the American War, and swamped with petitions from displaced refugees and lobbyists, were adamant that the United States honour its treaty commitments before any British diplomatic presence would be established. John Adams himself partially attributed blame for the failure of his diplomatic mission to the British government's 'immoderate attachment' to the loyalist exiles.⁵

The British government, both at home and in North America had no scruples in violating its treaty obligations to force the United States to abide by its own. Following the American War, Britain ceded all territory it had claimed east of the Mississippi River. However, in blatant violation of the treaty in American eyes, Britain retained

⁴ Benjamin Franklin to Joseph Banks, 27 July 1783, in Ellen R. Cohn, ed., *The Papers of Benjamin Franklin*, vol. 40, *16 May 1783-15 September 1783* (New Haven: Yale University Press, 2011), 393–399.

⁵ John Adams to John Jay, 3 December 1785, in Gregg L. Lint, Sara Martin, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda M. Norton, ed., *The Adams Papers*, Papers of John Adams, vol. 18, *December 1785–January 1787* (Cambridge, MA: Harvard University Press, 2016), 5–12; Charles R. Ritcheson, *Aftermath of Revolution: British Policy Towards the United States, 1783-1793* (Dallas: Southern Methodist University Press, 1969), 51.

control of seven forts along the border between the United States and British North America, prohibiting American settlement. For the best part of a century, the retention of the forts was attributed by historians predominantly to a need to exploit the lucrative fur trade around the great lakes.⁶ However, a more accurate reason would be the leverage they allowed the British to utilise in their arguments with the United States. Abigail Adams, the wife of John Adams, described the British occupation of the forts as 'a rod over our heads.'⁷ Whilst the British were aware that indefinite occupation of the forts was ultimately impossible, they would retain them until the United States complied with its own side of the Treaty of Paris.

Moreover, Adams believed that British ministers assumed the existence of the United States was ephemeral, and that, upon realising the futility of their experiment in democracy, they would eventually return to the British yoke. Writing to Richard Henry Lee of Virginia in August 1785, Adams complained that

there is a strong propensity in this people to believe that America is weary of her Independence; that she wishes to come back; that the States are in confusion; Congress has lost its authority; the governments of the states have no influence; no laws: no order; poverty, distress, ruin & wretchedness; that no navigation acts we can make will be obeyed; no duties we can lay on can be collected...that smuggling will defeat all our prohibitions, imposts & revenues...This they love to believe now.⁸

At the same time, British merchants were benefitting hugely from the reopening to transatlantic trade after the war, glutting American markets with British goods. Britain was playing a long game in settling the Treaty of Paris.

⁶ Kathleen Burk, *Old World, New World: The Story of Britain and America* (London: Little, Brown, 2007), 195-196.

⁷ Abigail Adams to John Quincy Adams, 6 September 1785, in Richard Alan Ryerson, ed., *The Adams Papers*, Adams Family Correspondence, vol. 6, *December 1784–December 1785* (Cambridge, MA: Harvard University Press, 1993), 342–346.

⁸ John Adams to Richard Henry Lee, 26 August 1785, in Gregg L. Lint, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda A. Mathews, and Sara Martin, ed., *The Adams Papers*, Papers of John Adams, vol. 17, *April–November 1785* (Cambridge, MA: Harvard University Press, 2014), 365–367.

Attempting to settle these outstanding issues, and potentially raise his own diplomatic standing, John Adams met with both the Foreign Secretary, Francis Osborne, Marquess of Carmarthen, and Prime Minister Pitt, and enquired whether any orders had been sent to withdraw the garrisons from the western posts. Adams's efforts, however, were quickly scuppered upon his meeting with Pitt in August 1785. The posts issue, Adams recounted, 'is a point connected with some others that I think must be settled at the same time. I asked what those points were? He said the debts,' namely, debts to British merchants and creditors from the colonial period. Pitt's response dealt a severe blow to the prospects of a speedy resolution to the treaty disputes, and securing a commercial treaty with Britain.⁹ Ultimately, Adams would return to the United States in 1788 emptyhanded after a cold response from the British ministry.

Responding to American requests, Carmarthen argued that the King was open to negotiating a friendly understanding with the United States, but would only do so if the United States was to offer sufficient reciprocal gestures, the repayment of debts being the clinching gesture. For Carmarthen and the British government, it would have been unjust for Britain simply to adhere to the terms of the Treaty of Paris whilst the United States was 'free to deviate from its own engagements as often as convenience might render such deviation necessary though at the expense of its National Credit and Importance.'¹⁰ Adams was acting as minister for a government that was increasingly unable to adapt or enact the policies needed to build a strong nation, and

⁹ John Adams to the Marquess of Carmarthen, 20 June 1785, in Gregg L. Lint, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda A. Mathews, and Sara Martin, ed., *The Adams Papers*, Papers of John Adams, vol. 17, *April–November 1785* (Cambridge, MA: Harvard University Press, 2014), 194–195; John Adams to John Jay, 25 August 1785, *The Adams Papers*, Papers of John Adams, vol. 17, 354–362.

¹⁰ Kathleen Burk, *Old World, New World: The Story of Britain and America* (London: Little, Brown, 2007), 198.

unable to raise taxes. The political stagnation in the United States was not lost on the British ministers who largely resisted negotiating with a government with no official head of state, and no central apparatus to raise income. It would have been unwise in the eyes of the British ministers to fulfil its outstanding treaty commitments as a gesture of goodwill to a nation that, as Charles Ritcheson described, was 'unable to make its writ run in its own land', let alone for Britain to dignify it with the dispatch of a Minister to the country.¹¹

A Change in Policy

The back-and-forth battle between Britain and the United States continued throughout the 1780s, with both nations refusing to compromise on their respective commitments to the Treaty of Paris. However, the adoption of the US constitution in 1787 did change the dynamic of Anglo-American relations as the new federal government now had the power to enforce a unified taxation and navigation policy. Spearheading the drive for greater reciprocity in American trade was James Madison, who, during the first session of the new Congress, proposed a navigation act that would curtail the advantages enjoyed by British merchants earlier in the decade. Under the act, all foreign nations bound to the United States by commercial treaties would pay a 9¢ duty per ton on all imported goods, and all other nations would be forced to pay 30¢ per ton. As the American market was flooded with British imports, this put British merchants at a distinct disadvantage and ended the open season they had otherwise enjoyed after the Revolutionary War.¹² Attempts were made by British agents within the United States to influence those opposed to the act; but with no official diplomatic presence in the United States, it was difficult for Britain to protect its

¹¹ Charles R. Ritcheson, *Aftermath of Revolution: British Policy Towards the United States, 1783-1793* (Dallas: Southern Methodist University Press, 1969), 83.

¹² Charles R. Ritcheson, *Aftermath of Revolution*, 92.

interests. Until a minister was present in America, British interests would potentially suffer under the new federal government.

However, it would be events happening on the other side of the North American continent that heralded a change in British policy to the United States. In the summer of 1789, following the seizure by Spain of several British commercial ships at Nootka Sound, Britain and Spain prepared for war and mobilised their navies. Pitt himself hoped to use the incident as the springboard for a challenge to Spanish claims to exclusive rights in the region.¹³ Following the incident, John Baker Church, a British businessman, wrote to Alexander Hamilton, commenting on the jingoistic tide of war: 'A mad credulity prevails here just as it did at the commencement of the American War, we despise our enemy, and dream of nought but victory, and the capture of Spanish wealth, the mines of Mexico are already ideally in our possession.'¹⁴ Ultimately, with no allies to support them, both nations stepped back from the brink and, over the next five years, entered diplomatic negotiations over the region. However, the crisis highlighted an important problem the British government faced in contemplating any future colonial war on the North American continent. If Britain were to embark to a new war of conquest against a European rival in America, what role would the United States play? If the United States were to take the side of its competitors in colonial disputes – whether it be Spain or Revolutionary France – Britain's claims in North America would be under threat. Faced with these foreign policy uncertainties, some in the British government, the Foreign Secretary included, began to consider the necessity for a diplomatic presence in America, not only to voice British interests, but to gauge the feelings of the United States towards its rivals.

¹³ Spain's historic claims had dated back to the Treaty of Tordesillas in 1494.

¹⁴ John B. Church to Alexander Hamilton, 3 November 1790, in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 7, *September 1790–January 1791* (New York: Columbia University Press, 1963), 136–137.

Witnessing the seemingly inevitable slide to war was Gouverneur [sic] Morris, then serving as America's Minister Plenipotentiary to France, and conducting business in London. In his meetings with Carmarthen, who had succeeded his father as Duke of Leeds in 1789, a possible exchange of ministers was discussed, but with no conclusive answer. However, despite the lack of concrete information, Morris was able to confirm that the Duke of Leeds was 'disposed to exchange one.'¹⁵ Despite this softening of its previously abrasive attitude, the Foreign Office was keen not to give away too much information to American commissioners in London. This smoke and mirrors policy of accepting the necessity for a British minister whilst divulging minimal information about their choice meant that politicians and diplomats alike were susceptible to intrigue and rumour. Gouverneur Morris himself, acting with no accurate information, was not immune. Detailing a later conversation with Leeds to Secretary of State Thomas Jefferson, Morris confessed that 'I told him carelessly that I heard Mr Elliot was appointed.'¹⁶ Much to Morris' confusion, the Foreign Secretary was quick to retort that no appointment had been made, and that 'it would be improper until they should have determined what such person was to do' as minister to the United States. Following the meeting, Morris was informed by James Bland Burges, Under-Secretary of State for Foreign Affairs that official news of an appointment should not be expected

¹⁵ II. Report of the Secretary of State, 15 December 1790, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 18, *4 November 1790–24 January 1791* (Princeton: Princeton University Press, 1971), 301–303.

¹⁶ Gouverneur Morris to Thomas Jefferson, 28 December 1790, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 18, *4 November 1790–24 January 1791*, 367–368; Jefferson had earlier that year taken up his position as the first Secretary of State under the new federal government; There is potential for confusion as to who is meant "Mr Elliot". Within the published papers of Alexander Hamilton, "Mr Elliot" is presumed to be Andrew Elliot (1728-1797), who had served as the last Lieutenant-Governor of New York during the American War of Independence. However, William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 10, names a William Eliot (1767-1845), later Secretary to the British Legation to Prussia. William Eliot's consideration can be put down to the twenty Pittite parliamentary votes he could muster in the House of Commons.

until the spring of 1791.¹⁷ Whether it was due to British obstinacy in appearing to deal with the United States, or a wish to not be seen to give credence to what was until then merely rumour, it is clear that Leeds was keen to deflect any inkling of concession to American commissioners.

An Unwanted Posting?

Once the decision had been made within the British government to send a minister to the United States, the next question was: who? The Foreign Office went through multiple candidates to represent British interests in America, both from established families in Britain and former Loyalists in the United States and Canada. However, all the Foreign Office's candidates were deemed unsuitable or declined the appointment. As a former British colony, the United States was not a straightforward appointment. The prospective appointee would be instructed to settle outstanding grievances from the 1783 Treaty of Paris, so the British government preferred a candidate with prior knowledge of America to represent Britain's interests. However, those candidates were either deemed unsuitable or had refused on grounds ranging from personal to professional. A salary of £2,500 a year, despite being a large sum of money in the eighteenth century, was unlikely to attract the accomplished candidates the Foreign Office hoped to appoint. Candidates were likely to use the posting to propel their own prospects in the Foreign Office, or another government department.¹⁸ As the Minister would be expected to entertain, and show themselves within society, the required expenditure would potentially put financial strain on the prospective candidate. In his time as Minister Plenipotentiary to Great Britain during the 1780s, John Adams lived on the same annual salary and complained constantly of financial

¹⁷ Gouverneur Morris to Thomas Jefferson, 28 December 1790, in Boyd, ed., *The Papers of Thomas Jefferson*, vol. 18, 4 November 1790–24 January 1791 (Princeton: Princeton University Press, 1971), 367–368.

¹⁸ Calculated for inflation the position's £2,500 salary would be worth around £478,000 today.

hardship. Visitors to the Adams household spoke of meals being 'good' but 'plain.'¹⁹ For the high-flying candidates the Foreign Office wished to appoint, such a prospect of financial insecurity, in a potentially hostile nation, would have been unthinkable.

The rank associated with the position was also not conducive to a favourable appointment. During the eighteenth century, the prospect of a diplomatic posting was not always looked upon highly by the British aristocracy. At a time when, as D. B. Horn suggested, 'the Mecca of all their hopes and ambitions was a good job in England', a distant diplomatic positing was often seen as a polite form of exile. The Duke of Bedford went so far as to describe a diplomatic career 'as a kind of banishment.'²⁰ Whilst a diplomatic career could act as a springboard for a future in the Foreign Office, the level of competition further up the ladder did not make this a guarantee. As a mere Minister Plenipotentiary, the position did not guarantee the procurement of rank and emolument in the future. It is therefore easy to understand why prospective candidates within the British establishment would have looked upon the American appointment as a lowly form of political exile.

The First Minister

By Spring 1791, the Foreign Office's search had fallen to William Wyndham, 1st Baron Grenville, who had succeeded the Duke of Leeds as Foreign Secretary. Continuing the search for candidates with experience in dealing with American affairs, the Foreign Office settled on David Hartley.²¹ Hartley appeared to be the perfect candidate for the position. During the Paris peace negotiations to end the American

¹⁹ Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors in America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934), 4; David McCollough, *John Adams* (New York: Simon & Schuster, 2001), 345. One year into his three-year embassy in London, John Adams' salary was cut by a fifth to £2000. This only heightened his nightmares of financial insecurity.

²⁰ David Bayne Horn, *The British Diplomatic Service, 1689-1789* (Oxford: Oxford University Press, 1961), 86-88.

²¹ William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 10.

Revolutionary War, he had served as one of the British commissioners. Furthermore, his friendship with Benjamin Franklin dating back to the 1760s, opposition to the British military action in the war, and generally conciliatory views on the American colonies, made him ideally suited to interacting with the United States. But Hartley declined the offer and recommended his young former secretary, George Hammond, for the position. Writing to the President of the Board of Trade, Charles Jenkinson, Lord Hawkesbury, Hartley described Hammond as a young man of singular ability, with, as Wilson noted, 'all the details of the Treaty at his fingers' ends.'²² In Hartley's opinion, Hammond's knowledge of the Treaty of Paris made him a more than suitable candidate.

Born in East Riding, Yorkshire, and educated at Merton College, Oxford, George Hammond appears to have sought out a career in the diplomatic service. As the younger son to a wealthy shipping family in Hull, he was unlikely to inherit much in the way of fortune and instead sought preferment as a diplomat. After serving for three years as secretary to David Hartley – during which he became acquainted with several of the American founders, including Adams, Jefferson, and Franklin – in 1788 he was appointed chargé d'affaires to Robert Murray Keith, British Minister to the court of Vienna. Like Hartley, Keith wrote highly of Hammond, commenting on his 'modest, ingenious manners, joined to an intelligent and well cultivated understanding.' In a further entry in his diaries, later published in the nineteenth century, he told Leeds that Hammond desired 'some more solid establishment' and that he 'would do credit to it in whatever situation you may be pleased to place him in.'²³ Murray's praise seems to

²² Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors in America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934), 4.

²³ Robert Murray Keith and Gillespie Smyth, eds., *Correspondence and Memoirs of Robert Murray Keith, K. B., Envoy-Extraordinary and Minister Plenipotentiary at the Courts of Dresden, Copenhagen, and Vienna, from 1769 to 1792, with a Memoir of Queen Carolina Matilda of Denmark, and an Account of the Revolution there in 1772*, vol. 2 (London: Henry Colburn, Publisher, 1849), 236, 247.

have been noticed by Leeds, and later Grenville, because, barely three months into his appointment in Vienna, he was promoted to Counsel of Legation in Copenhagen. His time in Copenhagen was brief too because he was then quickly appointed to a similar position at the British legation in Madrid. As his rapid rise testified, Hammond was a young man who eagerly and politely fulfilled his duties to gain favour and climb the ladder of diplomatic service. For a young man seeking a future career in the Foreign Office, a permanent diplomatic appointment was his primary goal.

As Grenville astutely reasoned, Hammond had all the desired attributes for a potential minister to the United States. His knowledge of the Treaty of Paris, and previous acquaintances with American commissioners, would allow him quickly to navigate the disputes between Britain and the United States and negotiate a permanent resolution. Furthermore, Hammond's age and rank worked in his favour. Had the appointment gone to an established diplomat in the Foreign Office, the prospective candidate would have treated the posting as a means to an end, the end being a higher ranked role at home. This potential indifference to the role would have hampered British attempts to reach a settlement with the United States. Similarly, the appointment of a former loyalist, like Bond, would have added a belligerency to the position which neither the British nor American governments wanted. Hammond, as a young diplomat, hoping to establish himself in the Foreign Office hierarchy, had the potential to establish a permanent diplomatic presence in the United States. Of course, the prospect of future employment at home was always in Hammond's mind – as it was with all British diplomats of the eighteenth century – but before then, it was believed that he would exercise the position with enthusiasm until such a time he could return to Britain.

Hammond's family connections in the shipping industry also heightened his profile as a potential candidate. As many of the issues surrounding Anglo-American relations were economic in nature, a minister with a background – albeit a family background rather than professional – was preferable. Even after independence, the American import and export market constituted a vital part of Britain's trade economy. In the years 1797-8, only a few years after Hammond's mission in the United States, fifty-seven percent of British exports went to America and the Caribbean. Similarly, thirty-two percent of British imports came from America.²⁴ Furthermore, in January, Lord Hawkesbury had published a highly influential report on trade between Britain and the United States, a report whose findings would form a large part of Britain's position in any future Anglo-American trade agreement. Hammond's family connections in shipping and understanding of mercantilist policy would therefore appease those in the City of London who had favoured a strong economic relationship with the United States during the 1780s.²⁵

Hammond, with his close professional relationships with American affairs, the British diplomatic community, and mercantilist society made him the perfect candidate for Grenville to send to the United States. Writing to Hammond on 24 May 1791, Grenville informed him of the Foreign Office's intention to send a minister to America without delay and that he had the 'honour of submitting to His Majesty your name for this mission and The King has been pleased to approve of this nomination.' In order to fulfil the appointment as quickly as possible, Hammond was instructed to use 'the utmost expedition on your return to this country, as the season is already so far

²⁴ Kenneth Morgan, 'Mercantilism and the British Empire, 1688-1815', in David Lynch and Patrick K. O'Brien, ed., *The Political Economy of British Historical Experience, 1688-1914* (Oxford: Oxford University Press, 2002), 178.

²⁵ Charles Jenkinson, Lord Hawkesbury, *Report of a Committee of the lords of the Privy council on the trade of Great Britain with the United States, January, 1791* (Washington D.C.: Department of State, 1888).

advanced as to make it desirable.²⁶ Upon his return to Britain, Hammond would then receive his official instructions. Noticeably flattered by his nomination to the King, Hammond thanked Grenville for the 'patronage with which have honoured me on the present occasion', and noted that he would 'travel with all the expedition, which my health and the state of the roads would allow.'²⁷

Receiving Instructions

Returning to Britain by the speediest means, in September 1791, Hammond was given his official and public instructions as Minister Plenipotentiary to the United States. Upon his arrival in Philadelphia, he was instructed to deliver his Letter of Credence, according to diplomatic form, and to 'add to the Assurance therein given such further Declarations in Our Name, as may then to evince Our sincere Esteem and Regard for the said United States, and our earnest Desire to cultivate the strictest Friendship and good Understanding with them.'²⁸ In addition, he was instructed to maintain the peace treaty that ended the Revolutionary War and ensure that no attempts be made on the part of the United States to infringe upon it. In that eventuality, Hammond was to report all matters to the Foreign Secretary for further instruction.

Secondly, as a means of ensuring that Hammond (and Britain) was treated with the utmost respect once he was established in the United States, the government instructed that 'In any audience which may be granted to you for the abovementioned Purpose, or upon any other Occasions, which may arise during the Course of your Mission, you will insist on being treated with the like Ceremonies and Distinctions as have been usually practised by that Government towards Ministers of an equal Rank

²⁶ Grenville to Hammond, 24 May 1791, British Library, *The Dropmore Papers*, Add MS 58939, fo. 1.

²⁷ Hammond to Grenville, 6 June 1791, British Library, *The Dropmore Papers*, Add MS 58939, fo. 3-4.

²⁸ General Instructions to Hammond, 2 September 1791, National Archives, Kew, FO 4/11, fos. 13-14.

with yourself.' At the time of Hammond's appointment, several European embassies of varying ranks were residing in the United States, including those of Prussia, the United Provinces (Netherlands), Sweden, Spain, and from August 1791, France. As Britain could be seen as playing 'catch up' in the game of diplomatic relations with the United States, it was important for the Pitt government that their representative be treated with the same dignity as befitted their European competitors. Following on from his above instruction, Hammond was ordered to 'maintain a good and friendly Understanding with the Ministers of the other Princes in Amity with Us, who may happen to be at the Place where you reside and particularly with those of Our Good Brother the King of Prussia, and Our Friends in the States General of the United Provinces.'²⁹ As a man steeped in the procedure and etiquette of both the British diplomatic service and the courts of Europe, Hammond would employ these instructions with gusto.

Among Hammond's instructions the most important in terms of his appointment as minister were those relating to treaties and commerce. In his third instruction, Hammond was instructed to 'support and maintain the Definitive Treaty of Peace concluded between Us and the said United States on the Third Day of September 1783, and to attend to the due Performance of the several Stipulations contained therein,' namely the protection of British subjects trading within the United States, the restitution of confiscated Loyalist property, and the repayment of pre-revolutionary war debts.³⁰ Under the fifth and sixth articles of the Treaty of Paris, these stipulations were yet to be honoured by the United States, Britain having not honoured some of its own commitments under the treaty. The British government was eager to escape this

²⁹ General Instructions to Hammond, 2 September 1791, National Archives, Kew, FO 4/11, fos. 14-16.

³⁰ General Instructions to Hammond, 2 September 1791, FO 4/11, fo. 14.

diplomatic impasse and it was believed that Hammond's presence would provide them with a stronger hand to resolve those outstanding obstacles to Anglo-American rapprochement.

Concluding his list of instructions, Hammond was, with the assistance of the British consuls, to compile comprehensive accounts and information relating to the United States. The information that Hammond was to collect and transmit related primarily to copies of all treaties negotiated with foreign powers by the United States, the extent of US commercial and industrial development, and understanding the political inclinations of American policymakers towards other European powers. If Britain were to officially treat with the United States, it was important that the Foreign Office received the most accurate information 'which may relate to Our Service of the Advantage of Our Kingdom.' As both the French and Industrial Revolutions continued to spread, it is also reasonable to assume that the British government would wish to measure up the viability of the United States and understand where it stood in relation to France's ongoing revolutionary upheaval, and Britain's emerging industrial dominance. Once he had returned to Britain, under the twelfth and thirteenth point of his instructions, Hammond was then to present a written narrative of his time in the United States, complete with his thoughts on their government, matters of great importance, and any other observations that might appear worthy of his notice.³¹ If the British government wished to maintain a permanent legation within the United States, it was vital for them that Hammond left extensive handover notes for his successor.

If Hammond's general instructions were not extensive enough, in addition, Hammond was privately to receive another list of instructions, these relating solely to the process and obstacles to obtaining a commercial treaty with the United States.

³¹ General Instructions to Hammond, 2 September 1791, National Archives, Kew, FO 4/11, fos. 15-18.

Whilst the particular instructions that Hammond received reiterated many of the same points as in his general instructions, they contained much of the minutiae of his official mission. During this period, it was common practice in the Foreign Office for new ministers to receive sets of both general and “particular” instructions. At the outset of the latter, Hammond was instructed to assure policymakers in the United States that the King was well disposed towards a friendly understanding between the two countries. Going further, it was Hammond’s task to assure all those he would treat with that Britain respected the independence of the United States, thus assuaging any doubts among US policymakers that Britain hoped eventually to re-establish control of its former colonies.³² If the British government hoped to woo the United States into a mutual understanding, the easiest method of easing tension was to state explicitly their respect for United States’ sovereignty.

Following the opening conciliatory statements on American sovereignty, and British openness to accommodation, Hammond was provided with the British government’s position on Treaty of Paris. First on the agenda was the ongoing diplomatic battle over control of the western frontier. Under the second article of the Treaty of Paris, Britain was to cede control of all previously claimed territory between the original thirteen North American colonies and the Mississippi River. By 1791, Britain still stubbornly retained control of seven forts between present day Vermont and Michigan. In the years following the peace treaty, American diplomats had repeatedly raised the issue of the western forts in discussions of an Anglo-American commercial treaty. Hammond’s instructions set out Pitt and Grenville’s position: ‘If the...United States, should urge their Right to possess the Posts and Forts situated

³² Particular Instructions to Hammond, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: Da Capo Press, 1971), 8.

within the boundaries, assigned to their Territories by the Second Article,' the instruction began, Hammond was directed to answer that 'His Majesty would have restored these Posts and Forts immediately...if the said States had complied with the Fourth and Fifth Articles of the said Treaty in favour of British creditors.'³³

Concurrently with settling the Treaty of Paris, Hammond's instructions and initial correspondence detailed the foundations of negotiating a commercial treaty with the United States. Negotiating a commercial treaty with the United States had been recurring subject on the British government's agenda throughout the 1780s. In 1783, during the Paris peace negotiations, the then Prime Minister, Lord Shelburne, envisioning a strong economic connection between Britain and the United States, had proposed an American Intercourse Bill whereby American vessels would be granted access to the British West Indies, and exemption from Britain's Navigations Acts. The French Minister, Vergennes, would later remark to his secretary, 'the English buy peace rather than make it.'³⁴ Unfortunately for Shelburne, opponents to the measure, including Lord Hawkesbury and Lord Sheffield rallied opposition support to defeat the proposed Bill when it was brought before Parliament. The Bill's defeat was greatly assisted by Sheffield's pamphlet, *Observations on the Commerce of American States*, with Edward Gibbon commenting that '[t]he Navigation act, the Palladium of Britain, was defended, and perhaps saved, by [Sheffield's] pen; and he proves, by the weight of fact and argument, that the mother-country may survive and flourish after the loss of America.'³⁵ Nevertheless, the succeeding Pitt Ministry (as Chancellor of the

³³ Particular Instructions to Hammond, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: Da Capo Press, 1971), 9.

³⁴ Vergennes to Gérard de Rayvenal, Unknown date, quoted in Stanley Weintraub, *Iron Tears: Rebellion in America, 1775-1783* (London: Simon & Shuster, 2005), 325.

³⁵ John Murray, ed., *The Autobiographies of Edward Gibbon: Printed Verbatim from Hitherto Unpublished MSS, with an Introduction by the Earl of Sheffield*, Second Edition (London: John Murray, 1897), 334-335, n. 56.

Exchequer, Pitt had introduced the original Intercourse Bill) continued to view an Anglo-American commercial agreement as beneficial to the two countries' prosperity.³⁶

What followed in Hammond's instructions from this assertion is an extensive list of commercial concessions the British government hoped to achieve as part of an Anglo-American treaty. Grenville stated from the outset that the United States enjoyed trade privileges regarding their exports without reciprocal arrangements for British imports. A key American concession which Grenville and Hawkesbury hoped to achieve was freezing of tariffs duties on British imports. 'You are to propose,' Hammond was instructed, 'that the Duties imposed on British Manufactures imported into the...United States, shall not at any Time be raised above what they are at present.' Should that concession be unachievable, Hammond was given several thresholds from which tariff duties British imports should not exceed, ranging from those imposed on the Dutch Republic all the way to those nations not bound to the United States by commercial treaty.³⁷ A second concession, particularly in Hawkesbury's opinion, was continued access to the Great Lakes region, especially as British troops still occupied the forts located in that area. Hawkesbury argued that the forts should remain in British control, as they 'afford to Great Britain the means of commanding the Navigation of the Great Lakes, and the communication of the said Lakes with the River St. Lawrence.'³⁸ Whilst indefinite control of the frontier forts might prove impossible for the British government, Hawkesbury was keen to stress that

³⁶ Lord E. Fitzmaurice, *Life of William, Earl of Shelburne, Afterwards First Marquess Lansdowne, with Extracts from his Papers and Correspondence*, Volume 2 (London: MacMillen Publishing, 1875), 370; Charles R. Ritcheson, "The Earl of Shelbourne and Peace with America, 1782-1783: Vision and Reality", *The International History Review*, 5, no. 3 (1983), 340-341.

³⁷ Particular Instructions to Hammond, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: Da Capo Press, 1971), 9-10.

³⁸ Lord Hawkesbury's Draft of Instructions to Hammond, [4 July 1791], quoted in Mayo, ed., *Instructions to the British Ministers*, 7.

continued British navigation of the Great Lakes region was both politically and commercially beneficial to the nation's interests.

Here lies the crux of Hammond's instructions. Whilst the British government was happy to take a more conciliatory attitude to the United States and was willing to make overtures to resolve unfinished business and commercial agreements, it remained steadfast in its unwillingness to compromise in the fulfilment of these outstanding articles. Furthermore, any commercial arrangements should be based on reciprocal privileges. Here we have one of the fundamental facets of British foreign policy towards the United States. For Pitt and his ministers, the British government would only negotiate with the United States upon the strict principle of reciprocity. Until debts were repaid, any talk of redressing boundaries and commercial treaties would remain imaginary, and any trade deals must be beneficial to Britain as well as the United States.

Awaiting the Minister's Arrival

Upon receiving his official and private instructions from Grenville, Hammond departed for America in earnest. Boarding the packet ship, *Grantham*, at Falmouth, he and his newly appointed secretary, Edward Thornton, began the six-week voyage to Philadelphia. In anticipation of their arrival in America, Grenville had forwarded news of Hammond's appointment to Britain's consuls in the United States and instructions from which they were to act upon his arrival. Writing in September 1791 he asked them, based on their knowledge of America, to 'on every occasion in your power, afford [Hammond] that assistance and show him that attention which both his personal merits and the situation which his is placed so justly entitle him to.' In addition, they were instructed to 'transmit to him the fullest information of the state of trade, and of

all material occurrences which may arise, within the district of your consulship.'³⁹ As one of Hammond's official instructions was to provide accurate information on the state of the American government, and the state of trade and manufacturing, it was essential that he received the most accurate information possible upon his arrival.

As British Consul-General in Philadelphia, Phineas Bond was to receive further information regarding Hammond's appointment. Since John Adams' return to the United States in February 1788, there had been no permanent American minister in London. This had been a bone of contention for the British government and had not helped American efforts to have a British minister to the United States. Even once Hammond was appointed, the Foreign Office was adamant that his beginning his duties would be subject to conditions. Grenville informed Bond that Hammond 'has been instructed not to produce officially his credentials until he shall have been informed either that some person has actually been invested with a similar character on the part of the United States, or that one has been named.' To that end, upon Hammond's arrival in Philadelphia, he was to 'communicate confidentially to General Washington...that he [Hammond] is ready to produce them wherein he shall be informed that a gentleman has been invested with a similar commission on the part of the United States.'⁴⁰ The Foreign Office's desire for a speedy resolution to the outstanding matters in Anglo-American relations, which would clearly be facilitated by an exchange of ministers, gave an added incentive to apply pressure on America. By having ministers in both countries, Britain and the United States would have equal diplomatic standing in any forthcoming negotiations regarding commerce or settling the outstanding articles of the Treaty of Paris.

³⁹ Grenville to Phineas Bond and Sir John Temple, 1 September 1791; Grenville to Consuls in America, 1 September 1791, National Archives, Kew, FO 4/11, fos. 22, 24.

⁴⁰ Grenville to Phineas Bond, 1 September 1791, National Archives, Kew, FO 4/11, fos. 20-21.

Pre-empting Hammond's arrival in America, Bond sent news that the appointment of a British minister had been received there 'very joyfully, by those who wish well to an intercourse between our two countries.'⁴¹ As a British consul from a former loyalist family, who had no scruples in voicing his contempt for the United States, Bond would have likely received his information from pro-British, predominantly Federalist sections of Philadelphia high society. The joyful enthusiasm that Bond claimed was, however, not wholly reflected within the American federal government. Whilst President Washington was pleased with Hammond's nomination as British minister, he was cautious about the prospects for an improvement in Anglo-American relations.⁴² If John Adams' mission in London was ultimately fruitless, why would Britain's first official embassy achieve much else? Adams himself was warned that the United States should not be fooled by Britain's wishes to initiate diplomatic and commercial negotiations. 'The motto of the United States,' Adams' Quaker friend, Rev. William Gordon, writing from England, reminded him, 'is peace and commerce with all the world upon a principle of reciprocity.'⁴³ For a firebrand minister such as Gordon, the message to Adams was simple: the United States must assert its independence and not bow to the whims of Britain's attempts to monopolise American trade.

Those Americans surrounding Secretary of State Jefferson were also reserved in their feelings regarding Hammond's appointment. As early as July 1791, before Hammond had even received his diplomatic instructions, Jefferson's friend, Joshua Johnson, commented that 'I know nothing of his Character, or abilities, more than that

⁴¹ Phineas Bond to Grenville, 8 October 1791, National Archives, Kew, FO 4/11, fo. 81.

⁴² Douglas Southall Freeman, *George Washington: A Biography*, Vol. 6 (London: Eyre & Spottiswoode, 1954), 334.

⁴³ William Gordon to John Adams, 15 September 1791, *Founders Online*, National Archives, Washington D.C., <https://founders.archives.gov/documents/Adams/99-02-02-1269>.

I hear he is a heavy man.' Writing later in August 1791, Johnson mused, 'if I might venture to hint an opinion, it would be that Mr Hammond should remain in America some Months before Congress sent any one to [the British] Court.' The worry that Hammond would not present himself in an official diplomatic character to the President, was echoed by the new French minister, Jean Baptist Ternant, recently arrived in Philadelphia, who wrote that:

M. Hammond y est arrivé depuis trois jours, et ne s'est encore présenté ni fait annoncer chez Mr Jefferson—on croit assez généralement qu'il ne donnera ses lettres de créance qu'après s'être assuré de l'envoy d'un Ministre des Etats unis à sa cour—quelques personnes pensent même, qu'il ne déclarera pas son caractère diplomatique, avant d'avoir réglé les points les plus essentiels de la négociation dont il est chargé.⁴⁴

Having served in the Continental Army during the Revolutionary War, Ternant's comments should be taken with a pinch of salt.

Jefferson appears to have been silent on the subject, maintaining a diplomatic demeanour as befitted his role as Secretary of State. In mid-November 1791, however, Hammond wrote that 'it is said that he [Jefferson] has informally encouraged the belief that England would never send a minister to this country, nor evince a desire to enter into a fair commercial arrangement with it.' Hammond goes on to say that 'there is perhaps nothing that can be more embarrassing to him, on the prosecution of such a mode of reasoning, or furnish a more satisfactory answer to it, if urged, than my actual

⁴⁴ Joshua Johnson to Thomas Jefferson, 2 July 1791, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 20, *1 April–4 August 1791* (Princeton: Princeton University Press, 1982), 594; Joshua Johnson to Thomas Jefferson, 10 August 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, *6 August 1791–31 December 1791* (Princeton: Princeton University Press, 1986), 25–26; 'Mr. Hammond arrived there three days ago, and has not yet presented himself or announced himself at Mr. Jefferson's, it is generally believed that he [Hammond] will not give his credentials until he has secured the envoy of a Minister of the United States to his court; some people even think that he will not declare his diplomatic character until he has settled the most essential points of the negotiation with which he is charged', Author's Translation of Jean Baptiste Ternant to Montmorin, 24 September 1791, in Frederick Jackson Turner, ed., 'Correspondence of the French Ministers to the United States, 1791-1797, *American Historical Association Annual Report*, vol 2, (Washington D.C.: Government Printing Office, 1903), 62-63.

appearance in a public character.⁴⁵ Whilst we may attach some credence to Hammond's opinion, given Jefferson's anti-British sympathies, his words should also not be taken at face value. As Hammond himself notes in his letter, he had received this information second hand, probably from the pro-British sections of society to which consuls like Bond gravitated. These people were more vocal in their dislike of Jefferson. Furthermore, Hammond wrote these words five days after presenting his credentials; Hammond may have been keen to claim an early victory against those in American politics and society less inclined to Britain. Until Hammond had presented himself, however, and actual negotiations took place, those on both sides of the gradually dividing federal government were resigned to wait and see.

The Minister's Arrival

On 20 October 1791, following a thirty-five-day voyage – a surprisingly short one given the unpredictability of transatlantic travel – Hammond finally arrived in Philadelphia. There to meet him was Phineas Bond, seeking to take the measure of his new superior. As a fresh arrival in Philadelphia, Hammond relied on Bond to help introduce him into society. Hammond was also entering a country undergoing a profound period of change from its independence from Britain. Leaving no time for rest and recuperation after such a long voyage, the day after Hammond's arrival, he and Bond paid a visit to Jefferson. Unfortunately for them, Jefferson would not return to Philadelphia for another two days. Learning of Hammond's arrival in Philadelphia, and of their attempted visit, Jefferson attempted to pay his own visit to Hammond, only to find he was not there. After this farcical beginning, Jefferson would have to wait several days for a formal first meeting with Hammond. In the meantime, Bond sent word of

⁴⁵ Hammond to Grenville, 16 November 1791, British Library, *The Dropmore Papers*, add MS 58939, fo. 9.

Hammond's instructions to Jefferson, who recalled making his acquaintance in Paris during the 1783 peace negotiations.⁴⁶ Wasting no time in settling the outstanding issues surrounding Hammond's presenting his credentials, Bond informed Jefferson of theirs, and the British government's, wish to obtain American assurances that a minister would be appointed to London before Hammond presented his credentials.

Detailing the exchange in a despatch to Grenville, Hammond wrote that, repeating his instructions, he would be pleased to present his credentials 'whenever it should be notified to me, that any gentleman had been actually invested by the government of the United States with a similar character on their part at the British court.'⁴⁷ Jefferson, according to Hammond and Bond, in their own accounts, had said that he would submit the British government's wish for an American minister to London to the President's consideration, the only foreseeable delay being the ability to travel the length of the country to inform their nomination. Whilst this did delay Hammond's official reception as British minister to the United States until the matter was settled, Hammond and Bond remained sure in themselves that 'the disposition of the government of the United States, justifies the expectation that the necessary arrangement will, ere long, take place.'⁴⁸

Hammond's and Jefferson's views were soon repeated to each other when they finally met on 1 November 1791. Hammond was again assured that the United States' intention was to send a minister to Britain and that the only foreseeable delay to that was distance within the country. In response to Jefferson's assurance, Hammond replied that, once the condition had been fulfilled, he would be 'perfectly willing to wait

⁴⁶ Thomas Jefferson to George Hammond, 26 October 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, 6 August 1791–31 December 1791 (Princeton: Princeton University Press, 1986), 234–235.

⁴⁷ Hammond to Grenville, 23 October 1791, National Archives, Kew, FO 4/11, fo. 93.

⁴⁸ Bond to Grenville, 1 November 1791, National Archives, Kew, FO 4/11, fo. 115.

at any time that might meet the President's convenience.' Hammond's conciliatory response can be put down to informal information that he had received from, as he put it, 'private channels.' The information related to hesitation on President Washington's part over which of two close friends he would put forward for the nomination to Britain. In private, it should be said, Hammond conceded to Grenville that these delays could amount to at least two months.⁴⁹ Until Washington's mind was made up, Hammond considered the matter very much in the Americans' hands.

An Audience with the President

In a major development in the ongoing wrangling about Hammond's formal presentation, on 10 November 1791, Jefferson visited Hammond to inform him that, as directed by the President, someone had been offered the position of Minister Plenipotentiary to Britain. Informing Grenville of this news, Hammond wrote that he did not ask the name of the President's choice but had 'learnt from another quarter that it is most probably a Mr Rutledge of South Carolina, a gentleman, who stands high in the estimate of his fellow citizens for amiable manners, integrity and abilities.'⁵⁰ As a member of the emerging Federalist Party, and considering his past political inclinations during the American Revolution, Edward Rutledge was perhaps a logical choice to be the United States' representative in London. At the time of Hammond's arrival in the United States, Rutledge was serving as a Federalist member in the South Carolina House of Representatives. Again, Jefferson was keen to stress that this information was simply a statement of intent and that any confirmation of the appointment could be subject to further delays; the most likely arising from, as

⁴⁹ George Hammond to Thomas Jefferson, 30 October 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, *6 August 1791–31 December 1791* (Princeton: Princeton University Press, 1986), 241–243; Hammond to Grenville, 1 November 1791, National Archives, Kew, FO 4/11, fo. 100; Hammond to Grenville, Private Letter, 1 November 1791, British Library, *The Dropmore Papers*, add MS 58939, fo. 6.

⁵⁰ Hammond to Grenville, 16 November 1791, National Archives, Kew, FO 4/11, fo. 142.

Hammond commented, 'the ill regulated condition of the post in the distant states.' Not wishing to waste any more time in establishing formal diplomatic relations, Jefferson enquired whether this intended appointment of an American minister was a sufficient assurance for Hammond to present his credentials, as Hammond had stated to him back in October. Sufficiently assured of American goodwill, Hammond agreed that it was.

It should however be noted that, whilst Hammond's second-hand information was correct regarding the home state of the new American minister, Rutledge was not the man appointed to the position. Instead, another South Carolinian, Thomas Pinckney, was the choice.⁵¹ Pinckney was born to a prominent planting family in Charleston, South Carolina. Having served in the Continental Army under Horatio Gates during the Revolutionary War, Pinckney had served previously as governor of South Carolina. However, at the time of Hammond's arrival, he held no federal office, having refused Washington's requests for him to serve in the new government. Learning of this change later in January 1792, Hammond observed that, 'those persons of this country, who are desirous of promoting and preserving a good understanding and harmony with Great Britain, are extremely well satisfied with Mr Pinckney's appointment.' Pinckney having been educated at Westminster School and spending much of his early life in Britain, it was believed among the pro-British sections of American society that this would give 'a natural tendency to inspire him, with a predilection for the country, and a desire of rendering his conduct satisfactory.'⁵² Nevertheless, despite his somewhat distorted information, Hammond considered

⁵¹ Thomas Jefferson to Thomas Pinckney, 6 November 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, 6 August 1791–31 December 1791 (Princeton: Princeton University Press, 1986), 261–263; Even after his appointment as American minister, Pinckney would not officially take up the position until August 1792.

⁵² Hammond to Grenville, 9 January 1792, British Library, *The Dropmore Papers*, Add MS 58939, fo. 10.

himself sufficiently assured of American diplomatic reciprocity to present himself officially to the Washington administration, and establish a formal British presence in the United States.

Therefore, the day after receiving Jefferson's news of the appointment of an American minister in London, on 11 November, Hammond travelled to present himself to President Washington. Arriving at the President's mansion on Market Street, and wearing full court dress, Hammond and his secretary, Edward Thornton, were formally introduced to President Washington by Secretary of State Jefferson. Unfortunately, Washington left no account, but Hammond described the President as 'very tall, florid, and somewhat angular in person, his voice high-pitched, but dignified and urbane in manner,' and sporting the same black velvet that he wore at his inauguration.⁵³ Presenting his letter of credence to Washington, Hammond conveyed George III's desire

to cultivate and improve the Friendship and good Understanding which happily subsist between Us...We have thought it proper to appoint him Our Minister Plenipotentiary to reside with You, not doubting from the Experience We had of His good Conduct on other Occasions, but that he will continue to merit Our Approbation, and at the same Time conciliate Your Friendship and good Will, by a strict Observance of the Instructions he has received from Us, to evince to You Our constant Friendship, and sincere Desire to cement and improve the Union and good Correspondence between us.⁵⁴

Detailing his account of the meeting several days after the event, Hammond wrote that 'The President received me with the utmost politeness and respect, and assured me that I should find, not only in himself, but in every description of persons

⁵³ William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 13; Memoir of Edward Thornton, National Archives, Kew, FO 933/1A, fo. 122.

⁵⁴ George III to George Washington, 2 September 1791, in Mark A. Mastromarino, ed., *The Papers of George Washington*, Presidential Series, vol. 8, 22 March 1791–22 September 1791 (Charlottesville: University Press of Virginia, 1999), 482–483.

in this country, the sincerest alacrity to meet those friendly dispositions, which his majesty had been please to express.’ The only complaint that Hammond voiced about the meeting was the state of Jefferson’s clothing on the occasion. In stark contrast to Hammond’s court dress, and Washington’s black velvet, Jefferson had disgusted the new British minister by appearing in ‘the plainest ordinary dress.’⁵⁵ Having been steeped in the etiquette and procedure of the courts of Europe, the sight of the Secretary of State dressed so plainly on the day of his official presentation irritated the young British minister and his secretary. Recalling the event in the 1830s, Thornton would highlight the contrast between Hammond’s and Washington’s courtly dress and Jefferson’s plain dress as representative of the balancing act between republic and monarchy that the United States played, particularly in foreign policy.⁵⁶ Whether Jefferson’s choice of dress for the occasion was a statement of his ever-present Anglophobia, or simply a demonstration of his firm adherence to the republican principle of simplicity, which he and his supporters liked to espouse, is difficult to ascertain. Either way, the irritation it caused for Hammond did not fill him with confidence in his future negotiations with Jefferson.

In characteristic deference, Hammond concluded his account to Grenville by hoping that his insistence upon only presenting his credentials after receiving sufficient assurance of an American minister being appointed was the correct course of action. ‘I flatter myself, my Lord,’ he hoped, ‘that your Lordship will not consider my conduct in this instance, to have been any deviation from my instructions.’ Hammond justified his actions by stating that the delays were unforeseeable at the time he received his

⁵⁵ Hammond to Grenville, 16 November 1791, National Archives, Kew, FO 4/11, fos. 142-143; William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 13; Memoir of Edward Thornton, National Archives, Kew, FO 933/1A, fo. 122.

⁵⁶ Memoir of Edward Thornton, National Archives, Kew, FO 933/1A, fos. 122-123.

instructions back in September. The logistical difficulties in selecting an American minister, and whether the choice would be approved by the Senate, were out of his control. Responding in January 1792, Grenville agreed with Hammond's reasoning, stating that 'I have the satisfaction to acquaint you that His Majesty entirely approves of the steps you have taken in presenting your credentials under the circumstances mentioned in your despatches on the subject.'⁵⁷ Hammond had clearly acted in good enough esteem to receive a personal commendation from the King, perhaps the ultimate compliment for a young diplomat.

When Hammond accepted his appointment as British Minister to the United States, he was unaware of the many candidates the Foreign Office had approached or considered for the position. The search for a minister to the United States had exposed the difficulties in not only selecting a viable candidate but getting them to accept the position. Nevertheless, Hammond's appointment represented a fundamental change in British foreign policy, and its relationship with the United States. Hammond's arrival in America demonstrated to the American policymakers in Philadelphia that the British government was willing to open discussion on the outstanding articles of the Treaty of Paris, eight years after the end of the Revolutionary War. However, from the outset, Hammond had shown himself to be a capable agent for the British Crown. Whilst he wished to foster a friendly understanding with the United States, his requirement that the US government appoint a new minister to London showed that any understanding must be reciprocal. As Hammond began his official duties in late 1791, his desire to foster an accommodation

⁵⁷ Hammond to Grenville, 16 November 1791, National Archives, Kew, FO 4/11, fo. 143; Grenville to Hammond, 5 January 1792, British Library, *The Dropmore Papers*, Add MS 59084, fo. 11.

with the United States, whilst at the same time maintaining British interests would be severely tested, setting the tone for Anglo-American relations for decades to come.

Chapter 2: Our American Cousin

'He that best understands the World, least likes it'.

- Benjamin Franklin, *Poor Richard's Almanack*, 1753¹

On 20 November 1791, John Adams wrote to the British politician, and former commissioner to the negotiations to end the American Revolutionary War, Benjamin Vaughn, observing that 'Mr. Hammond...has been publicly received, and will be much respected in his public, and greatly esteemed in his private character.'² Indeed, the arrival of George Hammond as British minister was greeted with cautious optimism among those in American society who hoped for a new accommodation between Great Britain and the United States. Hammond was himself optimistic about his reception in Philadelphia, commenting to his mother that 'life in this city promises to be, on the social side, much more agreeable than I had anticipated, if I had the mind or leisure for such diversions as it offers.'³ Previous histories of British diplomatic culture in the United States have focused on those around Hammond, or, in the case of Charles Paulin, began the study in 1800 with the removal of the US government to Washington D.C.⁴ However, Hammond's own accounts of his residence in the United States are equally noteworthy because it came at a time of remarkable change.

¹ Poor Richard Improved, 1753, in Leonard W. Labaree, ed., *The Papers of Benjamin Franklin*, vol. 4, 1 July 1750-30 June 1753 (New Haven: Yale University Press, 1961), 403-409.

² John Adams to Benjamin Vaughan, 20 November 1791, *Founders Online*, National Archives, Washington D.C., <https://founders.archives.gov/documents/Adams/99-02-02-1286>.

³ Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors in America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934), 6.

⁴ Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968); S. W. Jackman, "A Young Englishman Reports on the New Nation: Edward Thornton to James Bland Burges, 1791-1793", *The William and Mary Quarterly*, 18, No. 1 (1961), 85-121; Edward Thornton, "The United States through English Spectacles in 1792-1794", *The Pennsylvania Magazine of History and Biography*, 9, No. 2 (1885), 214-222; Bradford Perkins, "A Diplomat's Wife in Philadelphia: Letters of Henrietta Liston, 1796-1800", *The William and Mary Quarterly*, 11, No. 4 (1954), 592-632; Charles O. Paulin, "Early British Diplomats in

This chapter will examine the culture of diplomacy in 1790s America: the climate and context within which Hammond worked. Barely eight years after the Revolutionary War, and four years after the passage of the constitution, the United States was beginning its long journey from colony to nation state. Having no permanent diplomatic presence in the United States, Britain was playing catchup compared to European rivals. If Britain was to remain an influential nation in North America, it was essential that it gain a better understanding of its new American neighbour. Hammond now had a front row seat to witness the opening stages of that remarkable change and to establish a permanent British presence in the new nation. During his tenure as British minister, Hammond would establish an embassy, visit the site of the new Federal City, witness the birth of American manufacturing, and find love. However, his new position in America came with complications. For example, Hammond's experience of the 1793 Yellow Fever epidemic and relationship with the American press challenged everything he believed the association between the government and the public to be. These trials, whilst they appear disparate, not only gave Hammond a taste – albeit a bitter taste – of how old-world sensibilities would be treated in the new nation, but gave the British government a valuable account of where the United States and its founders envisioned the country's future.

Establishing an Embassy

When Hammond arrived in Philadelphia, the British Consul, Phineas Bond, was there to meet him. Having been one of the principal British agents in the United States before Hammond's appointment, Bond was anxious to meet the new British Minister. However, even as Hammond made his arrival into Philadelphia, the strict hierarchy of

Washington", *Records of the Columbia Historical Society, Washington. D.C.*, 44/45, No. 37 (1942/1943), 241-262.

the British diplomatic service reared its punctilious head. During the eighteenth century, it was natural that a diplomat's residence would also serve as that nation's embassy. Whilst both their roles involved drafting despatches for the Foreign Secretary, socially, Bond and Hammond were poles apart. As Minister Plenipotentiary, Hammond would be the principal representative of the British government in the United States. It was therefore necessary that Hammond be furnished with a suitable house to establish an embassy, as he could not be expected to reside with his consul. Having to share lodgings could lead to an uneasy relationship between a minister and his juniors. One minister of the eighteenth century had refused to sleep under the same roof as his consul whilst another had assaulted his consul to 'put a public disgrace upon him.'⁵

Unfortunately, the task of finding a suitable residence for Hammond proved difficult. Since 1790, following a compromise over the passage of Alexander Hamilton's financial program, it had been decided that the permanent capital city would be established in the south, along the Potomac River. In the meantime, whilst the new "Federal City" was under construction, Philadelphia was made the temporary capital for ten years. The city's investiture was done at short notice and federal workers had scrambled to the city to take all the suitable houses.⁶ In this tough market, Bond and New York consul, Sir John Temple – whom it had been proposed would take Bond's position as Consul-General for the middle states – attempted to find a suitable house for Hammond. A notable Philadelphia merchant, Archibald McCall, had also been

⁵ D. B. Horn, *The British Diplomatic Service, 1689-1789* (Oxford: Oxford University Press, 1961), 256, quoted in Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 85.

⁶ George W. Boudreau, *Independence: A Guide to Historic Philadelphia* (Yardley, PA: Westholme Publishing, 2012), 285.

employed to find the British Minister suitable lodgings.⁷ The pursuit proved fruitless. Following a six-month search, no house could be found and Temple had elected to remain in New York. To avoid any unpleasantness with his new boss, Bond turned over his home at No. 164 Second Street to Hammond until he could acquire a permanent residence for himself. Bond, now the junior British diplomat in Philadelphia, moved in with his mother on Union Street.⁸

The house proved to be perfect for the establishment of a British embassy in Philadelphia, situated in a prime location on the west side of Second Street, near Chestnut Street. When Hammond arrived, he brought with him Edward Thornton, his secretary, a valet, and a groom. On the ground floor, there were waiting rooms for visitors and an office from where he could receive callers and write despatches to London. There were also rooms where Hammond could relax or entertain guests; Bond liked to play cards or chess or indulge in his library which included works by Shakespeare, Samuel Johnson, Adam Smith, and Edmund Burke. On the upper floors there were living quarters, including a large bed with a quilt Bond had had imported from Marseilles. The kitchen was well-supplied since Bond had expensive tastes. Bond was known to enjoy cuts of beef, mutton, veal, and lamb from local butchers, as well as imported cheese from Britain, sugar, coffee, and molasses from the Caribbean, and madeira, port, and claret from Europe. From his liveried carriage, or as he called it, his “chariot”, pulled by two bay horses, Bond was then able to call on many of the most important families in Philadelphia, including the Penns, Shippens, Chews, and Allens. Hammond seems to have been impressed: rather than using it as a temporary

⁷ William Jackson to George Washington, 14 October 1791, in Mark A. Mastromarino, ed., *The Papers of George Washington*, Presidential Series, vol. 9, 23 September 1791–29 February 1792 (Charlottesville: University Press of Virginia, 2000), 83–84.

⁸ Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 85-86.

home whilst he looked for something more permanent, he would remain at Second Street throughout his tenure in the United States, using it as both his home and the official British embassy.⁹

When Hammond formally presented himself as minister to President Washington, he treated the event much like his previous postings in Europe, as all British diplomats had done. It should be noted that there were few republics in Europe. As a result, Hammond acted and dressed as if he were attending a European court. In full court dress, Hammond presented his credentials to Washington. The President, whilst not dressed as, or holding the titles of, a monarch, as John Adams had wished him to have, was able to play the role due to his 'very tall' stature, 'dignified and urbane manner', as Hammond described, and his standing as "Father of [His] Country."¹⁰ By contrast, Secretary of State Jefferson had attended the event in what Hammond described as 'the plainest ordinary dress.'¹¹ Whether Jefferson's choice of outfit was a sartorial snub to Hammond, or a demonstration of his republican simplicity, is difficult to say. However, even when interacting with an avowed republic, founded against the principle of monarchy, Hammond and Merry were determined to act as if they were presenting themselves to a European court.

With an embassy suitably established, Hammond set about consolidating his position as chief British diplomat in the United States and instituting firm lines of communication between the resident consuls. The first formality was to officially

⁹ Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 53-54, 85-86.

¹⁰ William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 13; Henry Knox to George Washington, 19 March 1787, in W. W. Abbot, ed., *The Papers of George Washington*, Confederation Series, vol. 5, 1 February 1787–31 December 1787 (Charlottesville: University Press of Virginia, 1997), 95–98; John Adams to William Tudor, 3 May 1789, in Sara Georgini, Sara Martin, R. M. Barlow, Amanda M. Norton, Neal E. Millikan, and Hobson Woodward, ed., *The Adams Papers*, Papers of John Adams, vol. 19, February 1787–May 1789 (Cambridge, MA: Harvard University Press, 2016), 436–437.

¹¹ Hammond to Grenville, 16 November 1791, National Archives, FO 4/11, fos. 142-143; Masterson, *Tories and Democrats*, 13.

announce his arrival in the country and his formal introduction to the President, which he duly did. As a new arrival in America, with no knowledge of the culture and society, it was important for Hammond to cultivate the network of friendly consuls already residing in the country. Since many of these consuls, including Bond and Temple, were from former colonial loyalist families, they would be able to introduce Hammond to the sections of American society most receptive to an understanding with Britain.

To that end, he begged leave

to offer you my best services in this city, either in my public or private capacity, and to assure you that I shall be at all times happy to cultivate with you the most unreserved communication upon such points as may be respectfully interesting to ourselves or of importance to the general good of his Majesty's service.¹²

The need to cultivate his consular network and consolidate his position became clear early on when, in January 1792, Hammond was introduced to George Beckwith, the aide to Lord Dorchester, who had served as an unofficial agent to the United States before Hammond's appointment. During their conversations, Beckwith, who was preparing to travel to Britain, let slip that, upon his return to America, he would replace Bond as Consul-General in Philadelphia. Hammond was shocked by Beckwith's hint, believing that only Bond should hold the position. Luckily for the consul, Hammond was able to reassure Bond that their superiors in London would 'not neglect to support' him 'in opposition to any attempt which may be made to supplant him.'¹³ Hammond valued Bond's presence in Philadelphia as it gave him access to valuable social circles in the city. He therefore could not have his ally supplanted by another ambitious individual hoping to join the official British legation.

¹² Circular from Hammond to Phineas Bond, Sir John Temple, George Miller, John Hamilton, and Thomas McDonogh, 14 November 1791, National Archives, Kew, FO 116/2, fos. 2-3.

¹³ Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 87.

In addition to his official introductions, Hammond also asked his fellow British consuls to collect the necessary information required to address the outstanding issues from the Treaty of Paris. Writing a circular to consuls Sir John Temple in New York City, George Miller in Charleston, John Hamilton in Norfolk, Virginia, and Thomas McDonogh in Boston, Hammond requested information on various points. Firstly, since the establishment of the federal government, 'what regulations have been adopted and enforced by the legislatures of the district wherein you reside...and [what] protection is afforded either to subjects of His Majesty in their endeavours to obtain redress under the fifth and sixth articles of the definitive treaty of peace.' Secondly, 'whether any obstacles, created either previously or subsequently to the definitive treaty of peace...are prejudicial to the respective interests of the persons in the circumstances above-stated?' Thirdly, 'whether in the federal courts any actions have been tried or decisions given?'¹⁴ As one of his primary instructions was to settle the outstanding articles of the Treaty of Paris, Hammond would require as much information as possible, and from various sources from around the country.

Utilising the consular network proved hugely beneficial when Hammond drafted his statement to Jefferson on American infractions of the Treaty of Paris. Having spent five years compiling evidence to support British protests about American intransigence in regard to their treaty obligations, Bond was all only too happy to assist Hammond in assembling his statement. Hammond was grateful for Bond's assistance, praising the consul's 'great care and industry.'¹⁵ When Bond left shortly afterwards for a leave of absence in England, he could leave knowing that he had assisted Hammond in the establishing of a permanent embassy and acquiring the information required to fulfil

¹⁴ Circular from Hammond to Sir John Temple, George Miller, John Hamilton, Thomas McDonogh, 8 November 1791, National Archives, FO 116/2, fo. 2.

¹⁵ Hammond to Grenville, 6 March 1792, No. 11, National Archives, Kew, FO 4/14, fo. 198.

his instructions. Consolidating the consular network in America showed Hammond to be an adept diplomat who appreciated the importance of events happening in the major regions of the United States. By acquiring regional information relating to British policy, he had an accurate picture of developments throughout the United States which would either prove useful in his negotiations or could be relayed back to London.

A delicate piece of business that also remained before Hammond's presidential audience was to acquire reimbursement for his travel and pursue a possible increase in his £2,500 salary. Writing to George Aust, Permanent Under-Secretary at the Foreign Office, Hammond described, 'I am entering upon a residence, in which I hope to be more stationary, than I have hitherto been; it is incumbent upon me to encounter a fairly heavy expense at the outset.' These expenses, Hammond explained, included, 'furnishing my house' and 'the inevitable expenses, which I have incurred, within the last seven month, in my journeys, viz London to Madrid, from Madrid back to London, and my voyage and journey hither.' The total expenses, Hammond wrote, amounted to upwards of six hundred pounds sterling; just under a quarter of Hammond's annual salary as a minister plenipotentiary.¹⁶ Hammond was right to be apprehensive about the limits on his salary. Bond's salary as a consul was only £700 and, owing to his expensive tastes, he could barely afford his lifestyle. Similarly, when John Adams served as American minister in London, his salary was cut by a fifth one year into his mission to £2000, forcing him to economise drastically to maintain his embassy. Writing to the American poet, Mary Otis Warren, in May 1786, Adams complained that 'I am driven to my Wits Ends for means.'¹⁷ Since Hammond would be expected to

¹⁶ Hammond to George Aust, 16 November 1791, National Archives, FO 4/11, fo. 159.

¹⁷ Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 54; John Adams to Mercy Otis Warren, 24 May 1786, in Gregg L. Lint, Sara Martin, C. James Taylor, Sara Georgini, Hobson Woodward, Sara B. Sikes, Amanda M. Norton, ed., *The Adams Papers*, Papers of John Adams, vol. 18, *December 1785–*

furnish his Philadelphia home as an embassy and would be expected to entertain at his own expense, he feared for his financial solvency.

To remedy his financial situation, Hammond hoped to seek some compensation from and possible increase in his salary. As his American mission was his first permanent position within the diplomatic service, Hammond believed that an increase would befit his new station. Writing to Aust in an effort to receive a modest redress of his expenses, Hammond enquired, 'I should not presume to solicit more than the allowance of any one of these journeys, as the addition of £200 – to my equipage money and some other little savings would be nearly adequate to my present wants.' As usual with Hammond's requests, he was quick to dress his plea with deference and restraint, believing that discussions of money and expenses would be considered unbecoming for such a young diplomat:

I will not however enlarge further upon this subject, than simply to add that, if you are of opinion that I am fairly entitled to such and indulgence, you will have the goodness to put it into a train of being granted to me – but that, if you should conceive that my request might appear to Lord Grenville either presuming or craving, you will suppress even the suggestion of it in total oblivion.¹⁸

Hammond did not wish to irritate those to whom he owed his very appointment, and limited his request for compensation to a mere third of what he had incurred, and hoped to achieve this through an intermediary, rather than the Foreign Secretary himself. However, as Britain wished to reach an accommodation with the United States, Hammond could be hopeful that his petition would be received favourably.

One final act in establishing his new Philadelphia embassy was to clear up a small but important question: to whom in the US government he should address official

January 1787 (Cambridge, MA: Harvard University Press, 2016), 310–312; David McCollough, *John Adams* (New York: Simon & Schuster, 2001), 345.

¹⁸ Hammond to George Aust, 16 November 1791, National Archives, Kew, FO 4/11, fo. 159.

papers. This question dated back to the 1780s, when the United States was governed under the Articles of Confederation. Under the Articles, the United States did not have a functioning head of state or heads of department, a fact not lost on the British government. During the 1780s, an argument put forward against sending a minister, without there being a head of state and heads of department in the United States, was that there would be no-one to present their credentials to and conduct business with. Most of those questions would be answered following ratification of the US Constitution and the inauguration of George Washington as President. However, small logistical issues could only be ironed out once a minister was sent. Following his formal introduction to the President, Hammond drafted a quick letter to George Aust, explaining that

I forgot to mention that, when I showed my credentials to Mr Jefferson, that gentleman informed me that all future official papers should be addressed to the President and the United States of America, as by the constitution the power of negotiating with foreign courts, is vested in the President.¹⁹

Hammond's observations clarified diplomatic etiquette, but were not mere matters of protocol; there was a sensitivity in relations with the new republic, which needed careful navigation. Now, with a permanent diplomatic presence in the country, the British government would be able to provide their ministers to the United States with accurate instructions regarding republican etiquette. Hammond also had to familiarise himself swiftly with the domestic politics of his host nation.

'Pitted in the Cabinet like two Cocks'

In later life, this was Jefferson's metaphor for his relationship with Alexander Hamilton as they served together in Washington's cabinet.²⁰ It was, however, accurate

¹⁹ Hammond to George Aust, 6 December 1791, National Archives, Kew, FO 4/11, fo. 139.

²⁰ Thomas Jefferson to Walter Jones, 5 March 1810, in J. Jefferson Looney, ed., *The Papers of Thomas Jefferson*, Retirement Series, vol. 2, *16 November 1809-11 August 1810* (Princeton: Princeton University Press, 2005), 272–274.

as Hamilton and Jefferson clashed on almost every aspect of the new federal government. Where Hamilton favoured a strong government and banking system, deeply involved in international trade, Jefferson favoured limited government bound by a strict reading of the constitution. Where Hamilton, and his system, favoured a closer relationship with Britain, Jefferson maintained what Hamilton described as a 'womanish attachment to France and a womanish resentment against Great Britain.'²¹ Jefferson himself had remarked in 1775 that he would gladly 'lend my hand to sink the whole island [of Great Britain] in the ocean.'²² These irreconcilable differences drove a wedge into the Washington cabinet and fostered political divisions which would eventually morph into a two-party system: Federalists and Democratic-Republicans. It was in this emerging climate of division that Hammond entered in the autumn of 1791.

Hammond was aware of Jefferson's views on Britain and France, having known him during the negotiations to finalise the Treaty of Paris in 1783. He was therefore alert to the fact that Jefferson hoped to limit the United States' reliance on British trade, espousing a more agrarian economy instead. Added to that was Jefferson's principal argument that British troops should evacuate the northwest forts immediately as a show of goodwill. This went against Hammond's ideas of reciprocity as it implied that the United States did not believe their own infractions of the treaty to be as egregious, namely colonial debts and confiscation of loyalist property. Jefferson's preferred diplomatic medium of negotiations through written statements also had its drawbacks as it left very little room for manoeuvre and meant that they did not talk face to face often. When probed about his views on the chief ministers of Washington's cabinet,

²¹ Alexander Hamilton to Edward Carrington, 26 May 1792, in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 11, *February 1792–June 1792* (New York: Columbia University Press, 1966), 426–445.

²² Thomas Jefferson to John Randolph, 25 August 1775, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 1, *1760–1776* (Princeton: Princeton University Press, 1950), 240–243.

Hammond commented that Jefferson 'is in the Virginia interest and that of the French, and it is his fault that we are at a distance; he prefers writing to conversing and thus it is that we are apart.' This partly stemmed from Jefferson's difficulty and dislike of speaking, but it was not a desirable trait in the United States' chief diplomat. By contrast, Hamilton appeared a far more amiable minister with whom to do business. Of Hamilton, Hammond commented that he 'is more a man of the world than [Jefferson] and I like his manners better, and can speak more freely to him.'²³ If Hammond was to be successful in his instructions, he needed to cultivate relationships with those close to the head of state who shared his viewpoints, as was the case in European courts.²⁴ In Hamilton, Hammond found an individual more willing to accommodate Britain's arguments and who, owing to his time as an aide de camp to Washington during the Revolutionary War, enjoyed a far closer relationship with the President than Jefferson.

Hammond's clear preference for consulting Hamilton over Jefferson reached its greatest extent after Jefferson had submitted his statement on British violations of the Treaty of Paris (discussed in depth in Chapter Three). Rather than approach Jefferson, his American opposite number, to discuss the arguments in his statement, Hammond first approached Hamilton. It should be noted that Hamilton and other cabinet members had already provided comments and feedback on Jefferson's statement before he presented it to Hammond. In their meeting, Hamilton apologised for the 'intemperate violence' of his colleague and assured Hammond that Jefferson's statement was 'very far from meeting his approbation, or from containing a faithful

²³ Memorandum of Conversation between Philemon Dickinson and George Hammond, 26 March 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, 1 January–31 May 1792 (Princeton: Princeton University Press, 1990), 344–345.

²⁴ Jennifer Mori, *The Culture of Diplomacy: Britain in Europe, 1750-1830* (Manchester: Manchester University Press, 2010), 111.

exposition of the sentiments of this government.'²⁵ Hamilton added that, having been in Virginia at the time, Washington had relied upon Jefferson's assurance that his statement conformed to the unanimous sentiments of the government. Based on Hamilton's comments, Jefferson had gone against the President's wishes in presenting his statement before he could offer his opinion.

It was not the first occasion on which Hammond had sought out Hamilton's confidence over Jefferson's. However, it was the most consequential as it completely undermined Jefferson's authority as Secretary of State. Whilst Jefferson remained unmoved in his arguments on British violations of the treaty, Hamilton told Hammond what he wanted to hear and provided him a far more optimistic outlook on his negotiations. Hammond's actions also exposed a strong sense of disunity among the members of Washington's cabinet. By 1792, Hamilton and Jefferson were irreconcilably divided on almost every aspect of the new nation, except the belief that Washington should remain as President. By favouring Hamilton's counsel over Jefferson's, Hammond had exploited the emerging party divide in Washington's cabinet to justify British violations of the treaty and undermine the arguments of his American interlocutor. Jefferson now realised that he had overplayed his hand and worked fast to reestablish his authority over negotiations. However, Hammond did not feel he needed to listen to Jefferson, since, armed with Hamilton's comments, he did not believe that he represented the will of the US government.

As this thesis will go on to examine, Hammond and Jefferson would not exchange much correspondence for the remainder of 1792, such was the impact of the drama over Jefferson's statement. Hammond's deft manipulation of the emerging divisions in the US government allowed him to sideline America's chief diplomat and

²⁵ Hammond to Grenville, 8 June 1792, No. 22, National Archives, Kew, FO 4/15, fo. 227.

cultivate a far closer relationship with the more pro-British, and presidential confidante, Hamilton. By April 1793, Hammond's interactions with Jefferson would become so rare that he would remark that 'I have very little intercourse with him except in cases of necessity.'²⁶ As British entry into the war with France became inevitable, Hammond would find Hamilton a far more reliable source of the mood of the Washington administration. Jefferson, for his part, was left embittered by Hammond's and Hamilton's antics and isolated in the cabinet. This isolation would contribute to his eventual resignation as Secretary of State at the end of 1793. Writing in 1797 as Vice President elect, contemplating whether to support the Adams administration, Jefferson lamented that 'I cannot have a wish to see the scenes of [1793] revived as to myself, and to descend daily into the arena like a gladiator to suffer martyrdom in every conflict.'²⁷ Jefferson's constant battles with Hammond and Hamilton over who held sway over American foreign policy had apparently soured his view of government service.

Lost in Translation

One of the perennial problems faced by Hammond during his tenure in America was the speed with which he could send and receive information. Owing to the sheer distance between Britain and the United States, with means of transportation being limited to small mail packet boats, Hammond could be forced to wait upwards of six weeks to exchange despatches. Matters came to a head in April 1792 when Hammond received a circular despatch from Grenville, originally dated 31 January 1792, informing him that, in response to various frauds committed in the import of tobacco, the British government was strictly enforcing section three of the Navigation Act,

²⁶ Hammond to Grenville, 2 April 1793, No. 11, National Archives, Kew, FO 5/1, fo. 130.

²⁷ Thomas Jefferson to James Madison, 22 January 1797, in Barbara B. Oberg, ed., *The Papers of Thomas Jefferson*, vol. 29, 1 March 1796–31 December 1797 (Princeton: Princeton University Press, 2002), 270–272.

passed during the reign of Charles II in 1660. Under the Act, all trade with Britain would be restricted to all except British ships, and all crews would have to be at least 75% British.²⁸ With this new enforcement of the Act, therefore, all American tobacco imports would be subject to these restrictions. Hammond had intended to hold off informing his American counterparts while he waited for further instructions from Grenville. Hammond's hand was however forced when Sir John Temple, the British Consul in New York, published the news in a New York newspaper and attached a copy of the clause in question. Temple had interpreted the change of policy as a restriction of all foreign imports to Britain and therefore published the clause as stated, potentially throwing a spanner into potential commercial talks between Hammond and Jefferson.

Seeking to allay American fears, Hammond argued that it was his belief that the Act would only apply to tobacco imports to the Islands of Guernsey and Jersey.²⁹ However, such was the delicate nature of ensuring cordial relations between Britain and the United States, that Hammond believed a personal intervention was necessary. Eager to smooth out this diplomatic quarrel, Hammond admitted that his explanation was based on his personal opinion and would therefore take the earliest opportunity to seek further instructions on the subject. Jefferson nevertheless informed Washington of their conversation and laid copies of their letters before Congress, considering the explanation satisfactory enough to avoid any retaliatory measures on the part of the United States. They were likely later published to allay fears within the nation at large. Hammond himself set about explaining his actions to Grenville in his

²⁸ Charles II, 1660: An Act for the Encouraging and Increasing of Shipping and Navigation, in John Raithby, ed., *Statutes of the Realm: Volume 5, 1628-80* (London: Record Commission, 1819), 246-250; Grenville to Hammond, 31 January 1792, in Bernard Mayo, ed., *Instructions to the British Minister to the United States, 1791-1812* (New York: De Capo Press, 1971), 22-23.

²⁹ Hammond to Grenville, 14 April 1792, No. 17, National Archives, Kew, FO 4/14, fos. 381-383, Enclosure A: Hammond to Jefferson, 11 April 1792, National Archives, Kew, FO 4/14, fo. 386, Enclosure B: Jefferson to Hammond, 12 April 1792, National Archives, Kew, FO 4/14, fo. 388, Enclosure C: Hammond to Jefferson, 12 April 1792, National Archives, Kew, FO 4/14, fo. 390.

despatch. He did admit that, in the grand scheme of things, he did not believe the danger to be great, but added that not acting quickly would have likely caused disruption of spring and summer American exports and unhelpful restrictions on British goods. In a rare example of praise, Hammond concluded his despatch by commending 'the utmost liberality, confidence, and candour' with which Jefferson had conducted himself.³⁰ It would not be long before Hammond would change his opinion.

This crisis over the Navigation Act exposed one of the most prevalent problems faced by Hammond, and other British officials in America, that of the distance between the two countries. No matter how quickly news could be sent out, it still required both sides to wait six weeks or more to cross the Atlantic Ocean. As a result, events had the potential to spiral dangerously out of control before news could be received. Hammond was keenly aware that his quick action in reassuring the American policymakers might contradict instructions from London and made sure to inform Grenville of his reasons. Hammond put his hasty action down to the 'distance at which I am now placed from England, and the length of time that must elapse before I can obtain instructions upon particular points.'³¹ To that end, he believed that it was only logical that he be allowed some degree of discretion in cases of emergency or importance. He did not seek to actively blame Temple for inflaming the crisis with his publication of Navigation Act enforcement but cited its effect as the cause of alarm in the country. Hammond would finally receive Grenville's answer in June 1792, when the Foreign Secretary relayed the King's approval of his conduct. Grenville confirmed that there was no intention to alter the commercial arrangements existing between Britain and the United States, and no plan to enforce the Navigation Act any further

³⁰ Hammond to Grenville, 14 April 1792, No. 17, National Archives, Kew, FO 4/14, fo. 384.

³¹ Hammond to Grenville, Private Letter, 14 April 1792, *The Dropmore Papers*, British Library, Add MS 58939, fo. 15.

than where it was already enforced.³² Hammond had therefore acted perfectly within his instructions. Quick reaction on Hammond's part had undoubtedly averted a derailment of his negotiations.

This did not alter the fundamental problem, however. The need to act quickly on his own judgements on the Navigation Act formed part of a wider complaint Hammond expressed to Grenville. Since his arrival in America, Hammond had periodically complained to Grenville of the delays faced by the packet ships in crossing the Atlantic. Before closing off a despatch, Hammond more often than not made mention of the harbours being trapped in ice, or of that month's mail not having arrived. Hammond was not alone in his complaints and twenty-six commercially interested merchants and trading houses hoped to use Hammond's position to influence a change in policy. Writing to both Hammond and Bond in January 1792, excluding the obvious unpredictability of the weather as a reason, the merchants put the delays down to the fact that ships sailing to and from Britain were required to stop in Halifax, Nova Scotia. The resulting delays were, the merchants argued, 'productive of the greatest inconveniences to the merchants on this side who have connexions on Great Britain', and 'the commercial interest of every manufacturing and trading town in England is, at least equally, if not in a degree, involved in these inconveniences.'³³ In order to ensure a speedy transfer of information, the merchants argued that a direct route should be established between New York and Britain.

As he himself had complained of the delays affecting British transatlantic shipping in his despatches, Hammond relayed the merchants' proposals on to Grenville, whom he hoped would submit them for the attention of the Postmaster

³² Grenville to Hammond, 8 June 1792, *The Dropmore Papers*, British Library, MS 59084, fos. 19-20.

³³ Merchants to Hammond, 27 January 1792, National Archives, Kew, FO 4/14, fo. 60; Merchants to Bond, 4 January 1792, National Archives, Kew, FO 4/14, fos. 9-10.

General. In his letter, Hammond outlined the geographic challenges faced by ships when having to accommodate dropping anchor in Halifax during their voyages across the Atlantic, writing that, due the heavy draught of their hulls, many of the packet ships were forced to remain far out at sea to avoid the Nantucket shoals between Rhode Island and Cape Sable in Nova Scotia. By having to continuously skirt around the waters off the coast of New England to avoid the shallow waters, on their way to and from Halifax, their voyages were unnecessarily lengthened to the point where merchants 'are now under the necessity of giving to private vessels, in their remittance, to Europe, of their bills, specie and letters.'³⁴

Hammond was aware that any proposed alteration would be met with resistance, not least because changing the routes of travel could be seen as favouring a foreign country over the King's colonies. However, he was keen to justify his reasoning. Firstly, he observed that, for four months out of the year – specifically the winter months – the packets did not touch at Halifax at all, primarily due to the harbour being encased in ice. Furthermore, during the remaining eight months of the year, there was a succession of trading vessels that docked at Halifax. It was therefore, in Hammond's opinion, not necessary for the packet ships to anchor at Halifax because the town already benefited from access to its own sea routes to Britain. Secondly, of the ships assigned to the Royal Navy squadron at Halifax, Hammond highlighted several schooners that he believed would be far better suited to making the voyages. These schooners would be able to sail closer to the coasts and therefore undertake the same voyage in a much shorter space of time than the packet ships. Thirdly, Hammond commented that, based on his experiences in America, direct voyages between London and New York would be beneficial to conveying information to

³⁴ Hammond to Grenville, 2 February 1792, No. 7, National Archives, Kew, FO 4/14, fo. 133.

Canada. By carrying on directly to New York, the mail bound for Canada could potentially be carried overland via Albany, reaching Quebec far sooner in Hammond's opinion than via Halifax. The cost of employing a confidential rider to carry the Canadian despatches would also be a far cheaper than the pre-existing arrangements.³⁵

Through government channels, Hammond's proposal found its way to the Post Office for scrutiny. However, all of Hammond's arguments were promptly deconstructed as unworkable and against the established policies of the postal service. In a tone of polite but absolute refusal, the letter observed that

It is material for every man and body of men to look to the place of their own residence as the centre to which everything should point and to desire to promote their own accommodation by every fair opportunity, not knowing what has already passed upon the subject.³⁶

It was therefore the duty of those at the head of government departments to provide 'the best provisions in their power for the greater good of the whole.' The postal routes, the letter stated, had been established some four years previously with the full consent of the King's ministers, and the Postmaster General had informed Grenville in July 1790 of the reasons behind their decisions. Grenville therefore should have already been aware of why the postal sea lanes were established as such.

From a financial point of view, the Post Office believed that Hammond's proposal was unworkable because of the expense which would result in the establishment of a separate packet route between New York and London. At the time of Hammond's proposal, the cost of maintaining the postal sea lanes between Britain and North America totalled over £8,000 per annum. Yet the revenues generated by those same services did not exceed £2,400 per annum. The Post Office was therefore

³⁵ Hammond to Grenville, 2 February 1792, No. 7, National Archives, Kew, FO 4/14, fo. 134.

³⁶ Anthony Todd to George Aust, 16 April 1792, National Archives, Kew, FO 4/14, fo. 421.

already operating at a loss in managing its services to America. To establish new direct routes between London and New York of three or four new packets would inevitably increase those expenses by another £2,500 per annum.³⁷ In the eyes of those in London, the immediate costs were too high to consider it.

Secondly, Hammond's proposition of separating several ships of the Royal Navy squadron at Halifax to operate as mail ships was also unfeasible because it would counteract the very arguments which Hammond was attempting to employ. By converting Admiralty schooners into Post Office packets, the despatches would be outside the responsibility of the Postmaster General, with whom, by an Act of Parliament, they were in the sole care. A direct voyage from New York was also refused on the grounds that such an alteration would increase the transatlantic journey by a further six days, whilst docking at Halifax took five hundred miles off the voyage and was eight days nearer to Britain.³⁸

Thirdly, and most importantly, Hammond's proposition went against the belief that British territories should take priority over other nations. When the postal lanes were established, Lord Dorchester and the governors of Nova Scotia and New Brunswick strongly urged that direct and constant communication should be maintained between the King's colonies and the central government in London. To alter established mail routes purely for the benefit of American merchants at the expense of the King's subjects would be in their view detrimental to the purposes of the postal services. The Post Office's primary purpose was to convey mail and information between Britain and its worldwide colonies. To establish a direct course with the United States, whilst cutting Halifax from the voyage would therefore

³⁷ Anthony Todd to George Aust, 16 April 1792, National Archives, Kew, FO 4/14, fo. 422.

³⁸ Anthony Todd to George Aust, 16 April 1792, FO 4/14, fo. 424.

constitute favouring a foreign country over British subjects.³⁹ The answer was an absolute no.

The Post Office's flat rejection would reach Grenville a week or so later, leaving him to deliver the disappointing news to Hammond. Writing his formal response on 25 April, Grenville, based on the Post Office's findings, concluded that 'I find such difficulties occur in making the alteration desired in this respect, that it is judged by no means advisable to give directions for that purpose, at least for the present.'⁴⁰ Owing to the distances required to convey the news across the Atlantic, Hammond likely would not receive this news until the following June. To add insult to injury, Grenville's disappointing news probably came to Hammond via Halifax. However, as the summer moved into autumn, Hammond was preparing to leave Philadelphia. Since streamlining the communications between Britain and the United States had proved fruitless, Hammond set about exploring more of the nation in which he resided. What he saw could prove useful to his superiors when formulating future British policy towards to the United States.

The Great American Road-trip

A feature of a British diplomat's life synonymous with the eighteenth century was the idea of the Grand Tour, whereby young British men travelled Europe to acquire the social and cultural polish required for a true gentleman. By attending the salons and historic sites of Europe's great cities, as Jennifer Mori writes, they would supposedly shed their old provincialism and become enlightened men of the world.⁴¹ As a student at Oxford, Hammond had travelled to France as a secretary to David Hartley, a British commissioner to the Treaty of Paris negotiations. Furthermore, at

³⁹ Anthony Todd to George Aust, 16 April 1792, National Archives, Kew, FO 4/14, fos. 421, 424-425.

⁴⁰ Grenville to Hammond, 25 April 1792, No. 10, National Archives, Kew, FO 4/14, fo. 439.

⁴¹ Jennifer Mori, *The Culture of Diplomacy: Britain in Europe, 1750-1830* (Manchester: Manchester University Press, 2010), 151.

Oxford, he had penned an essay on “dramatic composition.”⁴² But Hammond was now the minister to a nation situated an ocean away, and founded against the European system. How would he conduct such a rite of passage in the United States? Despite these circumstances, Hammond endeavoured to undertake various excursions and fact-finding missions and present his insights into the United States’ development, and where they saw their future. Rather than a Grand Tour as such, Hammond’s multiple journeys to New Jersey, New England, and Virginia can be considered as the diplomat’s inaugural great American road-trip.

Hammond’s arrival in America coincided with the beginning of a period of great optimism in the economic fortunes of the United States. In the autumn of 1791, as part of his financial system, Alexander Hamilton published the last of his reports on transforming the American economy. This final report on manufactures envisioned the United States as a thriving mercantilist economy which would exercise tariffs and finance burgeoning industrial cities which would come to challenge the former mother country. As early as November 1791, Hammond was able to transmit a copy of the report to Grenville.⁴³ Hammond had never received specific instructions to report on American manufactures. However, article eleven of his instructions commanded him to ‘impart to us such intelligence as you can procure on the several points prescribed to you in these instructions, or any other which way relate to our service of the advantage of the kingdom.’⁴⁴ Hamilton’s report came as Britain was in the throes of the industrial revolution. Hammond therefore looked on Hamilton’s report, and its potential ramifications, with great interest. If Hamilton saw the United States as a future

⁴² Essay on “Dramatic Composition, 1786, *Papers of Michael Fitzroy*, No. 53.

⁴³ Hammond to Grenville, 17 November 1791, National Archives, FO 4/11, fo. 162.

⁴⁴ General Instructions to Hammond, 2 September 1791, National Archives, FO 4/11, fo. 18.

challenger to Britain, it was imperative that Hammond kept London informed of their methods and their progress.

The interest which Hammond took in watching the development of American manufacturing would be reinforced that December when, as part of Congress' adoption of Hamilton's report, an Act was passed establishing a state sponsored Society for Establishing Useful Manufactures (SEUM) to promote investment along the Passaic River in New Jersey. Powered by the river's powerful falls, the new factory town of Patterson would become manufacturing hub of a burgeoning American industrial revolution. The selection of New Jersey as the location for this enterprise was not lost on Hammond, who highlighted the many advantages of situating the new manufacturing town in New Jersey:

Its vicinity to the sea, and the great number of plentiful streams of water, adapted to the reception of mills, and of other works of that nature. The price of labour also is lower than in most of the adjoining states, and the circumstance, of its situation, between the flourishing cities of New York and Philadelphia, has operated as a powerful inducement.⁴⁵

Hammond was keen to stress the optimism felt by Hamilton and the supporters of the scheme, stating that 'no exertions will be wanting that can contribute to its success, and consequently every species of encouragement will be held out to artificers who may be inclined to migrate from Europe.' However, behind this optimism, Hammond became aware that a certain degree of industrial espionage was being employed to provide the new factory town with the industrial knowhow needed to make Patterson a manufacturing hub. At the same time as Hammond was detailing the optimism and advantages enjoyed by the new manufacturing society, he also received information from multiple quarters

⁴⁵ Hammond to Grenville, 8 December 1791, No. 9, National Archives, Kew, FO 4/11, fo. 213.

that agents, from the promoters of this scheme, are all at this instant actually employed in the chief manufacturing towns in England for the purpose of enticing skilful workmen and of procuring correct models of the machines, which may be the most serviceable in the respective tranches of the manufactures intended to be established.⁴⁶

This information had the potential to be deeply alarming to Hammond and British manufacturers back home. As Britain industrialised, the intellectual security of its industrial towns became a subject of increasing importance. This normally took the form of strict patent laws which began to be used as a means of monopolising the technology against outsiders. To prevent rival nations from gaining information on British machinery, their plans and inner workings were therefore kept under a tight blanket of secrecy. However, even with such measures, British officials could not prevent industrial espionage from taking place. The cultural connections between Britons and Americans in the 1790s brought an added complexity to the difficulties facing British officials. Indeed, in 1789, the British born industrialist, Samuel Slater, described by Andrew Jackson as the ‘Father of the American factory system’ had, as an apprentice, memorised the inner workings of British textile mills and replicated them in the United States. Britain’s early start in the industrial revolution could be stolen by rivals across the Atlantic.

Faced with this industrial subterfuge, Hammond believed that it was imperative that the British government step up its measures to ensure the secrecy of Britain’s textile mills. ‘Upon this account, my Lord...’, Hammond suggested to Grenville, ‘great attention will be requisite to defeat these designs, and that that attention should not be confined to the principal seaports...but extended to some of the smaller ports, which, as being remote from the manufacturing towns, may probably be regarded by

⁴⁶ Hammond to Grenville, 8 December 1791, No. 9, National Archives, Kew, FO 4/11, fo. 212.

the American agents as less liable to create suspicion.⁴⁷ The need for the British government to enforce the secrecy of the textile mills was demonstrated the following February when Hammond received further information about American agents endeavouring to smuggle British industrial knowhow to the United States. One agent, Hammond noted, was operating out of Birmingham, whilst a second in Bristol 'is said to be endeavouring to entice some glass manufacturers from that place' to a new glass manufactory being established in Boston. In addition, Hammond had learned that the US government had acquired complete models of Arkwright machines from a 'skilful English mechanic, who I am informed, arrived in this country in the course of the last summer.'⁴⁸ If the British government remained idle, Hammond feared that Britain's burgeoning industrial dominance could be swept from under her.

Hammond would only return to the subject of American manufactures in October 1792 when, during his return to Philadelphia from New York and New England, he took the opportunity to visit the proposed factory town of Patterson. Even in 1792, Hammond included in his despatch how 'the buildings and canals are in considerable forwardness, but they appear to be designed on a scale much too extensive for the funds of the society, the shares of which are at present greatly depreciated, notwithstanding the indefatigable exertions of Mr Hamilton.' The members of the Society, Hammond added, 'mean to limit themselves, at the first, to the manufacturing of printed calicoes,' but Hamilton appears to have imagined a far larger industrial centre, having staked a great part of his reputation on the enterprise's success.⁴⁹

⁴⁷ Hammond to Grenville, 8 December 1791, No. 9, National Archives, Kew, FO 4/11 fo. 212.

⁴⁸ Hammond to Grenville, 2 February 1792, No. 9, National Archives, Kew, FO 4/14, fo. 175.

⁴⁹ Hammond to Grenville, 3 October 1792, No. 37, National Archives, Kew, FO 4/16, fo. 174.

What drew most of Hammond's attention, however, was his discovery of a number of British subjects among the mechanics tasked with building and managing the machines. 'The principal artists and mechanics employed are all of them Englishmen,' Hammond noted with surprise to Grenville,

[and a] person of the name of Pierce superintends the construction of the machines...a man of the name of Marshall is to direct the spinning and weaving part of the business, and two brothers of the name of Jordan who were obliged to fly from Manchester, in consequence of having counterfeited the stamps upon calicoes, are engaged to manage the printing paint.⁵⁰

In addition, the father of the two brothers, Hammond believed, was one of the agents employed by the Society to spy on British textile mills and encourage industrial mechanics to migrate. Hammond was now getting his first-hand knowledge of the United States' hopes of an industrial future, and the means by which they hoped to achieve it.

Having now seen first-hand the means being utilized to develop American industry, Hammond was emphatic in the measures the British government needed to employ to strengthen its position. The Society members, Hammond continued, were of 'the avowed intention of diminishing the importation and consumption of some of the most valuable manufactures of Great Britain.' It was therefore necessary that 'no small degree of vigour will be requisite in Great Britain to prevent the emigration of artists and the exploration of models of the machines necessary for the different branches of the manufactures.' Hammond himself also assured Grenville that he would pay 'the most unremitting attention to its future views and progress.'⁵¹ Unfortunately, as events in Europe began to dominate affairs in America in 1793, Hammond would not return to the issue of American manufactures. The battle over

⁵⁰ Hammond to Grenville, 3 October 1792, No. 37, National Archives, Kew FO 4/16, fos. 174-175.

⁵¹ Hammond to Grenville, 3 October 1792, No. 37, FO 4/16, fos. 174-175.

American industrial espionage would continue into the nineteenth century, but, without Hammond's information, the British government would not have been able to build as strong a picture of its extent in the 1790s.

In the autumn of 1792, Hammond made a trip to Virginia. Following the adjournment of Congress for the summer, Washington and Jefferson had returned to Virginia for rest and to manage their estates. Hammond himself had recently returned to Philadelphia from his trip to New York and New England, where he hoped to unearth the elusive location of the river St Croix, and had followed the President to Mount Vernon. During his brief visit to Washington's estate, he dined with the President and toured the grounds along the Potomac River. Around the time of Hammond's visit, Washington had also received news that John Penn and Andrew Allen, two prominent individuals in the Pennsylvania aristocracy had returned to America. Allen was well known among Philadelphia society for his loyalist sympathies and his opposition to independence and, as a result, Washington was curious about the city's reception of the man he described as 'one of the most obnoxious characters in the State of Pennsylvania.'⁵² Allen's and Hammond's paths would soon intertwine, but, for now, Hammond would enjoy his brief excursion to Virginia before returning to Philadelphia.

Hammond remained at Mount Vernon for two days but when he was preparing to leave, the President presented him with a letter of introduction to Andrew Ellicott, the surveyor of the Federal District and the man tasked with building the new Federal City. Under the letter of introduction, Ellicott was instructed to 'attend on [Hammond] and shew the Gentleman such parts of it as their time and inclination may dispose

⁵² George Washington to Henry Knox, 24 September 1792, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 11, 16 August 1792–15 January 1793 (Charlottesville: University of Virginia Press, 2002), 153–155.

them to view.⁵³ Hammond would now get his first view of the city which symbolised both the United States' position in the world, and where it saw its future; what Charles Dickens called fifty years later, 'the city of magnificent intentions.'⁵⁴

On his way through to Bladensburg, Maryland, Hammond disembarked from his carriage at the site of the Federal City. What greeted him was a swampy river basin covered in forest. Construction of the new capital had only begun the previous year, meaning that the grand buildings envisioned remained purely drawings. Regardless, as Hammond noted in his despatch to Grenville, 'preparations were then making for some of the public buildings.' Although Hammond was not present to witness the event, on 13 October the cornerstone of the future White House (then called the Executive Mansion) was laid. At the same time, Hammond observed avenues being cut through the woods 'for the purpose of forming the streets.'⁵⁵ What unfortunately is missing from Hammond's writings on this first visit are his personal thoughts on the city's plans. Only on his second visit to the site in the spring of 1793 would Hammond provide his views on the future national capital.

In May 1793, Hammond and his wife, Margaret Allen, whom he had married in May 1793, visited Baltimore. When not collecting data on French privateers for the Foreign Office, Hammond made another trip to the Federal City, this time with his wife. Again, they were enchanted by the tranquil landscape after the bustle of Philadelphia and Baltimore. However, they were also stunned by the slow progress that had been made since Hammond's last visit, despite the site's slave labourers working continuously for several seasons. Hammond even doubted whether the endeavour

⁵³ George Washington to Henry Knox, 24 September 1792, Editor's Note, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 11, 16 August 1792–15 January 1793, 153–155.

⁵⁴ Charles Dickens, *Notes on America for General Circulation*, Vol. 1, Fourth Edition (London: Chapman and Hall, 1842), 281.

⁵⁵ Hammond to Grenville, 3 October 1792, No. 39, National Archives, Kew, FO 4/16, fo. 184.

was worth it, speculating whether 'the great project would ever be fully carried out, it being not improbable that a succeeding administration or Congress might oppose the removal of the capital from Philadelphia.'⁵⁶ After all the effort already expelled, both human and material, the government might not wish to exit Philadelphia once its ten year tenure as the capital was up.

Hammond's trips to the Federal City and the Patterson manufacturing town offer a fascinating insight into how the Grand Tour, so familiar to young diplomats of the period, applied to the United States. As a new player on the world stage, the United States was a country undergoing a phenomenal transformation from colony to nation, with grandiose plans for its future. Hammond's accounts would therefore provide an early insight into where the nation was heading. The United States' lack of longstanding national culture also made it an easy target for his criticisms. Hammond's trips to the future Washington D.C. offer a telling metaphor for his views of the United States during the 1790s. The city of Washington represented the grandiose vision Americans had for both their capital and their country as a whole. However, like many European commentators on America, Hammond doubted, like the United States itself, whether the project was worth it. Not only would the government possibly resist removing itself to the south, but there was a more fundamental question: would the United States survive as a unified nation long enough for the new capital to be completed and live up its grand vision? When Hammond died in 1853, with the United States sliding ever more towards civil war, it would appear increasingly doubtful.

The Epidemic of 1793

⁵⁶ Hammond to Unknown, Date Unknown, quoted in Anthony C. Barnes, 'George Hammond and Margaret Allen', in Mildred Rowe Traxler, ed., *Proceedings of the Lehigh County Historical Society*, Vol. 27 (Allentown, Pennsylvania: Press of H. Ray Haas & Co, 1968), 90.

In the late summer of 1793, a deadly pathogen began to sweep through Philadelphia. The pathogen in question was Yellow Fever, a tropical disease with which Hammond would have been wholly unfamiliar. Philadelphia was no stranger to outbreaks of the disease; in 1762 the city had suffered from its first outbreak. However, due to the circumstances of the time, including the presence of refugees from the slave uprisings in Saint Domingue, and the mosquitoes which carried the disease, the 1793 outbreak would prove to be far worse. Hammond first became aware of the disease in September 1793 when, as a result of its unforgiving spread, Washington, Jefferson, and Hamilton had quickly departed the city, with Washington and Jefferson fleeing to Virginia and Hamilton to New York. Hammond assumed that 'it is expected that these gentlemen will be absent three weeks or a month, and during that interval all public business must necessarily be suspended.' The epidemic came at a critical juncture in Hammond's diplomatic battle with Citizen Genet, whose failed diplomatic mission was quickly turning towards farcical attempts to raise militias to liberate European colonies in North America (discussed below in Chapter Six). The epidemic was therefore hugely disruptive to the fulfilment of his instructions from London. Nevertheless, Hammond understood the danger of the disease and made plans to evacuate the city with his family; by then the epidemic had killed between five and six hundred people: 'The progress of the disease', Hammond observed, 'is as yet by no means checked, but as I have removed to a small distance from town, I hope to escape the infection.'⁵⁷ The epidemic, however, would soon strike Hammond and his family far closer to home than he could have imagined.

In an effort to escape the ravages of the epidemic, the Hammonds fled to the Allen family seat at Lansdown, Pennsylvania (five miles from Philadelphia). However,

⁵⁷ Hammond to Grenville, 17 September 1793, National Archives, Kew, FO 5/1, fo. 296.

by the middle of October, Hammond had come to realise that the outbreak was far worse than he had anticipated. Explaining the situation to Grenville, Hammond wrote

Since my last the contagious disorder which, as I then mentioned, was prevailing in Philadelphia, has increased in malignity and extent. The least calculation, which I have heard, of the number of persons, to whom, in the course of the last six weeks it had proved fatal, exceeds three thousand; and there is as yet no appearance of its ravages being checked.⁵⁸

Luckily, from what he could learn from the city's physicians, the epidemic was contained within the Philadelphia area itself and had not spread to other parts of the country. This, according to Hammond, was 'very remarkable' because 'the inefficiency of every precaution to guard against it' could have enabled the disease to quickly spread beyond the city limits. This, however, is not to say that life and government business continued. To prevent the spread of the disease, as Hammond stated, 'all communication between that city and other towns of the continent, except by the port, is very prudently intercepted.'⁵⁹ This coupled with the effective suspension of the seat of government left Hammond isolated from the centre of his world, with little in the way of company or instruction from London.

The flight from Philadelphia appears to have had a severe detrimental effect on Hammond's wellbeing. As he sat anxiously in the Allen family house, he received a letter from Grenville, containing his 'best congratulations on your marriage & my sincere wishes for your happiness.'⁶⁰ Hammond was noticeably touched by this rare occurrence of personal compliments from his superior, writing the same day as his October despatch to 'return to you my most grateful thanks for the wishes which your

⁵⁸ Hammond to Grenville, 12 October 1793, No. 20, National Archives, Kew, FO 5/1, fo. 329.

⁵⁹ Hammond to Grenville, 12 October 1793, No. 20, FO 5/1, fo. 329.

⁶⁰ Grenville to Hammond, 25 July 1793, Private Letter, *The Dropmore Papers*, British Library, Add MS 58939, fo. 22.

Lordship has been pleased to express for my happiness.’ Grenville’s congratulations of his marriage were all the more well received in Hammond’s solitude:

Such proofs of kindness and favour are peculiarly consolatory to me at the present period, when my mind is depressed, by a series of domestic calamities in England, by an impaired state of health, and by contemplation of the melancholy scenes which are daily passing before me.⁶¹

Hammond was clearly suffering mentally from the ongoing epidemic. Writing despondently to Grenville, Hammond bemoaned that ‘the disorder, now raging in Philadelphia, is I believe the most malignant in its nature, and the most extensive in its effect, of any with which the human race has ever been afflicted in any country.’ Added to his despair was the inconvenient truth that ‘the physicians appear as yet to be totally unacquainted, either with the nature of the disease or with the means of curing it.’⁶² Indeed, with the discovery of viruses still a century away, efforts to treat the disease were hampered, forcing physicians to do whatever they could with the medical knowledge available. Dr Benjamin Rush, the most prominent physician in the United States, advocated the common eighteenth century treatment of bleeding and purging. With no conclusive course of treatment, catching the disease could mean death. The spectre of death had already reached those close to Hammond when he learned that ‘Of my family that remained in town, I have lost my principal servant, and two others are at this moment dead or at the point of death.’ The only solace which Hammond could find, as autumn gave way to winter, was that ‘the distance (five miles) at which my wife and myself are from Philadelphia will effectually protect us from the danger of the contagion.’⁶³

⁶¹ Hammond to Grenville, 12 October 1793, Private Letter, *The Dropmore Papers*, British Library, Add MS 58939, fo. 30.

⁶² Hammond to Grenville, 12 October 1793, Private Letter, Add MS 58939, fo. 30.

⁶³ Hammond to Grenville, 12 October 1793, Private Letter, Add MS 58939, fo. 30.

Luckily, with the onset of winter, the tropical germs at the root of the disease began to die out. Writing in November 1793, Hammond was able to inform Grenville that ‘the disorder which has so long prevailed in Philadelphia, has been gradually abating, and, though some small remains of the contagion still exist, there is a measurable ground of expectation that it will be effectually eradicated in the course of two or three weeks.’ The US government was aware of this too. Hammond went to observe that ‘the President and the other members of the American government are now reassembled at Germantown; at which place it is their intention to remain.’ If the epidemic continued to abate, it was hoped that the government would soon be able to permanently return to Philadelphia. Hammond was elated by this positive turn of events, because the return of the government ended his melancholy period of isolation. ‘From this circumstance of their reunion in the vicinity of the seat of government,’ Hammond wrote, ‘my means of communication with them are become less difficult, than they were in their former state of dispersion.’⁶⁴ Having been consigned to his family’s home outside of Philadelphia, with no links to the US government, for over a month, Hammond was itching to return to the city and resume his work. By the following December, he was able to state that ‘The contagion which...was then beginning to abate, having since that time entirely subsided, the members of Congress met in the city on Monday the 2nd of December,’ thus bringing the epidemic to an end.⁶⁵

When Hammond arrived in America, it is unlikely he envisaged that, not only would the business of government be completely shut down, but that his own life and that of his family would be at risk from a disease with which he had little knowledge or

⁶⁴ Hammond to Grenville, 10 November 1793, No. 22, National Archives, Kew, FO 5/1, fo. 353.

⁶⁵ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fo. 43.

experience. Indeed, the epidemic presents an interesting window on the way in which the business of diplomacy can not only be disrupted by war, but by disease and natural disaster. The uncertainty which accompanied the epidemic's outbreak brought into sharp focus his isolation in America, since as during that time he was unable to send or receive instructions without significant difficulties. As a Minister already distant enough from the metropole, Hammond felt more alone than ever in an alien country with unfamiliar tropical diseases. When Hammond finally returned to Philadelphia after the epidemic's abatement, he would embrace the feelings of normality and purpose again with gusto.

Court of Public Opinion

Perhaps the most difficult relationship that Hammond had during his American residence was with the press. When Hammond arrived in the United States, he entered a country with a large vocal public sphere and a long history of newspapers. This history of press freedom inevitably collided with the young British minister, who was incredibly sensitive about his conduct and believed that public scrutiny of government business invited prejudice and hostility among the population. Hammond's complicated relationship with the American press began as early as December 1791, when accusations of British interference in a US defeat against a Native American confederation began to surface in Congress and among the public. In the House of Representatives, alongside arguments of perpetual standing armies and national debt, one unidentified speaker went further in arguing that the lack of success in the Northwest War was due to British support and encouragement of the Indians. These sentiments soon found their way into the American press, most notably in the *Federal Gazette and Daily Advertiser*, which printed the speaker's full speech, accusing the British government in Canada of suppling Indian raids against American

settlement. Hammond specifically took issue with the *Federal Gazette and Daily Advertiser* because he incorrectly believed that Andrew Brown, then a clerk at the State Department, was also the editor of the newspaper. Hammond's secretary Edward Thornton meanwhile more astutely identified the editor as Philip Freneau, an American newspaper editor brought to Philadelphia by Jefferson and James Madison to establish a partisan counter to the *Federalist Gazette of the United States*.⁶⁶ Nevertheless, by his misplaced assumption, Hammond suspected that Jefferson possessed 'no small degree of influence' over the publishing of the speech. Hammond's suspicions were not improved by news that the United States would not allow any British mediation with the Indians while the western forts remained in British possession.⁶⁷ Events threatened to overtake Hammond before he had been able to answer Jefferson's preliminary statement on British infractions of the Treaty of Paris, which he delivered the previous December.

Seemingly unable to contain his anger at the newspaper's allusions, Hammond immediately wrote to Jefferson. Hammond was of the strong opinion that, in the United States, 'the press...is the clearest indication of the public mind.'⁶⁸ The fact that the United States was still a largely unknown quantity in world affairs made this an easily combustible incident.⁶⁹ How the American press treated foreign diplomats was therefore up to Hammond to gauge. He complained of the 'many malevolent insinuations upon the subject of the Indian war, which have been repeatedly thrown out against my country.' Hammond stated unequivocally that the British government

⁶⁶ Edward Thornton to James Bland Burges, 2 February 1792, in S. W. Jackson, 'A Young Englishman's Reports on the New Nation: Edward Thornton to James Bland Burges, 1791-1793', *The William and Mary Quarterly*, 18, no. 1 (1961), 98.

⁶⁷ Hammond to Grenville, 2 February 1792, No. 8, National Archives, Kew, FO 4/14, fos. 155-156; Hammond to Jefferson, 30 January 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792* (Princeton: Princeton University Press, 1990), 90–91.

⁶⁸ Hammond to Grenville, 7 March 1793, No. 5, National Archives, Kew, FO 5/1, fos. 85-86.

⁶⁹ Jennfier Mori, *The Culture of Diplomacy: Britain in Europe, 1750-1830* (Manchester: Manchester University Press, 2010), 134.

in Canada had not supported or encouraged hostility between the United States and the northwest Indians. On the contrary, Lord Dorchester had assured him that it was the British government's policy, along with the garrison commanders of the western forts, to maintain a strict neutrality in the crisis. Rather than war, peace between the Indians and the United States was their preferred policy. Furthermore, Hammond informed Jefferson that, in the previous August, at a meeting in Quebec between Dorchester and the various Indian delegates, the Governor-General resolved that he could not afford them any assistance that would allow them to prosecute hostilities against the United States.⁷⁰ Still believing that Jefferson held significant influence over the mood of the public press, Hammond hoped his refutation would remove any doubts within the US government and public mind of British sincerity on the northwest crisis. Until Hammond could complete his formal statement for Jefferson on resolving the Treaty of Paris, he could not risk a crisis erupting over unfounded suspicions of British interference in an unpopular war.

Possibly confused by Hammond's belief that press opinion correlated with government opinion, Jefferson was eager to separate the administration from the court of public opinion. Jefferson informed Hammond that the President was satisfied that British policy remained one of friendship towards the United States and neutrality with the Indians. Jefferson also hoped to calm Hammond's suspicions that US government policy and press opinion were intrinsically linked. 'You have seen too much, Sir', Jefferson commented on Hammond's suspicions, suggesting that the British minister was perhaps overreacting, 'of the conduct of the press in countries where it is free, to consider the gazettes as evidence of the sentiments of the government.'⁷¹ As

⁷⁰ Hammond to Jefferson, 30 January 1792, National Archives, Kew, FO 4/14, fos. 66-67.

⁷¹ Jefferson to Hammond, 2 February 1792, National Archives, Kew, FO 4/14, fos. 131.

evidence, Jefferson referred Hammond to a published speech made on 26 January by Secretary of War, Henry Knox, outlining the causes of the war and making no mention of British interference.⁷² Despite this spat, Jefferson optimistically told the British minister that, once the outstanding articles of the Treaty of Paris had been resolved, those Anglophobic voices in the American press would be silenced.

But the press would not be silenced, and Hammond was forced to continue his work under the greater public scrutiny that American society allowed. Hammond especially chafed against the practice among American policymakers of publishing official correspondence in newspapers, a practice he ascribed to Jefferson's wish to 'increase the popular resentment against [Great Britain], by collecting under one point of view the different aggressions attributed to it – and thereby to influence the debates.' One incident in particular which irked Hammond was Jefferson's publication of their correspondence on settling the Treaty of Paris. By publishing the correspondence, or, as Hammond commented, only certain sections of the correspondence, Jefferson could control the narrative within the public sphere and manipulate popular resentment towards supposed British intransigence and hypocrisy. 'In the prosecution of this design', Hammond complained to Grenville about Jefferson's supposedly omitting two important letters from his published correspondence, 'not contented with stating everything that could either mislead or inflame, he has omitted other parts of the correspondence which might have been in some measure explanatory and conciliatory.'⁷³ Both letters, Hammond claimed, would have disrupted the narrative Jefferson hoped to establish and proved that Britain was not attempting to obstruct commercial negotiations and relations with the Indians.

⁷² Statement of Causes of the Indian War, 26 January 1792, in Clarence Edwin Carter, ed., *The Territorial Papers of the United States*, vol. 2, *The Territory Northwest of the River Ohio, 1787-1803* (Washington D.C.: Government Printing Office, 1934), 359-368.

⁷³ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fo. 44.

Had Hammond shared the same preparedness to exploit public opinion as Jefferson did, he would have seen fit to have these omitted letters published in the Federalist press. However, Hammond would not stoop to that level. Instead, he believed that, by simply explaining the existence of the letters and their contents, American policymakers would be sufficiently convinced of Britain's conciliatory attitude to the United States. 'Although I did not feel it incumbent upon me to remonstrate formally against these suppressions', Hammond explained to Grenville, 'yet as I have not concealed my sentiments respecting them in conversation, they are by this time pretty generally known.'⁷⁴ At the same time, he enquired of the new Secretary of State, Edmund Randolph, who had succeeded Jefferson in 1794, if he could inform him 'on the cases in which a foreign minister has not "a right" to request respectfully, and through the proper medium of intercourse, to be informed of the authority by which his letter may have been communicated to the public, through the channel of a common newspaper.'⁷⁵ Hammond's strategy was to illustrate the different ways in which British and American officials saw their relationship with the press.

Hammond had come of age in a system where British government business was rarely published and insults were dealt with personally or ignored as *déclassé*. Whilst newspapers were not officially censored in Britain, successive ministries devised ways to ensure that newspapers supported the government's policies as much as possible, including via stamp taxes, purchasing presses, and bribing opposition printers. Furthermore, Hammond's previous diplomatic stations had been in countries with official press censorship. The United States, on the other hand, had both a large literate population and a long history of transparency between government

⁷⁴ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fo. 45.

⁷⁵ Enclosure III: Hammond to Randolph, 6 March 1794, National Archives, Kew, FO 5/4, fo. 120.

and the people.⁷⁶ Of course, there were exceptions; the London press could be especially visceral and there were those in the US administration who were of Hammond's opinion. By the 1790s, however, the order was changing fast as party lines became solidified. This arrangement was alien to Hammond and made him feel uneasy in conducting business with his American counterparts because the publication of any of their correspondence could invite unwanted public debate about the issues he was instructed to settle. If such a system remained unchecked, Hammond feared

innumerable impediments will be thrown in the way of any future negotiations, and this government, by the suppression of such parts of the correspondence as may be conciliatory and explanatory, and by the publication of others that may have a tendency to mislead or inflame, will have the means of presenting to its citizens and to the world at large a partial, unfaithful, and uncandid picture of the conduct observed by His Majesty's servants in their political intercourse with this country.⁷⁷

Grenville too was disturbed by the American penchant for publishing government business, believing the practice to be 'contrary not only to the established usage under every regular government, but it is replete with inconveniences, and must be attended with bad consequences, which are sufficiently obvious to strike everyone who reflects upon it.'⁷⁸ For Grenville, there was no reason for any government to appeal prematurely to the public, or to publish only part of a correspondence for the purpose of creating prejudice and jealousy between both individuals and states. For diplomats like Grenville and Hammond, there were "good" gazettes and "bad" gazettes. Good gazettes published barebones accounts of official government business whilst supposed bad gazettes put those articles into perspective but were

⁷⁶ Jeffrey L. Pasley, *The Tyranny of the Printers: Newspaper Politics in the Early American Republic* (Charlottesville: University of Virginia Press, 2001), 41-42.

⁷⁷ Hammond to Grenville, 7 March 1794, No. 4, National Archives, Kew, FO 5/4, fo. 115.

⁷⁸ Grenville to Hammond, 8 August 1794, No. 15, National Archives, Kew, FO 5/4, fos. 10-12.

also not afraid to speculate and potentially present falsehoods.⁷⁹ The dangers of misinterpretation in these supposed “bad” gazettes among the population were too high. Grenville supported Hammond and instructed him in future to ‘avail yourself of such opportunities as may present themselves of stating to the American ministers the inconveniences which must necessarily result from it.’ Grenville was himself supported in this opinion by the American representative John Jay, who was in London negotiating a treaty, and believed it improper to publish his own correspondence with the Foreign Secretary.⁸⁰ If an accommodation was to be reached between Britain and the United States, government business would need to remain behind closed doors and away from the gossiping mass of the public. However, whilst Hammond had the support of his superiors in London, and the conservative sections of American society, the same could not be said for the emerging republican press, which sought to prosecute virulent attacks, in its case on those considered dangerous to the United States.

The anxiety of the press inciting the public against Britain, as Hammond and Grenville feared, saw its greatest confirmation in September 1794, when the publication of an article in *Greenleaf’s New York Journal & Patriotic Register* reached Hammond’s attention. Written around the time of a disagreement between New York officials and a Royal Navy squadron anchored off Manhattan island, the writer contended that

[t]he British Soloman [sic] (Hammond) sequesters himself; and assigns for reason, that he considers himself in an enemy’s country! And it is a fact which can be proved, that he hath endeavoured to make all the navy officers lately here, consider themselves also in an enemy’s country! Is Britain forever to be deceived? And by the smallest creatures too! Perhaps they may however see cause to punish such an incendiary “Jack in Office”

⁷⁹ Jennfier Mori, *The Culture of Diplomacy: Britain in Europe, 1750-1830* (Manchester: Manchester University Press, 2010), 130.

⁸⁰ Grenville to Hammond, 8 August 1794, No. 15, National Archives, Kew, FO 5/4, fos. 10-12.

as this [Solomon] manifestly shews himself to be: he has caused even the little little Spaniards to apprehend himself of being by the Democras!⁸¹

Hammond was understandably stung by the writer's accusations, calling them the 'most scurrilous reflexions on my conduct and character.' For Hammond, the publication of such inflammatory anti-British articles was extremely unhelpful during a period of crisis between the two countries. On a personal level also, Hammond resented the insults contained in the article, describing it as a 'licentious torrent of abuse.'⁸² Not only had he himself been insulted, but all British subjects in America and the British nation in general. The very danger that Hammond and Grenville had predicted appeared to be manifesting.

Faced with such effrontery in the press and following a failed demand to know the name of the writer, Hammond immediately remonstrated with Randolph. Hammond was keen to stress that 'the paragraph itself is so contemptable, and the person who has published it is so despicable, that I should have passed it over.' However, such an insult could not be taken lightly. Musing on the article, Hammond commented that the printer of the newspaper clearly favoured a legal prosecution rather than provide him the name of the article's author. To that end, he called upon Randolph in the hope 'that such legal measures will be pursued by this government, as will procure for me a satisfaction, proportionate to the daring insult I have sustained.'⁸³

By September 1794, Randolph's relationship with Hammond had reached rock bottom. Disagreements over the stationing of Royal Navy ships in American ports, impressment, the activities of the French minister, Fauchet, and British incursions into

⁸¹ Greenleaf's New York Journal & Patriotic Register, 13 September 1794, National Archives, FO 5/4, fo. 312.

⁸² Hammond to Grenville, 27 September 1794, National Archives, Kew, FO 5/4, fo. 311.

⁸³ Enclosure a: Hammond to Randolph, 13 September 1794, National Archives, Kew, FO 5/4, fo. 313.

the northwest territory had soured the already frosty relationship between the two men. Earlier in the year, Randolph had complained to Washington that ‘from the whole texture of his correspondence, [Hammond] seems to be exceedingly petulant; exposes many weak sides; does his cause an injury; thinks that it is something to say the last word, howsoever unimportant it may be.’⁸⁴ Washington was inclined to agree, describing Hammond as ‘more disposed to be captious than conciliatory.’⁸⁵ The incident of the Greenleaf article did not help relations; now the British minister was demanding government interference in the press over an unsavoury article. Nevertheless, owing to the continuing crisis between Britain and the United States, and the potentially libellous accusations in the article, Randolph deferred to Hammond’s demands. Writing a few days after Hammond’s letter, Randolph confirmed that the Attorney General had ‘declared the publication in Greenleaf’s paper...libellous, so far as it respects the minister of his Britannic Majesty.’⁸⁶ As a result, the District Attorney of New York was instructed to proceed with a prosecution.

The Greenleaf incident, and Hammond’s wider relationship with the American press, present the most irreconcilable divide between the British minister and the country where he resided. Hammond had arrived in a country undergoing radical change in the relationship between government and the press. The United States had always enjoyed high levels of literacy and easy access to newspapers. The emergence of political parties subsequently facilitated the rise of partisan newspapers with few scruples in disparaging their political rivals. Hammond was therefore forced to accommodate a large and increasingly vocal public sphere into his diplomatic

⁸⁴ Randolph to Washington, 20 June 1794, David R. Hoth and Carol S. Ebel, ed., *The Papers of George Washington*, Presidential Series, vol. 16, *1 May–30 September 1794* (Charlottesville: University of Virginia Press, 2011), 250–251.

⁸⁵ Washington to Randolph, 25 June 1794, *The Papers of George Washington*, Presidential Series, vol. 16, *1 May–30 September 1794*, 277.

⁸⁶ Enclosure b: Randolph to Hammond, 20 September 1794, National Archives, Kew, FO 5/4, fo. 315.

business, something he had not been used to in Britain and Europe. Flashpoints were inevitable and Hammond was forced to adapt to a society where his conduct would be judged by an informed, but progressively partisan public. By late 1794, Hammond was representing his country in an almost perpetually hostile situation. Such a visceral assault on his conduct and character had forced him to demand satisfaction for himself and his country. It was not a popular strategy, but Hammond had little concern for his own popularity.

When Hammond took up his post as Minister to the United States, he entered a country largely unknown in the old world. Fifteen years after independence, the British government knew little of the intricacies of this new nation across the ocean. George Hammond did much to dispel that ignorance. During his residence in America, Hammond presented a vivid picture of a nation at a crossroads; a bold nation with a grand vision for its future, with powerful metropolitan cities, a diversified industrial economy which might in future rival Britain's own greatness, and a nation where one could even find love. However, he also encountered a nation that was both still in its infancy and increasingly alien to the sensibilities of the old-world. The arrival of Yellow Fever brought into sharp focus his acute isolation in the United States when faced with a disease about which Hammond had virtually no knowledge.

Finally, Hammond's relationship with the American press illustrates the greatest divergence between the United States and Britain. Hammond's old world sensibilities of government and conduct proved irreconcilable to the more transparent relationship between politics and the press, leaving him persecuted and disillusioned. In the future, British diplomats in America would be forced to contend with a public sphere which could question and scrutinise their conduct without scruple. It was a rough baptism of fire for the first British minister, but it served the British government well as they

learned to accommodate their new North American neighbour. Nevertheless, whilst Hammond's feelings of fourth estate persecution would only intensify during his tenure in America, but matters of national importance would need to supplant personal principles as he and Secretary of State Jefferson attempted to settle the Treaty of Paris.

Chapter 3: The Whig and the Democrat

‘They that won’t be counselled, can’t be helped.’

- Benjamin Franklin, *Poor Richard Improved*, 1758¹

No sooner had Hammond presented his credentials to Washington than he began his diplomatic duties in Philadelphia. Chief among them was settling the outstanding issues surrounding the Treaty of Paris. On the American side was the argument that British troops continued to occupy seven forts around the Great Lakes and had also carried away escaped slaves whom the Americans believed should have been returned. The British by contrast argued that the United States had not adhered to its obligations regarding colonial debts and had not restored property confiscated from attainted Loyalists. Hammond’s task was not inconsiderable. Neither party was innocent in the dispute but both appeared increasingly unwilling to compromise. With the Revolutionary War still in living memory, emotions ran high, and Hammond was forced to navigate issues on which both sides were determined to maintain their position. In settling the outstanding issues, Hammond’s relationship with the Secretary of State, Thomas Jefferson, would come to symbolise historians’ opinion of Hammond’s mission in America. Hammond’s and Jefferson’s clashes over colonial debts, the rights of loyalists, escaped slaves, and the continued presence of British troops in the United States brought to the fore irreconcilable differences in personality between the two men as well as substantial variation in the interpretation of treaty obligations between the two nations. National honour was at stake on both sides and both men knew it. Ultimately, whilst his negotiations with Jefferson achieved little in

¹ *Poor Richard Improved*, 1758, Leonard W. Labaree, ed., *The Papers of Benjamin Franklin*, vol. 7, 1 October 1756-31 March 1758 (New Haven: Yale University Press, 1963), 326–355.

terms of finding a solution, Hammond was successful in arguing the British government's position against American complaints of ill-will and intransigence.

Minister Plenipotentiary?

Even as Hammond made his official introduction to Philadelphia in a diplomatic character, unanswered questions remained among some in the Washington administration, especially Jefferson, regarding the new British minister. Working from instructions he had received from President Washington, Jefferson had begun the formal process of negotiating commercial treaties with European nations, as well as an in-depth report on the subject. As Britain was the largest importer of American goods, and its largest market for manufactured goods, a commercial treaty was a key goal for the new nation.² To that end, Jefferson sought to confirm that Hammond had the authority to conduct commercial negotiations. Hammond's answer, however, was vague and left Jefferson in doubt as to the authority of the British minister, and of the British government's sincerity in opening diplomatic relations with the United States. Hammond had assured Jefferson that the King was 'sincerely disposed to promote and facilitate the commercial intercourse between the two countries', and that he was authorised to communicate his Majesty's readiness to enter negotiations.³ Hammond's response, despite its positivity about the prospect of easier trade between Britain and the United States, was not enough for Jefferson. Without explicit assurance that Hammond had the authority to conduct commercial negotiations, the prospect of future cordial dialogues between the two countries would be in doubt. Jefferson reasoned that Hammond's vague answer implied that he himself was not authorised

² Thomas Jefferson to George Washington, 26 November 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, *6 August 1791–31 December 1791* (Princeton: Princeton University Press, 1986), 344–346.

³ Enclosure A: Jefferson to Hammond, 29 November 1791, National Archives, Kew, FO 4/11, fo. 187; Enclosure C: Hammond to Jefferson, 30 November 1791, National Archives, Kew, FO 4/11, fo. 191.

to negotiate a commercial treaty but could merely 'assure us that his Britannic Majesty is ready to concur with us in appointing persons, times and places for commencing such a negotiation.'⁴

In the first official instance of the suspicion that would characterise future dialogues between the two diplomats, Hammond suspected that Jefferson had an ulterior motive in seeking assurances of his authority to conduct commercial negotiations. Relaying the details of his exchange with Jefferson back to Grenville, Hammond believed that the Secretary of State hoped to elicit an admission that he was *not* authorised to discuss a commercial treaty with the United States. By revealing that Hammond lacked such authority, Jefferson would be able to issue a statement asserting 'the supposed disinclination in the British Government to form a commercial arrangement with the United States.'⁵ Such a statement would, Hammond feared, strengthen those in Congress who favoured greater tariffs and discriminatory controls on British commerce. Attempting to allay Jefferson's doubts, and satisfy those in the United States favourable to commercial relations with Britain, Hammond responded the next day to Jefferson's questions, assuring him that, whilst

I am not empowered to conclude any definitive arrangement, with respect to the commercial intercourse between the two countries, I still meant it to be understood that I am fully authorized to enter into a negotiation for that purpose, and into the discussion of such principles as may appear best calculated to promote that object, on a basis of reciprocal advantage.⁶

Indeed, in his official instructions, Hammond had been given limited trade concessions that he could offer the US government. These concessions had been heavily influenced by Lord Hawkesbury's highly mercantilist report to the Privy Council on Anglo-American trade and attempted to propose a reciprocal arrangement where

⁴ Enclosure B: Jefferson to Hammond, 5 December 1791, National Archives, Kew, FO 4/11, fo. 189.

⁵ Hammond to Grenville, 9 December 1791, National Archives, Kew, FO 4/11, fo. 184.

⁶ Enclosure D: Hammond to Jefferson, 6 December 1791, National Archives, Kew, FO 4/11, fo. 193.

British manufactures would receive preferential status on tariff duties in return for similar measures on American trade with British possessions in North America and the Caribbean.⁷ Jefferson similarly had a copy of Hawkesbury's report and had made extensive notes on it in anticipation of commercial negotiations with Hammond. Hammond believed that Jefferson was satisfied and that the question of British sincerity regarding commercial negotiations had been answered. Concluding the section of his despatch to Grenville, Hammond believed that his answers to Jefferson's questions would 'evinced a readiness to open a negotiation' and remove any doubt about the British government's policy on American trade.⁸

Opening Salvos

Hammond also answered Jefferson's immediate questions relating to British occupation of the western forts. Despite the symbolic gesture of sending a minister to the United States, Jefferson stressed the hard truth that the British government had yet to abide by the seventh article of the Treaty of Paris (1783). To that end, he asked Hammond to clarify whether he could provide any explanation as to British intentions in fulfilling their obligations. In what would be a repeat of the British argument dating back through the 1780s, Hammond pointed out that the British government was 'induced to suspend the execution of that article on his [the King's] part, in consequence of the non-compliance, on the part of the United States, with the engagements, contained in the fourth, fifth and sixth articles of the same treaty.'⁹ The two objects of their discussions were therefore so interconnected that no arrangements could be made on the part of British withdrawal of the forts without

⁷ Particular Instructions to Hammond, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: Da Capo Press, 1971), 9-13.

⁸ Hammond to Grenville, 6 December 1791, National Archives, Kew, FO 4/11, fo. 184.

⁹ Enclosure A: Jefferson to Hammond, 29 November 1791, National Archives, Kew, FO 4/11, fo. 187; Enclosure C: Hammond to Jefferson, 30 November 1791, National Archives, Kew, FO 4/11, fo. 191.

assurances of American payment of debts. When Washington learned of Hammond's reply to Jefferson, he humorously commented to the Secretary of State, 'Mr Hammond starts three to one against you.'¹⁰

An issue which Jefferson was keen to raise with Hammond was the matter of escaped slaves who had fled to British lines in the Revolutionary War and subsequently been carried away with the British evacuation. During the Revolutionary War, British commanders and officials had promised freedom to any enslaved person who fled their master and supported the Crown. The most famous instance was Lord Dunmore's 1775 proclamation which promised freedom to all runaway slaves in Virginia. Later in the war, in 1779, Sir Henry Clinton issued the Philipsburg Proclamation which extended the promise of freedom to runaway slaves within all the colonies. According to Jefferson, a great deal of American 'property', including some three thousand enslaved people, had been carried away on the orders of British commanders. In addition, a great number of runaway slaves had been carried away aboard private vessels with either the express permission or without objection of British commanders with the means of preventing it.¹¹

To accentuate his point, Jefferson enclosed an extensive collection of petitions and remonstrances from American commissioners to Sir Guy Carlton (then Commander in Chief of British forces in North America, 1782-1783, later Lord Dorchester), protesting against the embarkation of slaves and demanding their immediate return.¹² In the view of the US government, which regarded enslaved peoples as property, the failure to return runaway slaves violated the seventh article

¹⁰ George Washington to Thomas Jefferson, [1 December 1791], John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 27, 1 September–31 December 1793 (Princeton: Princeton University Press, 1997), 808.

¹¹ Enclosure I: Jefferson to Hammond, 15 December 1791, National Archives, Kew, FO 4/11, 269.

¹² Enclosure K: Extract from a letter from Sir Guy Carleton to George Washington, 12 May 1783, National Archives, Kew, FO 4/11, fos. 272-281.

of the Treaty of Paris, whereby all property would be returned. As a slaveholder himself, Jefferson had a personal reason for demanding the return of runaway slaves, or compensation to their value. From the US government's perspective, the idea of runaway slaves acquiring their freedom in British territories or behind British lines set a dangerous precedent for the future security of the slave system in the United States.

Hammond was noticeably caught off guard by Jefferson's including the issue of runaway slaves in his preliminary statement. Having received no instructions on the issues, he relayed his thoughts back to Grenville to outline his intended next steps. The slave question placed Hammond and the British government in a difficult position when it came to resolving outstanding articles of the Treaty of Paris. Basing his arguments on those employed by Carleton during the Revolutionary War, Hammond elaborated,

I shall state that the letter (and I firstly believe the spirit) of the treaty of peace cannot be supposed to apply to any other description of Negroes than such as were the actual property – of the inhabitants of the United States, at the period of the cessation of hostilities – that, of the negroes, carried away from New York, under the permission and protection of Lord Dorchester, part may be presumed to have been captured during the war, and were consequently booty acquired by the rights of war.¹³

By this argument, the United States could not demand the return of property legally seized as war contraband. Furthermore, a large proportion of slaves carried away throughout the United States had fled their masters as a consequence of proclamations issued by British colonial officials and commanders. As those colonial decrees were, according to Hammond, prior to the end of the war, the legal authority in the country, the freed slaves 'had acquired indefensible rights of personal liberty, of which the British government was not competent to deprive them by reducing them

¹³ Hammond to Grenville, 19 December 1791, No. 13, National Archives, Kew, FO 4/11, fo. 256.

again to a state of slavery, and to the domination of their ancient masters.’¹⁴ To return fugitive slaves to their masters would be a betrayal of those who had risked their lives seeking freedom with the British Army or by reaching territories occupied by British troops. In the meantime, Hammond informed Grenville that, in response to Jefferson’s example, he would put together his own statement relating to American infractions of the fourth, fifth, and sixth articles of the treaty, whereby the United States would repay all outstanding colonial debts and return confiscated property from American Loyalists.

In an effort to gain a second opinion, Hammond sought out Treasury Secretary Hamilton’s thoughts on Jefferson’s preliminary statement, hoping that he might be able to provide a more pragmatic and conciliatory viewpoint on the issues raised. Meeting Hamilton in early January 1792, Hammond enquired upon possible solutions to the obstacles raised by Jefferson. Ever the rival of the Anglophobic Jefferson, Hamilton was keen to offer a more favourable answer to Hammond’s questions. Discussing the issue of the western forts, Hamilton agreed that their surrender by the British remained the only obstacle that would require lengthy negotiation. Like Jefferson, Hamilton was adamant that the United States would not enter into any settlement that resulted in the loss of territory acquired by the Treaty of Paris. Hamilton was, however, pragmatic enough to offer a possible solution to the continued presence of British fur traders in the northwest territories. Such a solution would include special privileges and immunities which would protect their operations and secure their rights for the future.¹⁵

Where Hamilton differed most from Jefferson in his discussions with Hammond was on the subject of runaway slaves carried away on British ships after the Revolutionary War. Hamilton, Hammond wrote, appeared ‘to acquiesce in my

¹⁴ Hammond to Grenville, 19 December 1791, No. 13, National Archives, Kew, FO 4/11, fo. 256.

¹⁵ Hammond to Grenville, 9 January 1792, No. 3, National Archives, Kew, FO 4/14, fo. 38.

reasoning upon this point, and added that this matter did not strike him as an object of such importance as it had appeared to other members of this government.' Perhaps this was due to his position as a non-slaveholder. In addition, Hamilton agreed that British compliance with the treaty must be matched by a similar compliance on the part of the United States, especially regarding outstanding debts to British creditors. Hamilton put the delay in American debt repayments down to the inefficiency of the previous government in enforcing its own regulations. Hamilton assured Hammond that all cases of British creditors and former Loyalists would be heard within federal courts and founded upon the provisions of the Treaty of Paris. Basing cases on such principles would encourage the courts to be more favourable to the British creditors and Loyalists seeking redress for unpaid debts or confiscated property. The method might prove cumbersome in its operation, but Hamilton was confident that the British complaints could be completely settled through the judicial system.¹⁶

Outside of their discussions on resolving the peace treaty, Hamilton also hoped to provide his own opinion on the prospect of a commercial arrangement between the two countries. By the time of their conversation, Jefferson had postponed his report on the state of American commerce with other powers. Despite this, the Treasury Secretary was keen to highlight the benefits of a commercial agreement. British trade, Hamilton argued, was highly important to the United States and he expressed hope that a satisfactory arrangement could be secured, especially regarding American commerce with the British West Indies. Hammond had been informed of the Americans' demands to access the British West Indies, as they had done freely during the colonial period. However, his 'particular instructions' stated explicitly that a resumption of the same privileges could not even be considered for negotiation.

¹⁶ Hammond to Grenville, 9 January 1792, No. 3, National Archives, Kew, FO 4/14, fos. 38-39.

Hamilton was under no illusions that the British would ever consider such an arrangement. However, he believed that, even subjected to British restrictions and regulations on the tonnage of vessels, American vessels should be granted access with great expediency. Again, Hammond listened to Hamilton closely but to avoid his American counterpart becoming too confident in his opinions, he studiously declined to drop any hint of acquiescence to Hamilton's arguments.¹⁷ With no power to formalise such commercial arrangements on his own, it would have been against Hammond's instructions to consider modifying the systems binding British mercantile trade with its colonies.

Despite not reaching agreement on all the matters discussed, and despite Hamilton not being the United States' chief diplomat, Hammond was already far more impressed by his discussions with Hamilton than with Jefferson. Hamilton appeared to be more pragmatic in his reasoning and willing to accommodate Hammond's arguments. The Treasury Secretary, Hammond commented, was 'more a man of the world than [Jefferson] and I like his manners better, and can speak more freely to him', writing Jefferson off as being 'in the Virginia interest and that of the French.'¹⁸ Seeking out Hamilton's opinion proved to be an effective way for Hammond to use the rivalry between his American counterparts to further British interests. If Jefferson proved to be too obstinate, Hamilton's more Anglophile worldview, and personal relationship with Washington, would present a more favourable avenue. This avenue Hammond would exploit throughout his negotiations with Jefferson.

Hammond's Statement

¹⁷ Hammond to Grenville, 9 January 1792, No. 3, National Archives, Kew, FO 4/14, fos. 39-40; Particular Instructions to Hammond, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: De Capo Press, 1971), 12.

¹⁸ Memorandum of Conversation between Philemon Dickinson and George Hammond, 26 March 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, 1 January–31 May 1792 (Princeton: Princeton University Press, 1990), 344–345.

‘Creditors have better memories than debtors,’ observed Benjamin Franklin, and the British government was no exception.¹⁹ On 5 March 1792, over two and a half months after he had received Jefferson’s preliminary statement on British infractions of the Treaty of Paris, Hammond finally delivered his response. Such an approach was agreeable to Hammond because, as he repeated to Grenville, it would preclude ‘any doubt of our respective meaning, and enables me to submit every particular to your Lordship’s consideration.’²⁰ Jefferson had expected Hammond to respond with a similarly brief outline of infractions, as he had presented the previous December. However, rather than follow Jefferson’s example, Hammond spent the subsequent two and a half months compiling an extensive statement of British complaints and American infractions related to the treaty. The young British Minister intended to use his classical education in law and finance, and extensive knowledge of the Treaty of Paris, to deliver a statement which would make it clear to the US government that Britain’s demands could not be ignored. Hammond was assisted in his endeavour by the British consuls in America, most notably Phineas Bond, who had spent many years prior to Hammond’s appointment studiously keeping a record of American infractions. These officials supplied Hammond with the evidence he could use to support his statement.²¹ The delay in Hammond’s completion of his statement was, however, not purely due to logistical problems of accumulating evidence; political games were also being played.

At the time that Hammond began his statement to Jefferson, news of St Clair’s defeat was arriving in Philadelphia, and demands for British withdrawal from the western forts became ever louder (discussed below in Chapter Four). As a result,

¹⁹ Benjamin Franklin, *Quotations of Benjamin Franklin* (Bedford, MA: Applewood Books, 2003), 20.

²⁰ Hammond to Grenville, 19 December 1791, No. 13, National Archives, Kew, FO 4/11, fo. 257.

²¹ Hammond to Grenville, 6 March 1792, No. 11, National Archives, Kew, FO 4/14, fo. 198.

Hammond deliberately delayed the completion of his statement, believing that American anxiety about the defeat, and eagerness to obtain the forts, would make the US government more open to acquiesce to British complaints. Hammond's hand was only forced in February 1792 when, attending a formal reception hosted by Washington, Jefferson reminded him that the US government was anxiously waiting for his statement.²²

Hammond began his statement by stating that, immediately after the Treaty of Paris was ratified, on 14 January 1784, an Act of Congress required all bodies of the legislature, executive, and judiciary to carry into effect all articles of the treaty the United States was bound to abide by. In regard to British complaints, that included "recommending" to all the state legislatures that they restore all estates, rights, and properties confiscated from British subjects, or those in districts occupied by British troops between November 1782 and January 1784. Despite these proclamations and recommendations coming from the central government, many of the states, especially in the south, paid little attention to them. Then, in April 1787, in response to a letter to John Adams from the Marquis of Carmarthen, the British Foreign Secretary at the time, stating that British withdrawal of the western forts rested upon American repayment of debts, a circular letter was transmitted to the states allowing them to repeal all Acts and laws relating to the peace treaty. Those who were seeking repayment of debts or restitution of property were therefore forced to argue their case through the courts of their respective states. These Acts were, Hammond stressed, a direct violation of Articles Four and Five of the treaty, whereby creditors on both sides should meet no legal impediment in the recovery of their debts and all confiscated

²² Hammond to Grenville, 6 March 1792, No. 11, National Archives, Kew, FO 4/14, fo. 197; Hammond to Jefferson, 5 March 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, 1 January–31 May 1792 (Princeton: Princeton University Press, 1990), 196–213.

property should be restored to British Loyalists.²³ If the US Congress had proclaimed that all Articles of the treaty were to be carried into effect, it was both obstructionist for the states to ignore it and hypocritical for the Congress to subsequently encourage them to repeal laws relating to enforcement of the treaty.

Hammond divided his statement into two sections: the laws that Congress had enforced or omitted relating to the treaty, and the conduct of the individual states. Beginning his argument, Hammond commented that the American commissioners who negotiated the Treaty of Paris would not have entered 'into direct stipulations which they had not the power to enforce.' Yet, despite the US being bound by treaty to recommend that state legislatures return all confiscated property to Loyalists and remove all laws blocking or hampering the repayment of debts to British creditors, laws preventing those measures remained in force in many states. Hammond then proceeded to list off a litany of injustices suffered by Loyalists and British creditors following the war. American Loyalists had, in many states, according to Hammond, 'been treated with indignity, menaced, exposed to personal danger, and in some instances imprisoned' on charges of treason for the side they took during the war. Legally, Loyalists and creditors were also met with indifference and bureaucratic red tape, including the passage of laws delaying the investigation of claims and local regulations being enacted to such an extent that they amounted to a prohibition of bringing suits. Even when suits were brought, Hammond commented that the value of properties was often assessed by prejudiced and interested parties as a means of limiting the amount of compensation the plaintiffs could claim.

Furthermore, if the claiming party was successful in receiving compensation to the assessed value of their property, such compensation was made through paper

²³ Hammond to Jefferson, 5 March 1792, National Archives, Kew, FO 4/14, fos. 200-202.

money, issued by the individual states. These monetary notes were, Hammond argued correctly, 'greatly depreciated' and not reflective of the true value of confiscated properties and outstanding debts. Finally, relating to British creditors, Hammond commented that further measures had been taken by the states to limit the claims for debt repayments. The most overarching of these measures included the decision by the Court of Law and Equity that British subjects residing in British dominions at the time, or following, the Declaration of Independence could not acquire or hold property within the United States. In addition, state courts passed judgements limiting the amount that British creditors could claim, and, in some cases, refusing to allow suits relating to British debts.²⁴ All of these measures had been undertaken in flagrant violation of the stipulations that the US Congress was bound to enforce.

The second section of Hammond's statement repeated many of the assertions made in section one but supported them with an extensive appendix of laws passed during and after the Revolutionary War by the individual states. Firstly, Hammond outlined the conduct of the individual states prior to the ratification of the Treaty of Paris. In this endeavour, Hammond referred to thirty laws passed by state legislatures in all thirteen of the original states to confiscate, sequester, or sell the property of Loyalists and to apply the proceeds thereof towards the expenses of war or to obtain bills of credit. Under these laws, Hammond claimed, 'many individuals were attainted by name, others were banished for ever from the Country, and, if found within the state, declared felons without benefit of Clergy.' Furthermore, in some states, the estates and rights of married women, widows, minors, and those who had died within territories occupied by British troops, were also forfeited. Those individuals who remained loyal to the Crown would then be required to surrender themselves by a

²⁴ Hammond to Jefferson, 5 March 1792, National Archives, Kew, FO 4/14, fos. 202-203.

given day to a trial for high treason. Failure to do so would result in a de facto verdict of guilty, and the subsequent penalties of the conviction. Hammond used the example of a New York law passed in 1779 which vested the courts with the power to prefer indictments against persons either alive or dead who had remained loyal to the King. Upon notice of their failure to appear before a court to answer an indictment, those individuals, whether alive or dead, would be found guilty and their property confiscated.

In other instances, in the southern and mid-Atlantic states, those confiscated properties were appropriated as public buildings or as rewards for military services on the part of American soldiers. Most underhandedly, in Hammond's view, the property of Andrew Leitch, an American whose estate was mortgaged to a British creditor, was released from its contract by a special Act passed by the Maryland legislature in June 1782 on grounds that Leitch had fallen in battle.²⁵ Many of these Acts were then extended after the war ended. Hammond was clear in his belief that the repeal of all these laws was required for the United States to fully comply with the peace treaty. However, whilst several states had passed Acts to restore properties of former Loyalists or their families, particularly in the New England states, others had imposed Acts of Pardon and Oblivion with so many qualifications, exemptions, and restrictions that any hope of successful restoration remained impossible.

Secondly, Hammond provided in depth accounts of the plight of British creditors in reclaiming their money from American debtors. Again, Hammond repeated the stipulations of Article Six of the treaty whereby creditors on both sides should 'meet no lawful impediment in the recovery of the full value in sterling' of all contracted debts. To Hammond, this stipulation was to be taken literally:

²⁵ Hammond to Jefferson, 5 March 1792, National Archives, Kew, FO 4/14, fos. 203-204.

“The full value in sterling money” could only mean the value, to be ascertained by the nature and terms of the original contract between Debtor and Creditor, and to be paid in sterling money, according to the rate of exchange prevailing between the two Countries. “All bone fide debts heretofore contracted” comprehended every species of debt, due to the Creditors on either side, contracted antecedent to, and which remained unpaid at, the period of concluding the Treaty of Peace.²⁶

However, both during and after the war, laws were passed in the states to limit the ability of creditors to bring suits and the amounts the applicants could claim. For example, Hammond referred to six laws passed in Maryland, Virginia, and South Carolina which “temporarily” suspended the recovery of debts. In the case of Connecticut, further laws were passed providing for a reduction of interest on outstanding debts. In addition, laws that had existed before the war which compelled creditors to take a debtor’s land at an appraised value remained in force. These laws now provided an easy way for debtors to limit the amount they would need to repay through the employment of partial and prejudiced appraisals. The creditor would therefore have no command over the price and be forced to accept compensation that bore no relation to the original debt. In the example of Maryland, debtors were protected by laws which prevented their arrests for outstanding debts. Even when those debts were settled, as Hammond outlined early in his statement, payments were made through depreciated paper money and restricted through the introduction of laws limiting debtors’ obligations to three annual payments of one third of principal sum and added interest over the successive years.²⁷ One of these regulatory laws, Hammond noted, passed in South Carolina in 1788, was passed after the state ratified the federal constitution, which stipulated that all treaties made by the United States were to be the law of the land.

²⁶ Hammond to Jefferson, 5 March 1792, National Archives, Kew, FO 4/14, fo. 209.

²⁷ Hammond to Jefferson, 5 March 1792, FO 4/14, fos. 209-211.

In direct contrast to the United States, Hammond was keen to highlight how the British government had dealt with claims from American creditors. The government and courts in Britain, Hammond claimed, had 'never harboured the intention of enacting regulations, which might invalidate a national compact, or affect the sacred tenor of engagements contracted between individuals.'²⁸ Citizens of the United States had consequently enjoyed without exception the same legal privileges and impartial justice as British subjects, and had been awarded compensation to the value of their claims. Hammond was unable to provide any provide any specific examples of such instances. Nevertheless, he described in general terms the way in which British Courts had found in favour of American creditors in actions brought against Loyalists.

Concluding this statement, Hammond was quick to downplay Britain's actions in continuing to occupy the western forts, in contravention of article seven of the treaty. The suspension of article seven on the part of Great Britain was, Hammond argued,

a mere suspension of that article of the treaty, whereas the United States have not only withheld from subjects of the Crown that redress to which they were entitled under the terms of the treaty, but also many of the States have, subsequent to the peace, passed new legislative regulations, in violation of the treaty, and imposing additional hardships on individuals, whom the national faith of the United States was pledged, under precise and solemn stipulations, to insure and protect from future injury.²⁹

On those grounds, and the heavy expense which British subjects had sustained through non-compliance on the part of the United States, the continued occupation of the western forts therefore remained entirely justified.

Hammond was proud of himself when he finally delivered his statement to Jefferson. The day after his submission to Jefferson, Hammond enclosed a copy to Grenville. The statement, Hammond hoped, 'will be found to be in exact conformity to

²⁸ Hammond to Jefferson, 5 March 1792, National Archives, Kew, FO 4/14, fos. 218-219.

²⁹ Hammond to Jefferson, 5 March 1792, FO 4/14, fos. 219-220.

the tenor of your Lordship's instructions, and to contain a body of proof so complete and substantial, as to preclude the probability of cavil and contradiction on the part of this government.'³⁰ Indeed, Hammond's statement was met favourably by other British agents in America, not least his secretary, Edward Thornton. Writing to Undersecretary of State for Foreign Affairs, James Bland Burges, the previous December, Thornton described Jefferson as 'a man of cunning...but I think he may be routed.'³¹ The delivery of Hammond's lengthy and seemingly precise statement would place Jefferson in a difficult position.

In private, however, Hammond was more optimistic about the prospect of British merchants and Loyalists recovering their debts and properties through the judicial system. Hammond had noticed a general tendency among the northern, more Federalist, states to comply with the provisions of the treaty. But at the same time, among the southern states, and especially Virginia, there was an equal tendency to oppose them. Overall, Hammond concluded matter-of-factly that, had all the states accepted that treaties were the supreme law of the land, as the US constitution dictated, 'no other measures would now have been requisite to place the subjects of the Crown (and especially the British creditors) in the situation, to which they are entitled by the treaty.'³² Regardless of his private thoughts, Hammond had fulfilled his instructions in formulating a complete account of British complaints relating to the Treaty of Paris. The ball was now firmly back in Jefferson's court.

Rethinking Strategy

³⁰ Hammond to Grenville, 6 March 1792, No. 11, National Archives, Kew, FO 4/14, fo. 197.

³¹ Edward Thornton to James Bland Burges, 5 December 1791, in S. W. Jackson, 'A Young Englishman's Reports on the New Nation: Edward Thornton to James Bland Burges, 1791-1793', *The William and Mary Quarterly*, 18, no. 1 (1961), 96.

³² Hammond to Grenville, 6 March 1792, No. 12, National Archives, Kew, FO 4/14, fos. 227-228.

Jefferson relayed Hammond's statement to Washington the same day. The President was staggered by its length, commenting to Jefferson, in *Washingtonian* understated fashion, that the list of British complaints was 'long.' Attempting to find a short-term answer to the British minister's statement, Washington enquired, 'May not our loss of the Indian trade—the participation of it I mean—and the expense & losses sustained by the Indian War be set against Mr [Hammond's] list of grievances, in behalf of the [British] Merchants—as well as, by taking our Slaves away depriving us of the means of paying debts.'³³ Jefferson on the other hand did not believe the British complaints could be wished away so easily. The sheer extent of Hammond's argument had clearly taken the President and Secretary of State by surprise. Nevertheless, now sure of the British government's formal position on the outstanding articles of the Treaty of Paris, Jefferson began formulating a reply in earnest.

In the meantime, however, to best counter Hammond's statement, Jefferson sought further information on the various Acts and laws referred to in the statement's appendices. Jefferson provided a list of those Acts of which he was unable to obtain copies and enquired if Hammond would furnish him with the documents. Unfortunately for Jefferson, he would have to wait almost a week for Hammond's reply. Doubly disappointing, Hammond maintained that he was unable to provide copies of the listed documents as he himself had collected them from the notes of a friend, namely the British consul in Philadelphia, Phineas Bond. Wishing to spare Jefferson further blushes, or to force Jefferson to conduct his own research, Hammond provided his own thoughts on the contents of the Acts referred to Jefferson's request and suggested 'whether those documents could not be obtained on application to the

³³ Nathan Schachner, *Thomas Jefferson: A Biography* (New York: Thomas Yoseloff, 1957), 454; George Washington to Thomas Jefferson, 5–6 March 1792, in Robert F. Haggard, Mark A. Mastromarino, ed., *The Papers of George Washington*, Presidential Series, vol. 10, *1 March 1792–15 August 1792* (Charlottesville: University of Virginia Press, 2002), 23–24.

Courts of the states, in which the actions were tried, or the Reports be supplied by the Gentlemen of the law employed in the several suits.’³⁴ Whilst it was Hammond’s desire to guarantee that Britain and the United States settled their differences, he drew the line at actively assisting Jefferson in obtaining the means of countering him.

The end of March also saw further developments in the long anticipated commercial negotiations between the two nations, negotiations which Jefferson had long wished to begin with Hammond. In February 1791, months before Hammond’s appointment, in response to British rejection of American overtures for a commercial treaty, Jefferson was instructed to produce a report on American commerce with foreign nations. The ultimate aim of the report was to establish an independent commercial policy for the United States and reduce reliance on the import of British manufactures. Ever willing to lessen British influence on the United States, Jefferson had taken up the endeavour with much enthusiasm. With a still undeveloped commercial policy, trade remained the only key weapon in the American diplomatic armoury. Such a weapon would therefore allow him to realise his own vision of the United States as a virtuous agrarian republic, against what he would have branded the slavish dependency on British trade espoused by the Hamiltonian fiscal system. However, even in March 1792, Jefferson had postponed his report, citing changes in the prospects of American commerce. News of a possible Spanish commercial treaty, and overtures from the French National Assembly to open negotiations offered new opportunities to open new trade avenues away from Britain. Furthermore, the publication of Hamilton’s report on American manufactures had also forced him to alter his report. To that end, Jefferson secured a delay from the House of Representatives

³⁴ Jefferson to Hammond, 30 March 1792, National Archives, Kew, FO 4/14, fo. 344; Hammond to Jefferson, 6 April 1792, National Archives, Kew, FO 4/14, fos. 402-403.

until the next session of Congress. Hammond was highly aware of Jefferson's views on Britain's commercial dominance, commenting that his report on commerce 'would not have been either accurate or conciliatory.' Any delay of Jefferson's report could therefore only be a positive as it would continue to keep British trade free of discriminatory measures and tariffs which had been advocated in previous congressional sessions with what Hammond described as 'such acrimony and vehemence.'³⁵ Until the subject could be properly and fairly investigated, Hammond could breathe a sigh of relief.

Jefferson's Counterstatement

On 29 May 1792, Hammond finally received Jefferson's long-awaited counter to his account of American violations of the Treaty of Paris from the previous March. If Hammond's account was extensive and well researched, Jefferson's took that to another level, with a document totalling sixty-six pages. Prior to submitting his account to Hammond, Jefferson also sought advice from his cabinet colleagues, Hamilton, Attorney General Edmund Randolph, Secretary of War Henry Knox, and his political ally James Madison, hoping to ensure the most accurate information. Both Hamilton and Madison provided possible revisions, forcing Jefferson to shave certain passages from the final document.³⁶ Nevertheless, once the revisions were applied, and the

³⁵ Thomas Jefferson to the Speaker of the House of Representatives, 22 March 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792* (Princeton: Princeton University Press, 1990), 332; Merrill D. Peterson, 'Thomas Jefferson and Commercial Policy', *The William and Mary Quarterly*, 22, no. 4 (1965), 585; Hammond to Grenville, 5 April 1792, National Archives, Kew, FO 4/14, fos. 354-355.

³⁶ Thomas Jefferson to Henry Knox, 28 May 1792, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792* (Princeton: Princeton University Press, 1990), 549; Alexander Hamilton's Notes on Jefferson's Letter to George Hammond, with Jefferson's Response, [20–27 May 1792], in Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792*, 527–531; James Madison's Notes on Jefferson's Letter to George Hammond, [ca. 16 May 1792], in Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792*, 514–517; Thomas Jefferson to George Washington, 16 May 1792, in Cullen, ed., *The Papers of Thomas Jefferson*, vol. 23, *1 January–31 May 1792*, 518–519.

account sufficiently copied, on 29 May, Jefferson formally submitted the document to Hammond.

Jefferson was pulling no punches when he wrote his counter to Hammond, having spent the previous two months putting the account together. Beginning with the questions of confiscated Loyalist property, Jefferson countered Hammond's assertion that the United States Congress had violated article five of the treaty by not removing barriers to Loyalists seeking return of their property. To Jefferson, ever the proponent of small government and states' rights, Article Five only gave the Congress the power to "earnestly recommend" to the state legislatures that they recognise the rights of Loyalists to seek restoration of their rights, estates, and property. By the strict meaning of the word "recommend", the true power to recognise the rights of Loyalists lay with the states rather than Congress or the later federal government. This legal wording, according to Jefferson, was carefully explained by the American commissioners at the peace talks and understood and accepted by not only the British negotiators, but the British government and Parliament. To emphasise his point, Jefferson referred to several British officials, ranging from Lord Shelburne, who proclaimed in the House of Lords, 'It is in our power to do no more than recommend', to Charles Townshend, who similarly stated that

should the recommendation of Congress to the American States prove unsuccessful, which he flattered himself would not be the case, this country would feel itself bound in honour to make them full compensation for their losses.³⁷

Furthermore, whilst it remained difficult to ensure that the state legislatures abided by Congress' recommendation, in the circumstances, Jefferson believed that the majority of them had more or less agreed to Congress' wishes. The only alternative to

³⁷ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fo. 99.

recommendation would have been that Loyalist compensation would be paid out from British treasury.³⁸ Jefferson's counterstatement to Hammond was clear: the wording, which the British negotiators had agreed to, did not bind the US Congress to enforce the recognition of Loyalist rights on the states. Instead, they could merely recommend that they abide by Article Five of the treaty. As a reader of law, Jefferson knew the art of splitting hairs.

Jefferson then turned his attention to countering Hammond's assertions that the United States had not abided by Article Four of the Treaty of Paris, whereby debts to creditors on either side would be legally recognised and paid. As this provision had been universally agreed by both sides – John Adams had maintained throughout the peace negotiations that debts should be adhered to – Jefferson conceded that the United States was treaty bound to pay its pre-revolutionary debts to British creditors. He however countered that the United States had only been unable to settle its debts because of British intransigence over the carrying away of American property – including enslaved people – and refusal to evacuate the western forts. Jefferson singled out Sir Guy Carlton and his actions in the evacuation of New York City as a clear example of British hypocrisy over the question of debts. Under Article Seven of the Paris treaty, all property in British possession was to be forfeited to the United States. As property, that forfeiture included slaves who had either escaped to British lines or had been carried away as contraband of war by British troops. As Hammond noted in his own account of American infractions, some three thousand slaves were embarked on British ships during the evacuation under order of Carlton. This was a flagrant violation of the treaty and provided Jefferson with the perfect justification as to why the United States had yet to settle its debts. The carrying away of either

³⁸ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fo. 144.

escaped or captured slaves had, Jefferson argued, violated that part of the treaty 'which had been of extreme solicitude on our part; on the fulfilment of which depended the means of paying debts, in proportion to the number of labourers withdrawn.'³⁹ Without the labour required to produce the means with which they could pay their debts, Jefferson disputed, it would remain difficult for the United States to maintain the treaty obligations that the British insisted they abide by.

The argument over slaves and confiscated American property which Jefferson promulgated also applied to the dispute over the western forts. Again, Jefferson put American refusal to settle its colonial debts on the shoulders of British intransigence. Under the treaty, "with all convenient speed", British troops were to evacuate the western forts once news of the peace had arrived in America. Jefferson did concede the fact that, due to high levels of equipment carried by the British Army, a period of grace would be required to ensure an orderly evacuation, especially in New York:

It [New York City] had been the principal place of arms and Stores; the Seat, as it were, of their general Government, and the asylum of those who had fled to them. A great quantity of shipping was necessary, therefore, for the removal, and the General was obliged to call for a part from foreign countries.⁴⁰

As a result, despite Carlton receiving his orders to evacuate New York City in April 1783, the evacuation was not completed until November. That same period of grace, Jefferson was keen to state, could not be said to be necessary for the western forts, where, despite protests in the 1780s from individuals including Baron von Steuben and George Clinton to Sir Frederick Haldimand, then the governor of Quebec, no orders were issued for British troops to relinquish the forts. Jefferson himself believed that such evacuations 'might have been evacuated in a few days after, and the largest

³⁹ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fos. 111-112, Enclosure 21: Sir Guy Carlton to Washington, 6 April 1783, National Archives, Kew, FO 4/15, fo. 178.

⁴⁰ Jefferson to Hammond, 29 May 1792, FO 4/15, fo. 113.

in a few weeks.⁴¹ If the evacuations were conducted “with all convenient speed”, as Jefferson argued they should have been, the forts ought to have been in US control by May 1783.

The continued occupation of the western forts by the British meant that, in Jefferson’s opinion, American western expansion and treaty obligations were greatly impeded. The first impediment was that it prohibited American access to the fur trade around the Great Lakes, a resource he claimed to be a vital part of American commerce and means with which they could pay their debts to Britain. The second impediment was that it prohibited American interaction with the northwest Indians, thus precipitating the slide towards war in the late 1780s and St Clair’s defeat in late 1791. Had the United States been given control over the western forts soon after the war, as the treaty stated they should, a far more friendly intercourse with the Indians could have been established. The consequence of this was, Jefferson argued, an expensive war, ‘in which numbers of men, women and children have been, and still are daily falling victims of the scalping knife.’⁴²

With the blame for American infractions of Article Four now conveniently shifted off American shoulders, Jefferson continued his account by using that blame to justify later American infractions of the treaty. Jefferson’s key argument in this section was that, if one party was able to violate a legal treaty, then the other party should also be free to do so. If Britain could easily violate the treaty by carrying away American property and retaining control of the western forts, then the United States was free to

⁴¹ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fos. 112-114; Enclosure 22: Baron von Steuben to General Haldimand, 3 August 1783, FO 4/15, fo. 179, Enclosure 23: Haldimand to Baron von Steuben, 13 August 1783, FO 4/15, fo. 180, Enclosure 24: Baron von Steuben to Washington, 23 August 1783, FO 4/15, fo. 181, Enclosure 25: George Clinton to Haldimand, 19 March 1784, FO 4/15, fo. 182, Enclosure 26: Haldimand to George Clinton, 10 May 1784, FO 4/15, fo. 183, Enclosure 27: Lieutenant General Hull to Haldimand, 12 July 1784, FO 4/15, fo. 184, Enclosure 28a: Haldimand to Lieutenant General Hull, 13 July 1784, 4/15, fo. 185, Enclosure 28b: Haldimand to Henry Knox, 13 July 1784, FO 4/15, fo. 186.

⁴² Jefferson to Hammond, 29 May 1792, FO 4/15, fos. 114-115.

withhold payments of its colonial debts. To prove his point, Jefferson drew on examples of four states – South Carolina, Rhode Island, New Jersey, and, most notably, his home state of Virginia – explaining that measures suspending debt repayments were only passed in response to material deprivations forced upon them by the carrying away of their property and occupation of the forts. Many of the states, especially Virginia and South Carolina, had been left stripped of value following the withdrawal of British troops in 1783. As a result, these states were left with large quantities of unpaid debt, but the means with which they could hope to pay had either been destroyed or carried away by the British. It was therefore necessary for them to pass these measures, not only to stabilise their already fragile financial foundations, but to raise the issue of British infraction of the peace treaty.

This is not to say that the measures taken by the states that Jefferson listed were purely retaliatory measures. Jefferson was keen to stress that, rather than simply seeking to suspend its debts through legal means, the states he listed also passed measures intended to recognise their debts and establish mechanisms for their repayment. Once again using Virginia as an example, Jefferson outlined how, in 1787, the legislature passed two measures easing the disputes between British creditors and the state's colonial debts. The first Act was to repeal all measures previously taken to suspend the state's debt repayment until confiscated slaves had been returned to their owners and orders had been issued for the British garrisons to evacuate the western forts. It should be noted that this Act would only come into force after the slaves had been returned and the forts evacuated. However, in Jefferson's analysis, it was proof that the United States was making moves to comply with its debt obligations.

The second Act which was passed partially repealed privileges previously enjoyed by nations that acknowledged American independence. Under the Act, creditors from those nations acknowledging the independence of the United States were allowed to instantly pursue redress of debts for goods imported. This was considered a temporary war measure to encourage commercial relations between European nations and the nascent United States. Once peace had been re-established, however, it was deemed unnecessary and unfair for Virginia to continue enforcing these laws which favoured the rights of other nations creditors over those of Britain.⁴³ Similar laws were passed by the other states Jefferson listed at around the same time.

Jefferson also wished to deflect Hammond's complaints over American debts being made through worthless paper money. Again, Jefferson dated this measure back to the necessities of the war, where the United States was faced with constant financial pressures. Before the war, the main source of hard currency was through the export of raw materials to European markets. However, once the war began, those European markets were threatened by the prospect of their cargoes being intercepted and impounded by British ships. Jefferson estimated that two thirds of American exports to Europe fell into the hands of her enemies during the war. The proceeds of the remaining third were then promptly poured back into the purchase of war supplies. At the same time, that hard currency already within the United States was quickly sent to Europe to purchase supplies and munitions, thus emptying the country of the hard currency and causing its economy to stagnate.

This lack of hard currency, Jefferson wrote, had forced the issue of paper money, a measure not taken lightly. He commented that, 'If the whole soil of the United

⁴³ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fos. 115-119.

States had been offered for sale for ready coin, it would not have raised as much as would have satisfied this stipulation.’⁴⁴ The payment of debts in paper money was therefore a necessary measure because of the United States’ precarious financial position and lack of access to precious metals and hard currency. Jefferson’s argument did not include ways in which this could be remedied, but it did at least attempt to offer justification for the actions taken in relation to its debt repayments.

Continuing his counter to the questions over debts, Jefferson moved on to Hammond’s assertion that British creditors seeking redress through the courts were met with either legal obstacles or had their cases suspended. Jefferson countered that the courts had always been open under the principle that treaties formed part of the law of the land. In 1787, after assurances from the British government that they would abide by the articles of the treaty, Congress passed measures requiring all states to repeal any obstructionist Acts which touched on the issue of debts. According to Jefferson, all the states complied with these measures, barring Virginia on the grounds that it would comply if British assurances encouraged Congress to reiterate its measures. As a result, the courts had for some time been open for British creditors to bring cases for the recovery of debts. In terms of the value of the liabilities in question, Jefferson incorrectly claimed that pre-war debts only constituted ‘a small proportion of the original amount’, with many of them, in the case of Virginia, not totalling more than £30 per case. This meant that most of these cases could be heard within the local courts, where debt cases were limited to £30; before it had been £10. Any further ‘accidental checks’ on the course of justice, caused by error, or by what Jefferson called ‘chicanery’ of the debtors, were immediately rectified by those same courts, or the higher courts. All cases from British creditors had therefore been uniformly

⁴⁴ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fos. 121-122.

sustained to judgement and execution.⁴⁵ These debts, it should be stated, in Jefferson's opinion, did not include accumulated interest.

At long last, Jefferson reached the end of his account by reiterating a summary of the United States' position on the arguments he outlined. The American 'desire for friendship', as Jefferson described it, had been constant and no legal impediments had been placed on the rights of Loyalists. If there was ever blame to be had in the disputes between Britain and the United States, the fault lay with British government. Nevertheless, Jefferson, writing with a fair degree of self-assurance, believed that his account would put an end to the dispute between the two countries and facilitate a 'complete execution of the treaty as circumstances render practicable at this late day.'⁴⁶

Jefferson's statement has been read many ways by historians since it was delivered to Hammond. Dumas Malone and Samuel Flagg Bemis have described it as Jefferson's greatest work in his time as Secretary of State; an extensive argument which, through competent and careful use of the evidence, destroyed the mediocre arguments of Hammond.⁴⁷ Indeed, Jefferson's statement is a herculean work of political and legal argument, but it is not without its faults. Malone and Bemis did not analyse the minutiae of Jefferson's arguments, basing their claims purely on his mastery of prose. His assertions, however, that a great many of the debt cases brought by British creditors had already been settled in the courts, as Charles Ritcheson states, made a mockery of those British subjects and their families still seeking redress. His

⁴⁵ Jefferson to Hammond, 29 May 1792, National Archives, Kew, FO 4/15, fo. 131; Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (New York: The Norton Library, 1971), 236-237.

⁴⁶ Jefferson to Hammond, 29 May 1792, FO 4/15, fos. 147-148.

⁴⁷ Dumas Malone, *Jefferson and the Rights of Man* (New York: Black Bay Books, 1951), 412; Samuel Flagg Bemis, *Jay's Treaty: A Study in Commerce and Diplomacy* (New York: The MacMillan Company, 1923), 102-103.

argument that no legal impediment had been placed on the recovery of debts simply because the treaty made any such impediments illegal completely contradicted the evidence cited by Hammond in his own statement. Similarly, Jefferson's claim that most of the debts being pursued did not exceed £30 was entirely false. Unlike Malone and Bemis, Ritcheson tested Jefferson's arguments and found them to be flawed.⁴⁸ Ultimately, whilst Jefferson's statement did provide much needed justification for American arguments over the treaty, it did little to counter those arguments put forward by Hammond and the British government. Jefferson could claim that American infractions of the treaty were purely the unfortunate consequences of the British intransigence, but such arguments could easily go both ways.

Taking Stock

When Hammond received Jefferson's counterstatement at the end of May 1792, he now gained a written sense of the American argument, and the importance the Americans placed on British adherence to the treaty. His already lengthy statement appeared small fry to Jefferson's sixty-six-page behemoth. To Jefferson, Hammond kept his comments moderately reserved, writing that, in his own opinion, 'some of the principles, which you have advanced, do not appear to me, at the present moment to be entirely relevant to the subjects actually under discussion between our respective countries.'⁴⁹ With Grenville, on the other hand, Hammond did not hold back, commenting that

The great quantity of irrelevant matter contained in this paper, the positive denial of many parts, which I had advanced upon the authority of the British agents and of other respectable persons in this country, the unjustifiable insinuations thrown out with respect to the mode of prosecuting the war, and to the conduct of his Majesty's ministers subsequent to the peace, and

⁴⁸ Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (New York: The Norton Library, 1971), 238.

⁴⁹ Hammond to Jefferson, 2 June 1792, National Archives, Kew, FO 4/15, fo. 43.

the general acrimonious style and manner of this letter, all contributed to excite in me considerable surprise.⁵⁰

For the time being, however, Hammond could do nothing but simply acknowledge receipt of Jefferson's statement and, for the benefit of his superiors, ask for clarification on some of the points raised.

At the same time as forwarding Jefferson's statement onto Grenville in London, Hammond sought out Hamilton to outline his objections to the arguments expressed by his American counterpart, and to expose the emerging disunity in the Washington administration to Britain's benefit. Again, as with previous occasions, Hamilton was a kindred spirit in his objections to Jefferson. Totally undermining the authority of his cabinet colleague, Hamilton lamented the acrimonious tone of Jefferson and assured Hammond that the Secretary of State's statement was 'very far from meeting his approbation, or from containing a faithful exposition of the sentiments of this government.' The President, Hamilton added, having only returned from Virginia the day that Jefferson had delivered his statement, had relied solely upon Jefferson's assurance that it conformed to the sentiments of the government as a whole.⁵¹ Hamilton himself had never given his full assent to Jefferson's statement and had urged him to temper his increasingly belligerent tone.

Whilst he did agree with Jefferson's arguments on the recommendation provision of Article Five, the return of slaves carried away by British troops, and on the question of accumulated interest from colonial debts, he believed that the tone should be one of extenuation rather than vindication. Hamilton believed that the United States was not wholly innocent in the disputes over the treaty, having commented that, whilst he had not intricately studied the accompanying documents, Hammond's accounts of

⁵⁰ Hammond to Grenville, 8 June 1792, No. 22, National Archives, Kew, FO 4/15, fo. 227.

⁵¹ Hammond to Grenville, 8 June 1792, No. 22, FO 4/15, fo. 227.

legal impediments made in states were accurate. Linked to this, Hamilton greatly weakened Jefferson's argument by reasoning that Congress alone had the right to pronounce a breach of the treaty and to decide retaliatory measures. As Congress had not established these outlines, the states had therefore contravened both the treaty and their federal duty.⁵² Hamilton's comments did not prevent Jefferson from submitting his statement as it stood, but in the confidential discussion with Hammond, the statement gave Hamilton the means to undermine his cabinet colleague.

Tabletop Diplomacy

Jefferson and Hamilton by now despised each other and differed on almost every policy defining the new nation. Jefferson therefore did not take kindly to his cabinet colleague, turned rival, passing contrary comments on American foreign policy to the British Minister. Hamilton, Jefferson complained to Washington,

undertook, of his own authority, the conferences with the ministers of these two nations (Britain and France), and was, on every consultation, provided with some report of a conversation with the one or the other of them, adapted to his views... So that if the question be By whose fault is it that Colo. Hamilton and myself have not drawn together? the answer will depend on that to two other questions; Whose principles of administration best justify, by their purity, conscientious adherence? and Which of us has, notwithstanding, stepped farthest into the control of the department of the other? ⁵³

Eager to salvage his undermined authority and provide some personal clarity to his written arguments, Jefferson invited Hammond to dine at his house to discuss their negotiations in person. Paper negotiations had, Jefferson believed, led to misunderstanding, creating an increasingly frosty atmosphere between the two men,

⁵² Alexander Hamilton to Thomas Jefferson, [20–27 May 1792], in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 11, *February 1792–June 1792* (New York: Columbia University Press, 1966), 409–414.

⁵³ Thomas Jefferson to George Washington, 9 September 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792* (Princeton: Princeton University Press, 1990), 351–360.

and the two nations. A face-to-face meeting would therefore allow Jefferson and Hammond to discuss the matter in a more familiar way. Recalling his conversation with Hammond to his Democratic-Republican ally, James Madison, Jefferson wrote that the meeting had been 'full, unreserved & of a nature to inspire mutual confidence.' After the tablecloth had been pulled away, the servants had retired, and the informal discussions got underway, Jefferson wrote that Hammond admitted that it

had never been understood by his court, admitted they had as yet heard only one side of it, and that from a party which entertained strong feelings against us (I think he said the Refugees) that the idea would be quite new to his court of their having committed the first infractions and of the proceedings on the subject of their debts here being on the ground of retaliation.⁵⁴

To hear the American case had therefore forced him to re-examine his position and seek new instructions from the British government. The personal touch, Jefferson believed, had clearly added much needed scope to the narrow British viewpoint and forced them to reexamine their positions on American infractions of the treaty. Hammond, Jefferson claimed, 'expects he can have his final instructions by the meeting of Congress.'⁵⁵

Hammond, however, kept his own account of the meeting, completely at odds with Jefferson's. In Hammond's account, relayed to Grenville in his official despatch, Jefferson 'had nothing more in view than to express his belief that my information upon several points had been inaccurate.' Following a discussion of the differences in their respective arguments, in which no common ground could be reached, Jefferson asked Hammond in what light he considered the present state of their negotiations. In Hammond's account, Jefferson then asked whether, as the United States had already

⁵⁴ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792, 26–33.

⁵⁵ Jefferson to James Madison, 4 June 1792, in Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 25–26.

fulfilled the articles of the treaty, 'I was empowered to shorten the discussion by consenting to the execution of it on the part of my sovereign.' Hammond responded that, regarding the present state of negotiations, they were completely at odds on one disagreement, that being the mutual infractions of debts and the western forts of which the two countries complained. Those breaches had now been thoroughly investigated, and it was Hammond's opinion that, 'I still imagined that the general evidence of the infractions imputed to this country was not materially invalidated by his counter-representation.'⁵⁶

Regarding the second question, Hammond conceded that, because these issues had not been investigated so thoroughly, he did not believe himself sufficiently authorised to take any further steps without receiving new instructions from his superiors. For the time being, Hammond reiterated to Jefferson that he would forward his statement onto the Foreign Office for further investigation. He did, however, warn Jefferson that a complete fulfilment of the treaty on the part of Britain 'must depend on the proof that the United States had literally and scrupulously complied with the terms of the treaty on their part.'⁵⁷ Jefferson's plan had perhaps backfired. Even though he has sat down with Hammond to iron out their differences, they remained unable to move past one irreconcilable disagreement: the British would not relinquish the western forts without American adherence to debts whilst the US would not, in Hammond's opinion, facilitate the speedy redress of colonial debts and Loyalist confiscations.

With Jefferson's statement despatched to London, Hammond informed Grenville that he believed it 'unnecessary for me to offer any observations on the

⁵⁶ Hammond to Grenville, 8 June 1792, No. 22, National Archives, Kew, FO 4/15, fos. 227-229.

⁵⁷ Hammond to Grenville, 8 June 1792, No. 22, FO 4/15, fos. 227-229.

specific differences of many parts of Mr Jefferson's statement from mine.' He was thoroughly convinced that the evidence alluded to in his argument was accurate, and he would work throughout the summer to further substantiate his testimony. Furthermore, as much of the evidence cited in his statement had been provided by Phineas Bond, at present in London, Hammond believed that any questions would be best answered by approaching him. The only comment Hammond saw fit to voice was his belief that Jefferson's statement appeared to focus too much on British violations of the treaty, believing them to be a sufficient apology for, if not a justification for, all the actions made by the individual states during and after the war.⁵⁸ Hammond had held true to his instructions and refused to be taken in by Jefferson's ploys.

A Cold London Reception

Jefferson's statement was met with shock when it arrived in London. Among British merchants and creditors, already uneasy about the prospect of their debts being repaid, Jefferson's statement brought them to abject gloom. One disgruntled merchant bemoaned that it was evident that 'they mean to evade the Fourth Article of the treaty of peace, or at least to procrastinate complying with it as long as long as possible.' Similarly, William Molleson, a leading Glasgow creditor, wrote of the grave 'situation of men deprived of the fruits of many years industry, which they, with reason, hoped to enjoy in the decline of life, and to leave as a provision for their families.'⁵⁹ Grenville, for his part, used the delivery of Jefferson's statement to suspend formal negotiations between the two nations while Phineas Bond examined it and provided comments. However, still wishing to ensure that as much accurate information as possible was available to him, Grenville held off delivery of the statement to Bond until

⁵⁸ Hammond to Grenville, 8 June 1792, No. 22, National Archives, Kew, FO 4/15, fos. 229-230.

⁵⁹ Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (New York: The Norton Library, 1971), 240-241.

he received the further information which Hammond had alluded to in his despatch.⁶⁰ The question of the peace treaty was now, for the time being, out of his hands, but Hammond had protected British claims against his American counterparts.

Throughout the summer of 1792, benefiting from the summer recess of Congress and various members of the Washington administration travelling to their respective estates, Hammond undertook to accumulate information needed to reply to Jefferson's statement. By October, however, he had yet to acquire all the documents he needed but believed that 'I have already obtained proof sufficient to convince me, that Mr Jefferson in many of his principal assertions has been most possibly misinformed.' Hammond put this misinformation down to the possibility that Jefferson was the instrument of deception to increase hostility between Britain and the United States. Unsurprisingly, he did not dismiss the possibility that Jefferson was willingly complicit in that deception. Either way, Hammond was determined to ensure he had the information he needed to answer Jefferson's statement once negotiations could resume. Hammond, however, did not intend to complete a formal answer to Jefferson's statement until he received instructions from Grenville. In the meantime, he stood ready to provide any additional testimony as would be required to dismantle Jefferson's opinions; arguments which he believed could be demolished without much difficulty.⁶¹

Grenville greeted Jefferson's statement with the same sense of disbelief as did Hammond. The sheer scale and vehemence of Jefferson's arguments did much to produce the increasingly frosty atmosphere of Anglo-American relations. Grenville was aided in his examination of Jefferson's arguments by Bond. As the son of a

⁶⁰ Grenville to Hammond, 4 August 1792, No. 13, National Archives, Kew, FO 4/16, fos. 106.

⁶¹ Hammond to Grenville, 3 October 1792, National Archives, Kew, FO 4/16, fos. 164-165.

Loyalist physician, Bond felt no scruples in voicing his dislike of the United States and had spent much of the 1780s collecting information on the American infractions of the treaty relating to debts. Much of the information which Hammond had cited in his statement had been sourced from Bond. Having been given the task of examining Jefferson's statement by Grenville, Bond described it, in the words of his biographer, Joanne Loewe Neel, as 'a mass of "desultory and extensive discussion," filled with the sophisms synonymous with politicians.'⁶² Intricately studying each of Jefferson's claims, he concluded that that his arguments were

evasive &, in many instances, unfounded—nor does it by any means agree with the sense & opinion of the ingenious & discreet part of the government of the United States, who do not hesitate to declare [that] the pretensions of British creditors cannot be resisted upon any principles of justice, which govern the conduct of nations toward each other.⁶³

Bond therefore believed his investigations would provide 'the most decisive evidence of palpable breaches, committed by the different states, against the solemn stipulations of the Treaty of Peace.'⁶⁴ Like Hammond, Bond believed that reciprocity was integral to any arrangement made between Britain and the United States. The United States' non-payment of debts and confiscation of Loyalist property violated that principle:

If the United States violate this solemn engagement they withhold from us the only consideration we have received by war of equivalent for the essential concessions they have obtained. The importance of the consideration can not be better estimated than by opposing to it the magnitude of the advantages the United States have acquired by the Treaty;—the obligation on their part to adhere to their engagement should have been enhanced by the value of the objects they have gained.⁶⁵

⁶² Joanne Loewe Neel, *Phineas Bond: A Study in Anglo-American Relations, 1786-1812* (Philadelphia: University of Pennsylvania Press, 1968), 91-92.

⁶³ Bond to Unknown, Unknown Date, quoted in Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (New York: The Norton Library, 1971), 241,

⁶⁴ Bond to Grenville, 12 October 1792, National Archives, Kew, FO 4/16, fos. 194.

⁶⁵ Bond to Grenville, 12 October 1792, FO 4/16, fos. 203-204.

However, for all his extensive comments on Jefferson's statement, Bond soon came to the conclusion that he, Hammond, and the British government had been cornered. Whether or not several of his arguments were misinformed or outright lies, Jefferson's statement was a masterpiece of wordplay and legal dodges. For all Bond's and Hammond's arguments of debts and legal impediments against Loyalists, Jefferson's "recommendation" counterargument regarding debts was more than enough justification to deflect British accusations. If Hammond was instructed to draft a reply to Jefferson's statement, it would likely only result in another counterstatement from the Secretary of State, further embedding their conflicting opinions and entrenching the diplomatic stalemate that both nations were trying to break.

The Long Silence

A British response to Jefferson's statement also became overshadowed by events happening in Europe. By late 1792, the French Revolution had spiralled into war among the European powers, with war between Britain and France increasingly likely. At the same time, Louis XVI was now prisoner of the newly proclaimed French Republic. As a result, the efforts of the Foreign Office were now geared towards containing the revolutionary fallout and prosecuting the coming war with France. Bond, for his part, upon his return to America was charged by Grenville to investigate the subject of British sailors serving onboard American ships, as this thesis will discuss in Chapter seven.⁶⁶ Hammond would, however, only receive his further instructions at the beginning of 1793; instructions which made no mention of settling the treaty.

Despite their negotiations being formally suspended, Jefferson had not put off efforts to settle the Treaty of Paris. Whilst Jefferson disliked the length of time required for Hammond to relay American proposals to Britain and then wait for further

⁶⁶ Bond to Grenville, 1 February 1793, National Archives, Kew, FO 5/2, fo. 90.

instructions – noting that, ‘if every move and counter-move was to cross the Atlantic, it would be a long game indeed’ – he nevertheless persisted into 1793.⁶⁷ Jefferson’s persistence was spurred by the outcome of the case of *Ware v. Hylton*, a British debt case which was being decided in the Circuit Court of Richmond, Virginia. Under the court’s judgement, all but one of the defendant’s arguments were struck down, leaving them liable to pay their outstanding debts to their British creditor, William Jones. By the time of the hearing, Jones had since died and his case was taken over by an administrator, John Tyndale Ware. The news of the Richmond judgement was soon heard in Philadelphia and within the corridors of power. Since the 1780s, the US government had hoped to keep the cases of British creditors clogged up in the courts until a diplomatic solution could be reached with Britain. Now, although the case was appealed all the way to the Supreme Court, the court’s judgement had the potential to open the floodgates to hundreds of British creditors seeking redress from American debtors.⁶⁸

Pre-empting the decision of the Virginia Circuit Court, perhaps aware that the judgment might soften the British position regarding the outstanding articles of the peace treaty, Washington instructed Jefferson to press Hammond about British evacuation of the western forts. It had now been a year since Jefferson had submitted his statement to Hammond, but they had yet to receive any kind of reply. As a result, on 19 June, with cabinet approval, Jefferson wrote to Hammond and enquired about the delay which had followed his statement and the urgency that British troops relinquish control of the western forts to the United States. ‘The interest,’ Jefferson

⁶⁷ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 26–33.

⁶⁸ Charles F. Hobson, ‘The Recovery of British Debts in the Federal Circuit Court of Virginia, 1790–1797’, *Virginia Magazine of History and Biography*, 92, no. 2 (1984), 189–193.

wrote, 'we have in the western forts, and blood and treasure which their detention costs us daily, cannot but produce a corresponding anxiety on our part.'⁶⁹ With the American war in the northwest continuing, and the fallout of the French Revolution settling over the United States, Jefferson hoped that the favourable outcome of the Virginia courts had softened the British position enough to reopen negotiations.

By now, however, the Foreign Office was far too preoccupied with events in Europe to return to the American question. In February 1793, France had declared war on Britain, sparking a period of conflict that would continue until 1815, with only a brief truce between 1802 and 1803. Across the Atlantic, Hammond was busy doing everything in his power to foil the machinations of the French minister, Edmond Charles Genet. He therefore had little time to discuss the forts. Replying to Jefferson the next day, Hammond assured him that he had relayed his statement onto his superiors in London and was awaiting further instructions on the subject. However, he anticipated that those instructions, which he still expected daily, were delayed by

the very interesting events which since the receipt of it have occurred in Europe, and which have been of a nature so pressing and important as probably to have attracted the whole attentions of his Majesty's ministers and thus to have diverted it from objects that are more remote, and that may perhaps have been regarded as somewhat less urgent.⁷⁰

The British government therefore did not have the time to reopen negotiations until the war with France stabilised. When he heard the government's wishes on the subject, Hammond continued, Jefferson could be sure to count on a speedy reply.

Where Hammond took issue with Jefferson's request was his insistence on American control of the western forts, specifically his implication that British

⁶⁹ Washington to Jefferson, 1 June 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793* (Princeton: Princeton University Press, 1995), 166; Enclosure G: Jefferson to Hammond, 19 June 1793, National Archives, Kew, FO 5/1, fo. 222.

⁷⁰ Enclosure H: Hammond to Jefferson, 20 June 1793, National Archives, Kew, FO 5/1, fo. 224.

occupation was costing American lives and money. Hammond did not want to assume the grounds on which Jefferson was basing his statement but did make mention of newspapers claiming that the British governors in Canada were using the forts as a medium for supplying the northwest Indians with military stores. Nevertheless, he reiterated again that British the government's position was one of strict neutrality; unless he heard otherwise, he had no reason to doubt that the governors in Canada would pursue a different policy. Hammond also saw fit to remind Jefferson of the United States' continued obligations regarding the peace treaty. Whilst he understood that the issue of the forts was pressing enough to cause much disquiet among the US government, he himself was experiencing

similar impressions with respect to those articles which have hitherto not been carried into effect by the United States: As I am perpetually receiving complaints from the British creditors and their agents in this country of their inability to procure legal redress in *any* of the Courts of Law.⁷¹

Until he received further instructions, Hammond was not prepared to give an inch of ground to the Secretary of State, regardless of his laments for American lives.

Historians, including William Masterson and Leslie Reade, have for a long time characterised Hammond's reply as nothing more than a vicious snub.⁷² Indeed, Hammond's tone was not conciliatory. However, this is a short-sighted viewpoint. Hammond was a diplomat steeped in the protocol of the British diplomatic service and not a man to exceed the instructions he had been given by the Foreign Office. Masterson and Reade have also overlooked the importance the war with France in the British government's thinking. Rather than settle the issues of old treaties with a far-off former colony, containing Revolutionary France, and the war in Europe, would

⁷¹ Enclosure H: Hammond to Jefferson, 20 June 1793, National Archives, Kew, FO 5/1, fos. 225-226.

⁷² William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 18; Leslie Reade, 'George III to the United States Sendeth Greeting...', *History Today*, 8, no. 11 (1958), 777.

always take precedence. Being situated so far away from the metropole, Hammond could do nothing but reiterate to Jefferson his most recent information until he heard otherwise. Whilst he correctly judged that the British government's priorities were elsewhere in the summer of 1793, he still expected that further instructions would eventually come and had already prepared for that eventuality. Rather than a snub, Hammond's answer was simply a reiteration of the information he had, but also a reminder of British policy and dogged insistence on reciprocal negotiations. Hammond potentially worsened his already frosty relationship with Jefferson because of his letter, but events in Europe had taken priority.

Despite the disappointing reply from Hammond, Jefferson nevertheless persisted in his attempts to get answers out of the British minister. After another five months, in November 1793, Jefferson tried again. His letter was largely the same as his first enquiry, minus the comments about American blood and treasure. Again, having received no further instructions from Grenville since the summer of 1792, Hammond could do nothing but repeat his previous reply; the delay in negotiations was protracted by the war with France. Only once the situation changed could he expect to receive new instructions to reopen negotiations.⁷³ By then, however, Jefferson's days as Secretary of State were numbered.

In December 1793, after almost two years of off-and-on work, Jefferson presented his long-awaited final *Report on the Privileges and Restrictions on the Commerce of the United States in Foreign Countries* to Congress. With this report, Jefferson hoped to leave a lasting legacy on American commerce, and his time as Secretary of State. The crux of Jefferson's argument, as summarised by Hammond,

⁷³ Enclosure E: Jefferson to Hammond, 13 November 1793, National Archives, Kew, FO 5/4, fo. 66; Enclosure F: Hammond to Jefferson, 22 November 1793, National Archives, Kew, FO 5/4, fo. 68.

amounted to nothing more than to 'recommend a closer connection with France, and to inculcate the expediency of a direct system of commercial hostility with Great Britain.' Jefferson was indeed playing on a heightened hostility to Britain when he submitted his report, as Americans had become angry with British seizures of American shipping and continued occupation of the western forts. At the same time, American anger was fired up by a recent truce between Portugal and the Dutch Republic – with British intervention - and the Barbary States of North Africa. Under the truce, Moroccan and Algerian corsairs began increasing their attacks on American vessels in the Atlantic and Mediterranean. Jefferson hoped that the resulting resentment among Americans, who saw the truce as a British engineered plot to further disrupt American shipping, would create a favourable wave upon which his report would easily pass the narrowly Democratic-Republican controlled House of Representatives.⁷⁴

The debates over the passage of Jefferson's report would begin on 3 January 1794 in the House of Representatives. However, in his capacity as Secretary of State, Jefferson would not be there to oversee its passage. On New Years' Eve, 1793, Jefferson formally submitted his resignation to President Washington, who accepted it the next day. Hammond was studiously non-committal in his official despatches, but voiced a sense of scepticism that Adams and Hamilton shared. Hammond had recorded Jefferson's anxiety to retire as early as February 1793 but could not be certain whether that anxiety was genuine, or whether, through the increased fortunes of Democratic-Republican Party, he would emerge from retirement with an increased influence, or even be carried all the way to the Presidency. One can perhaps perceive

⁷⁴ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fos. 45, 48-49, 50-51.

Hammond's scepticism when he signed off that section of his despatch by musing that 'time alone can determine' what Jefferson's resignation would mean for the future.⁷⁵

The relationship between Hammond and Jefferson may not be as well known as the more famous rivalry between Jefferson and Hamilton, but it was equally intense. Indeed, the failed attempts by both diplomats to settle the outstanding articles of the Treaty of Paris would form the basis of Anglo-American relations for the remainder of Hammond's tenure as British minister. Much research has been done regarding the American cause and Jefferson's herculean account of British infractions of the treaty. However, Hammond's arguments deserve their place in the story. Hammond, in arguing for the rights of British creditors and Loyalist refugees was arguing more abstract principles; principles which were met either by legal impediments from the states or hair-splitting wordplay from Jefferson. Ultimately, no amount of concise argument would have facilitated a breakthrough in negotiations. Hammond's adamance for reciprocity colliding with Jefferson's vehement Anglophobia was not a recipe for a diplomatic understanding. Furthermore, the advent of the French Revolutionary Wars forced the British government partially to abandon American matters for the necessities of the European theatre. Hammond's position as British minister would remain important in Britain's global war with France, but, from now on, his instructions would be primarily to ensure that British interests in the United States were protected against French influence. Until French intrigue was defeated, the Treaty of Paris could wait.

⁷⁵ Hammond to Grenville, 4 February 1793, No. 4, National Archives, Kew, FO 5/1, fo. 76; Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fos. 45-46.

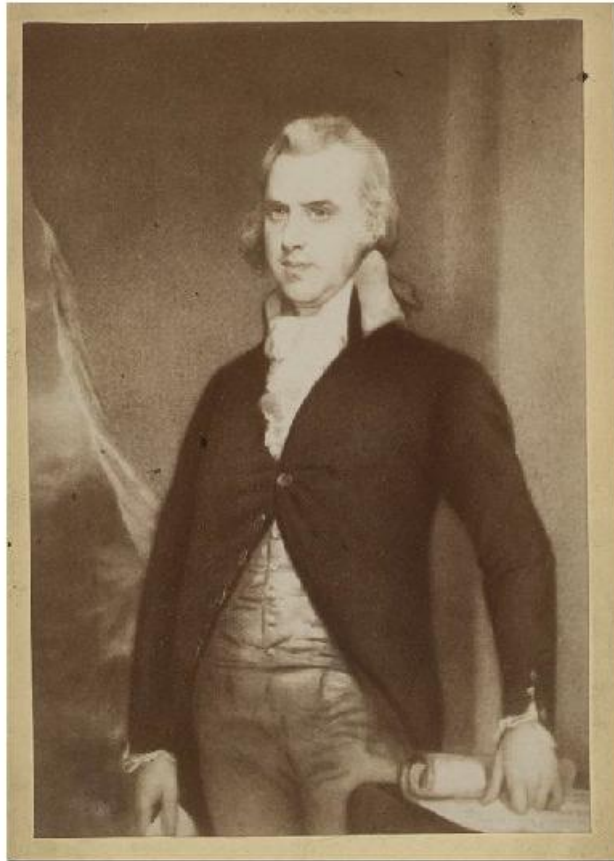


Figure 1: George Hammond (1763-1853), British Minister Plenipotentiary to the United States, 1791-1795.
Engraving based on a portrait by Gilbert Stuart

Chapter 4: The Wild West I, 1791-1792

‘Our confederacy must be viewed as the nest from which all America, North and South is to be
peopled.’

- Thomas Jefferson to Archibald Stuart, 25 January 1786¹

George Hammond's diplomatic instructions did not simply detail the settling of colonial debts and the return of confiscated property. The disputes between Britain and the United States also spanned a vast frontier from the forests of Maine and Nova Scotia to the swamp ridden river basin of the Mississippi and the untapped wilderness of the Great Lakes. The question facing the British government, with Hammond as their representative, was how, following American independence, Britain could maintain a principal position in North America alongside the United States. Perhaps nothing in Hammond's career as British Minister consumed a more continuous amount of his time than events on the western frontier between territory claimed by the US and British North America. In his first despatch accompanying his instructions, Grenville stated to Hammond that ‘nothing would be more satisfactory to His Majesty than to find himself enabled to contribute his good offices for that object’ for peaceful relations among all nations on the frontiers.² Hammond's orders appeared simple: secure the American frontier in Britain's interest.

However, as with much of Hammond's diplomatic business, the frontier proved mercurial and subject to great shifts, and his isolation away from the imperial metropole tested his ability to make prudent decisions in line with London's

¹ Thomas Jefferson to Archibald Stuart, 25 January 1786, Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 9, 1 November 1785–22 June 1786 (Princeton: Princeton University Press, 1954), 217–219.

² Grenville to Hammond, 2 September 1791, No. 1, National Archives, Kew, FO 4/11, fo. 5.

instructions. Similarly, his negotiations with Jefferson faced the same liabilities of personal and national prejudice as their discussions on colonial debts. At the same time, Hammond's blatant favouritism for the Anglophile factions of the Washington administration blighted the already frosty relationship between himself and Jefferson, leaving any prospect of a settlement in doubt. Ultimately, whilst he proved unable to reach a quick settlement, it would be Hammond's position in America which would be his greatest contribution. Hammond's regular and studious accounts of his discussions provided the British government with information indispensable to their understanding of the American frontier. Hammond did not know it in 1792, but his information would prove crucial to his superiors as they began negotiations with John Jay in the summer of 1794.

Death on the Wabash

A detailed account of Hammond's interactions with the American frontier would not be possible without an explanation of the instabilities that plagued the lands west and south of the original thirteen colonies at the time of his arrival. Indeed, Hammond's coming to America, and commencement of official business coincided with one of the United States' greatest defeats at the hands of Native Americans. In late 1791, seeking to remedy defeats from the previous year, the American governor of the Ohio territory, Arthur St Clair, had led an expedition against a Native confederacy which had contested American settlement since the 1780s. Even as he began his diplomatic duties, Hammond found it difficult to acquire accurate information on St Clair's progress. Based on the latest accounts he could acquire, Hammond was able to surmise that St Clair was to build a chain of forts along the Maumee River and establish a permanent garrison of some twelve hundred men once they reached the

“Maumee Towns” (most likely the Ottawa lands). Such a force would, Hammond wrote, be sufficient to ‘check the eruptions of the Indians in that quarter.’³

What Hammond did not know at the time, however, was that St Clair’s expedition had met with disaster. In early November, St Clair’s army was surrounded by the Native American forces and attacked, resulting in the deaths of over 600 soldiers and militia. St Clair was forced to retreat to Fort Washington, now downtown Cincinnati, Ohio, and abandon the forts established along their route. Despite the Native American forces quickly scattering after the battle to hunt in preparation for winter, and to collect what food they could after the destruction of their crops by St Clair’s forces, the defeat was arguably the largest Native American victory and US defeat in American history.⁴

It was not until 9 December, over a month after the battle, that the news of St Clair’s defeat arrived in the Philadelphia newspapers. From that intelligence, Hammond learned the scale of the defeat, and the news that the remainder of St Clair’s army which had retreated further to Fort Jefferson had been cut off.⁵ With American military strength shattered on the frontier, settlements in the west feared further attacks from other Indian nations in the Native confederacy. At the beginning of 1792, alarming reports of a possible attack by the Seneca on Fort Franklin (eighty miles north of Pittsburgh) had been laid before the houses of the Pennsylvania legislature. Unless reinforcements could be quickly raised and dispatched to strengthen the fort’s strength, inhabitants feared a depopulation of western Pennsylvania.

³ Hammond to Grenville, 8 December 1791, No. 7, National Archives, Kew, FO 4/11, fo. 204.

⁴ Colin G Calloway, *The Victory with No Name: The Native Defeat of the First American Army*, (Oxford: Oxford University Press, 2015), 5.

⁵ Enclosure: The Virginia Gazette, 2 December 1791, National Archives, Kew, FO 411, fo. 244; Hammond to Grenville, 10 December 1791, National Archives, Kew, FO 4/11, fo. 241.

The fallout of St Clair's defeat illustrated two important things for Hammond to consider as he forwarded the intelligence back to Grenville. The first was the scale of the Indian insurgency and second its level of organisation. Up until St Clair's defeat, Hammond noted, the Seneca peoples had been neutral in the war between the United States and the north-western Indians. The speed at which the defeat had changed their sentiments led Hammond to believe that 'a sort of concert and correspondence' existed among the Indians, and that 'the means of conveying and diffusing intelligence are to them facile and expeditious.' Armed with such a well organised communication between the different Indian nations, Hammond reasoned that a united confederacy of the majority of the native peoples bordering the United States was 'an event not wholly improbable.'⁶ If the United States was encountering stronger and more organised levels of Native American resistance, that could offer scope for the British government to intervene between the two sides and negotiate a peace which would secure the frontier, and their alliances with the Native peoples. As the principal British representative in the United States, Hammond was perfectly placed to facilitate a change of American policy to Britain's benefit in the west.

The King's Mediation

Even with the defeat of St Clair, the Washington administration was determined to continue the war. At the same time, as early as the spring of 1791, British agents in British North America had suggested the possibility of mediating between the United States and the Indians to prevent future hostilities. Acting as an unofficial envoy to the United States, and on instruction from Lord Dorchester, George Beckwith had proposed that Dorchester himself should mediate between the two sides. Beckwith argued that such a policy would be beneficial to the United States, as peace would

⁶ Hammond to Grenville, 9 January 1792, No. 2, National Archives, Kew, FO 4/14. fos. 30-31.

restore the relations which had existed between them prior to the war. To that end, Lord Dorchester suggested that 'a friendly accommodation and settlement would be a pleasing circumstance to your government, it might have a tendency to promote it.'⁷ By acting as so called "honest brokers", the British government hoped to preserve the lands and rights of the Native peoples whom they had previously hoped to incorporate into their North American empire through the Quebec Act of 1774. Only with their own independence, the British believed, could the rights of the Native American peoples in the region be protected. The American response had been that British mediation was inadmissible regarding disputes within US territory. However, neither Beckwith, Dorchester, nor the British government dropped the idea. When St Clair met his defeat that autumn and Hammond took up his official duties as British minister, the British government in Canada sensed a opportunity to raise the issue again.

Hammond was aware of the British government's hope for a role in mediating between the United States and the Indians. Grenville had informed Hammond that 'No other mode of terminating the business seems to afford so fair a prospect of a satisfactory conclusion, with a view to the permanent interests of this country in that part of the world.'⁸ Furthermore, with the defeat of St Clair, and the fears of further incursions by the Indians on American settlements, Hammond saw an opportunity to raise the issue as a speedy remedy to end the hostilities. It would be expected that Hammond would have approached Jefferson, as the United States' chief diplomat, to propose the idea of British mediation. Instead, in line with his tactic elsewhere, Hammond sought out Treasury Secretary Hamilton's opinion. During their conversation, and in the context of St Clair's defeat, Hammond expressed the King's

⁷ Conversation with George Beckwith, [15 May 1791], in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 8, *February 1791–July 1791* (New York: Columbia University Press, 1965), 342–343.

⁸ Grenville to Hammond, 17 March 1792, No. 8, National Archives, Kew, FO 4/14, fo. 254.

‘desire to see tranquillity between the Indians and the United States permanently re-established.’ To that purpose, Hammond argued that the King’s mediation, by way of the British government in Canada, ‘would not be ineffectual’ in achieving peace.⁹

Despite his Anglophile tendencies, Hamilton responded to Hammond’s proposals by stating that the British government should be reminded that the war with the Indians was in no way driven by a desire by the United States to expand. Instead, the US was fighting to ensure that the Indians adhered to the treaties signed with them. If the United States was unable to achieve this through peaceful negotiation, then it was determined to achieve it through force. Hamilton’s response was unequivocal: the United States was determined to achieve its ends by any means at its disposal, and the British government should not interfere in what was merely a treaty dispute between the US and the Indians. However, the US government, Hamilton added, ‘was...sincerely solicitous to affect a pacification, and if the voluntary interposition of the King’s government in Canada could tend to accomplish it, such a measure would be received with the greatest gratitude.’¹⁰ Hamilton’s rebuff was clear, but not absolute to Hammond, who continued to see the possibility of compromise in the Treasury Secretary’s words. If he could continue to press the benefits of British mediation, and the situation on the frontier continued to deteriorate, American policymakers might be more willing to concede to his proposals.

Concurrently with events taking place on the northern and southern frontiers was Jefferson’s first salvo on settling the outstanding articles of the Treaty of Paris. Having been assured by Hammond that he was fully authorised to discuss the stipulations of the treaty, Jefferson put together an initial list of articles which the United

⁹ Hammond to Grenville, 19 December 1791, No. 13, National Archives, Kew, FO 4/11, fo. 257.

¹⁰ Hammond to Grenville, 19 December 1791, No. 13, FO 4/11, fos. 257-258.

States wished to be remedied. The definitive treaty of peace, Jefferson wrote to Hammond, stipulated that 'his Britannic Majesty should with all convenient speed, and without causing any destruction...withdraw all his armies, garrisons and fleets from the sd. United States and from every port, place, and harbour within the same.' With respect to the withdrawal of garrisons, Jefferson listed seven posts in the northwest which remained occupied by British troops at Michilimackinac, Detroit, Niagara, Oswego, Oswegatchie, Pointe-au-fer, and Dutchman's Point. The continued occupation of these posts meant that, consequently, 'British officers have undertaken to exercise jurisdiction over the country and inhabitants in the vicinities of those forts' and '[had] excluded the citizens of the United States from navigating even on our side of the...rivers and lakes established as the boundary between the two nations.'¹¹ Occupying the posts, Jefferson suggested, also prohibited the United States from fully prosecuting the war in the northwest and deprived them of the valuable commerce that the north-western lands offered, thus exacerbating the Indian War.

The British occupation of the forts would be the crux of the discussion over British mediation of the Indian War, and the Achilles heel of Hammond's proposals. As early as February 1792, Hammond was forced to admit to Grenville that he had

heard from good authority, that it is the fixed determination of this government not to accept or admit any intervention or mediation in the peace on the part of the King's government in Canada, so long as the posts shall remain in the possession of his Majesty's arms.¹²

Hammond correctly suspected that this resolution formed part of Washington's secret communications to Congress, thus dampening any assurances that Hamilton, or even Jefferson, might give on allowing British mediation in the Indian War. As the United

¹¹ Enclosure I: Jefferson to Hammond, 15 December 1791, National Archives, Kew, FO 4/11, fos. 268-269.

¹² Hammond to Grenville, 2 February 1792, No. 8, National Archives, Kew, FO 4/14, fo. 156.

States began to field its new army, Hammond resigned himself to the fact that, for the time being, offers of British mediation would fall on deaf ears. The rejection of the British offer was not simply a government policy, but, from Hammond's observing of the public prints, the 'universal sanction of public opinion.' Conceding the fact to Grenville, Hammond observed,

And at this period all the motives which may have originally led to this determination, must now operate with additional force. For even if the existing expectation of inducing the Indian[s] to consent to the conditions proposed by the United States, should not be realised, the vigorous exertions for prosecuting the war certainly justify confidence that the issue of the ensuing may be more successful than that of the preceding campaign.¹³

Hammond's reflection was clear: if the United States was unable to make peace with the Indians on its own terms, the Washington administration remained confident that their new military campaign would ensure their compliance, without British interference. Hammond would nevertheless refuse to give up on his hopes of British mediation. Between 1791 and 1795 Hammond, and his colleagues in Canada, would continue to press the issue of settling the Indian conflict through international mediation. Their pleas however would be met with only empty affirmations on the part of the United States. Time alone would determine the outcome.

The Fourteenth State

Even as Hammond and Hamilton discussed possible solutions to the outstanding articles of the peace treaty behind Jefferson's back, the problem of the western forts remained a live issue. Perhaps at the same time as their conversation on the forts, Hammond received intelligence from Lieutenant Governor Clarke about developments that could potentially cause friction along the border between the new

¹³ Hammond to Grenville, 8 June 1792, No. 23, National Archives, Kew, FO 4/15, fos. 288-289.

State of Vermont and British North America. On 2 March 1791, two days before Vermont's formal admittance into the union as the fourteenth state, the US Congress passed an Act extending all laws of the United States within its territory. Alongside the Act's extension of law came with it the allocation of federal customs collectors. Governor Clarke had learned that the residence of the federal customs collector was to be established in the town of Alburgh, within the district of Pointe-au-Fer, one of the forts still occupied by British troops.

Hammond immediately took the situation up with Hamilton, commenting that, as the outstanding issues with the peace treaty would be discussed by way of negotiation, 'it would not be expedient to incur the risk of the two governments being committed either by measures of this nature or by the enterprises of individuals.' Hamilton agreed and assured him that the establishing of the customs collector's residence at Alburgh was a mistake; the US government being at the time unaware that the town lay within the territory occupied by British troops. It was therefore determined that Congress suspend that section of the Act until the matter of the western forts was resolved.¹⁴ Whether the incident was a genuine accident or a means of forcing the issue of British withdrawal of the western forts, it is impossible to say. However, the incident illustrated the fragile nature of Hammond's negotiations, and the ease with which they could be damaged by parties on either side.

The Vermont incident would not go away easily, and Hammond would soon return to the fractious relationship between Vermont's American citizens and the British troops still stationed there. In May 1792, the Governor of Vermont, Thomas Chittenden, announced that Alburgh would be incorporated with a town government. This decision caused great friction among the town's five hundred inhabitants – a

¹⁴ Hammond to Grenville, 9 January 1792, No. 4, National Archives, Kew, FO 4/14, fo. 42.

mixture of Americans and Canadians cohabiting with different loyalties – and the neighbouring British garrison at New York's Pointe-au-Fer over who held jurisdiction. Believing that the new Alburgh town government would infringe the rights of those they claimed as British subjects, Lord Dorchester instructed civil and military officers that such infringements would be considered hostile acts and consequently repelled by force if necessary.

Matters came to a head when British soldiers from Pointe-au-Fer arrested and detained a Vermont sheriff along with his assistants for attempting to serve a writ of attachment on Patrick Conroy, a local British official who had informally acted as a Justice of the Peace. Once those officials were eventually released, however, Conroy and a party of British troops from the fort attempted to prohibit two Vermont Justices from exercising their duties, under orders to 'oppose [and] take into custody any officer acting under any power than that of Great Britain within those limits which are now known [and] distinguished by the name of Alburgh.'¹⁵

Hearing about all this commotion on the northeast frontier, Hammond asked Jefferson to provide answers about the recent conflicts between the competing British and American authorities, claiming that 'persons acting under the authority of the State of Vermont...have committed acts of violence on the persons and property of British subjects residing under the protection of his Majesty's garrisons.' As Hammond had already been vindicated in his correspondence with Hamilton on the subject earlier in the year, he held 'the strongest confidence that the general government will entirely disapprove of the violent conduct observed by the State of Vermont...and will...adopt such as may be calculated to prevent a repetition of it in future.'¹⁶

¹⁵ George Hammond to Thomas Jefferson, 5 July 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 160–162.

¹⁶ Hammond to Jefferson, 5 July 1792, National Archives, Kew, FO 4/16, fo. 60.

Jefferson, who had received his own complaints of British actions from Governor Chittenden, had a great deal of knowledge of the situation in Vermont. In 1791, he and James Madison had travelled to Vermont and written about the unpopularity of the British actions among the American inhabitants. Nevertheless, he understood that the issue could only be resolved with the British withdrawal from the frontier forts, which he was already negotiating to achieve. As a result, he assured Hammond that he would discuss the situation with the President. Outside of the State Department, however, Hamilton and Henry Knox, the Secretary of War, had already expressed 'the most pointed, unequivocal disapprobation of the violent conduct of the State of Vermont,' adding to Hammond's confidence that the United States would not attempt to argue the point.¹⁷

Following a discussion with the President, it was decided that the only means of containing the Vermont dispute was to assert the primacy of the federal government. Once he had assured Hammond of the US government's wish to 'cultivate harmony on our borders,' Jefferson wrote to Governor Chittenden and urged him both to provide information relating to Hammond's complaints and not to 'retard, if not defeat, the ultimate arrangement' until a diplomatic settlement on the forts could be obtained.¹⁸ Chittenden, however, ignored Jefferson's requests and, in the following October, submitted his correspondence to the Vermont Assembly on a charge that 'the letters by Mr Jefferson...must have been founded on a mistaking of facts.'¹⁹ The Vermont Assembly, praising Chittenden, advised him to prepare a statement to the President,

¹⁷ Hammond to Grenville, 17 July 1792, No. 31, National Archives, Kew, FO 4/16, fo. 62.

¹⁸ Jefferson to Hammond, 9 July 1792, National Archives, Kew, FO 4/16, fo. 64; Thomas Jefferson to Thomas Chittenden, 9 July 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792* (Princeton: Princeton University Press, 1990), 200.

¹⁹ Report of the Committee of the General Assembly on the Foregoing Papers, 20 October 1792, in Eliakim Parson Walton, ed., *Records of the Governor and Council of the State of Vermont*, vol. iv (Montpelier: Steam Press, 1876), 471.

asserting that Alburgh was not occupied by British troops, or under their protection as Hammond had asserted. The local British authorities in the area had by now abandoned their attempts to obstruct the incorporation of the town government, rendering the incident, at least on the ground, temporarily resolved. However, with the establishment of uncontested American control in Alburgh came further encroachments around the local posts still occupied by British troops. Hammond would be forced to return to the Vermont dispute later in his career as Minister, this time when relations between Britain and the United States teetered close to war.

The Ageing Empire

At the time of Hammond's arrival in Philadelphia, Great Britain was not the only European power to border the United States. Whilst Britain remained the primary colonial power in Canada and the northwest, Spain still maintained a vast territory bordering the southwest and along the Mississippi River. Despite its glory days being far behind it, Spain remained a powerful rival for control over the American south and west. Indeed, rivalry with Spain over the Nootka Sound crisis had been the driving force behind the need for a British Minister in the United States. For the British government, the lucrative prize was access to the Mississippi River. Under the Treaty of Paris, British ships had been free to navigate the river from its mouth to its source. This arrangement however was not universally acknowledged due to the Spanish presence along the western bank of the Mississippi, and the Court of Madrid having never formally accepted the Treaty of Paris. As a result, the British government monitored relations between the United States and Spain with great care.

In January 1792, Grenville informed Hammond that Lord St Helens, British Minister Plenipotentiary to Spain, had forwarded intelligence of a possible alliance between the United States and Spain. As the United States' principal neighbour to the

west and south, Spanish Florida and Louisiana were profitable markets for American merchants, especially river trade along the Mississippi towards New Orleans. Such an alliance between the United States and Spain could, the Foreign Office feared, be damaging to British interests, and be used as a means of excluding British ships from the river trade. Hammond was therefore instructed to watch the progress of negotiation conducted by William Carmichael (US chargé d'affaires in Madrid) on his side of the Atlantic and to acquaint the Foreign Secretary 'with all the particulars that he could learn.' Grenville was conscious that such instructions could be construed by the US government as potential British interference and warned Hammond to take 'no public steps to counteract any arrangements which may be concerted between the two countries.' Instead, he should inform the American ministers of his desire that the United States not enter into any measures with Madrid 'which may be prejudicial to the interests of Great Britain.'²⁰ Armed with these new instructions, Hammond learned from Jefferson that Carmichael had been given commissions to negotiate a treaty to protect American navigation of the Mississippi with Spain.²¹ As the border between the United States and Spanish Louisiana straddled the course of the Mississippi, such a treaty had the potential to shut Britain out of the river's navigation.

In addition to his discovery of the particulars of American negotiations with Spain, Hammond also began collecting information relating to the course of the Mississippi and its intersection with the Anglo-American border. To account for the provision which gave Britain unrestricted access to the Mississippi, the north-western border between the United States and Canada had been set at the fiftieth parallel north, on a line proceeding westwards from the furthest northwest point of the Lake of

²⁰ Grenville to Hammond, 5 January 1792, British Library, *The Dropmore Papers*, add MS 59084, fos. 11-12.

²¹ Hammond to Grenville, 2 February 1792, No. 8, National Archives, Kew, FO 4/14, fo. 153.

the Woods (today straddling the border between the Canadian provinces of Ontario and Manitoba, and the US state of Minnesota). It was believed, at the time of the Treaty of Paris, that the course of the Mississippi would intersect that line and provide a natural point at which British ships could access the lucrative river trade. Hammond was keenly aware of the potential opportunities that Mississippi river trade could provide, commenting that the growing settlements along its banks presented an 'unrivalled market for British manufactures.'²² Hammond's and the British government's optimism, however, would prove unwarranted as Hammond uncovered more accurate surveys for the area showing that the boundary line would never strike the Mississippi. Alongside its inaccuracy on the St Croix question, the Mitchell Map had assumed the Mississippi extended beyond the fiftieth parallel. Instead, Hammond discovered, the Mississippi remained completely within US territory. If this problem, which Hammond called an 'accidental geographical error', remained unresolved or unaltered, it would effectively nullify the eighth article of the treaty, which guaranteed British access to the Mississippi.

Despite this potentially embarrassing twist, Hammond continued to investigate the progress of the Carmichael mission to Spain. Hammond would raise the subject with both Jefferson and Hamilton. Firstly, in late January 1792, Jefferson informed Hammond that no news had arrived from Carmichael in Madrid. Jefferson, 'with no little asperity', put the delay down to the 'jealous caution of the Spanish court.'²³ Hamilton would himself voice a similar opinion, telling Hammond that 'it is indeed singular that they [the Spanish court] have never proposed anything which has not been clogged by some strange absurd impediment or another.'²⁴ In reality, the delays

²² Hammond to Grenville, 2 February 1792, British Library, *The Dropmore Papers*, add MS 58939, fo. 11.

²³ Hammond to Grenville, 5 April 1792, British Library, *The Dropmore Papers*, add MS 58939, fo. 13.

²⁴ Hammond to Grenville, 5 April 1792, National Archives, Kew, FO 4/14, fo. 342.

from Madrid were down to Carmichael himself. Even as he was appointed as American commissioner to Spain, Carmichael had believed that a connection with Britain, rather than Spain, was far preferable for the interests of the United States. As a result, Carmichael informed Anthony Merry, an agent to the British legation in Madrid and future minister to the United States, that he would delay transmission of the Spanish proposals for as long as possible.²⁵ Through Lord St Helens, Merry's information made its way into Hammond's possession, allowing him freely to stress British interests whilst the Americans waited for Carmichael's intentionally delayed despatches.

Nevertheless, despite Carmichael's delays, the Spanish proposals eventually arrived in the United States. Among the proposals included the settling of land disputes and, most importantly, offers relating to navigation of the Mississippi river. Hammond sought out the opinion of Hamilton to ensure that British interests in the negotiations would be respected. Upon asking whether Carmichael's mission was as it was publicly stated to be – namely a mission regarding navigation of the Mississippi – Hamilton answered affirmatively and added that 'other points of a similar nature had been subjects of frequent disagreement and discussion between our two governments...were in a train of being adjusted to their mutual satisfaction.'²⁶

Seeking to remind him of the United States' treaty obligations, Hammond reiterated to Hamilton that Britain had secured free navigation of the Mississippi, and therefore he hoped the United States 'would not consent to any stipulations that might militate [Great Britain's] rights and interest in this or any other respect.' To Hammond's relief, Hamilton assured him that the United States was 'far from entertaining any such intention'. British trade along the Mississippi was, Hamilton assured the British

²⁵ Grenville to Hammond, 5 January 1792, note 11, in Bernard Mayo, ed., *Instructions to the British Ministers to the United States, 1791-1812* (New York: De Capo, 1971), 22.

²⁶ Hammond to Grenville, 5 April 1792, No. 15, National Archives, Kew, FO 4/14, fo. 341.

minister, 'an object of benefit, rather than disadvantage, inasmuch as it involved the two countries in one common connexion of interests against any attempt of the Court of Spain, to exclude both or either of them from the navigation of that river.' Hammond was inclined to believe Hamilton's assurances, since, similarly to their conversations on settling colonial debts, Hamilton tended to side more with Hammond's reasoning than his colleague, Jefferson. As the leader of the emerging pro-British faction in Washington's cabinet, Hamilton saw the accommodation of Britain as beneficial to the future prosperity of the United States. Hamilton's willingness to accommodate British stipulations made him a far more amiable counterpart than the anti-British Jefferson.

For the time being, however, before any treaty was agreed upon, the United States would wait for the arrival of a new Spanish minister properly to succeed Diego Maria de Gardoqui, who had returned to Spain in 1788. The current holders of the post, Jose de Jaudenes y Nebot and Jose Ignacio de Viar, had proved themselves, according to Hammond, 'completely incompetent in the prosecution of any public object whatsoever.'²⁷ Hammond for his part continued to observe the progress of the negotiations with his government's interests in mind.

Since Britain now had no natural means of accessing the Mississippi from the northwest, as was believed possible in the Paris negotiations, Grenville was keen to stress to Hammond the importance of the Great Lakes boundary. Writing to Hammond, Grenville pressed upon him the need to for British free navigation of the region, instructing him to 'bear in mind, that [the Mississippi] will be an object of the greatest importance, at all events to secure, if possible, to his Majesty's subjects in Canada.'²⁸ To ensure the guarantee of free navigation, Grenville suggested the

²⁷ Hammond to Grenville, 5 April 1792, No. 15, National Archives, Kew, FO 4/14, fos. 341-342.

²⁸ Grenville to Hammond, 25 April 1792, National Archives, Kew, FO 4/14, fos. 437-438.

possibility of altering the Lake of the Woods boundary to intersect a river with flowed south into the Mississippi, suggesting the “Ouisconsing” (Wisconsin) river as the cornerstone of an alternative boundary. If the Wisconsin river proved to be unworkable, however, Hammond was empowered to suggest others based on information he could acquire in the United States.

Luckily for Hammond, from an accidental conversation with a member of the Senate, he learned that the terms offered by the Spanish had ‘not been accepted with so much eagerness and alacrity, as from the supposed favourable tendency of them might have been accepted.’²⁹ The terms, rather than being anything resembling an alliance, were confined to the navigation of the Mississippi. Nevertheless, Hammond continued to emphasise the importance of guaranteeing a British presence along that vital artery into the American interior, arguing that

A healthy climate and a soil fertile in every production of nature, an inland navigation of several thousand miles in extent, and a sea-port to which the most valuable commodities can be transported’ were all advantages best calculated to invite men discontented in their actual situation.³⁰

Hammond hoped to use regional American factionalism as a possible pretext for encouraging British influence on the Mississippi, writing that the eastern states ‘entertain a well-founded suspicion of the immense accession of wealth and power that would be derived to the southern states, from the new source of commerce that the accomplishment of this object will afford.’ In an early instance of a problem which would plague the United States until the Civil War, eastern and northern states feared the expansion of the south and west into the lands along the Mississippi and beyond. If the southern and western states were able to cultivate the lands of the Mississippi – which would inevitably involve the introduction of slavery – it would upset the delicate

²⁹ Hammond to Grenville, 8 June 1792, No. 20, National Archives, Kew, FO 4/15, fo. 57.

³⁰ Hammond to Grenville, 8 June 1792, No. 20, FO 4/15, fos. 57-58.

balance between slave and free states within the US Congress. The eastern states, Hammond commented, had purchased or obtained grants for 'extensive tracts of lands along the borders of the Lakes and other parts of the states', lands whose value would be 'greatly diminished by the competition of the lands of the Mississippi.' It was therefore imperative that Britain maintain a presence in the lucrative region as the 'negotiation is so far advanced as to wait only for their acquiescence in the proposals, to complete the definitive arrangement, which is to be settled by Mr Short and Carmichael at Madrid.'³¹

During a conversation with Hamilton, Hammond mentioned the negotiations regarding the Mississippi and enquired into their progress. Hamilton answered that the negotiations were very far advanced, but the conditions insisted upon by the Spanish government did not 'at present appear to be so extensively beneficial as might have been desired.' The condition which drew much of Hamilton's ire was the Spanish government's resistance to the cession to the United States of any seaport along the Mississippi. If an adequate seaport could not be acquired through negotiation, Hamilton argued, 'the necessity of obtaining it by any means must at some period ultimately lead to a rupture between this country and Spain.'³²

Sensing an opportunity, Hammond reiterated his hope that, whatever the outcome of the negotiations with Spain, the United States would not enter into any arrangements 'injurious to the rights secured by treaty to Great Britain.' Hamilton was emphatic in his assurance that the participation of Great Britain in the Mississippi river trade was the unanimous desire of the US government, and they viewed free British navigation as 'an object of advantage.' As he had already received these assurances

³¹ Hammond to Grenville, 8 June 1792, No. 20, National Archives, Kew, FO 4/15, fos. 57-58.

³² Hammond to Grenville, 3 July 1792, No. 27, National Archives, Kew, FO 4/16, fo. 29.

earlier in the year, Hammond pressed Hamilton further, hoping that his promises would turn into results. 'I trusted that, whenever the subject came into discussion', Hammond noted in his despatch to Grenville, 'I should find them, inclined to such a regulation of the boundaries as would afford to his Majesty's subjects an effectual communication with the Mississippi'. Hamilton replied that 'it would well deserve the attention of the United States to consent to as liberal a measure of accommodation', acquiescing once again to Hammond's lobbying on the part of Britain's treaty rights. Whilst he did contend that the information received from Hamilton did not completely correlate with the information he received from Lord St Helens, Hammond put this difference down to the protocol of the Spanish court rather than American duplicity. 'I have never yet at any time had reason to suspect him of artifice or imposition,' Hammond asserted, never doubting his faith in Hamilton's favour of the British interest.³³

Whilst negotiations with the United States continued, however, Spain remained suspicious of its eastern neighbour and worked to undermine the American position in the southwest. The area of acute rivalry between the two nations was the border territory between Georgia and the Spanish Floridas. Throughout 1792, the Creek peoples of Georgia had resisted overtures from the United States to send commissioners to settle boundaries between American and Creek land. Hammond wrote of the 'serious apprehensions' in the US government regarding 'the present disposition of the Creeks', emphasising the importance the United States placed on good relations with the southwest native peoples.³⁴

The Creek leader, Alexander McGillivray, had repudiated the Treaty of New York, which attempted to establish peace between the Creeks and the United States,

³³ Hammond to Grenville, 3 July 1792, No. 27, National Archives, Kew, FO 4/16, fos. 29-30.

³⁴ Hammond to Grenville, 5 September 1792, National Archives, Kew, FO 4/16, fo. 127.

and signed a new accord with the Baron de Carondelet, the Spanish Governor of Louisiana and Intendent General of West Florida. Under this new treaty, the Spanish guaranteed Creek sovereignty and promised aid in attacks on the United States. Carondelet justified his actions by claiming that part of the Creek nation fell within the territory of Spanish Florida, making them subjects of the Spanish Crown and not of the United States.³⁵ Alongside the Creeks, the Cherokee people also rose in revolt. Hammond put McGillivray's reasoning down to being 'adverse to the fulfilment of the conditions of his treaty', most likely the inability of the US Army to police the Creek lands and prevent encroachment of white settlers. In addition, the Spanish were said to have constructed a fort within the territory ceded to the United States by the Creeks, thus implicating them in the new conflict.³⁶ Whilst the United States and Spain appeared to be reaching a settlement within the confines of the Spanish court, the situation on the ground had spiralled out of control.

The uprising of the Muskogee Native American peoples, particularly in Georgia and around the southwest, caused great alarm in the US government. At a session of Congress on 5 November 1792, Hammond noted, the President 'adverted also to the menacing appearance of the Cherokees on the frontiers of Georgia.' 'A part of the Cherokees', the President claimed, 'inhabiting five villages on the Tennessee River, have long been in the practice of committing depredations on the neighbouring settlements.' The Georgia frontier now became increasingly unstable as bands of Creeks and Cherokees – some consisting of between four and five hundred men –

³⁵ Jane M. Berry, 'The Indian Policy of Spain in the Southwest, 1783-1795,' *The Mississippi Valley Historical Review*, 3, no.4 (1917), 473.

³⁶ Hammond to Grenville, 3 October 1792, No. 39, National Archives, Kew, FO 4/16, fos. 183-184; Hammond to Grenville, 4 December 1792, No. 41, National Archives, Kew, FO 4/16, fos. 266-267.

began raiding white settlements and ‘massacred considerable numbers of the inhabitants.’³⁷

The US government had known since the end of October 1792 that Carondelet was aiding the Creeks and Cherokees, and that he based his justification on the assertion that, by the boundaries established by the Treaty of New York, part of the Creek lands fell within Spanish sovereignty. Therefore, the Creeks were subjects of the Spanish Crown. Jefferson had therefore instructed the American commissioners to enquire whether the Governor’s actions were sanctioned from Madrid. However, by the time Hammond had learned of this information, it was flatly denied by the US government that Carondelet’s arguments had any merits. Regardless of the denial on the part of the Washington administration, Hammond knew that this conflict could have ramifications for British interests in the region. To that end, he informed Grenville that ‘should any serious consequences result from these misunderstandings’, he would ‘endeavour to observe such a line of conduct as will best evince a desire of his Majesty’s government to promote and preserve the general tranquillity of the continent.’³⁸

The Room Where It Happened

Fearing an insurmountable impasse over the northwest boundary and withdrawal of the forts, Jefferson invited Hammond to dine with him and discuss the

³⁷ Hammond to Grenville, 6 November 1792, National Archives, Kew, FO 4/16, fos. 243-244; Address to the United States Senate and House of Representatives, 6 November 1792, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 11, *16 August 1792–15 January 1793* (Charlottesville: University of Virginia Press, 2002), 342–351; Hammond to Grenville, 1 January 1793, No. 1, National Archives, Kew, FO 5/1, fo. 31.

³⁸ Thomas Jefferson to George Washington, 29 October 1792, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 11, *16 August 1792–15 January 1793* (Charlottesville: University of Virginia Press, 2002), 282–284; Thomas Jefferson to William Carmichael and William Short, 14 October 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792* (Princeton: Princeton University Press, 1990), 479–481; Hammond to Grenville, 4 December 1792, No. 41, National Archives, Kew, FO 4/16, fos. 266-267.

outstanding issues upon which they disagreed. This was the same dinner where Hammond and Jefferson attempted to settle the outstanding articles of the Treaty of Paris. Alongside discussions on colonial debts and Jefferson's counterstatement on infractions of the Treaty of Paris, Hammond raised the problem of British navigation of the Mississippi, arguing that in order to reconcile the northwest boundary line with the eighth Article of the Treaty of Paris, 'that line should be so run as to give [Britain] access to the navigable waters of the Mississippi.' To do so, Hammond argued, would be in the best interests of the United States, as it would 'introduce a third power between [the United States] and the Spaniards.' It should be stated that the account of this part of their discussions comes entirely from Jefferson's later recounting of the conversations. The Mississippi question unfortunately does not feature heavily in Hammond's despatch of the same discussion.³⁹ As a result, we can only rely on Jefferson's version of events. Jefferson answered that he had no objections to settling the northwest boundary, stating that if it indeed

was an impossible line as proposed in the treaty it should be rendered possible by as small and unimportant an alteration as might be, which I thought would be to throw in a line running due north from the northernmost source of the Mississippi till it should strike the western line from the Lake of the Woods.⁴⁰

According to Jefferson, however, the northwest boundary dispute had nothing to do with British navigation of the Mississippi. He countered that the guarantees of Article Eight related to the southern boundary rather than the northern boundary of the United States. He referred Hammond to the provisional Treaty of Paris, which was made prior to Britain's separate peace with Spain, whereby Britain might retain control

³⁹ Hammond to Grenville, 8 June 1792, No. 23, National Archives, Kew, FO 4/15, fo. 229.

⁴⁰ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 26–33.

of Florida. Under these arrangements, Jefferson stated, Britain would have held a border along the thirty-second parallel, and a possible port of entry at the southern end of the Mississippi. But with Britain ceding Florida back to Spain as part of their separate peace, such a scenario was rendered null and void. 'It is evident to me', Jefferson wrote, 'that they have it in view to claim a slice on our northwestern quarter that they may get into the Mississippi', understanding perfectly that Britain hoped to acquire US territory to compensate for its treaty obligations with other nations. He therefore concluded that the northwest boundary represented a 'make-weight' with the frontier forts to compensate for the redress of colonial debts, binding the dispute back into the withdrawal of the forts, something which Hammond remained powerless to authorise on his own.⁴¹

Now shifting the conversation onto the frontier forts, Jefferson hinted to Hammond his long-held opinion that, as the issue of outstanding colonial debts was settled through the courts system, an early British withdrawal of the forts would have left all articles of the Treaty of Paris complied with. Assuming that Jefferson's opinion implied that he had the power to authorise the withdrawal of the forts, Hammond was amused and countered that, whilst assurances had been given that colonial debts would be recovered, 'it was the opinion of his court that the retention of the posts was but a short compensation for the losses which their [Britain's] citizens had sustained and would sustain by the delay of their admission into [the] courts.' Jefferson was unimpressed, since he now realised that Hammond's instructions never extended to negotiations over control of the frontier forts and that 'his [Hammond's] frequent declarations that the face of the controversy was now so totally changed from what it

⁴¹ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 26–33.

was understood to be at his court, that no instructions of his could be applicable to it.' Jefferson was forced to accept that, where things currently stood, 'his [Hammond's] court had entertained no thought of ever giving up the posts, and had framed their instructions to him on a totally different hypothesis,' namely the recovery of colonial debts.⁴²

Hammond now moved onto enquiring into what Jefferson understood to be the boundary between the United States and the native peoples of the northwest, and what he understood were the rights which American citizens could exercise over those lands. The British minister was attempting to make headway on the prospect of a buffer state between the United States and Canada, proposals which had not yet factored into Hammond's official negotiations. Jefferson answered that the boundary could be easily found through an examination of Hutchins's Map (another map referred to by British and American policymakers), and that their rights were founded on 'the right of pre-emption of their lands' – that is purchase of lands – and the 'right of regulating commerce between them [Native Americans] and the whites.'⁴³ Jefferson added that attempts by any other nations to purchase Native lands would be considered an act of war.

As this scenario would inevitably prohibit the activities of British fur traders in the area, which Jefferson admitted was part of his idea for American control, Hammond contended that such a prohibition would be hard on the Native peoples and reinforced his belief that 'our [US] intention was to exterminate the Indians and take

⁴² Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, 1 June–31 December 1792 (Princeton: Princeton University Press, 1990), 26–33.

⁴³ Thomas Hutchins and T. Cheevers, "A new map of the western parts of Virginia, Pennsylvania, Maryland, and North Carolina; comprehending the River Ohio, and all the rivers, which fall into it; part of the River Mississippi, the whole of the Illinois River, Lake Erie; part of the Lakes Huron, Michigan &c. and all the country bordering on these lakes and rivers", 1778, *Library of Congress* (Accessed 27 January 2025) <https://www.loc.gov/item/gm71002165/>.

their lands.’ On the contrary, Jefferson countered, commerce with the Native peoples would work just as well with American traders as it would with British because ‘whether the trade were carried on by English or Americans, it would be with English goods’; and the American policy was purely ‘to protect them [Native Americans], even from our own citizens; that we wish to get lines established with all of them, and have no views even of purchasing any more lands from them for a long time.’ The Indians, Jefferson argued, were ‘a marechausee, or police’, tasked with scouring the woods for rovers and robbers who would attempt to use them as a cover.⁴⁴ American control of the forts would therefore allow the United States to have a greater influence over this reciprocal relationship which Jefferson believed the white settlers and the Native peoples enjoyed.

Hammond and Jefferson appeared to have found common ground only towards the end of Jefferson’s account. Whether intentionally or not, Hammond played on Jefferson’s dislike of overreaching government authority and standing armies when he proposed the possibility of limiting the number of troops stationed at the frontier forts or even demolishing the military posts whilst retaining the trading houses. Hammond had discussed this possibility with Hamilton on prior occasions but never with Jefferson; Hamilton, it appears, had not relayed the idea onto the Washington cabinet at large, leaving this exchange the first instance where Jefferson heard the idea. This pricked Jefferson’s interest as ‘it accorded well with two favourite ideas of mine of leaving commerce free, and never keeping an unnecessary soldier.’ Dismantling the forts would also, in Hammond’s opinion, serve as a greater basis for peace between Britain and the United States in the northwest. Hammond then went further, offering

⁴⁴ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792* (Princeton: Princeton University Press, 1990), 26–33; #23: Hammond to Grenville, 8 June 1792, National Archives, Kew, FO 4/15, fos. 290–291.

an intriguing scenario of a peaceful and free commerce, uninterrupted by military, and by extension federal, overreach. It was a Jeffersonian dream to avoid a situation

[t]hat we [the United States] holding the posts on this side of the water, and they [Great Britain] on the other, soldiers looking constantly at one another, would get into broils, and commit the two nations in war.⁴⁵

At last, despite still holding conflicting views on key practical issues, including Hammond's instructions, interpretation of the Paris treaty, and the rights of the native peoples, the two men could at least see the benefit of peaceful accommodation on the frontier. Of course, Hammond thought it prudent to stress that 'his opinion on this subject was only a private one, and he understood mine to be so also', not wishing to presume to negotiate beyond his station. However, 'he was much pleased that we two seemed to think nearly alike, as it might lead to something.'⁴⁶

When Hammond left Jefferson's dinner table, it appeared that, despite their continued differences on several vital issues, the two men had found some common ground on settling the frontier. Whilst questions of American sovereignty remained, both individuals believed that accommodating the Native American peoples of the west was integral to maintaining peace on the frontier. Throughout the six months from November 1791 to the summer of 1792, Hammond had shown himself to be a diligent diplomat in deflecting accusations of British interference on the frontier, both north and south. At the same time, Hammond's key position in Philadelphia had made him a valuable conduit in the relationship between London, the US government, and the British colonial establishment in Canada. As a result, Hammond became London's

⁴⁵ Notes of a Conversation with George Hammond, 4 June 1792, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792* (Princeton: Princeton University Press, 1990), 26–33.

⁴⁶ Notes of a Conversation with George Hammond, 4 June 1792, in Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 24, *1 June–31 December 1792*, 26–33; The Great Lakes and Lake Champlain regions would officially be demilitarised under the Rush-Bagot Treaty in 1818.

most useful source of accurate information on the myriad of problems affecting Britain and the United States on the frontier. Of course, Hammond's work on the American west would not conclude in the summer of 1792, but would continue until his departure from America in 1795. However, with the first inklings of an understanding with Jefferson, 1793 might perhaps yield the long-awaited accommodation between the United States and British North America.

Chapter 5: A Tale of Two Diplomats

‘Vain-glory flowereth, but beareth no Fruit’

- Benjamin Franklin, *Poor Richard Improved*, 1756¹

In 1790, shortly after the death of Benjamin Franklin, the Marquis de Condorcet eulogised the founder’s skills as a diplomat whilst serving as American Minister to France, writing that he ‘observed much and acted little.’² Whilst Franklin’s method of diplomacy gained him much enmity from other American diplomats in Paris, it proved to be a vital asset in securing French support in the Revolutionary War. Similarly, George Hammond’s ability to observe without acting was one of his greatest weapons. In 1793, as the shockwave of the French Revolution reached the United States, Hammond’s prudent observance of diplomatic protocol and refusal to involve himself in unnecessary disputes would prove his greatest assets. This contrasted with the French Minister, Edmond Charles “Citizen” Genet, who arrived in the United States determined to revolutionise the practice of diplomacy itself. Throughout 1793, Hammond would face almost constant disputes with the US government over Genet’s actions, encompassing issues of neutrality, privateering, and Franco-American relations. However, while Genet was vocal, Hammond was reserved, only involving himself when British interests were actively threatened, and American neutrality was violated. Hammond’s prudence would prove to be his salvation. By the end of 1793, Genet’s vocal antics would facilitate his downfall whilst Hammond would survive, victorious in protecting British interests from French revolutionary intrigue.

¹ Poor Richard Improved, 1756, in Leonard W. Labaree, ed., *The Papers of Benjamin Franklin*, vol. 6, *1 April 1755-30 September 1756* (New Haven: Yale University Press, 1963), 315–339.

² Edward E. Hale and Edward E. Hale Jr, *Franklin in France*, Volume 1, *The Alliance* (Boston: Roberts Brothers, 1888), 141.

A World at War

At the beginning of 1793, Britain and France stood on the brink of war. As the French Republic – now controlled by the aggressive and internationalist Girondin faction – began to flex its diplomatic muscles, Grenville attempted to ensure that the revolutionary fervour emanating from Paris did not infect otherwise nominally friendly nations. Writing to Hammond in January 1793, Grenville warned that ‘there is great reason to believe in the present situation of the affairs between this country and France that the continuance of peace is very doubtful.’ As a result, it was of the utmost importance that Hammond discover what negotiations, if any, had been conducted between the United States and France. Most alarming to the Foreign Office was rumour that a new French Minister to the United States had been appointed and had been charged with concerting measures with those in America who favoured what Grenville called ‘those dangerous and delusive principles of liberty and equality.’³ To reinforce the importance of this undertaking, Grenville assured Hammond that any measures that promoted a harmonious relationship between the Great Britain and the United States against revolutionary France would be greeted favourably by the King.

Hammond would not hear from Grenville until the following February. In that time, events in Europe quickly spiralled. On 21 January 1793, following a two-month trial in the National Convention, Louis XVI was executed on grounds of treason. Two weeks later, on 1 February, the French Republic declared war on Great Britain. What had previously been a continental war which Britain could observe on the sidelines had now escalated into a life and death struggle that would continue almost uninterrupted for the next twenty-two years. As a maritime power, Britain’s principal strategy would be employing its navy to guarantee that France was unable to fund its

³ Grenville to Hammond, 4 January 1793, National Archives, Kew, FO 5/1, fo. 2.

war machine through international trade. Grenville was confident that the United States would remain neutral in the current crisis, but 'there will still remain the utmost occasion for your assiduity and vigilance, in preventing this neutrality from being violated by the individual subjects of the states.'⁴ Unfortunately for Hammond, Grenville would not present any further orders, leaving him to make sense of the developing situation on his own. Due to the distance that information had to travel to reach Philadelphia, Hammond complained of being 'in a state of ignorance generally with respect to the affairs of Europe at this interesting crisis.'⁵ However, until he received further orders, Hammond could only observe the viewpoints of the US government and report any early signs of a political response to the now global war between Britain and France.

It would not be until March 1793 that Hammond learned of Louis XVI's execution, and even then, the information had come via Lisbon. 'I have observed with great satisfaction,' Hammond commented on the French King's execution, 'that that event has excited a much more universal and considerable degree of abhorrence in this country than I could have hoped or expected.'⁶ Similarly, his secretary, Edward Thornton, now Vice-Consul in Baltimore, lamented the death of the French king, and likened his executioners to the assassins of the Persian King Darius III during the conquests of Alexander the Great.⁷ Hammond's and Thornton's comments came at a time of shifting support in certain sections of American society away from the French Revolution. The storming of the Bastille had initially been greeted in the United States, as in Britain, with a sense of enthusiasm. The key to the Bastille itself was presented

⁴ Grenville to Hammond, 8 February 1793, National Archives, Kew, FO 5/1, fo. 6.

⁵ Hammond to Grenville, 2 April 1793, No. 11, National Archives, Kew, FO 5/1, fo. 130.

⁶ Hammond to Grenville, 2 April 1793, No. 11, FO 5/1, fo. 130.

⁷ Edward Thornton to James Bland Burges, 5 March 1793, in S. W. Jackson, "A Young Englishman Reports on the New Nation: Edward Thornton to James Bland Burges, 1791-1793", *The William and Mary Quarterly*, 18, no. 1 (1961), 121.

to Washington as a symbol of Franco-American friendship. At last, the French people would follow their British and American brethren in overthrowing tyranny. A celebration of the revolution in Boston in January 1793, normally a centre of Federalist conservatism, was the largest public event held in North America up to that point.⁸ However, as the revolution became increasingly violent, opinion began to change among America's governing class. The most vivid metaphor of this change came when Thornton observed that the portraits of Louis XVI and Marie Antoinette hanging in the Senate chamber, 'which were presented, I believe during the war, were covered with a curtain' out of respect. 'A circumstance which,' he concluded, 'was not the case most certainly, when I have been there on former occasions. Alas poor Louis!'⁹

Hammond continued to document the structure of the US government – including his survey of American politics since independence – and what he considered the various threats to its security. During his investigations, Hammond argued that the primary threat to the internal security of the United States was the events in France. 'The success of French arms', Hammond detailed to Grenville, 'has been celebrated throughout the country with every demonstration of festivity, and every exertion has been employed to combine the course of France with the preservation of American liberty.' This sense of brotherhood with those in France among sections of the American population had, according to Hammond, manifested itself in virulent press attacks on the president, charging him with 'secluding himself from the people, from motives of arrogant superiority, and with the disposition to introduce ostentatious ceremonies incompatible with the spirit of democracy, and

⁸ Simon F. Newman, *Parades and the Politics of the Street: Festive Culture in the Early Republic* (Philadelphia: University of Pennsylvania Press, 2000), 124-125.

⁹ Edward Thornton to James Bland Burges, 5 March 1793, in S. W. Jackson, "A Young Englishman Reports on the New Nation: Edward Thornton to James Bland Burges, 1791-1793", *The William and Mary Quarterly*, 18, no. 1 (1961), 121.

more congenial to the formalities of monarchy.¹⁰ Unless these grievances were remedied quickly, they could quickly escalate into open opposition to the government. If that opposition were to gain influence over American foreign policy, it might lead to a Franco-American rapprochement that disadvantaged Britain. If British interests in the United States were to be protected, it was imperative that these pro-French political sentiments were thwarted. But until more news arrived from London, Hammond could do little to sway American opinion.

Feeding the Revolution

It was in mid-March that Hammond finally received the orders that would occupy the majority of his time for the remainder of 1793. Grenville had received intelligence that Edmond Charles Genet had recently been appointed as the French Minister Plenipotentiary to the United States and was already on his way to America. Grenville informed Hammond that Genet was

instructed to prevail upon the American Government to afford the current ruling Powers in France such material Assistance as may enable them to obtain supplies of Corn, Flour and Stores and to fit out in the American ports and number of privateers for the purpose of injuring the Trade and Navigation of this Country.¹¹

The acquisition of food supplies and provisions both to feed the French war machine and mitigate the famine afflicting the French populace were of critical importance to the French Government. Most troubling to Grenville was the French government's proposal to liquidate the loans owed by the United States to France through the acquisition of American corn, munitions, and other provisions to the value of the outstanding balance.¹² During the Revolutionary War, in order to fund the

¹⁰ Hammond to Grenville, 7 March 1793, No. 5, National Archives, Kew, FO 5/1, fos. 85-86.

¹¹ Grenville to Hammond, 12 March 1793, National Archives, Kew, FO 5/1, fos. 9-10.

¹² Grenville to Hammond, 12 March 1793, FO 5/1, fo. 11; Samuel Flagg Bemis, "Repayment of the French Loans, 1775-1795", *Current History*, 23, no. 6 (1926), 829.

Continental Army, and prop up its fragile finances, the United States had borrowed heavily from European nations, including France, Spain, and the Dutch Republic. By the end of the war, European nations and banks had loaned the United States over ten million dollars. To make matters worse, during the Confederation era after the war, the US government had no power to raise taxes and repay the outstanding debts; this led to a situation where the United States was taking out further loans to pay off the interest on previous loans. All this had changed following the adoption of the constitution which gave Congress much needed tax-raising powers, and Alexander Hamilton's new financial system had given the federal government the authority to assume the individual states' outstanding debts. For the French government, eager to receive advance repayments of its loans, the now booming, yet indebted, United States presented an easy opportunity to replenish its war chest. If Genet could pull off such a diplomatic coup, it would please both the French government in Paris and those in the American government who favoured relations with France and abhorred the perpetual existence of debt.

To protect hoped-for cargoes of provisions, and cause chaos to British shipping across the Atlantic, Genet also intended to outfit and arm ships in American ports to serve as privateers. These would then cruise the American coastline, preying on British vessels and seizing their cargoes. A Prize Court would then divide any prizes up between the privateers' sponsors, crew, shipowner, and - most importantly for the new French Minister – the issuer of the commission. All these activities would be sanctioned by Letters of Marque – a licence granting private citizens the right to attack and seize enemy vessels and cargoes – and Grenville claimed Genet was carrying 'a great number with him.'¹³

¹³ Grenville to Hammond, 12 March 1793, National Archives, Kew, FO 5/1, fo. 10.

Throughout the Age of Sail, both Britain and France employed privateers in their colonial wars. Privateering provided an efficient and effective means of supplementing a state's naval forces. Prizes seized as a result of such privateering also served as a lucrative means for generating income for both the sailors and the state. Moreover, during the colonial period, many American colonists had enlisted as privateers; and in the Revolutionary War, American privateer crews operated on both sides. Hammond himself had intervened in the case of Thomas Pagan, a Loyalist privateer from the Revolutionary War, who had languished in a Boston prison since 1789 for non-payment of damages to his prize's original owner and was still fighting the charges.¹⁴ However, the new crisis presented a problem for the United States. If Genet was to begin outfitting American vessels as privateers to attack British shipping, as Grenville believed he would, such an action would violate any neutral stance that the United States might take in the war. If the US government allowed these privateers to cruise their coastlines, or shelter in their harbours, Grenville argued, the United States would be aiding the enemy.

Anticipating the challenges to British policy that Genet's presence could have in United States, Grenville's instructions to Hammond were unequivocal. Hammond was to 'be on your guard, and to exert yourself to the utmost of your power to counteract and defeat these views of Monsieur Genet.'¹⁵ Grenville further instructed Hammond to use all his diplomatic powers to convince the Washington administration of the danger of entering into any negotiations with revolutionary France. Should such a proposal exist, Hammond was instructed to discover the particulars of the deal and, most importantly, inform Grenville as soon as possible. If, as a result of these

¹⁴ George Hammond to Thomas Jefferson, 26 November 1791, in Charles T. Cullen, ed., *The Papers of Thomas Jefferson*, vol. 22, 6 August 1791–31 December 1791 (Princeton: Princeton University Press, 1986), 336–344.

¹⁵ Grenville to Hammond, 12 March 1793, National Archives, Kew, FO 5/1, fo. 10.

negotiations, provisions of grain were shipped to France on board American vessels, Hammond should make clear that they would be liable for seizure by the Royal Navy, regardless of American neutrality.

During the eighteenth century, the issue of neutral rights was an inflammatory topic in times of war. Britain and France characteristically held opposite views on the use of neutral vessels to carry their goods to and from their colonies. France, unable to compete with Britain's maritime advantage, and needing to use neutral vessels to transport goods back from its colonies, had always supported the cause of neutral rights. Britain, meanwhile, as the mercantile and naval power, opposed neutral rights and claimed that the neutral status of a ship was irrelevant in times of war. If a neutral vessel was found to be carrying goods of a belligerent enemy nation, those goods were liable for seizure. Grenville was unapologetic in his views on the legal standing of neutral ships carrying goods of belligerent nations, arguing that the adage, "free ships make free goods", had never been recognised in British law, and was not applicable in the current crisis.

Referring to Emerich de Vattel's *Law of Nations* (and the multiple grey areas in the text regarding neutrality), Grenville was adamant that the shipping of goods to France, regardless of being from neutral countries and on board neutral vessels, made them liable to seizure on the grounds of granting belligerent nations – in this instance France – the means of subsistence and carrying out the war.¹⁶ Incidentally, this reinforcement of the Rule of 1756, which stipulated that the Royal Navy would stop and seize any vessel trading with the enemy, went against the emerging American principle of neutral rights. That principle naturally took its lead from the French policy of supporting the rights of neutral nations to trade with belligerents. Regardless of the

¹⁶ Grenville to Hammond, 12 March 1793, National Archives, Kew, FO 5/1, fos. 11-13.

legal complexities surrounding Britain's policy towards neutral rights, Grenville told Hammond that he was to make clear 'the principles by which the conduct of this country will be governed in the present instance, and what steps will be taken in every case of an attempt to convey supplies to France.'¹⁷ In the view of Grenville and the Pitt government, Britain would be acting lawfully if it seized goods from American ships if they were bound for France.

The Limits of Neutrality

As Genet embarked on his voyage to America from the port of Rochefort, back in Philadelphia Hammond sought clarification on the United States' neutrality. Via Hamilton, Hammond attempted to gauge the feeling of the Washington cabinet. To Hammond's relief, he recorded, 'I perceive clearly that [Hamilton] remains immovable in his determination, whenever that event may occur, of employing every exertion in his power to incline this country to adopt as strict a neutrality as may not be directly contrary to its public engagements.'¹⁸ To lend credence to Hamilton's assurances, Hammond learned that Washington was of the same mind and believed that neutrality was the only logical cause of action. Unfortunately, based on his conversations, he was unable to ascertain the nature of the reception the Washington cabinet would give Genet when he arrived and how they would respond to the proposals he had been instructed to make. However, the cabinet was clear that, whilst it was keen to state that its previous treaties with France were still binding, and would receive Genet as Minister, the United States wanted to wait until there was a stronger and more stable government in Paris before entering into any new arrangements.

¹⁷ Grenville to Hammond, 12 March 1793, National Archives, Kew FO 5/1, fos. 14-15.

¹⁸ Hammond to Grenville, 2 April 1793, No. 11, National Archives, Kew, FO 5/1, fo. 127.

The policy the United States attempted to employ in the crisis of 1793 was a careful balancing act. On the one hand, the United States would follow all diplomatic protocol in receiving Genet as Minister of the “de facto” French government, as Hammond described. They would also give every assurance that all treaties made with France prior to the establishment of the republic – most notably the treaty of alliance signed in 1778 and ongoing debt repayments – remained binding between the two countries. However, most in the Washington cabinet, Hamilton included, were keen to stress that those arrangements did not warrant US involvement in the war with Britain. Furthermore, the United States hoped to wait until the crisis abated before entering into any new negotiations with the French government, whether it was a republic or not. Quoting Hamilton’s words back to Grenville, Hammond summed up the American policy by stating that, regarding existing engagements between France and the United States, ‘exertions would be employed to incline this country to adopt as strict a neutrality as may not be directly contrary to them.’¹⁹ It was an ambitious policy, and time would tell if the Washington administration would be able to enforce it.

It should be mentioned that noticeably absent from Hammond’s discussions on American neutrality was his own official interlocutor in the United States, Thomas Jefferson. This situation was unsurprising, as the divide between the two men had been growing throughout the previous year. Jefferson had been disappointed that Hammond did not have the authority to negotiate a commercial treaty between the Britain and the United States. The suspension of their negotiations to settle the Treaty of Paris and continued British occupation of forts around the Great Lakes also

¹⁹ Hammond to Grenville, 2 April 1793, No. 11, National Archives, Kew, FO 5/1, fo. 127; Conversation with George Hammond, [7 March–2 April 1793], in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 14, *February 1793–June 1793* (New York: Columbia University Press, 1969), 193–195.

impeded Jefferson's interactions with the British Minister. Hammond, in turn, had become frustrated at Jefferson's obstinacy, arguing that any arrangements between the two countries were dependent on the assurance that all pre-war debts would be repaid, as stipulated in the Treaty of Paris. This impasse had soon grown into a coldness between the two men, and only deepened with the fallout from the French Revolution, with Hammond writing matter-of-factly, 'I have very little intercourse with [Jefferson] except in cases of necessity.'²⁰ Whilst he could not prove that Jefferson was covertly working to benefit those supporting France in its war with Britain, Hammond could claim at least three instances where he had advocated views in direct opposition to the rest of the Washington cabinet. As someone more conciliatory to Britain, but not averse to voicing his criticisms of British policy, Hamilton was the person from whom Hammond sought assurances on American strategy. Furthermore, because Hamilton had served as Washington's aide-de-camp during the Revolutionary War, he had a far closer relationship with Washington than Jefferson. If Hammond hoped for clarity on the American position prior to Genet's arrival in the country, he felt that the Federalist Hamilton would act as a far more beneficial informant than the Democratic-Republican Jefferson.

At roughly the same time, Hammond attempted to search out any evidence for the rumoured proposal of transporting provisions to France being pre-emptively put into effect. Even before Genet had arrived in the United States, Hammond had learned from an informant in New York that warehouses were being hired out to store arms and provisions. The purchaser of these arms, and orchestrator of the endeavour was, according to Hammond's informant, none other than John Adams's son in law, Colonel William Stephens Smith. There was some suspicion that the arms were destined for

²⁰ Hammond to Grenville, 2 April 1793, No. 11, National Archives, Kew, FO 5/1, fo. 130.

Ireland. As in most of Europe during the 1790s, the ideas of the French Revolution had brought inspiration to individuals in Ireland hoping to break away from British rule. These efforts would develop into the founding of the Society of United Irishmen, a largely Presbyterian organisation dedicated to Irish Independence and the restoration of rights to Catholics. The outbreak of war with France in 1793 was used by the British Government to crush demands for reform, particularly in Scotland and Ireland, eventually leading to the passage of the Seditious Meetings Act in 1795 which forced the organisation underground and into an increasingly militaristic structure. To add to this already tense situation, the organisation began to seek out support from Revolutionary France. Itself involved in a life and death struggle with France, the British government could ill afford a possible rebellion in Ireland.²¹ Hammond was in little doubt that France was the intended destination for the arms, but either destination would have caused alarm at home.²² Hammond's intelligence therefore was gratefully received in the Foreign Office.

The Spirit of '76

On 8 April 1793, Genet finally arrived in the United States. Stepping off the frigate *Ambuscade*, in Charleston, South Carolina, Genet was greeted by eager crowds waving flags and singing revolutionary songs. Now that Genet was firmly on American soil, Hammond and the US government got a sense of what his presence would mean for American neutrality. Following his enthusiastic reception by the Charleston crowd, Genet had a long audience with William Moultrie, the governor of South Carolina. Moultrie, himself a veteran of the Revolutionary War, received Genet

²¹ Jennifer Mori, *Britain in the Age of the French Revolution, 1785-1820* (London: Routledge, 2000), 99.

²² Hammond to Grenville, 7 March 1793, No. 9, National Archives, Kew, FO 5/1, fo. 123.

eagerly and gave him permission to use Charleston as a forward base for his plans.

Writing home, Genet jubilantly remarked that

une confiance entiere s'est établie entre le Gouverneur Moultrie et moi, etce vénérable vétéran, ami sincere de notre révolution, m'a rendu tons les bons offices qui ont été en son pouvoir.²³

Emboldened by Moultrie's approval, Genet wasted no time in using his influence among his American supporters to begin putting his instructions from Paris into action. Using Charleston as his base of operations before his journey to Philadelphia, Genet began organising expeditions and filibustering actions against the British and Spanish. These enterprises took the form of recruiting volunteers to attack Spanish controlled Louisiana and Florida (as described in chapter five). To lead them, Genet even persuaded the French naturalist André Michaux to cancel his plans to embark on an overland expedition to the Pacific, an enterprise which had been supported by both Jefferson and the American Philosophical Society, and aid his native France instead. These southern companies would then rendezvous with American militias in Kentucky to attack the Spanish possessions. Addressing the French settlers of Louisiana later in August 1793, Genet would proclaim in characteristic revolutionary style,

Votre heure est enfin arrivée, Français de la Louisiane; profités de cette grande leçon. Il est tems que vous cessiés d'être esclaves d'un gouvernement auquel vous avés été indignement vendus; Il est tems que vous ne soyés plus conduits comme des troupeaux par des hommes qui sont nécessairement vos ennemis, par des hommes qui d'un seul mot peuvent vous faire dépouiller de ce que vous possedés de plus précieux, votre liberté, vos propriétés.²⁴

²³ 'An entire concord was established between Governor Moultrie and me, and this venerable veteran, sincere friend of our revolution, rendered me all the good offices that were in his power', Author's translation of Genet to Minister of Foreign Affairs, 16 April 1793, in Frederick Jackson Turner, ed., *Correspondence of the French Ministers to the United States, 1791-1797*, Vol. II (Washington D.C.: Government Printing Office, 1904), 212.

²⁴ 'Your time has finally arrived, Frenchman from Louisiana; take advantage of this great lesson. It is time for you to stop being slaves to a government to which you have been unworthily sold; It is time that you are no longer led like herds by men who are necessarily your enemies, by men who with a

All these actions were, whether publicly or privately, initially supported by Jefferson as Secretary of State, who went so far as to provide Genet advice on how best to realise his plans to overthrow Spanish control in Louisiana. Regarding Michaux's expedition from Charleston, he suggested that the naturalist travel as a private citizen rather than an official consul of France. Furthermore, despite warning him that if the southern expedition were discovered the ringleaders would be hanged, Jefferson informed Genet that he 'did not care what insurrection should be excited in Louisiana.'²⁵

Genet hoped to do the same with British power in North America: to incite British colonies to mobilise and undermine Britain's maritime supremacy. Formulating an address similar to his Louisiana proclamation, though not widely circulated, Genet encouraged settlers in Canada to overthrow the British yoke. Such an insurrection would be supported by assurances of Native American support and the friendly dispositions of their neighbours in the United States.²⁶ However, more alarming for the Foreign Office were his efforts to undermine British commercial and military strength in the Atlantic. Brandishing his bundle of letters of marque, Genet immediately began outfitting four ships to serve as privateers – the *Republicain*, *Sans Culotte*, *Anti-George*, and *Citoyen Genet*. It was planned that these ships would be crewed mostly by American sailors and would cruise the American coastline attacking British ships. In privateering fashion, Genet then established prize courts under the control of a local French consul, Michel-Ange de Mangourit. Any prizes seized from British vessels could then be legally declared contraband of war and divided among them.

single word can have you stripped of what is most precious to you, your freedom, your property', Author's translation of Enclosure: Edmond Charles Genet's Address to Louisiana, August 27, 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995) 773–774.

²⁵ Notes of Cabinet Meeting and Conversations with Edmond Charles Genet, 5 July 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 437–439.

²⁶ Notes of Cabinet Meeting and Conversations with Edmond Charles Genet, 5 July 1793, in Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793, 437–439.

Regardless of his permission from Governor Moultrie, all of Genet's actions had been done without proper sanction from the US government, and before Genet had even presented himself in a diplomatic capacity. This caused alarm in the US government, and particularly among the more Federalist minded members of the Washington cabinet. Certainly, Genet's antics in Charleston had given them a textbook definition of how not to behave as a diplomat. Meeting Genet in Paris before his journey to America, Gouverneur Morris, the American Minister, sniffed that he was a man of 'more genius than actual activity and expressed the Manner and Look of an Upstart.' John Adams, meanwhile, writing later in life, would liken Genet's actions to those of a terrorist.²⁷ Hammond merely acknowledged that he had landed and was proceeding to Philadelphia. However, he had no scruples in calling him the Minister of the 'pretended French republic.'²⁸ Genet's arrival in America had certainly been greeted with more public enthusiasm than Hammond's. But Hammond was quick to separate his more understated, but warm reception in American society from the more raucous audience received by Genet. For the time being, Hammond would keep a keen eye on Genet's activities as he began to journey through the United States.

Containing the French

After ten days in Charleston, on 18 April 1793, Genet began his long journey to Philadelphia. Before leaving, however, the frigate *Ambuscade*, fresh from depositing him on American soil, began cruising northwards towards Philadelphia. Along the way, it seized control of several British ships around the Cape of Delaware. Learning of this, and that the *Ambuscade* was approaching Philadelphia, Hammond

²⁷ Gouverneur Morris to George Washington, 6 January 1793, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 11, *16 August 1792–15 January 1793* (Charlottesville: University of Virginia Press, 2002), 593–594; John Adams to Thomas Jefferson, 30 June 1813, in J. Jefferson Looney, ed., *The Papers of Thomas Jefferson*, Retirement Series, vol. 6, *11 March–27 November 1813* (Princeton: Princeton University Press, 2009), 253–256.

²⁸ Hammond to Grenville, 17 May 1793, No. 14, National Archives, Kew, FO 5/1, fos. 142–143.

warned British naval commanders in Halifax, Nova Scotia. In his despatch, he enclosed the *Ambuscade's* course to Philadelphia and details of the captured British vessels – the *Little Sarah*, the *Grange*, and two others. Hammond was keen to stress the illegality of the *Ambuscade's* actions, stating that bringing the prizes to Philadelphia violated the Law of Nations regarding the status of neutral nations.²⁹ But until the US government clarified its position regarding the war with France, Hammond could not expect his protests against the French actions to be answered favourably.

Hammond's hopes would be satisfied on 22 April when Washington, with the agreement of his cabinet, issued his Proclamation of Neutrality. As part of the proclamation, Washington's cabinet warned US citizens not to involve themselves whatsoever in the war between Britain and France. Should US citizens be found aiding and abetting the belligerent powers and, most importantly for Hammond, carrying away prizes deemed contraband of war, they would forfeit their rights and be liable for punishment.³⁰ The decision to issue a proclamation was not uncontroversial. Jefferson argued that such a proclamation was unnecessary and that the United States should delay the process to force concessions from Britain and France on the issue of neutral rights. If the United States were to be neutral, then Britain and France could bid for it. He also doubted the President's authority to declare neutrality, believing that the power resided with Congress. Against Jefferson's arguments, Hamilton, along with Secretary of War Henry Knox and Attorney General Edmund Randolph, supported the President's constitutional ability to declare neutrality. Not to do so would cast doubt on

²⁹ Enclosure C: Hammond to Commander of British Ships, Halifax, 23 April 1793, National Archives, Kew, FO 5/1, fos. 150-151.

³⁰ Neutrality Proclamation, 22 April 1793, in Christine Sternberg Patrick and John C. Pinheiro, ed., *The Papers of George Washington*, Presidential Series, vol. 12, *16 January 1793–31 May 1793* (Charlottesville: University of Virginia Press, 2005), 472–474.

the power of the Presidency and cause greater damage to relations with Britain.³¹ Not wishing to appear too opposed to the wishes of the President, Jefferson acquiesced. As a compromise, however, the proclamation did not contain a single mention of the word “neutrality.”

Transmitting a copy to Hammond a day after the proclamation was issued, Jefferson was eager to stress the caution behind its wording and its issuing. The proclamation was, according to Jefferson, ‘meant merely as a general intimation to our citizens, [and] shall not be construed to their prejudice in any courts of admiralty, as if it were conclusive evidence of their knowledge of the existence of war and of the powers engaged in it.’³² The US government could not yet prohibit American citizens from engaging in activities that would otherwise violate the proclamation. Unperturbed by this lukewarm explanation from Jefferson, and hoping to secure enforcement of the proclamation as soon as possible, Hammond replied to Jefferson the same day. In his letter, Hammond stated unequivocally, ‘I think it my duty to inform you, Sir, that I have received from court an official notification that on the 1st of February last the French National Convention declared war against Great Britain.’³³ It was therefore imperative that the US government enforce the President’s proclamation as soon as possible to prevent the outfitting of privateers. Hammond was clearly hoping for as speedy a resolution to the neutrality issue as possible.

Hoping to claim a quick victory for his superiors in London, Hammond forwarded a copy of the neutrality proclamation to Grenville. Hammond commented that the document manifested the ‘determination of this government to entangle itself

³¹ Cabinet Opinion on Washington’s Questions on Neutrality and the Alliance with France, 19 April 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 25, 1 January–10 May 1793 (Princeton: Princeton University Press, 1992), 570–571.

³² Enclosure A: Jefferson to Hammond, 24 April 1793, National Archives, Kew, FO 5/1, fo. 146.

³³ Enclosure B: Hammond to Jefferson, 24 April 1793, National Archives, Kew, FO 5/1, fo. 148.

in no new or closer connexion with France, and consequently to observe as strict a neutrality as might be consistent with its existing engagements.³⁴ To that end, Hammond observed, the Washington cabinet had decided against the French proposal to write off the United States' remaining debts in return for the procurement of grains and provisions. He observed that, to ensure that the proclamation was observed nationwide, copies of it had been sent to all the governors of the individual states, all of whom would subsequently issue their own versions in conformity with it. With that added force, measures could be taken to ensure that any attempts to outfit privateering operations would be quickly quashed, and the perpetrators suitably punished.³⁵ Of course, the debate and decision to declare neutrality was confined firmly within the walls of Washington's parlour room, among the members of the cabinet. Nevertheless, a victory was a victory and Hammond was keen to claim it, writing that 'It has been an extremely fortunate circumstance that almost immediately after the appearance of this declaration of neutrality, events should have arisen, which have brought the sincerity of it to a practical test.'³⁶ By providing firm evidence that the United States was to observe a strict policy of neutrality in the war with France, Hammond had demonstrated himself as a capable diplomat who could fulfil the instructions presented to him. Hammond had also done so within the formal diplomatic channels, providing added credence to his arguments. This contrasted with Genet who, despite his activities in Charleston, had yet to formally present himself as French Minister.

Hammond was also keen to update Grenville on his ongoing efforts regarding the *Ambuscade*. At the same time as his letter to the British naval commander in

³⁴ Hammond to Grenville, 17 May 1793, No. 14, National Archives, Kew, FO 5/1, fos. 137-138.

³⁵ Hammond to Grenville, 17 May 1793, No. 14, FO 5/1, fos. 137-138.

³⁶ Hammond to Grenville, 17 May 1793, No. 14, FO 5/1, fo. 138.

Halifax, Hammond had dispatched a collection of memorials to Jefferson relating to the vessels – most notably the *Grange* – seized by the *Ambuscade*, corroborated with intelligence that he had received from the British consul, George Miller, in Charleston. Hammond also enclosed the intelligence he had received of the New York warehouses storing provisions bound for Ireland and France. By submitting these memorials, Hammond hoped that Jefferson might re-affirm the assurances from the US government that the actions of the *Ambuscade* were wholly illegal and a violation of American neutrality. Hammond was helped in his efforts by Jean-Baptiste Ternant, Genet's predecessor as French Minister. Writing to the captain of the *Ambuscade*, Ternant demanded that the *Grange* be immediately restored to its owners and its crew liberated. Given the fact that Ternant was no longer officially the French Minister, Bompard refused. This action could, by the words of Washington's proclamation, be treated as an act of hostility. If the United States were to consider itself neutral, then the incident would need to be resolved.³⁷ On the subject of the stored arms and provisions, whilst Hammond could not prevent those involved from exporting the goods, he wished the US government would use its authority to postpone its implementation and guarantee that those involved would not receive protection if the enterprise went ahead.

Jefferson was accommodating but also frank in his answer. After laying Hammond's petitions before the President, Jefferson concurred that the actions of the *Ambuscade* went against the law of the land and were not warranted in any arrangements between the United States and France. To that end, the US government would take measures to liberate the *Grange's* crew and to restrict the ship and its cargo in port. Jefferson was clear in his condemnation of the practice of American

³⁷ Hammond to Grenville, 17 May 1793, No. 14, National Archives, Kew, FO 5/1, fos. 140-141.

citizens serving on French vessels, and those sailing under French commissions, and assured Hammond that all means in line with the law and constitution would be employed to their receiving condign punishment.³⁸

Where Jefferson could not offer assurance, however, was on the subject of restoring the *Grange* to its owners. Jefferson's caution rested entirely on the meaning of neutrality, and the diplomatic fallout that could arise from restoring ownership of the *Grange*. If the United States were to remain neutral in the war between Britain and France, then restoring the *Grange* could be seen as interference in the actions of belligerent nations. As the *Grange* had been taken by a French warship, enforcing its restoration could therefore be seen as an act of hostility against France. At the time of writing, the decision to restore the ship remained with the Washington cabinet.³⁹ Hammond would need to wait while they deliberated before he could update Grenville on the incident's resolution.

Finally, Hammond would receive no agreement relating to the storing and exporting of arms and provisions from the United States to France. Here, Jefferson drew a hard line on the limits of Washington's proclamation. American citizens, Jefferson argued, had always been free to export arms; many citizens' livelihoods, particularly in the North, were bound up with the transport of goods to Europe. To ban such practices on the grounds of observing strict neutrality in a foreign war would be harsh in principle and impossible to enforce. Furthermore, the *Law of Nations*, to which Jefferson also referred in his interpretation of neutrality, implied that US citizens were not bound to cease the export of goods to belligerent nations. Jefferson would later conveniently overlook this argument when, as President, he passed the Embargo Act

³⁸ Enclosure M: Jefferson to Hammond, 15 May 1793, National Archives, Kew, FO 5/1, fos. 168-170.

³⁹ Hammond to Grenville, 17 May 1793, No. 14, National Archives, Kew, FO 5/1, fos. 141-142.

of 1807, prohibiting all foreign trade with the United States. In 1793, however, the only means by which these goods could be prevented from reaching France was if they were seized on their journey across the Atlantic.⁴⁰ It would therefore be the job of the Royal Navy to prevent the arms and provisions reaching France. As a result of Jefferson's rebuke, Hammond was forced to compromise on how strict a neutral policy the United States was willing to enforce. Whilst he could rely on the cabinet's willingness to condemn the seizing of British prizes as contraband of war in US territory, and punish American citizens caught doing so, it would not countenance the prohibition of the export of goods to France.

Hammond had achieved some success through the formal diplomatic channels, but there were battles from which he would be forced to back down. Hammond would also need to wait for the Washington to fully investigate his petitions before he could report back to Grenville. However, by the time of his June despatch, he would gleefully be able to inform the Foreign Secretary that the *Grange* had been restored to its owners.⁴¹

Hail to the Chief

Around the same time of Hammond's May despatch to Grenville, following a month-long procession through the country, Genet finally arrived in Philadelphia. Much like his arrival in Charleston, his arrival in Philadelphia was marked by displays of jubilation among those in America hopeful for a friendly accommodation with France. Relaying Genet's arrival in the capital, Hammond informed Grenville that

The circumstances of his arrival had been seized with avidity by the faction alluded to in the foregoing part of this letter, to the accomplishment of

⁴⁰ Enclosure M: Jefferson to Hammond, 15 May 1793, National Archives, Kew, FO 5/1, fos. 168-169, Dumas Malone, *Jefferson the President*, vol. 5, *The Second Term, 1805-1809* (Boston: Little, Brown & Company, 1974), 482.

⁴¹ Hammond to Grenville, 10 June 1793, National Archives, Kew, FO 5/1, fo. 175; Jefferson to Hammond, 5 June 1793, National Archives, Kew, FO 5/1, fos. 183-185.

whose views he seems inclined to offer himself as a willing instrument. Public dinners have been given to him upon several occasions and different societies in this city have presented addresses to him congratulating him upon his arrival, and expressive of their adherence to the cause of the French Revolution.⁴²

As befitted a celebration for a Minister of the French Republic, feasts were laid on with tables decorated with a tree of liberty and the guests took turns wearing a liberty cap. Genet also enchanted his guests with his own rendition of *La Marseillaise* and other revolutionary songs. The days of festivity concluded with a great dinner at Oeller's hotel on Chestnut Street, with two-hundred guests attending. Once again, after fifteen toasts celebrating freedom and the prostration of tyrants, Genet led the crowd in another musical recital. To top it all off, the American polemicist and supporter of Jefferson, Philip Freneau composed his own song to the tune of God Save the King, named God Save the Rights of Man.⁴³

Since arriving in America, Genet also frequented many of the Democratic-Republican societies that emerged in the 1790s. Affiliated with the political faction founded by Jefferson, these societies served as local political organisations dedicated to promoting democracy and republicanism against fears of aristocracy and monarchism. As a consequence of their support of the French Revolution, Genet found many followers among their members and was even elected president of one. In an atmosphere of such jubilation and Franco-American unity, Genet was galvanised in his hope that he could restore the bonds between France and the United States and unite the two revolutionary republics against what he perceived as reactionary, monarchist Britain.

⁴² Hammond to Grenville, 10 June 1793, National Archives, Kew, FO 5/1, fos. 179-180.

⁴³ Henry Ammon, *The Genet Mission* (New York: W. W. Norton & Company, 1973), 56-57.

Even as Genet officially began his diplomatic duties, however, Hammond was doubtful that the French Minister's proposals would bear fruit. 'I trust...', he informed Grenville, 'that his political negotiations have not been much more successful.'⁴⁴ Nevertheless, bolstered by his reception in Philadelphia, Genet dispatched two letters to Jefferson attempting to turn his instructions from Paris into reality. In his first letter, he repeated the proposal to expedite the repayment of American debts to France. As part of the deal, the United States would immediately pay the remaining balance of its debts to France, giving the French government the funds to procure American provisions and arms for the war in Europe. Genet was keen to frame this proposal as hugely beneficial to the United States. Firstly, the liquidation of the debt through the procurement of arms and provisions for France would enrich American citizens. Secondly, the deal would, as Genet posed, allow the United States to '[discharge] your debt to us with your own productions, without exporting your cash, without recurring to the [burdensome] operations of bankers.'⁴⁵

In framing his proposal in such favourable terms, Genet was also appealing directly to Jefferson's own utopian ideas on debt and commerce. Jefferson, it must be noted, was not in favour of the mercantilist system of commerce and finance that his rival, Hamilton, was building. Most importantly, he disapproved of the federal government's assumption of the nation's debts, believing that it took too much power away from the individual states and placed the burdens of the indebted mercantilist north on the agrarian south. Writing in September 1789, whilst still in Paris, Jefferson observed that it was self-evident that 'the earth belongs...to the living.' The assumption

⁴⁴ Hammond to Grenville, 10 June 1793, National Archives, Kew, FO 5/1, fo. 180.

⁴⁵ Translation of Edmond Charles Genet to Thomas Jefferson, 22 May 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 86–87.

of past debts was therefore a complete reversal of that principle.⁴⁶ Genet was therefore carefully constructing his proposal in such a way as to appeal to Jefferson's utopian vision of a world free of debts.

In his second letter, Genet went further in his courtship of Jefferson. He enclosed a copy of a French government decree that opened all of France's ports, both at home and abroad, to American trade and declared that all goods exported and imported on American vessels between the United States and France and its colonies would be subject to the same duties as French vessels. Such a proposal from 'cette nation genereuse, Cette amie fidele' would give the United States all the freedoms of West Indian navigation that Britain had otherwise prohibited them from accessing. Jefferson had also received earlier news of this proposal from Joseph Fenwick, US Consul in Bordeaux.⁴⁷ To sweeten the deal, Genet also agreed to bow to the protests of his predecessor, Ternant, and Hammond, and surrender the *Grange*.

Writing to Genet, Jefferson had complained that the French consul in Charleston had acted with unwarranted powers in condemning a British ship as contraband of war in US territorial waters. Furthermore, the outfitting and commissioning of these prizes as privateers in American ports was illegal and a violation of US neutrality. The *Grange* must therefore be restored to its rightful owner as soon as possible. Acquiescing to Jefferson's argument for diplomatic purposes, Genet replied that he would present the *Grange* as a gift, a move greeted favourably

⁴⁶ II. Thomas Jefferson to James Madison, 6 September 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 15, 27 March 1789–30 November 1789 (Princeton: Princeton University Press, 1958), 392–398.

⁴⁷ 'That generous nation, that faithful friend', Author's translation of Edmond Charles Genet to Thomas Jefferson, 23 May 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 96–98; Joseph Fenwick to Thomas Jefferson, February 25, 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 25, 1 January–10 May 1793 (Princeton: Princeton University Press, 1992), 261–262; Stanley Elkins, Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800* (Oxford: Oxford University Press, 1993), 342–343.

by Hammond, who now wished for those Americans enlisted to serve on board to be prosecuted.⁴⁸ However, Genet stopped far short of acknowledging Jefferson's other protests. Genet was fixed in his belief that the outfitting of privateers did not violate American law or the alliance of 1778 and any deviation from that narrative was a British ploy.

Despite the magniloquence of his proposals, the Genet mission would quickly unravel. At around the same time as his correspondence with Jefferson and his array of welcome festivities, on 18 May, Genet was finally presented to Washington. The meeting did not go well. Detailing his account of the meeting back to Grenville, Hammond wrote that 'notwithstanding this appearance of popular goodwill to him, I have the strongest reason to believe that his general conduct has been very far from making a favourable impression on the President and the other members of this government.'⁴⁹ Having spent the previous month traversing the South outfitting privateers and overland expeditions, and revelling in the jubilation of his arrival, Genet had greatly irritated the very government with which he was to do business. In addition, the enthusiastic reception that Genet received had lulled him into a false sense of security. As a man so immersed in exporting the French Revolution around the world, and a man who, owing to his upbringing, considered himself an expert on American matters, Genet had interpreted his reception as the general will of the American people. This was a mistake and only alienated the Washington cabinet further. Hammond, by contrast, had always tended to separate the views of the people from those of the government, with the views of the government taking precedence over those of the people at large. Conversing with Washington, Genet's ego swollen by the

⁴⁸ Hammond to Grenville, 17 May 1793, No. 14, National Archives, Kew, FO 5/1, fos. 140-141, Enclosure M: Jefferson to Hammond, 15 May 1793, National Archives, Kew, FO 5/1, fo. 169; Hammond to Grenville, 10 June 1793, National Archives, Kew, FO 5/1, fo. 175.

⁴⁹ Hammond to Grenville, 10 June 1793, FO 5/1, fo. 179.

crowds behind him, he appeared obnoxious and arrogant; the embodiment of Gouverneur Morris's view of him as an upstart.

Genet's efforts would further unravel once Jefferson and Washington had considered his proposals. In his response, Jefferson echoed Washington's opinion that 'it is the *right* of every nation to prohibit acts of sovereignty from being exercised by any other within its limits; and the *duty* of a neutral nation to prohibit such as would injure one of the warring powers.'⁵⁰ It was therefore the duty of the United States to actively prohibit any efforts by Genet and other French officials to outfit captured British ships as privateers. Furthermore, any privateers outfitted in American ports must immediately vacate American waters. This interpretation of the limits of the Treaty of 1778 was completely at odds with that of Genet and the French government. However, the Washington cabinet was determined that their will would serve as the American position, regardless of the apparent feelings of the populace. Having been so recently immersed in the acclaim of his supporters on the streets of Philadelphia and Charleston, Genet found Washington's rebuke hard to accept.

The most serious blow, however, would come six days later when he received news regarding his proposal of liquidating American debts. In a crushing rebuttal to Genet's aims in America, Jefferson informed him that the United States would not accept the proposal and there would be no deviation from the prearranged schedule of American debt repayments to France. Enclosing a report from Hamilton, Jefferson argued that the remaining amount owed to France far exceeded the ordinary revenues of the United States. To pay the remaining debts in one instalment would require the United States to borrow even more from elsewhere. Relinquishing the debts outright

⁵⁰ Thomas Jefferson to Edmond Charles Genet, 5 June 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 195–197.

also had the potential to damage the United States' access to future credit. As a means of softening the blow, Jefferson reassured Genet that the United States would continue to repay its outstanding debts strictly to the schedule agreed by the two nations.⁵¹ Keenly aware of this development, Hammond scribbled in his despatch to Grenville that, 'To this proposition [Genet] received a direct negative, accompanied with an assurance that this government would upon no consideration whatsoever consent to any alteration in the arrangement it had formed upon this subject.'⁵² The message was clear: none of Genet's proposals would shake Washington's policy of non-partisan neutrality.

The US Government's refusal to negotiate on the advance repayment of debts, and blatant disregard for what Genet and the French Government considered to be the true understanding of the treaty of 1778, was a huge blow to Genet and left him with little more to offer. Furthermore, Hammond was also pleased to learn that, on top of Genet's diplomatic failures, Colonel Smith, who was undertaking to acquire provisions in New York, had 'come to an open rupture with Mr Genet.'⁵³ Unless Genet could receive further instructions from Paris, his mission was effectively over. Genet's complaints were not without grounds. During the revolutionary war, the French government had given sanctuary to American privateers operating in the Atlantic. However, his actions following Washington's rebuke would doom his mission in America. Seething with resentment, Genet ignored Washington's orders and continued his populist efforts in exporting the French Revolution to America. Attacking

⁵¹ Thomas Jefferson to Edmond Charles Genet, 11 June 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793* (Princeton: Princeton University Press, 1995), 252; VIII. Alexander Hamilton's Report on the American Debt to France, 8 June 1793, in Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793*, 183–184.

⁵² Hammond to Grenville, 10 June 1793, National Archives, Kew, FO 5/1, fo. 180.

⁵³ Hammond to Grenville, 10 June 1793, FO 5/1, fos. 180-181.

what he called the 'old diplomacy' of Washington, Genet complained bitterly about the President's persistence in believing

qu'une nation en guerre n'avoit pas le droit de donner des Commissions en guerre à ceux de ses vaisseaux qui se trouvaient dans les Ports d'une nation neutre: cette mesure etant selon lui un acte de souveraineté.⁵⁴

In his own opinion, there was nothing in the laws of nature, modern nations, or even Washington's proclamation, that should prevent vessels from arming themselves in their own defence. This opinion, he believed, was echoed by a great majority of the American people. More ominously, he warned the federal government to observe the public demonstrations that had taken place in both nations and consider a form of neutrality that would not abandon their friends in their hour of need. Genet was giving a clear warning: if Washington and his administration refused to listen to him, he would ignore their wishes and take his message directly to the people.

Ignoring Washington's orders, Genet flung himself back into his various schemes to spread the ideas of the French Revolution and liberate the peoples of North America. By now, he had turned his back on those in power and, in Hammond's words,

declares publicly that he will have but little intercourse with the superior orders of the inhabitants of this city, and will principally direct his attentions to the mechanics and lower classes of the people – these are facts of public notoriety, and just the suspicion entertained by some persons of weight here that, having failed in his amicable negotiation, he will endeavour to form a party, with a view of overawing, if not subverting, the government.⁵⁵

The most diplomatically egregious act was his return to outfitting privateers. In early July 1793, Genet commissioned a British brig, *Little Sarah*, as a new French privateer

⁵⁴ 'That a nation at war had not the right of giving commissions of war to those of its vessels which may be in the ports of a neutral nation; this being, in his opinion an act of sovereignty', Author's translation of Edmond Charles Genet to Thomas Jefferson, 8 June 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 231–234.

⁵⁵ Hammond to Grenville, 7 July 1793, National Archives, Kew, FO 5/1, fos. 198-199.

named *Le Petit Democrat*. The *Little Sarah* had been captured by the *Ambuscade* back in May 1793 and had since been held by the French at the port of Philadelphia. Throughout that time, its arsenal had been slowly increased from four guns to fourteen. Hammond had already raised the issue with Jefferson.⁵⁶ Learning that Genet intended to put her to sea, Jefferson, in conjunction with Alexander Dallas, the Pennsylvania Secretary of State, called on Genet to explain himself and warn him against launching the ship. Flying into a rage, Genet again repeated his argument that it was the right of French vessels to arm and outfit in American ports, and that the *Petit Democrat* could potentially sail the next day. Following a personal intervention from Jefferson he relented, writing that the vessel would not be gone before Washington had returned from his Virginia plantation of Mount Vernon.⁵⁷ It was not a concrete promise, but Jefferson was satisfied that, while the vessel might sail further down the Delaware river, it would not go to sea. Unfortunately, the compromise was short lived: the *La Petit Democrat* eventually sailed 'and the government, from the want of having any cannon or military readiness, was compelled to submit to the indignity.'⁵⁸

At roughly the same time as the cabinet meeting to determine the course of action regarding the *Little Sarah*, Hammond was accumulating his own information about Genet's activities. Having yet to hear the events surrounding the *Little Sarah*, Hammond's information was more financial in nature. Since 1791, the United States had been sending aid to the French colonial government of Saint-Domingue (present day Haiti). That government was embroiled in a bitter struggle with a large-scale slave revolt, led by Toussaint Louverture, and was in desperate need of supplies from the

⁵⁶ Enclosure V: Hammond to Jefferson, 22 July 1793, National Archives, Kew, FO 5/1, fo. 265.

⁵⁷ Cabinet Meeting. Opinion on the Case of the *Little Sarah*, [8 July 1793], in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 15, *June 1793–January 1794* (New York: Columbia University Press, 1969), 70–73; Stanley Elkins, Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800* (Oxford: Oxford University Press, 1993), 350.

⁵⁸ Hammond to Grenville, 10 August 1793, No. 17, National Archives, Kew, FO 5/1, fos. 241-242.

United States, which were paid for through bills of exchange tied to the United States' debt repayments. Under arrangements made by Genet's predecessor, French colonial officials ordered arms and provisions from American merchants through bills of exchange. Those American merchants could then have those bills honoured by the French Minister who would pay them through debt repayments they had received from the US government.

When Genet had succeeded as French Minister in 1793, some \$93,000 in exchange bills were due to be paid back to the merchants by July. However, once he had begun his duties, Genet had refused to honour the bills. Instead, he intended to spend the American debt repayments he had received on goods procured directly by him. Learning of this attempt at extortion from a government informant (likely Hamilton), Hammond noted that 'Mr Genet's conduct was a violation of a formal compact...Mr Genet had not only refused payments of the bills in question, but had treated all the remonstrances of the government on the subject, with the utmost arrogance and contempt.' Furthermore, without a speedy remedy, 'this circumstance was extremely embarrassing to the government, as it stood pledged to its own citizens that these bills be paid.' At a meeting on 5 July 1793, the Washington cabinet (without Washington in attendance) decided upon a remedy suggested by Hamilton 'that the merchants, holding these bills, had been informed that they would not be paid until September next – the period at which the instalment would become due.'⁵⁹ Siding unreservedly with his informant, Hammond voiced his opinion that

[u]pon this account I thought it below the dignity of any government to be the dupe of such an artifice, or be forced by it into the abandonment of a system that it had widely formed after the most mature deliberation. I also [add] that, however manifest the necessity of the measure might appear to

⁵⁹ Hammond to Grenville, 7 July 1793, National Archives, Kew, FO 5/1, fos. 195-196; Edmond Charles Genet to Thomas Jefferson, 18 June 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 308–311.

those, who were not unacquainted with it, it might in others create a suspicion that the whole transaction had been concerted with Mr Genet, in order to afford this government a colourable pretext for partly gratifying the wishes, which the French government had expressed to effect an alteration in the mode of liquidating the debt owing by the United States.⁶⁰

Hammond was under no illusions as to the reasons behind Genet's thinking. Genet was still smarting from the refusal of the Washington administration to repay its debt to France in full and was attempting to pressure the government through angering indebted American merchants. However, the Washington cabinet responded quickly and calmly to the crisis. Even when faced with the leverage of its angry indebted citizens, orchestrated by an embittered Genet, the Washington cabinet 'nevertheless religiously adhered to its resolution of not allowing any change whatever in the mode of payment of the French debt.'⁶¹ Genet therefore was playing a dangerous game in further enflaming the matter, writing that Genet's conduct 'has been such as to have created a distrust, which never can be surmounted – that his breach of contract will throw innumerable impediments in the way of any future money concerns between the government of France and the government and individual citizens of the United States.'⁶² For Hammond, however, Genet's game was potentially beneficial. If Genet's rash actions sparked a rupture between France and the United States, it would further benefit Britain's position in North America. Hammond would simply need to observe the impending fallout and report back to London accordingly.

Genet the Liberator

When he returned to Philadelphia on 11 July 1793, Washington was incensed by Genet's actions. Writing to Jefferson upon his return, Washington complained, 'is the Minister of the French Republic to set the Acts of this Government at defiance—

⁶⁰ Hammond to Grenville, 7 July 1793, National Archives, Kew, FO 5/1, fo. 196.

⁶¹ Hammond to Grenville, 7 July 1793, FO 5/1, fo. 197.

⁶² Hammond to Grenville, 7 July 1793, FO 5/1, fo. 197.

*with impunity?*⁶³ If Genet was going to ignore his wishes by appealing directly to the people, it risked making a mockery of the US government's authority in the eyes of the world. Hammond was especially aware that among the propertied elements of American society, feelings of anger at Genet and concern about where Genet's antics were taking the country had begun to grow.. Emboldened by the acquittal of an American citizen who had been indicted for enlisting on a French privateer, Genet's public supporters had heaped criticism on those in US government arguing for neutrality. At the same time, Genet had, in daily advertisements in Philadelphia newspapers, begun 'inciting "the friends of liberty" as well as French seamen, to enter on board of his frigates now in the harbour.'⁶⁴ Such a flagrant violation of Washington's wishes and virulent criticism of the government had by now bred anxiety. As Hammond recounted to Grenville, the conservative sections of American society

perceived with astonishment and indignation that government in collision with a foreign individual, who was supported by a faction that had resisted the formation of the constitution, and opposed its progress – they perceived with concern that the executive part of the government, from being deficient in the means of asserting its dignity, had been insulted and degraded – and they foresaw with anxiety that the neutrality, which they had approved as the instrument of extending their commerce, being rendered nugatory by the machinations of the French agents, the powers engaged on the war with France would have a just right to retaliate on this country the injuries which their subjects had sustained from the privateers fitted out in the ports of the United States.⁶⁵

Despite the US government's policy being somewhat strengthened by a series of resolutions passed in the northern states enforcing the neutrality proclamation, that had not been echoed in the south. Washington was now faced with a disunited nation being incited by a rogue foreign diplomat, increasingly outstaying his welcome. If

⁶³ George Washington to Thomas Jefferson, 11 July 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, 11 May–31 August 1793 (Princeton: Princeton University Press, 1995), 481–482.

⁶⁴ Hammond to Grenville, 10 August 1793, No. 17, National Archives, Kew, FO 5/1, fo. 242.

⁶⁵ Hammond to Grenville, 10 August 1793, No. 17, FO 5/1, fos. 242–243.

Genet could so arrogantly violate the wishes of the President, then where did that leave the President's authority?

Washington had to act, and convened his cabinet. The cabinet unanimously resolved to deny 'from further asylum in the ports of the United States the vessels that have been armed therein to cruise on nations with which United States are at peace.'⁶⁶ If those privateers attempted to return, they would be expelled by force if necessary. Furthermore, if any prizes taken were not returned to their owners, the US government would compensate them out of the remaining debt owed to France. Most damning of all, the Washington cabinet voted unanimously, Jefferson included, to demand Genet's recall. Hamilton listed the complaints the Washington administration intended to cite to the French government in an outline of the recall letter. These included his actions in Charleston before he had even presented himself to the President, disregarding government policy on the question of privateers, being elected president of a political organisation, and intending to take his message directly to the people.⁶⁷

Recalling Genet, however, was not without its potential problems, and Hammond was keenly aware of both this and of the ramifications of what could happen. Ultimately, the final say on Genet's recall fell to the French National Convention. If the National Convention in Paris refused to adhere to Washington's demands and supported its Minister, where would that leave the Franco-American

⁶⁶ Hammond to Grenville, 10 August 1793, No. 17, FO 5/1, fos. 243-244, Enclosure III: Jefferson to Hammond, 12 July 1793, National Archives, Kew, fo. 261, Enclosure X: Jefferson to Hammond, 7 August 1793, National Archives, Kew, FO 5/1, fo. 275, Enclosure XI: Hammond to Jefferson, 8 August 1793, National Archives, Kew, FO 5/1, fo. 277, Enclosure XII: Jefferson to Hammond, 8 August 1793, National Archives, Kew, FO 5/1, fo. 279.

⁶⁷ Hammond to Grenville, 10 August 1793, No. 17, FO 5/1, fo. 244; Notes of Cabinet Meeting on Edmond Charles Genet, 1 August 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793* (Princeton: Princeton University Press, 1995), 598; I. Alexander Hamilton's Outline for the Letter of Recall, [ca. 2 August 1793], in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793*, 693–694; IV. Thomas Jefferson to Gouverneur Morris, 16 August 1793, in John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 26, *11 May–31 August 1793*, 697–715.

relationship? Despite failing to elicit a new treaty of alliance between France and the United States, or persuading the United States to settle its debt in return for reinvestment in supplies to his armed forces and colonies, Genet's privateers and his dreams of "liberating" the colonial peoples of North America had nonetheless fulfilled the Girondist mission to export the French Revolution throughout the world. The National Convention might well decide that that was reason enough to support Genet's position as Minister to the United States. In that event, as Hammond understood, 'this order of things must issue in a war between France and this country, an event, to which I know this government looks forward as neither improbable nor distant.'⁶⁸ Of course, as France's principal ally in the region, and the nation best placed to supply its wars in Europe, such a conflict with the United States was the last thing France wanted. If the two countries went to war, however, Hammond stood ready to receive further instructions 'relative to the part which I should take in such an occurrence, as this country will naturally be solicitous to learn the sentiments of his Majesty's government.'⁶⁹ Whether Genet was successfully recalled or not, the dilemma could result in a diplomatic coup for Hammond and the British government.

Unaware of the moves to recall him by the Washington administration, Genet had vacated Philadelphia and journeyed to New York City. Having become frustrated by his ventures being constantly thwarted by the US government, Genet changed tack and ventured to ensure his planned expeditions against British and Spanish possessions survived. In a further effort to bolster his authority, Genet reclaimed the title of Adjutant General that he had briefly held before his appointment to America. As after his arrival in Charleston and Philadelphia, Genet was buoyed by an enthusiastic

⁶⁸ Hammond to Grenville, 10 August 1793, No. 17, National Archives, Kew, FO 5/1, fos. 244-245.

⁶⁹ Hammond to Grenville, 10 August 1793, No. 17, FO 5/1, fo. 245.

welcome by New York governor, George Clinton. Clinton was outspoken in his criticism of the Washington administration and his support for the French Revolution. At the same time, Genet's dreams of an international liberation front in North America were bolstered by the presence of a French fleet anchored in New York harbour. This seven-ship fleet had previously been stationed at Cape François in the colony of Saint-Domingue. However, fleeing the destruction of the settlement by that colony's ongoing slave insurrection, the fleet had made for New York. Genet now had a force large enough to launch an attack on British or Spanish possessions in North America. According to Hammond, possible targets included Halifax, Bermuda, or the Bahamas.⁷⁰ All Genet needed to do now was recruit a land force powerful enough to occupy their intended target.

Given the potential danger to British possessions, Hammond himself preemptively journeyed to New York to learn of the fleet's intended course, and how Genet hoped to use it. Genet was aware of Hammond's presence in the city, commenting that 'Les Anglais sont Furieux; leur Ministre etait venu ici quelques jours avant moi pour me dresser des embuches.' However, he confidently declared that 'personne n'avait Fait attention à lui.'⁷¹ Hammond quickly learned that Genet was indeed enlisting volunteers to serve either on sea or land, and that the Bahamas was their intended target. Hammond relayed this information to the governor of that colony and to the governments of the other possible targets.⁷²

⁷⁰ Henry Ammon, *The Genet Affair* (New York: N. N. Norton & Company, 1973), 111-113; Hammond to Grenville, 10 August 1793, National Archives, Kew, FO 5/1, fos. 246-247.

⁷¹ 'The English are furious; their Minister had come here a few days before me to lay traps for me; and no one had paid any attention to him', Author's translation of Genet to Minister of Foreign Affairs, 15 August 1793, in Frederick Jackson Turner, *Correspondence of the French Ministers to the United States, 1791-1797*, vol II (Washington D.C.: Government Printing Office, 1904), 241.

⁷² Hammond to Grenville, 10 August 1793, No. 17, National Archives, Kew, FO 5/1, fo. 247; Hammond to Lieutenant Governor Wentworth and Lieutenant Governor Clarke, 9 August 1793, National Archives, Kew, FO 116/2, fos. 60-61; Hammond to Lord Dunmore, 14 August 1793, National Archives, Kew, FO 116/2, fos. 59-60.

The outfitting of this fleet would, however, prove more arduous for Genet than he initially thought. Whilst he had been able to engage the ships in his venture, their crews had arrived in New York near starvation and close to mutiny. Genet did not help things when he had many of the officers of the fleet dismissed and replaced with new officers loyal to him. As a result, the crew of one ship, the *Jupiter*, already holding fierce contempt for their officers, and believing that Genet was in league with the officers, effected a mutiny and proclaimed their intention to return to France. On board was General François-Thomas Galboud, the former governor of St Domingue, who, upon his return to France, awaited trial for fomenting a rebellion against the republican commissioners in the colony. Hoping to salvage the situation, and 'finding all his persuasion and promises ineffectual', Genet 'at last prohibited the crew from receiving any supplies from the shore, and issued a proclamation, commanding it to quit the ship.'⁷³ The crew complied, but Galboud saw his chance and used the uncertainty to escape his captivity. Now with a largely compliant fleet, Genet had the vacated *Jupiter* crewed by excess sailors from the other ships.

At the same time, Genet was busy recruiting the land forces necessary to seize British American possessions. This also was beset with arduous delays and shortcomings. In a further example of what was rapidly becoming a pattern of overestimating his level of support in the United States, Genet had, according to Hammond, 'not been able to levy more than four hundred land forces, and that of these it is by no means certain that all be willing to embark.'⁷⁴ At the end of his despatch, Hammond revised his approximation to one hundred dragoons and one hundred and

⁷³ Hammond to Grenville, 17 September 1793, National Archives, Kew, FO 5/1, fo. 292.

⁷⁴ Hammond to Grenville, 17 September 1793, FO 5/1, fo. 293.

fifty infantry.⁷⁵ Nevertheless, Genet intended to leave the United States and personally lead his expedition to liberate the colonies of the British Crown.

The expedition, however, was not to be and Genet's plans were thwarted yet again. Firstly, the fleet appeared to face innumerable delays to its departure. At the time he concluded his September despatch, Hammond informed Grenville that the French brig *Cerf* had, upon returning from a cruise, been chased out to sea by a rival British fleet off Sandy Hook, New Jersey. As long as the Royal Navy continued to patrol the waters around New York harbour, the French fleet would not venture out to sea. Secondly, and unbeknownst to Genet, Hammond's pre-emptive warnings to the governors of Halifax, Bermuda, the Bahamas, and Quebec had alerted them to the French Minister's intentions and encouraged them to bolster their defences. He could confirm that John Wentworth, governor of Nova Scotia had reassured him that Halifax could repel any possible attack. Lord Dunmore, based in the Bahamas, would similarly confirm their preparedness by the time Hammond's October despatch. Although his warnings to Quebec and Bermuda were as yet unanswered, Hammond was satisfied enough that 'those of his Majesty's possessions, which are the most exposed to attack, are now sufficiently apprised of the danger.'⁷⁶

Thirdly, and most ludicrously, the fleet finally set sail without Genet. When the fleet actually departed from New York, Hammond was unaware of its intended destination. He was concerned that the ships intended to attack a British fleet returning home from Quebec. However, he still maintained a hope that the fleet's crew would fulfil their original intention of returning to France. What Hammond could absolutely confirm was Genet's absence from the voyage. He did not specify the exact reason

⁷⁵ Hammond to Grenville, 17 September 1793, National Archives, Kew, FO 5/1, fo. 299.

⁷⁶ Hammond to Grenville, 17 September 1793, FO 5/1, fos. 293, 298.

for Genet's absence but alluded to a disagreement with the still mutinous *Jupiter* sailors. At the time of writing, Hammond was unable to locate the French Minister:

His present place of residence is unknown as previously to the departure of the fleet from New York, he was obliged to fly from that city, in consequence of some disagreement with the sailors, who not finding him at the house where he lived, broke the windows of it and destroyed the furniture.⁷⁷

In one final turn of the knife, Hammond had also learned that the demand for Genet's immediate recall had been dispatched to France. Gleefully relaying this to Grenville, Hammond informed him that

after a space of time had elapsed, sufficient to obviate the risk of...being intercepted by any of the French cruisers on the coast, a copy of the requisition would be forwarded to Mr Genet. This has I presume been done but I have not had an opportunity of learning in what manner he has treated such an act of vigour, on the part of this government, for which he must have been so little prepared.⁷⁸

Now, with no fleet to charter, few volunteers to marshal, and his recall seemingly inevitable, Genet's mission was quickly turning from tragedy to farce. Hammond, rather than needing to continue reporting Genet's actions to British and American policymakers, could watch as the French Minister's mission destroyed itself.

Genet remained remarkably unperturbed by this latest setback and quickly returned to his increasingly desperate mission to marshal the American people to support their French revolutionary brothers. Taking advantage of a shutdown of the federal government, due to the outbreak of yellow fever in Philadelphia, Genet 'expressly declared his intention of submitting his conduct and that of the President's to the decisions of Congress.'⁷⁹ Mistakenly believing that Congress stood above the

⁷⁷ Hammond to Grenville, 12 October 1793, No. 20, National Archives, Kew, FO 5/1, fos. 330-331; The crew of the *Jupiter* would eventually mutiny against their officers and return to France. The crew of the fleet's flagship, the *Eolus*, would mutiny soon after.

⁷⁸ Hammond to Grenville, 17 September 1793, National Archives, Kew, FO 5/1, fo. 291.

⁷⁹ Hammond to Grenville, 10 November 1793, No. 22, National Archives, Kew, FO 5/1, fos. 354-355.

President in levels of authority, Genet hoped to submit his conduct and that of the President for their deliberation. It was likely that he believed the Democratic-Republican faction emerging in Congress to combat the Federalists would rule in his favour on the issues of neutrality and the President's (lack of) authority to enforce it. In yet another appeal to the people, Genet had also published his polemic, filling it with 'the most unaccountable animadversions on this act of necessary authority, and the most ridiculous mistaken expositions of the principles of the American constitution.'⁸⁰ These threats on the part of the French Minister would serve as the final mention of Genet in Hammond's despatches for the remainder of 1793, for fresh crises from France would come to dwarf the machinations of the rogue diplomat.

The Repentant Revolutionary

It would be events happening in Paris that would finally put an end to the activities of Genet. Earlier that summer, the ruling Girondists had fallen from power and had been supplanted by the radical Jacobins. It was now up to them to determine Genet's conduct and the US government's demand for his recall. The Jacobins were initially loath to agree to Genet's recall, believing that, despite having behaved impulsively and in a manner unbecoming of a diplomat, he had distinguished himself in objecting to what they saw as the aristocratic Washington. In protest, they had retaliated by passing their own measures prohibiting neutral vessels from sailing to enemy ports. During that summer, all American ships in the port of Bordeaux were placed under an embargo.⁸¹ The Jacobin policymakers in Paris were in no mood to

⁸⁰ Hammond to Grenville, 10 November 1793, No. 22, FO 5/1, fo. 355; Edmond Charles Genet to Thomas Jefferson, 18 September 1793, John Catanzariti, ed., *The Papers of Thomas Jefferson*, vol. 27, 1 September–31 December 1793 (Princeton: Princeton University Press, 1997), 126–134.

⁸¹ Alexander DeConde, *Entangling Alliance: Politics and Diplomacy under George Washington* (Durham, NC: Duke University Press, 1958), 400–402.

recall their Minister from a nation that claimed to extend friendship but refused to support its fellow revolutionary republic.

The needs of the French Republic and the radicalism of the Jacobin faction would soon change their minds. In the autumn of 1793, France was in desperate need of supplies to feed the conscript armies that the National Convention was raising. The French government could therefore not risk a quarrel breaking out with one of its primary sources of grain. Furthermore, to provide the French government an incentive to recall Genet, the Washington administration offered to replace the disliked Gouverneur Morris as American Minister to Paris. Serving since 1792, Morris had been critical of the excesses of the French Revolution and expressed sympathy for the deposed Marie Antoinette. Replacing him with a potentially more pro-French Minister would ease tensions between the two governments. Self-interest would inevitably trump principles.

The recall of Genet also coincided with the beginning of the “Terror”. Since coming to power, the Jacobins had undertaken a purge of the fallen Girondists. Believing that the revolution was under threat, the Jacobins orchestrated the trial and execution of Marie Antoinette and twenty Girondist leaders. Despite being an avowed patriot and believer in the revolution, Genet’s affiliation with the ousted Girondists marked him out for future reprisals. Whilst it was not guaranteed that he would face the guillotine, the charge of being a counter-revolutionary agent hired by William Pitt could result in him being pilloried. Genet’s position was further weakened when a Jacobin journalist accused him of deliberately provoking a crisis between France and the United States, with the intention of driving the latter to support Britain. Other lesser charges ranged from branding him a supporter of free trade – a British scheme to undermine the republic – to his personally profiting from purchases made on behalf of

the French government. Once the pamphlet was published, on 17 November 1793, Maximillian Robespierre rose in the National Convention to denounce Genet as a Girondist enemy of the revolution.⁸² If Genet was forced to return to France, his fate would be uncertain.

Upon learning that his newly appointed successor, Jean Fauchet, had set sail to the United States with orders to arrest him, Genet, with no other option, and abandoning all previous animosity, threw himself on Washington's mercy and begged for asylum. Despite his dislike for Genet, Hamilton urged Washington to grant him asylum in the United States as a gesture of goodwill. If it emerged that Washington had sent a fellow republican home to his death, it could harm the President's image. Washington agreed and refused to hand Genet over when Fauchet presented his arrest warrant. For Hammond, Genet could now be dismissed as the troublemaker he was. Upon learning of Genet's fall and final rescue by Washington, Hammond contemplated the behaviour of his French rival, musing that,

[a]s this is probably the last time on which I shall have occasion to mention this person, it may not perhaps be altogether amiss for me to observe that however inappropriate, reprehensible, and unwarrantable his conduct may have been, he has not essentially exceeded the spirit of his instructions.⁸³

Indeed, Genet was safe and remained for the remainder of his life in upstate New York. Writing in March 1794 to Cornelia Tappen Clinton, daughter of Governor George Clinton, shortly before he left Philadelphia for New York, Genet rhetorically asked why he should return to a country that persecuted its revolutionary leaders when he could remain in a country where virtue and liberty were respected, and men who

⁸² Henry Ammon, *The Genet Affair* (New York: N. N. Norton & Company, 1973), 156-158; Eugene R. Sheridan, "The Recall of Edmond Charles Genet: A Study in Transatlantic Politics and Diplomacy", *Diplomatic History*, 18, no. 4 (1994), 484-485.

⁸³ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fo. 53.

obeyed the laws had nothing to fear from tyrants and aristocrats.⁸⁴ Marrying Tappen Clinton, he lived first in Jamaica, Long Island before settling into a quiet retirement on the Hudson River in 1802. His only contributions to national life following 1793 were a series of articles in favour of his father-in-law's presidential prospects and critical of Jefferson and Madison. It seems that the threat of death was the only way to neuter Genet.

The Genet Affair was instrumental in Hammond's career as British Minister and presents a fascinating contrast in the practice of diplomacy. Hammond and Genet were the same age and, as Hammond himself observed, they both adhered to the instructions they had been given by their superiors. However, in their conduct, they could not have been more different. Hammond was quiet, studious, and punctilious whilst Genet was brash, arrogant, and impulsive. In the end, it was Hammond's adherence to protocol and punctiliousness in following instructions that ensured his victory over the French revolutionary Genet. Through his diligent implementing of Grenville's instructions, Hammond had helped ensure that the United States adhered to its policy of neutrality and did not become embroiled in the schemes of the impetuous Genet. Whilst Hammond's ability to influence US foreign policy was limited, and Genet's fall can be put down his own follies, it was also Hammond's vigilant accounting of his actions and correspondence with policymakers in the United States and British North America that served to hamper Genet's efforts to acquire American support in France's wars.

The rapid rise and fall of Genet presents an intriguing example of how the actions of diplomats can impact upon their careers. In a crusading effort to

⁸⁴ Ron Chernow, *Alexander Hamilton* (London: Penguin Books, 2004), 447; Henry Ammon, *The Genet Affair* (New York: N. N. Norton & Company, 1973), 160-161.

revolutionise his position as French Minister, the Franco-American relationship, and the practice of diplomacy itself, Genet had only succeeded in alienating the very government he was sent to do business with. Hammond, on the other hand, acted only when British subjects and interests were endangered, and strictly within the limits of his instructions and the diplomatic norms of the period. This ensured the survival of his position and his ascent up the greasy pole of the Foreign Office. The problems with the French Revolution would not go away easily, and new crises would arise as 1793 concluded. Ultimately, however, Hammond's unceasing work had proved to his superiors that he was a loyal and reliable diplomat, capable of guaranteeing that the policies of the United States favoured those practised by the British government.

Chapter 6: The Wild West II, 1793-1795

‘The wars of Europe...rain riches upon us; and it is as much as we can do to find dishes to the golden showers.’

- *Columbian Centinel*, May 1795¹

On 4 July 1790, writing in a state of Independence Day enthusiasm, Thomas Jefferson ruminated that ‘the new world will fatten on the follies of the old’ in the event of a European war.² Indeed, the outbreak of war between Britain and Revolutionary France added an entirely new dynamic to warfare and diplomacy in Europe and America. For the first time, ideology would take a prominent place in the practice of diplomacy and the waging of war. Even as a neutral nation, the United States would not be able to sit idly by and, in Jefferson’s words, grow fat on the fruits of armed neutrality. In a global war, the fragile western frontier between the United States and the North American colonies of the European powers would become a battleground as the ideological fallout of the French Revolution spread across the Atlantic. In May 1793, witnessing the consequences of this new revolutionary form of warfare, Hammond wrote that the French Republic intended to use every means at their disposal to ‘to force the United States, the only ally that is now left to that country into a hostile concurrence with them in their unprovoked aggression on his Majesty’s dominions.’³ As the British government’s chief representative in the United States, he was now tasked with disrupting the French revolutionary designs on the American frontier whilst keeping the United States amenable to British interests in the region.

¹ *Columbian Centinel*, May 1795, quoted in Gordon S. Wood, *Empire of Liberty: A History of the Early Republic, 1789-1815* (Oxford: Oxford University Press, 2011), 202.

² Thomas Jefferson to Edward Rutledge, 4 July 1790, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 16, *30 November 1789–4 July 1790* (Princeton: Princeton University Press, 1961), 600–601.

³ Hammond to Simcoe, 19 May 1793, National Archives, Kew, FO 116/2, fos. 49-50.

The key dilemma facing Hammond in this period, however, would be whether his desire to maintain British interests on the American frontier against French intrigue would involve undermining the sovereignty of the United States. Beginning in the summer of 1792, Hammond would finally achieve his task of facilitating a conference between the United States and the Native American peoples of the northwest. No sooner had the meetings taken place, however, than the frontier would be plunged into the revolutionary crisis spreading from France. From then until Hammond's final departure in 1795, he would face European incursions into US territory, revolutionary schemes to liberate the territories of the European powers, the threat of an Anglo-American conflict, and an insurrection on the frontier. Ultimately, this period would prove to be the era when Hammond possessed the greatest opportunity to alter the balance of power between the United States and British North America. On one occasion, when supposed representatives of the Whiskey Rebellion sought him out, Hammond's prime placement in America gave him the power to facilitate peace on the frontier or break it away from American control. However, his stringent adherence to his position, and unwillingness to mirror the antics of his French diplomatic rivals ensured that negotiations happening concurrently in London delivered a settlement which would secure an Anglo-American understanding for at least the next ten years.

The Road to Sandusky

In September 1792, as the war between the United States and the northwestern confederacy continued, an assembly of the Native peoples gathered at Miami Rapids, Ohio, to determine an adequate boundary between Native lands and American settlers. Although there remained bitter division between the various Native peoples over whether the proposed boundary should follow the Ohio or the Muskingum Rivers, through much debate, they agreed to meet American commissioners to negotiate

peace in 1793 at Sandusky, on the shores of Lake Ontario. Hammond appears to have first learned about the possible peace conference in the following October, writing to John Graves Simcoe, Lieutenant-Governor of Upper Canada, that he was 'very solicitous to learn the result of the Indian councils, not only on account of the discussions to which it may eventually give birth, but also as it will in some measure affect the negotiation actually existing between the American ministers and myself.'⁴ By October 1792, Hammond's negotiations over settling the Treaty of Paris had been suspended until further notice, leaving the issue of the frontier forts a question of continuing hostility. Achieving peace in the northwest would therefore be enormously beneficial to easing the tension between Britain and the United States along the frontier.

Hammond kept the information to himself and only informally enquired into the American policy towards the Sandusky council. 'The informal way in which I might communicate intelligence', Hammond judged, 'whilst it protected me from the imputation of too officious an interference, would secure to me effectually every advantage, which could have resulted from a more formal communication.' Based on this reasoning, Hammond surmised that, by proving 'to this country at large...that the members of its administration had been treated by me with openness and candour', the United States would 'through me...[receive] an early account of the wishes of the Indians upon this subject.' In addition, by assuring them early on that the King would grant his mediation with the Indians if solicited, the United States would alone be 'responsible for all the consequences which might hereafter flow from refusing to admit so equitable a mode of restoring tranquillity.'⁵ Hammond was positioning himself as

⁴ Hammond to Simcoe, 19 October 1792, National Archives, Kew, FO 116/2, fo. 33.

⁵ Hammond to Grenville, 4 December 1792, No. 42, National Archives, Kew, FO 4/16, fos. 272-273.

the willing peacemaker, and a useful conduit between the US government and British officials in Canada. If Hammond could soften the American policymakers into accepting British mediation in the Sandusky conference, his actions would prove integral not only to securing peace between the United States and the Indians, but a settlement favourable to British interests. However, if the Americans refused Hammond's informal overtures, and the conference failed, the political fallout would be their responsibility.

Armed with this reasoning, Hammond sought out Hamilton and enquired whether the Washington administration had learned the outcome of the Miami Rapids assembly. Hamilton answered that it had not. Sensing his opportunity, Hammond stated 'loosely and personally' that he had received information from Governor Simcoe of the Native American leaders'

[w]illingness to meet early in the spring at Sandusky any persons deputed by the American government to treat with them – and...they had sent a formal message to Governor Simcoe soliciting His Majesty's good offices – not only as a mediator, but also as the principal party in the several treaties concluded with them...antecedently to the separation of the colonies from Great Britain.⁶

Hammond purposely did not enter into the intricacies of the request for British mediation and framed it purely as that of a party 'interested in the restoration of tranquillity on the frontiers of his [the King's] dominions and as the possessor of those treaties that defined the Indian boundaries.' Ever the cautious diplomat, Hammond wished for his information to be kept purely informal and actuated 'by no other motive than a friendly anxiety to give this government intelligence of an even which materially affected it and with which it was unacquainted.'

⁶ Hammond to Grenville, 4 December 1792, No. 42, National Archives, Kew, FO 4/16, fo. 273.

Hamilton thanked Hammond for placing his confidence in him but doubted that the US government would accept an Indian request for British mediation. The presence of a British delegation would, Hamilton believed, 'diminish the importance of the United States in the estimation of the Indians, and might eventually lead to a disagreeable discussion with Great Britain.' As he hoped to keep this discussion confidential and informal, Hammond promptly terminated the conversation before Hamilton could add his own personal observations. Hammond reiterated that he was merely stating his 'personal individual opinion', as the Indian proposal appeared to him entirely natural given the present hostilities between the Native peoples and the United States.⁷ However, as Hamilton had already cast doubt on American acceptance of the proposal, Hammond thought it best not to discuss the matter further with the Treasury Secretary.

Notwithstanding his informal discussions not yielding a positive result, Hammond then sounded out Jefferson for another informal discussion on British mediation at Sandusky. Their conversation was in the same vein as Hamilton's, with Hammond adding his opinion that the Washington administration 'should concur in the Indian application to his Majesty.' 'I have the strongest reason to believe', Hammond reassured, 'that his Majesty would readily contribute his assistance in effectuating so desirable an object as would be the restoration of peace.' Jefferson responded simply that he would present this information to the President without delay. Before concluding their conversation, Hammond wished Jefferson to understand that Alexander Mckee, a British Indian Agent in Upper Canada, had assisted the United States by protracting the Miami Rapids meeting until the arrival of the Six Nations (Iroquois) deputies to present their own conditions for peace. Hammond wished

⁷ Hammond to Grenville, 4 December 1792, No. 42, National Archives, Kew, FO 4/16, fos. 273-274.

Jefferson to keep this circumstance in mind 'as it afforded the most complete refutation of the assertion of hostile interference on the part of the government of Canada, which had been so industriously propagated last year, and which might probably be renewed.'⁸ The British position, Hammond wished to assert, was purely one of peace and not war.

Hammond's efforts appear to have been in vain, however, as he did not receive any formal response from the Washington administration on their future intentions regarding the Sandusky conference. It was only through indirect revelations that he learned that 'they [the United States] still persevere in their determination to endeavour to effect a pacification solely by their own exertions and not to require or admit the intervention or assistance of his Majesty's government in setting the conditions of it.'⁹ As he said earlier in his despatch, if this determination on the part of the Americans resulted in the failure of the Sandusky peace talks, they alone would suffer the consequences.

Two weeks after his conversations with Hamilton and Jefferson, the Washington administration accepted the invitation to send American commissioners to Sandusky, 'with the sincere desire of removing forever all causes of difference so that we may always hereafter be good friends and brothers.'¹⁰ As their previous conversation on the subject had been merely informal, Jefferson wished that he and Hammond could formally discuss the sentiments of the US government towards the Sandusky conference. Reiterating Hamilton's doubts about a British presence, Jefferson added that he believed the British government in Canada should not accede

⁸ Hammond to Grenville, 4 December 1792, No. 42, National Archives, Kew, FO 4/16, fo. 274.

⁹ Hammond to Grenville, 4 December 1792, No. 42, FO 4/16, fo. 275.

¹⁰ Henry Knox to the Western Indians, 12 December 1792, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 1, 1789-1793 (Toronto: Ontario Historical Society, 1923), 270.

to the Indians' request for mediation because it would set a dangerous precedent for future relations between Britain and the United States. If one of the respective sides could solicit the mediation of third parties, 'in any future misunderstandings between the government of Canada and any future Indian nations, the latter might deem themselves fully justified from the precedent in requesting the interposition of the American government in accommodating the dispute.' The Indians would therefore be able to play both sides off each other to ensure their own sovereignty. If the negotiations were to succeed, Jefferson contended, rather than acting as a primary party, Simcoe's presence at the conference should 'be viewed in no other light than that of a spectator.'¹¹ That way, if the negotiations failed, the American public could in theory not ascribe blame for their failure to British interference.

Hammond felt it best to acquiesce to Jefferson's sentiments and did not press his argument that a British presence was to him perfectly natural. He however did take the liberty of stating that, if the US government was determined on this course of action, 'it would be incumbent upon the government of Upper Canada to state to the Indians explicitly...that a compliance with their request had been rendered impracticable, not by any inattention to their interest in the part of His Majesty's government, but by the unwillingness of the United States to admit our interference.' Furthermore, Hammond argued, if Governor Simcoe's presence was to be simply that of an observer, 'the general disposition of the Indians...would not be satisfied unless Colonel Mckee, Colonel Butler, or some other British Indian agent, in whom they could confide, should be present to explain to them faithfully the nature and tendency of the American officers.' Jefferson answered that such a desire on the part of the Indians was extremely proper.

¹¹ Hammond to Grenville, 1 January 1793, No. 2, National Archives, Kew, FO 5/1, fos. 50-51.

Before concluding their discussion, Jefferson enquired upon something which he hoped Hammond could lend his opinion, and, if possible, be of assistance. Jefferson explained that, in order for the respective commissioners to have enough time to successfully negotiate a peace, the government would need, at its own expense, to furnish provisions for the Indians. However, with winter biting, and the conference approaching fast, 'it would be almost impracticable to obtain and transport through the American territory alone the quantity of provisions, which might be required.' Jefferson therefore asked whether Governor Simcoe would 'afford some friendly assistance upon this occasion, by allowing this government to form a contract, for the furnishing of the necessary supplies.' Hamilton echoed to Hammond the request for Simcoe's assistance in a subsequent conversation, stating that provisions would need to be procured for roughly five thousand people over a period of six weeks.¹²

Hammond assured both Hamilton and Jefferson that, if such a measure was feasible, Simcoe would 'readily concur in granting it his aid and encouragement.' He was nevertheless keen to stress that multiple factors would incline Simcoe to accept or reject the proposal, ranging from demonstrating his sincerity and respect from both the Americans and Indians on the one hand to the expense required and policy motives unknown to the British Minister on the other.¹³ All these considerations Hammond detailed to Simcoe through an intermediary, John Littlehales, leaving the decision in his hands. If Simcoe agreed to the proposal, it could serve to prove to the US government the willingness of the British to facilitate the conference's success and soften American attitudes, as Hammond had hoped.

¹² Enclosure: Hamilton to Hammond, 29 December 1792, National Archives, Kew, FO 5/1, fo. 71.

¹³ Hammond to Grenville, 1 January 1793, No. 2, National Archives, Kew, FO 5/1, fos. 52-54.

With the terms of the Sandusky conference seemingly settled between the opposing sides, Hammond felt it right to give himself some of the credit. Hammond understood that the United States was determined to acquire a peace with the Indians through its own exertions, and that any formal offer of British mediation would be rejected outright. But by keeping his discussions informal, he had 'secured an object of no small importance in this early expressing my conviction, that the Indians would require the attendance of either Colonel Mckee or Butler or both of them.' As Jefferson had agreed to this arrangement, those British Indian agents would be able to observe the American commissioners and 'exert their ascendancy over the Indians, in inclining them to accede to the American offers, if they be consistent with the safety and benefit of the Indians or to reject them if they seem likely to prove injurious to their real interests.'¹⁴ It was impossible at this early stage to foretell the outcome of the upcoming conference, but Hammond credited himself with facilitating an unofficial British presence, and the furnishing of provisions for the Indian deputies.

Unfortunately for Hammond, Simcoe would decline the proposal for US merchants to purchase provisions from Upper Canada, citing 'military orders subsisting at this post'. It was also argued that if the Indians were to be victualled by the United States during the negotiations, they 'would feel themselves less independent.' To that end, Simcoe endeavoured to procure supplies himself at the colony's expense.¹⁵ Hammond knew that this news would not be well received by the US government, but assured Hamilton that Simcoe's judgement was based purely on his official situation and not his personal views. Hamilton regretted the refusal and

¹⁴ Hammond to Grenville, 1 January 1793, No. 2, National Archives, Kew, FO 5/1, fos. 55-56.

¹⁵ Simcoe to Hammond, 21 January 1793; Simcoe to Hammond, 3 February 1793, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 1, 1789-1793 (Toronto: Ontario Historical Society, 1923), 277, 286.

feared 'it would be difficult to impress the inhabitants of this country with a proper conviction of the real cause in which it had originated.'¹⁶ Nevertheless, the United States appointed Benjamin Lincoln, Beverley Randolph, and Timothy Pickering as commissioners to the Indians and instructed them to travel to Sandusky for the meetings in June. To facilitate a smooth passage, Hammond wrote to the British commander of Fort Oswego to provide for Lincoln in particular (who was travelling via the Mohawk River) one of the King's ships to convey him to Niagara. From there, he would meet up with his fellow commissioners and sail across Lake Ontario to Sandusky.¹⁷

On the British side, Alexander Mckee and Matthew Elliot were appointed to observe the negotiations and persuade the Indians of the benefits of peace. In the meantime, Simcoe reasoned that 'His Majesty's Ministers should have the earliest intelligence of the state of Indian affairs in this country', but 'I have no means of conveyance equally expeditious or as safe, as through your Excellency.' He therefore requested that Hammond 'will have the goodness to communicate such statements of them as you shall deem proper, and as shall result from the papers I have communicated to you.'¹⁸ Should Simcoe be unable to receive updates on the Sandusky meetings before the Americans, Hammond was now his primary source of news.

Meanwhile, in the War Department of the US government, contingency plans had been drawn up in the event that the Sandusky talks failed. Hammond was suspicious that the US policymakers were actively preparing for the prospect of the

¹⁶ Hammond to Grenville, 3 March 1793, No. 8, National Archives, Kew, FO 5/1, fo. 118.

¹⁷ Hammond to Grenville, 7 March 1793, No. 10, National Archives, Kew, FO 5/1, fos. 125-126; Hammond to British Commander at Oswego, 28 April 1793, National Archives, Kew, FO 116/2, fo. 47.

¹⁸ Simcoe to Hammond, 1 April 1793, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 1, 1789-1793 (Toronto: Ontario Historical Society, 1923), 309.

Native conference failing. 'This government', he commented on General Wayne's sailing his five thousand strong army down the Ohio River from Pittsburgh to Fort Washington, 'seems to be taking measures for commencing its military operations at an earlier period than usual.'¹⁹ Wayne's actions were most likely part of a general preparedness for war, since, despite the peaceful overtures, American settlements and convoys remained prey to Indian raids. But, as Hammond had put such energy into ensuring the conference went ahead, he remained suspicious that American martial actions were taken out of a hope of achieving peace with the Indians through *any* means necessary.

Hammond would not receive any news of the Sandusky talks until the summer of 1793, and the news was disappointing. Not only had the talks failed, but the American commissioners appeared not even to have made it to Sandusky. As part of their terms, the Indian deputies stated unreservedly that 'they would consent to no pacification, unless the Ohio was established as the boundary between them and the United States.' 'The commissioners', Hammond continued, 'having no authority to concede the preliminary point, deemed it unnecessary to prosecute their journey to the Indians.'²⁰ Nobody was more disappointed, however, than Simcoe, who put the failure down to the United States having 'thrown off all appearance of moderation and justice in respect to the Indian Nations.' The recent victories of the Indians against Generals Harmar in 1790 and Sinclair the next year had, according to Simcoe, 'occasioned a considerable alteration in the language of the United States: The Ground of Conquest as held forth by Govr. Sinclair, and that of any right of his Majesty

¹⁹ Hammond to Grenville, 17 May 1793, No. 13, National Archives, Kew, FO 5/1, fo. 135.

²⁰ Hammond to Grenville, 17 September 1793, National Archives, Kew, FO 5/1, fos. 296-297.

having ceded the Indian Territory is totally abandoned.'²¹ Both men now feared the immediate resumption of hostilities, with Simcoe mournfully writing that 'The horrors of an Indian War need no explanation or comment, [and] I am truly distressed that they are so likely to be continued.' His only hope was that, if the Indians prevailed in their next battle, the US government would realise the need for British mediation in ending hostilities.²² Nevertheless, as General Wayne's army assembled at Fort Washington and the Indians gathered in its vicinity, another clash seemed inevitable.

Where there was praise to be given, despite the failure of the Sandusky conference, Simcoe reserved it for Hammond. 'I cannot however conclude without saying', the governor commended, 'that I should have been most happy had the Government of the United States coincided with the Indian request, and that you could have obtained his Majesty's gracious permission to have been the Mediator in his name at the present treaty.' Had Hammond been granted the opportunity of mediation, Simcoe claimed, 'the weight and authority of your Excellency would have pointed out to the Indian, that justice which He may not be disposed to recognise when introduced by the representatives of his enemies.'²³

Similarly with the American commissioners, 'the purity of our national character' in Hammond's hands 'would have been a pledge to the United States of our zealous anxiety to establish a peace upon permanent principles of equity.' In Simcoe's view, Hammond had not simply excelled himself in proving to the American policymakers that the British government desired peace, but that peace *could* have been achieved

²¹ Simcoe to Hammond, 24 August 1793, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 2, 1793-1794 (Toronto: Ontario Historical Society, 1924), 42.

²² Simcoe to Hammond, 8 September 1793, in Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe*, vol. 2, 1793-1794, 49.

²³ Simcoe to Hammond, 24 August 1793, in Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe*, vol. 2, 1793-1794, 44.

if only they had listened to him. American obstinacy about British mediation had been a missed opportunity which would result in further deaths on both sides as the new campaign got underway. The solace which Simcoe could give Hammond was his personal gratification that his 'recent manly and impartial conduct cannot but have afforded you a considerable degree of satisfaction.'²⁴ Hammond had demonstrated his knowledge of the parties involved and had done his best to soften American attitudes, however fruitless that had proved to be.

The Fourteenth State II

The restless situation in the boisterous new State of Vermont, although dormant since the summer of 1792, erupted once again in 1794. With the hardening of opinions after war between Britain and France was declared, and disputes over American sovereignty as a neutral nation blighted Anglo-American relations to the point of war, disputes over jurisdiction among American, Canadian, and British residents rose again to the fore. This was to the chagrin of policymakers in London and Philadelphia.

The year 1794 also began with a notable change in the State Department. In December 1793, Thomas Jefferson, Hammond's initial American interlocutor, had announced his resignation as Secretary of State. As discussed in Chapter Three, Hammond's reaction to Jefferson's retirement had been that 'time alone will determine' whether his exit from the Washington administration was a genuine desire to retire or a premeditated act of political martyrdom.²⁵ Nevertheless, Hammond did not mourn Jefferson's departure. Jefferson's successor as Secretary of State, fellow Virginian and Attorney General, Edmund Randolph, was sworn into the post on 2 January 1794, a day after Jefferson's resignation took effect. As standards dictated, Hammond

²⁴ Simcoe to Hammond, 24 August 1793, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 2, 1793-1794 (Toronto: Ontario Historical Society, 1924), 44.

²⁵ Hammond to Grenville, 22 February 1794, No.2, National Archives, Kew, FO 5/4, fo. 46.

immediately congratulated Randolph on his appointment.²⁶ After the noticeably cold and fractious relationship with Jefferson over the past two years, Randolph's appointment represented a fresh start and, potentially, a more conciliatory presence in the State Department.

In February, still believing that the Vermont issue had been settled until negotiations could be resumed, Hammond received information from Lord Dorchester informing him that the Alburgh town government was still exercising jurisdiction and infringing the rights of the British authorities on Lake Champlain. On one occasion, Dorchester noted, a small party of men sent in pursuit of a deserter from the neighbouring fort of Dutchman's Point was imprisoned by the town authorities and only released after being 'obliged to pay a fine of thirteen pounds, six schillings.' Across the river in neighbouring New York, local citizens, following the Vermonters' example, had erected buildings in the vicinity of Pointe-au-Fer and held a judicial hearing 'surrounded with armed men' within five miles of the British garrison. These courts would then sentence local Canadian residents to prison or compel them to flee, all assisted by individuals Dorchester labelled 'emissaries of sedition' who had been harboured to encourage such measures.²⁷

Hammond received this news from Dorchester with 'great surprise and concern' that 'the measures which I trusted would have resulted from the interference of the federal government have been ineffectual.' As in 1792, Hammond and Randolph feared that the actions of the Vermonters and New Yorkers could derail negotiations between the United States and Britain over control of the forts. By the spring of 1794, with the prospect of war between Britain and the United States on the horizon, and the

²⁶ Hammond to Randolph, 3 January 1794, National Archives, Kew, FO 116/2, fo. 162.

²⁷ Enclosure A: Dorchester to Hammond, 17 February 1794, National Archives, Kew, FO 5/4, fo. 231.

need for a diplomatic settlement, neither side could countenance the conflicted northern area of Lake Champlain sparking a confrontation. Writing to Randolph, Hammond argued that further measures were needed to ensure peace until negotiations were concluded.

I therefore beg leave to call your attention, Sir...to express my conviction that this government will pursue such measures as to its justice and wisdom may appear the best calculated to repress the infringements of individuals on the territory occupied by his Majesty's garrisons.²⁸

Only through 'restraining unauthorised acts of individual aggression in the inhabitants residing on the confines of the United States, and of the possessions of other powers' could harmony be restored to the northeast frontier.

Hammond would need to wait over a month before Randolph answered his complaints, justifying his silence by 'being anxious to obtain particular information from a gentleman who was in the town' and not having copies of Jefferson's 1792 correspondence on the subject. Nevertheless, Randolph, mirroring Jefferson's earlier answers, disavowed the actions of the Vermonters and declared to Hammond that he had 'it in charge from the President...again to assure you, that his purpose [is] to cultivate harmony with your nation, and to prevent the measures of which you complain.' To enforce these measures, Randolph announced that orders would be immediately reiterated to prevent any acts of violence which Hammond complained were being repeated against Canadian residents or British soldiers, with an added injunction 'to use against the refractory every coercion, which the laws will permit.' Randolph was acting purely on the information provided by Hammond, having received no intelligence of his own during his month of silence. However, by acquiescing again on the subject, Randolph and the Washington administration hoped

²⁸ Enclosure B: Hammond to Randolph, 10 March 1794, National Archives, Kew, FO 5/4, fos. 235-237.

their further measures would express to Hammond 'a real disposition in us to friendship and good neighbourhood.'²⁹

Chief Justice John Jay had by now been appointed as Envoy Extraordinary to London, armed with instructions to settle with Grenville the outstanding articles of the Treaty of Paris, including British withdrawal from the frontier forts. Until a favourable treaty could be negotiated, the United States could do little but stand by and observe the conflicts between the increasingly irreconcilable Vermont residents.

Randolph's silence was due to the difficulty of transferring information between Lake Champlain and Philadelphia, but it did not impress Hammond who complained of the Secretary of State's 'inability after so long an interval to controvert the facts I had asserted into a corroborating admission of the truth of their existence.' In the fifty days Hammond had waited for Randolph's answer, Simcoe had led an expedition into the Ohio territory and built Fort Miami along the Maumee River, thus making an Anglo-American war on the frontier increasingly likely. Simcoe had cited the federal government's lack of action in implementing measures restraining the actions of Vermonters in his reasoning for the expedition. Hammond was inclined to agree, writing that 'I asserted the unrepressed aggressions by the State of Vermont to be sufficient in themselves to authorise the language of Lord Dorchester.' Furthermore, whilst Hammond countered that the 'high-sounding professions of the purity' of the US government's conduct should not be overlooked, the sharpening of attitudes and the many breaches of neutrality which had been committed by both state officials and the federal government, dating back to 1793, had led him to believe that 'the conduct of the latter has not been so impartial as it is studiously represented to have been.'³⁰

²⁹ Enclosure VI: Randolph to Hammond, 29 April 1794, National Archives, Kew, FO 5/4, fos. 288-289.

³⁰ Hammond to Grenville, 25 May 1794, No. 20, National Archives, Kew, FO 5/4, fos. 296-297.

Hammond had clearly had enough of the seemingly empty assurances of the Washington administration and the Vermont question would quickly spiral into a volatile argument over the security of the frontier. With no further instructions from Grenville on the subject, which now formed part of the Jay negotiations, Hammond could do little but defend the actions of his counterparts in Canada against an increasingly martial American response.³¹

Simcoe's Folly

In the spring of 1794, Britain and the United States came closer to war than at any time between the Revolution and the War of 1812. Matters came to a head when news arrived in Philadelphia that Governor Simcoe had led British troops into the Ohio territory and established a fort along the Miami River. The new Fort Miami, consisting principally of wooden buildings built around a log stockade with four bastions, had been constructed to block a march by General Wayne on Fort Detroit and provide more solid encouragement to Native American resistance. Around the same time, news had been received of a speech from Lord Dorchester to several of the Indian Nations, expressing his displeasure at the wrongs suffered by them since American Independence.³²

The news of Simcoe's action was greeted with anger in the United States, with Hammond observing that 'the general ferment of this country and the spirit of hostility to Great Britain, which for the last three or four months have been perpetually increasing, have now risen to a much higher pitch than before.'³³ Just as he was lambasting American policymakers on the intrusive actions of Vermonters and New

³¹ Grenville to Hammond, 8 August 1794, No. 15, National Archives, Kew, FO 5/5, fo. 12.

³² Dorchester to the Seven Nations of Lower Canada, 10 February 1794; Dorchester to Simcoe, 17 February 1794, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 2, 1793-1794 (Toronto: Ontario Historical Society, 1924), 149-150, 154.

³³ Hammond to Grenville, 25 May 1794, No. 20, National Archives, Kew, FO 5/4, fo. 294.

Yorkers around Pointe-au-Fer and Dutchman's Point, Hammond was forced onto the back foot by his counterparts in Canada seemingly provoking a war on the frontier.

Hammond was immediately collared by Secretary of State Randolph, who addressed a letter, 'in a style of personal incivility that I trust I have not merited,' to the British Minister demanding an explanation for Dorchester's speech and Simcoe's incursion. 'At the very moment, when the British government were forwarding assurances of good will,' Randolph asked, 'does Lord Dorchester foster and encourage in the Indians hostile dispositions towards the United States.' Randolph conjectured that the speech could only have been delivered out of anger of the failure to achieve peace at Sandusky the previous year. Why then would Lord Dorchester state that 'I should not be surprised, if we are at war with the United States in the course of the present year; and if so, a line must then be drawn by our warriors?' Yet, even as he vented his displeasure, Randolph assured him that, if Hammond could provide an explanation of Dorchester's remarks, he stood 'ready to retract the comments, which I am about to make.'³⁴

Where Randolph did not reserve his fury, however, was on the 'hostility itself' of Simcoe's Fort Miami venture. Randolph began his complaint by rhetorically asking whether 'it has been usual for each party to a negotiation to pay such a deference to the pretensions of the other, as to keep their affairs in the same posture until the negotiation was concluded.' As evidence, the Secretary of State cited Hammond's own complaints to his predecessor, Jefferson, over Vermont's conduct around Pointe-au-Fer back in 1792, stating that when jurisdiction was extended over the Vermont districts still occupied by British troops, he had 'demanded that our government should suppress it, from respect to the discussion which was pending.' Again, earlier in 1794,

³⁴ Enclosure A: Randolph to Hammond, 20 May 1794, National Archives, Kew, FO 5/4, fos. 307-308.

Randolph had acquiesced in further encroachments by Vermont on the premise that the matter would be settled once the forts were handed over. Why then, when

the forts, garrisons and districts, to which your letters, are confessedly within the limits of the United States; yet have our citizens been forbidden to interrupt you in the occupancy of them. What return then have we a right to expect?³⁵

Randolph's questions symbolise over ten years of American anger and frustration over the forts issue. By establishing Fort Miami, the British government had potentially jettisoned their peace policy with the United States. 'This possession of our acknowledged territory,' he argued, 'has no pretext of status quo on its side; it has no pretext at all; it is an act, hostility of which cannot be palliated by connection with that negotiation: it is calculated to support an enemy whom we are seeking to bring to peace.' Randolph concluded his remonstrance by ominously warning Hammond that he had the charge of the President 'to request and urge you to take immediate and effectual measures, as far as in you lies, to suppress these hostile movements.'³⁶ If the US army now marching towards the fort was forced to act, it would be unable to distinguish between friend or foe.

As had happened in 1792 with the fiasco over the enforcement of the Navigation Act, Hammond was caught completely off guard and isolated by Simcoe's incursion. Yet again, events had the potential to outrun him before he could receive accurate information. Hammond was keenly aware of the embarrassing position in which Randolph's letter put him, his own intelligence on the subject being limited. Nonetheless, he reasoned that 'if I had declined returning an answer to it, my silence would have been construed into contempt or into an unwillingness to assume any portion of responsibility for measures, which were not strictly within my immediate

³⁵ Enclosure A: Randolph to Hammond, 20 May 1794, National Archives, Kew, FO 5/4, fo. 309.

³⁶ Enclosure A: Randolph to Hammond, 20 May 1794, FO 5/4, fos. 308-310.

department.’ However, unlike on previous occasions, rather than simply referring the question onto London, Hammond ‘esteemed it the most honourable and at the same time the most prudent course, not to shrink from this discussion.’³⁷

With his limited resources, Hammond contended from the start that he could not acknowledge ‘the right of this [US] government to require from me, so categorically as you have required it, an explanation of any measure emanating from the governors of Canada, over whose actions I have no control.’ Secondly, regarding Dorchester’s speech, whilst he was willing to accept its authenticity – Randolph had sent a copy to him – Hammond contended that what he had received was merely an extract. Regardless, he countered that Dorchester’s alluding to the encroachments of Vermont on the British garrison as a likely pretext for war was not ill-founded. On the contrary, the lack of action on the part of the United States to curtail the State of Vermont, and the multitude of supposed breaches of neutrality committed by the United States throughout 1793, served as a perfectly reasonable pretext for Dorchester’s sentiments. ‘I assert with confidence’, Hammond disputed, ‘that not only those encroachments have never been in any manner repressed, but that recent infringements in that quarter and on the territory in its vicinity have been since committed.’ In addition, the British Minister hit back at the Secretary of State, claiming that ‘though the space of fifty days elapsed between my letter of the 10th March 1794 upon this subject and your answer of the 29th April 1794, you did not attempt to deny the facts which I stated, and which I now explicitly repeat.’ Hammond did not think it unfair to weaponize Randolph’s fifty-day silence on the Vermont subject, arguing that

³⁷ Hammond to Grenville, 24 May 1794, No. 20, National Archives, Kew, FO 5/4, fo. 295.

it further demonstrated 'his inability after so long an interval to controvert the facts.'³⁸ The gloves appeared to have been firmly removed.

Regarding Fort Miami, Hammond was less pugilistic. Having received no conclusive intelligence of his own on Simcoe's expedition, he could not attest to Randolph's claim. But, even if the information was accurate, 'much will depend on the place in which you assert that the fort is intended to be erected – and whether it be for the purpose of protecting subjects of his Majesty residing in districts dependent on the fort of Detroit, or of preventing that fortress from being straitened by the approach of the American army.'³⁹ Regardless of Simcoe's intentions, Hammond believed that the status quo still applied until the outstanding issues from the Treaty of Paris had been resolved. With John Jay on his way to London, Hammond needed to temper American hawkishness long enough for negotiations to be completed. In the meantime, Hammond nonetheless agreed to transmit copies of their correspondence to Dorchester, Simcoe, and the British government in London for their respective opinions.

The spat between Hammond and Randolph would continue throughout early June 1794 until Hammond concluded that any further communication on the subject should be suspended. Hammond reasoned that, since he had transmitted copies of the letters to Dorchester and Simcoe, the matter should be parked until he received their replies. When Simcoe's reply finally arrived the following month, the Lieutenant Governor doubled down on his reasons for the Miami fortifications, justifying his actions on the pretext of self-defence and not outright hostility. 'It should appear, Sir,' Simcoe observed, 'that Mr Randolph supposes that the British troops are associated

³⁸ Enclosure B: Hammond to Randolph, 22 May 1794, National Archives, Kew, FO 5/4, fos. 311-315; Hammond to Grenville, 25 May 1794, No. 20, National Archives, Kew, FO 5/4, fo. 296.

³⁹ Enclosure B: Hammond to Randolph, 22 May 1794, FO 5/4, fos. 312-313.

in arms with the American Indian, and not confined to the defence of a post sufficiently conspicuous to all those who do not affect to misunderstand the difference between hostility and self-defence.’ For Simcoe, the continuing encroachments of Vermont and New York on the districts occupied by British troops, and the advance of General Wayne’s army towards Fort Detroit were, similarly to Dorchester, perfectly justified reasons for the expedition.⁴⁰

Of course, such language would be denied by the Americans, Simcoe believed. But to do so would be a ‘further illustration of the manner in which the subjects of the United States “push on, act, and talk”—and is sufficiently evident to give a reasonable ground of apprehension that their future intentions are systematically of a hostile nature.’ At around the same time, Grenville, negotiating with Jay in London, had been assured that General Wayne had no orders to act in response to Simcoe’s expedition, and that ‘during the present negotiation, and until the conclusion of it, all things ought to remain and be preserved in status quo.’ Until the conclusion of negotiations, ‘both parties should continue to hold their possessions, and that all encroachments on either side should be done away, that all hostile measures...shall cease.’⁴¹ The instructions were categorical, but, with events on the frontier developing fast, and both sides continuing to take measures for their own defence, Hammond was in for a difficult summer.

Moonshine Rebels

In the summer of 1794, the western counties of Pennsylvania and Virginia rose in rebellion. This insurrection, however, was not instigated by Native Americans, or

⁴⁰ Simcoe to Hammond, 18 July 1794, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of Upper Canada*, vol. 2, 1793-1794 (Toronto: Ontario Historical Society, 1924), 324.

⁴¹ Simcoe to Hammond, 18 July 1794, in E. A. Cruikshank, ed., *The Correspondence of Lieutenant Governor John Graves Simcoe*, vol. 2, 1793-1794, 325; Grenville to Hammond, 15 July 1794, National Archives, Kew, FO 5/5, fo. 7.

Spanish or British intriguers, but by United States' citizens. In 1790, as part of his financial program, Hamilton had proposed the introduction of an excise tax on domestically distilled spirits, especially whiskey, as an easy means to raise revenue. Arguing for the passing of the tax, Hamilton stated that he wished to take 'hold of so valuable a resource of revenue before it was generally preoccupied by the state governments.' It was also believed that a tax on liquor would limit the negative social effects of alcohol, with James Madison claiming it would 'increase sobriety and thereby prevent disease and untimely deaths.'⁴²

In the principally agrarian counties of western Pennsylvania, resistance to the tax began as early as 1791. However, matters came to a head in July 1794 when, Hammond reported, 'a numerous collection of the inhabitants of that country in the vicinity of Pittsburgh...made two attacks on the house of an inspector of the excise near that town, which was defended by a party of federal troops.' The soldiers were eventually forced to retreat, and the house was burned down by the crowds. Subsequently, deputies from the western counties of Pennsylvania and Virginia gathered near Pittsburgh (the home of the federal arsenal) 'to take into consideration the state of the western country.' Although the pretext of the rebellion which the insurrectionists avowed was a dislike of the excise taxes on liquor, Hammond remained doubtful, arguing that the real reason was 'unquestionably a rooted aversion to the federal constitution and to all the measures emanating from it.'⁴³ Whether this is true is difficult to say. The frontier communities also maintained a strong Jeffersonian suspicion of federal power, but it would be difficult to claim that it was the

⁴² Enclosure: [Objections and Answers Respecting the Administration], [18 August 1792], in Harold C. Syrett, ed., *The Papers of Alexander Hamilton*, vol. 12, *July 1792–October 1792* (New York: Columbia University Press, 1967), 229–258; Excise, [27 December] 1790, in Charles F. Hobson and Robert A. Rutland, ed., *The Papers of James Madison*, vol. 13, *20 January 1790–31 March 1791* (Charlottesville: University Press of Virginia, 1981), 336–337.

⁴³ Hammond to Grenville, 3 August 1794, National Archives, Kew, FO 5/5, fo. 190.

overwhelming pretext of the rebellion. Nevertheless, the federal government was caught off guard by the insurrection and Hammond did not yet know what course the President would take.

The immediate response of the Washington administration was to issue a proclamation, warning that, in the words of Hammond, 'unless the insurgents disperse before the 1st of next month, coercive measures will be employed.' To that end, 'the President has directed twelve thousand nine hundred men...to be [drafted], from the militia of the states of New Jersey, Pennsylvania, Maryland and Virginia...to be held in readiness to march at a moment's notice.' Hammond, however, doubted that such a force would be enough to put down a revolt on the extremities of the United States, writing that 'I apprehend it will be found inferior to that of the insurgents, of whom about six thousand assembled in arms, near Pittsburgh on the 1st of this month, and this number is said to have since considerably increased.'⁴⁴ Hammond continued to believe that the insurrection was driven by a desire to break away from the United States. It was therefore likely that the 'spirit of insurrection' would be strong enough to force the federal government to the negotiating table.

Hammond was likely encouraged in his belief in the sectional aspirations of the insurrectionists by the arrival of the Whiskey Rebellion on his front door. In August 1794, Hammond received two separate visits from people, presumably from the Mingo Creek Society, a society established to resist the Whiskey Tax, 'of very decent manners and appearance', one of whom told him that he had come to New York from the vicinity of Pittsburgh, specifically for the purpose of having a conversation with the British minister. The situation in the western country, the visitor claimed, was 'disagreeable', but he had heard of the good character of Colonel Simcoe. Believing

⁴⁴ Hammond to Grenville, 16 August 1794, National Archives, Kew, FO 5/5, fos. 249-250.

that his visitor wished to settle in Upper Canada, where Simcoe was Lieutenant-Governor, Hammond answered that the governor was 'very kind to those who migrated thither, and I doubted not, if it were his wish to settle thence, he would receive from that officer every proper encouragement.' Hammond had, however, completely misunderstood his visitor's intentions, and he promptly clarified, 'in a very mysterious and cautious manner', that the western insurgents were dissatisfied with their government and desired to separate from it. To that end, they wished to form an alliance with another power and 'were solicitous to be under the protection of the British government.'⁴⁵ Hammond now found himself in the swirl of a potentially damaging sectional crisis.

Had his diplomatic ideals been more aligned with the former French minister, Genet, Hammond would have leapt at the chance of breaking the western lands of the United States away from the eastern states. However, with the prospect of a frontier war between Britain and the United States still visible, whilst the two countries were attempting to make peace, Hammond could not risk implicating himself in such intrigue. Before his visitor had even finished his proposal, Hammond interrupted him, stating that 'it would ill become me, in my situation, to interfere in any dispute between the citizens of this country and the government, and much less to encourage the former in any measures of opposition to the latter', preventing any attempt by the insurgents to procure his services. 'I desired him to understand explicitly', he continued, 'that no considerations could tempt me to engage in proceedings of this nature, and that I must therefore decline any further conversation of the subject.' Before leaving, the visitor tried to assure Hammond that he did not speak purely for himself and that he had the means of proving he spoke for large numbers of the

⁴⁵ Hammond to Grenville, 29 August 1794, National Archives, Kew, FO 5/5, fo. 265.

whiskey insurgents, but the British Minister would have none of it. Hammond would then repeat his response two days when a second visitor, 'of rather more respectable appearance than the former', embarked on a similar vein. Again, Hammond quickly cut him off 'by employing the same decided language as that which I had used on the preceding occasion.'⁴⁶ Hammond would not involve himself in seditious activities which could implicate himself and the British government.

As August moved into September, negotiations were conducted between the federal government and a committee of the insurgents. At the same time, the federal government continued to raise troops, citing the recommendation of the federal commissioners that 'the civil authority should be aided by a military force in order to secure a due execution of the Laws.'⁴⁷ 'The several corps', Hammond commented, detailing the American force of Virginians, Pennsylvanians, Marylanders, and New Jerseymen, 'proceeded, in the course of the last and present week, in different directions, towards Carlisle...and, when assembled, will constitute an army of fifteen thousand effective men.' At their rendezvous at Carlisle, Washington himself travelled to review the troops, becoming the only US President to lead troops in the field whilst in office.⁴⁸ Washington did not stay long, however, and within a week had returned to Philadelphia, leaving the army in the command of Henry Lee, the Governor of Virginia, and father of future American Civil War general, Robert E. Lee. The insurgents, Hammond now believed, would never be able to resist such a show of ordnance, writing that,

⁴⁶ Hammond to Grenville, 29 August 1794, National Archives, Kew, FO 5/5, fo. 266.

⁴⁷ From the Commissioners to Western Pennsylvania, 24 September 1794, David R. Hoth and Carol S. Ebel, ed., *The Papers of George Washington*, Presidential Series, vol. 16, *1 May–30 September 1794* (Charlottesville: University of Virginia Press, 2011), 702–718.

⁴⁸ Hammond to Grenville, 28 September 1794, National Archives, Kew, FO 5/5, fos. 320–321; Hammond to Dorchester, 13 October 1794, National Archives, Kew, FO 116/2, fo. 143; Joseph J. Ellis, *His Excellency: George Washington* (New York: Alfred A. Knopf, 2004), 225.

from the want of canon, from the probable division that will arise among them, and from the extent of country over which they are dispersed, it is scarcely possible that they will be able to make any long or effectual resistance to the force which is marching against them.⁴⁹

By the beginning of November, the insurrection was fast losing momentum. The army originally led by Washington had by then arrived at Pittsburgh, but the insurgents not having met them in force, and having several of their leaders apprehended without resistance, there was 'little doubt entertained here', that the insurgents had 'abandoned any intention of supporting by arms their opposition to the government.'⁵⁰ A corps of troops would remain at Pittsburgh throughout the winter, but the insurrection was effectively over and the liquor tax remained in force until it was repealed during Jefferson's presidency in 1801.

Even with the surrender of the remaining rebels, Hammond continued to believe that the Whiskey Rebellion formed part of a wider spirit of disorder on the American frontiers. Whilst the Whiskey Rebellion had been successfully put down, with concurrent unrest in Virginia, Kentucky, and Georgia, Hammond thought 'that it will revive there as soon as the military force shall be withdrawn.' As the United States continued to push westwards, away from the eastern metropole, would the federal government still contain the spirit of insurrection among those frontier communities? 'How far a submission to good order and government', Hammond mused back in September, 'will be affected on those states by the temporary suppression of the insurrection in Pennsylvania is a question which time alone can decide.'⁵¹

The Whiskey Rebellion serves as an illuminating episode in Hammond's tenure at British Minister. The visitations of the two insurgents to him personally brought

⁴⁹ Hammond to Grenville, 28 September 1794, National Archives, Kew, FO 5/5, fo. 321.

⁵⁰ Hammond to Grenville, 5 November 1794, National Archives, Kew, FO 5/5, fo. 346.

⁵¹ Hammond to Grenville, 28 September 1794, FO 5/5, fo. 321.

Hammond face to face with the spirit of insurrection which he described in his despatches. Had Hammond seen himself as an opportunistic agent for undermining American power, his potential standing as a conduit between the rebels and the British government in Canada could have been the starting point of a conspiracy to separate a section of the United States. However, Hammond remained stalwart in maintaining peaceful coexistence between Britain and the United States and balked at the idea of implicating the British government in sectional squabbles. Concluding his account of the rebels' visits, he esteemed it his duty 'to be thus circumstantial in these details...if at any future period, this government, jealous and suspicious as it is, should impute to my any disposition to have interfered in this matter, I can appeal with confidence to this letter as my indication.'⁵²

Fallen Timbers and the Jay Treaty

On 19 November 1794, following months of negotiation, Grenville and John Jay were finally able to hammer out a treaty which settled at least some of the outstanding issues left over from the Treaty of Paris. As part of the treaty, Britain agreed to relinquish control of the western forts, after ten years of American lobbying. At the same time, it was agreed that American citizens and British subjects – including Indians – would be granted free passage to conduct trade and commerce over boundary lines. During their negotiations, Grenville and Jay also discussed the Indian War and the prospect of achieving peace. 'It is extremely evident', Grenville informed Hammond on news of the treaty, 'that nothing could be more desirable under the present circumstances, and with a view to...those advantages which may be reciprocally expected from the treaty now concluded, than that this war should be brought to a termination.' With these sentiments in mind, Grenville once again 'did not

⁵² Hammond to Grenville, 29 August 1794, National Archives, Kew, FO 5/5, fo. 266.

hesitate to propose to Mr Jay the mediation of his Majesty for the purpose of bringing those differences to a conclusion' and mentioned that Hammond was authorised to oversee such a measure if the opportunity was raised. Jay was not averse to the idea but admitted that he did not feel himself authorised to agree to such a policy. He also reasoned that, 'in the present state of acrimony and warmth which prevails in America, with respect to this country, and particularly on the subject of the Indian War, it might not perhaps be attended with the success which might be looked for under more favourable circumstances.'⁵³

Regardless of Jay's misgivings, Grenville determined that British mediation to end the conflict in the northwest was necessary to ensure that the Jay Treaty could be fully realised. He therefore instructed Hammond 'to take an early opportunity of conferring upon it confidentially with Mr Hamilton, and of suggesting to him the advantages with which it is likely to be attended to both parties, not only by the termination of hostilities...but by affording immediate facilities for the operation of the recent treaty.' Once again, Hammond was to bypass the Secretary of State, 'whose official situation has given the greatest dissatisfaction here' and broach the subject to the more anglophile Hamilton. If, through his discourse with Hamilton, American support for mediation could be ascertained, Hammond was authorised to execute the policy immediately. Even if the Treasury Secretary was uneasy at entering public discussions, Hammond was further authorised to suggest a secret agreement between himself, Hamilton, Simcoe, and Lord Dorchester.⁵⁴ Hammond was now empowered to play the part of peacemaker and given full powers to implement the Jay Treaty along the American frontier.

⁵³ Grenville to Hammond, 20 November 1794, No. 21, National Archives, Kew, FO 5/5, fos. 39-40.

⁵⁴ Grenville to Hammond, 20 November 1794, No. 21, FO 5/5, fos. 40-41.

Unfortunately, events inside the American capital and along the frontier itself would put a dampener on Hammond's new instructions. In late 1794, Hamilton announced his intention to resign as Treasury Secretary, leaving Hammond without his Anglophilic counterpart. In addition, in the American hinterland, and unbeknownst initially to Hammond and diplomats in London, the Northwest Indian War was already marching towards its conclusion. In August 1794 General Wayne defeated the Northwestern Indian Confederacy at Fallen Timbers (near present day Toledo). It would not be until November that Hammond received news of Wayne's campaign, reporting that 'the army, under the command of that officer, had left its position at the Glaize, and proceeded towards the Miami villages for the purpose of destroying them.'⁵⁵ The battle was brief, but the victory was total.

The next year, in March 1795, Hammond wrote of accounts from General Wayne, stating that 'deputies from all the Indian tribes...now engaged in hostilities with the United States, had arrived at that officer's headquarters, and that desired him to appoint commissioners to meet them on the 15th of June next, for the purpose of arranging terms of pacification.'⁵⁶ Hammond did not yet know where the treaty was to be signed, but, on 3 August 1795, two weeks before he departed for Britain, the United States concluded the Treaty of Greenville with the northwest Native peoples. Under the treaty, the Native peoples were confined to the northwest portion of the Ohio territory, following a westward line from Fort Laurens to Fort Recovery on the border with present day Indiana. With the treaty signed, whilst Wayne did not extend his campaign into British territory, Canada's position as a power base for Indian resistance would never reached levels achieved during the Northwest War.⁵⁷ The issue of British

⁵⁵ Hammond to Grenville, 12 November 1794, National Archives, Kew, FO 5/5, fo 373.

⁵⁶ Hammond to Grenville, 7 March 1795, National Archives, Kew, FO 5/9, fo. 132.

⁵⁷ Welsey Sword, *President Washington's Indian War: The Struggle for the Old Northwest, 1790-1795* (Norman: University of Oklahoma Press, 1985), 323.

mediation would continue beyond Hammond's tenure as British Minister, and into the nineteenth century, but the United States had ended the Northwest Indian War on its own terms and rendered Hammond's potential peace-making moot.

Hammond's hopes of placing himself at the forefront of British initiatives involving the United States and the northwest Indian nations had been thwarted. However, his work as British Minister was significant. As opinions hardened after 1793, and an Anglo-American war became a possibility, Hammond proved himself to be a prudent diplomat. Rather than using the fallout of the French Revolution and war between Britain and France to his advantage, in the manner of his rival, Genet, Hammond recognised the value of the status quo in Anglo-American relations. Even as the counties of western Pennsylvania and Virginia erupted into rebellion, Hammond's quick refusal to indulge seditionist proposals meant that he would not proceed down the same destructive path as his diplomatic rival, Genet. Whilst negotiations for a final settlement of the frontier would be conducted in London, Hammond's studious work helped ensure the frontier remained secure enough for the Jay Treaty to be concluded.

Chapter 7: Peace For Our Time?

‘At present the cry against the [Jay] Treaty is like that against a mad-dog; and every one, in a manner, seems engaged in running it down.’

- George Washington to Alexander Hamilton, 29 July 1795¹

In 1794, Britain and the United States stood on the brink of war. The fallout from the French Revolution and the war between Britain and France had soured relations between the two nations both on the frontiers and on the high seas. As Britain’s chief diplomat in the United States, George Hammond was at the centre of the storm. The quandary facing the Foreign Office was simple but complicated: how, with the war with France ever intensifying, could Britain maintain its interests in North America without sparking a war with the United States? Between January 1794 and his departure from America in August 1795, Hammond would be forced to battle the continuing fallout from the Genet mission, accusations of British hypocrisy over the fitting out of privateers, threats of an American embargo, and American membership of a league of armed neutrality.

At the same time, Hammond’s prime placement near the heart of the US government provided him the key purpose of keeping London informed with in depth accounts of American affairs. Whilst Hammond remained an ocean away, his accounts and presence in America would provide the British government with helpful intelligence and maintain the peace between the two countries. When British and American diplomats finally gathered in London to settle the Treaty of Paris and establish a more solid understanding between the two countries, Hammond’s

¹ George Washington to Alexander Hamilton, 29 July 1795, in Carol S. Ebel, ed., *The Papers of George Washington*, Presidential Series, vol. 18, *1 April–30 September 1795* (Charlottesville: University of Virginia Press, 2015), 458–460.

accounts would strengthen Britain's hand enough to achieve the twin goals of preventing war and keeping the United States in a favourable state of neutrality. London's man in Philadelphia would now turn his four years of detailing American affairs to Britain's diplomatic advantage.

Casting Changes

By the beginning of 1794, Citizen Genet's attempts to export French Revolutionary ideals to the United States had finally come back to haunt him. On 20 January Washington had delivered a message to the House of Representatives stating that 'the conduct of Mr Genet had met with the most decided and unequivocal disapprobation, and that the French government promised his recall should be expedited without delay.'² This measure had become more and more urgent to prevent further diplomatic outrages on the part of the now former French Minister. Owing to the difficulties in conveying information across the Atlantic, the US government had not yet heard that Genet was already wanted by the ruling Jacobin faction in Paris. As we have seen in chapter five, Genet was granted asylum in the United States before Fauchet could execute these instructions.

Having no prior relationship with his new French counterpart, Hammond was initially reserved in his opinion of Fauchet. The new French Minister 'is unacquainted with the politics of this country, and even its language', Hammond commented to Grenville, explaining that he was to be assisted by a council composed of two French Consuls already in the United States.³ Once he was able to learn more, however, Hammond did not hold back on his opinion of the French Minister. Fauchet, Hammond claimed, 'is inferior to his predecessor not less in abilities than in energy.' Fauchet was

² George Washington to the United States Senate and House of Representatives, 20 January 1794, in Christine Sternberg Patrick, ed., *The Papers of George Washington*, Presidential Series, vol. 15, *1 January–30 April 1794* (Charlottesville: University of Virginia Press, 2009), 97.

³ Hammond to Grenville, 22 February 1794, No.2, National Archives, Kew, FO 5/4, fo. 52.

indeed less flamboyant than his predecessor, but after the outrage which Genet had caused, a more diplomatic personality was necessary. Since arriving in America,

his attention seems to have been principally occupied by the solicitude to efface the unfavourable impression, which Mr Genet's extravagant and intemperate conduct has created, by every demonstration of respect to the President, and other members of this administration, and by the avowal of a desire and disposition to cultivate the good will of every description of American citizens.⁴

The strategy appeared to have worked as, when Fauchet attended the theatre, he was greeted with cheers. Similarly, when he attended the Birthnight Ball to celebrate George Washington's birthday, he was seated at the right hand of the President, offending both Hammond and the Spanish commissioners in the process. Hammond, John Adams recorded, 'left the Theatre, offended or disgusted at some partial popular distinctions there', colouring his opinion of Fauchet from then on.⁵ Regardless of these partisan upsets, Hammond maintained vigilance in observing the new French Minister, and what his actions would mean for British relations with the United States. The diplomatic changes in the State Department and French Foreign Ministry appeared the beginning of a fresh start, but the same partisan issues would continue into 1794.

America First!

Before resigning as Secretary of State in December 1793, Jefferson had presented his long-awaited report on American commerce, ending over two years of on and off work on the subject. With this report, Jefferson hoped to leave his mark on American commercial future, and a mark of his time as Secretary of State. The crux of Jefferson's argument, as surmised by Hammond, amounted to nothing more than

⁴ Hammond to Grenville, 15 April 1794, No. 10, National Archives, Kew, fos. 148-149.

⁵ John Adams to Abigail Adams, 2 March 1794, in Margaret A. Hogan, C. James Taylor, Sara Martin, Hobson Woodward, Sara B. Sikes, Gregg L. Lint, and Sara Georgini, ed., *The Adams Papers*, Adams Family Correspondence, vol. 10, *January 1794–June 1795* (Cambridge, MA: Harvard University Press, 2011), 95–96.

to 'recommend a closer connection with France, and to inculcate the expediency of a direct system of commercial hostility with Great Britain.'⁶ Despite Jefferson's retirement, his ideological disciples immediately put the arguments of his report into effect with a series of commercial proposals in the House of Representatives. As expected with politically motivated commercial restrictions, old arguments about abuse on the part of Britain – including the infractions of the Treaty of Paris and support for the Native American peoples – were argued 'in every diversified form of aggression and descanted upon in every term of reproach and virulence' by individuals like James Madison, the Democratic-Republican leader in the House. In support of Madison's proposals, town meetings were held by Democratic-Republican partisans in the major port cities of the United States, hoping to drive up support among the American public.⁷

Madison was helped in arguing for his commercial proposals by events occurring across the Atlantic and in the Mediterranean. Alongside his multiple January despatches, Grenville had also sent Hammond news of a British-engineered truce concluded between Portugal and the Regency of Algiers. Following an application of assistance from the Queen of Portugal, the King, and the British government, 'convinced of the importance of relieving his [the King's] ally from an embarrassment which evidently must have impeded its operations as a party in the war against France', had successfully negotiated a truce between the two nations. Despite its remoteness from Hammond's bailiwick, its possible impact on the security of American shipping made it a contentious issue.

Throughout the eighteenth century, European ships in the Atlantic and Mediterranean had been potential prey to the collectively named Barbary Pirates,

⁶ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fos. 45-48

⁷ Hammond to Grenville, 7 March 1794, No. 4, National Archives, Kew, FO 5/4, fos. 112-114.

operating from the North African coast. As a matter of convenience, richer nations like Britain and France had simply paid off the Barbary States to protect their maritime fleets. That same privilege could not be exercised by smaller less powerful nations without the means of adequately protecting their merchant navies. These less powerful nations included the United States, whose shipping would now become easier targets for Barbary vessels. Grenville was aware that the British intervention in the Portuguese-Algerian truce would cause potential distress to American shipping; Thomas Pinckney, the American Minister in London, had said as much. It was therefore Hammond's job to inform the US government that it was well within the King's rights 'to interfere to procure peace for his ally from a state with which he was in amity; especially when...the object of that interference was to enable the Portuguese to act more effectively against the common enemy.'⁸

Grenville was right about the American reaction to the British brokered Portuguese-Algerian truce. The truce, according to Hammond, was considered by the American public 'another insidious attempt of [Britain] to check the growing prosperity of the United States.' Behind the public outrage, however, those American policymakers aligned with Anglophobic factions in the United States saw an opportunity to punish Britain for what they considered years of abuse and disrespect since the 1780s. If the British government was intending to disrupt American shipping through brokering treaties with pirates, then a temporary stoppage of imports and exports was the best way for the United States to protect its commerce and punish Britain for its underhand measures.

As the United States was a major exporter of raw materials and importer of European manufactured goods, a temporary interruption in American trade, under the

⁸ Grenville to Hammond, 11 January 1794, No. 4, National Archives, Kew, FO 5/4, fos. 17-20.

guise of protecting American vessels and sailors from capture, would 'excite so universal a clamour among the merchants and manufacturers as would compel the [British] government to accede to any conditions which this country might think to impose.' These measures, Hammond commented, were so well calculated to 'gratify two such active popular emotions as national resentment and self-love' that their opponents were forced to base their opposition purely on the inability of American manufacturers to compensate for the loss of European manufactured goods.⁹ There were those who argued that British regulations had not greatly affected American prosperity, but Hammond was not hopeful that this opposition would successfully resist the measures of the Anglophobes as the proposed embargo entered Congress for debate.¹⁰

With American shipping under threat from the Barbary Pirates, and the increasing instability on the frontier, Madison's commercial regulations were relegated by more pressing defence measures. Under these defensive policies, American harbours were to be fortified, the US Navy was to be expanded with the construction of six new frigates, and fifteen new regiments were to be raised. The most pressing measure for Hammond, however, was an Act which would invest the President with the power to impose embargos on all vessels entering American ports, and to prohibit exports to foreign markets. Even with strong arguments in Congress over the expediency of these measures, and what they would mean for presidential authority, Hammond was almost certain that the Embargo Act would be passed easily. In this increasingly likely event, Hammond agreed to 'employ all the means in my power to elude its operation, and to convey to his Majesty's governors in the West Indies

⁹ Hammond to Grenville, 22 February 1794, No. 2, National Archives, Kew, FO 5/4, fos. 48-49.

¹⁰ Commercial Discrimination, [23 January] 1794, in Thomas A. Mason, Robert A. Rutland, and Jeanne K. Sisson, ed., *The Papers of James Madison*, vol. 15, 24 March 1793–20 April 1795 (Charlottesville: University Press of Virginia, 1985), 206–207.

intelligence of an event which may so essentially affect the islands under their command.’¹¹

Once the Embargo Act had entered the House for debate, Hammond was initially gladdened to learn that it had been defeated by forty-eight votes to forty-six. As the public galleries were closed on the pretext of the debate’s secrecy, Hammond could not learn which arguments were employed to support or oppose the measure; however, he observed that a desire to distress British commerce was used to argue for its expediency. For the time being, the measure was defeated, but Hammond was convinced that it would promptly be revived in a similar form. ‘I must confess’, Hammond observed on the likelihood of the bill re-entering the House, ‘that the prejudices and universal ferment of the people are so continuously kept alive, and heightened...that it may require more prudence and moderation, than at present appear to exist in the representative body.’ Two days later, Hammond wrote that the House had passed an Act prohibiting all trade from the United States to any foreign ports for a period of thirty days.¹² British commerce from the West Indies was now locked out of American ports and relations between the two nations appeared close to a rupture.

British Hypocrisy?

Britain was not wholly innocent in this diplomatic disagreement with the United States. Just as Hammond expended much energy on complaining to the US government that French privateers continued to be outfitted in American ports, most notably in what he called that ‘nest of pirates’, Charleston, he was himself faced with

¹¹ Hammond to Grenville, 10 March 1794, National Archives, Kew, FO 5/4, fo. 128; Hammond to Grenville, 12 March 1794, National Archives, Kew, FO 5/4, fos. 136-137.

¹² Hammond to Grenville, 23 March 1794, National Archives, Kew, FO 5/4, fos. 138-139; Hammond to Grenville, 25 March 1794, National Archives, Kew, FO 5/4, fo. 144.

accusations of hypocrisy.¹³ In response to raids on British shipping by French privateers operating out of American ports, and following the passage of a new Order in Council in November 1793, British officials in Bermuda and the West Indies began outfitting their own cruisers and privateers to raid American ships supposedly carrying French goods. The American prizes were taken back to port where a Vice-Admiralty Court would determine whether they were lawful prizes. The policy naturally inflamed the American public, especially in major ports like Baltimore and Norfolk, where British subjects were threatened and organised gangs disrupted their work.

American anger at Britain's maritime policies was especially pronounced in major port cities like Baltimore. The obvious outlets for their anger were British officials in the city, including Hammond's former secretary and Vice-Consul in Baltimore, Edward Thornton, who began to receive threats against him. The threats became so numerous that Hammond, fearing for his safety, and arguing that there was nothing in the city's laws to guarantee his protection, 'deemed it prudent to prescribe to Mr Thornton a temporary absence from his station and have directed him to proceed to [Philadelphia] without delay.' Similar insults were thrown at Sir John Hamilton, the British Consul at Norfolk and the commander of the British frigate *Daedalus*, which was anchored there, though not to the same extent as Thornton.¹⁴ Whilst he expressed concern for Thornton's safety, Randolph believed Hammond to be overreacting in directing him to flee Baltimore, arguing that 'I must be permitted to oppose your opinion, where you say there exist not in the civil of power of Baltimore, the means of insuring his safety.' The city and state laws, he contended, 'have been under a course of long experience, and have hitherto been equal to any exigency; and the federal

¹³ Hammond to Grenville, 3 August 1794, National Archives, Kew, FO 5/5, fo. 185.

¹⁴ Enclosure I: Hammond to Randolph, 2 April 1794, National Archives, Kew, FO 5/4, fo. 213; Enclosure K: Hammond to Randolph, 2 April 1794, National Archives, Kew, FO 5/4, fo. 215.

jurisdiction may be appealed to with confidence, whether measures of prevention of punishment be contemplated.’¹⁵

Nevertheless, if the threats which Hammond described were proved to have taken place, instructions would be sent to examine the complaints further. Upon further investigation, the evidence of threats against Thornton that could be found was that ‘half a dozen silly forward people’, referred to as ‘coffeehouse politicians’ had argued that ‘the government or the people of this country ought to take all the Englishmen within the United States and hold them as hostages for the good conduct of their nation towards those American who are detained in the West Indies.’ These remarks, made in jest according to the testimony rather than being genuine threats, were ‘so far forgotten within a few days as to be traced with difficulty even to have ever existed.’ Thornton could therefore not honestly ‘believe that any insult was intended to him, or if it had would not have been immediately prevented.’¹⁶ Hammond and Thornton may have appeared to over-react. However, without new instructions from London, or news of American strategy, they had no way of determining Britain’s future policy towards the United States. With tensions between the two nations so high, any personal threats against British diplomats could be interpreted as an act of hostility.

Thornton was not the only British official threatened, however, and Hammond soon found some vindication of his fears. In early May 1794, with the embargo still in force, Hammond applied for passports for four British officers who had recently been released from French captivity in a prisoner exchange. From Philadelphia, they would sail on board the ship *Swift*, which had been specially requested by Sir John Jervis (later victor at Cape St Vincent) and purchased by Sir

¹⁵ Enclosure M: Randolph to Hammond, 2 April 1794, National Archives, Kew, FO 5/4, fo. 219.

¹⁶ Enclosure O: Randolph to Hammond, 9 April 1794, National Archives, Kew, FO 5/4, fos. 224-226.

John Hamilton. Hammond 'entertained no doubt that the President's passport would be obtained without difficulty, and I therefore recommended to the officers in question to prepare the vessel for sea.' News of the proposed voyage, however, soon reached the public, enticing some to 'direct the general popular hostility to Great Britain, peculiarly against these officers.' As a result, the British officers were 'most grossly insulted, and threats of personal indignity and even of extreme violence were thrown against them.' This time, Hammond saw fit to acquire written testimony of the incident, in which one of the British officers, Captain Oakes, described how, when accused of insulting the American flag, some in an assembled crowd began shouting 'damn him, tar and feather him, for he deserves it!' That evening, the ship itself was seized by the crowd and, in Hammond's words, 'stripped of her sails and rigging, and entirely unfitted for sea.'¹⁷

Angered by the turn of events on the Philadelphia docks, and by news that the President had refused granting the passports, Hammond brought the incident to Randolph's attention that same evening. In his protest, Hammond desired 'to be informed explicitly, whether any measures will be pursued by the general government, for punishing the outrages above recited, and for securing from future inquiry the officers to whom I have alluded.' Once Randolph had agreed to forward the case to the US District Attorney for Pennsylvania, Hammond argued further that, as the wrecked ship had been requisitioned for the sole purpose of conveying the British officers, she was no longer a private merchant vessel but in the service of the British government. He therefore hoped that the federal government would immediately

¹⁷ Hammond to Grenville, 8 May 1794, National Archives, Kew, FO 5/4, fos. 270-272; Enclosure I: Hammond to Randolph, 2 May 1794, National Archives, Kew, FO 5/4, fo. 276; Enclosure V: Captain Oakes's Narrative of a Transaction which took place at Philadelphia, 5 May 1794, National Archives, Kew, FO 5/4, fos. 284-286.

restore the vessel to Jervis in the condition she been before being seized.¹⁸ From the outset, Hammond was not hopeful that his protests would garner success. Writing to Grenville, he blustered that,

though I have required reparation, I have no hope of obtaining it either from the process of law directed by the government, or from the immediate intervention of the government itself – that the former has recently universally failed in bringing to punishment offender who are countenanced by the multitude; and that the pusillanimity of the latter has been evinced by the President's not having refused the passport until after the outrage and this yielding to the popular clamour – that both before and since my requisition of a passport in this instance, the President has granted clearances to vessels destined to St Domingo with French emigrants, in regard to whose situation no considerations can be advanced with so much force as those which can be urged in favour of the officers in question.¹⁹

The response of the Washington administration to refuse Hammond's request for the passports had exposed not only the government's inability to protect foreign officials from abuse but had also raised questions about the sincerity of American neutrality. If the President saw no qualms in granting passports to French citizens, why was the same privilege not extended to British subjects?

In Randolph's absence, Hamilton delivered the news that the case did not warrant federal intervention, and that state laws were adequate to protect the British officers and deliver justice against the offenders. Furthermore, it was determined that, as the vessel chartered to carry the officers remained registered to a US citizen, the offenders would be punished solely for private trespass.²⁰ Doubly disappointed that not even his closest ally in the US government would support his protests, the most Hammond could do was to request whether any protection could be granted the British

¹⁸ Enclosure II: Hammond to Randolph, 5 May 1794, National Archives, Kew, FO 5/4, fo. 278; Enclosure III: Randolph to Hammond, 6 May 1794, National Archives, Kew, FO 5/4, fos. 280-281; Enclosure IV: Hammond to Randolph, 6 May 1794, National Archives, Kew, FO 5/4, fo. 282-283.

¹⁹ Hammond to Grenville, 8 May 1794, National Archives, Kew, FO 5/4, fos. 272-273.

²⁰ Enclosure D: Alexander Hamilton to Hammond, 10 May 1794, National Archives, Kew, FO 5/4, fos. 318-319; Enclosure E: William Rawle to Alexander Hamilton, 8 May 1794, National Archives, Kew, FO 5/4, fos. 320-322.

officers whilst the *Swift* was refitted. To this he received no answer.²¹ The matter was only settled when, with the lifting of the embargo, the refitted vessel was allowed to depart without hindrance.

The disputes over the practices of British privateers against American ships, and the subsequent outrages in the United States, present a stark portrait of the state of Anglo-American relations at the beginning of 1794. The seizure of American ships by British privateers revealed an embarrassing level of hypocrisy on the part of Hammond and the British government. How could Hammond protest against the continued outfitting of French privateers in American ports whilst British privateers raided American commerce around Bermuda and the West Indies? Furthermore, the outrages that British officials faced on the ground expressed the precarious situation in which Hammond found himself. Locked into the country by the embargo, Hammond was forced to use his status to protect British officials as best he could from a visibly hostile population out for British blood, and a government unwilling to intervene on their behalf. Whilst Britain and the United States were not at war yet, actions committed by both sides created a febrile atmosphere between the two nations; an atmosphere which had the potential to spark a conflict in North America.

Jay the Envoy Extraordinary

Even as the United States was becoming convulsed by a tide of anti-British feeling in the spring of 1794, some in the Washington administration and Congress continued to believe that conciliation was the best policy to prevent a war. On 9 March 1794, a group of Federalist Senators sought an interview with Washington to determine an executive course of action in response to the defensive measures being

²¹ Enclosure F: Hammond to Alexander Hamilton, 12 May 1794, National Archives, Kew, FO 5/4, fos. 323-324; Hammond to Grenville, 25 May 1794, No. 20, National Archives, Kew, FO 5/4, fos. 297-298.

debated in Congress. Whilst they agreed with the defensive policies, they believed that they should be accompanied by the dispatch of an agent to the West Indies to ascertain the extent of seized American property and an Envoy Extraordinary to London 'to require satisfaction for the loss of our property and to adjust those points which menaced a war between the two countries.'²² Hammond became aware of this proposed mission around the time that the embargo was debated in the House but was keen to stress that the mission was 'only in contemplation.' He nevertheless singled out Chief Justice John Jay as a possible appointee.²³

Initially, Washington was sceptical of the senators' program, and their suggestion of Hamilton rather than Jay as Envoy Extraordinary, worried that sending an envoy would be sign of weakness. Madison too opposed the program on the grounds that it would strengthen the executive and potentially scupper his own prized commercial restrictions. However, news from London had left the door for peace still partially open. That April, Washington received news from Pinckney in London, claiming that Britain's preferred policy was a friendly accommodation with United States, but that a new Order in Council had been passed which amounted to a total blockade of the French West Indies. Any American vessels carrying any kind of French cargo would therefore be liable to seizure. The news appeared contradictory but, with further advice from Randolph, Washington agreed to appoint Jay as special envoy to London.

Jay was formally nominated on 16 April 1794. His nomination was not uncontroversial. Jay's Anglophilia became a subject of scrutiny. John Nicholas, a

²² Charles R. King, ed., *The Life and Correspondence of Rufus King: Comprising His Letters, Private and Official, His Public Documents, and His Speeches*, vol 1, 1755-1794 (New York: G. P. Putnam & Sons, 1894), 517-518, quoted in Stanley Elkins and Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800* (Oxford: Oxford University Press, 1993), 389-390.

²³ Hammond to Grenville, 23 March 1794, National Archives, Kew, FO 5/4, fo. 139.

Virginia lawyer, remarked that Jay was 'a man perfectly British in his affection.'²⁴ Nevertheless, upon hearing this news, Hammond called on Hamilton to inform him about the changes the British government had made to the Orders in Council of November 1793. Hammond had likely expected his erstwhile Federalist ally to respond approvingly of the modifications. Unfortunately for Hammond, Hamilton treated him to a 'pretty copious recital of the injuries which the commerce of this country [US] had suffered from British cruisers, and...a defence of the consequent claim which the American citizens had in their government to vindicate their rights.'²⁵ The appointment of Jay therefore was not to be seen as a response to British reconciliation, but an opportunity for the United States to assert its rights as a neutral nation on the international stage. Scolded by Hamilton's rebuttal, Hammond relayed his conversation to Grenville and deferred any judgement of Jay's mission to him. He therefore advised Grenville to form his own opinion of Jay when they met in London, but also to consider 'the extent of the prevailing popular ferment, by the operation of which the apprehensions or feelings of Hamilton...have been so much excited.'²⁶ It was now down to Grenville to decide how best to negotiate once Jay arrived in London.

Regardless of the Democratic-Republican opposition, Jay was officially confirmed as Envoy Extraordinary towards the end of April 1794 and immediately set off for New York. Beforehand, Hammond conversed with him on the extent of his instructions and his hopes for his upcoming mission. 'The general tenor of his instructions upon the principal immediate object of his negotiation', Hammond observed, was 'such as I have stated it to be in my No. 15', namely a focus on the embargo, British seizures of American property, and incursions on the frontier. Jay,

²⁴ John Nicholas to W. C. Nicholas, 30 April 1794, in Henry Ammon, "Jefferson, Hamilton and American Foreign Policy", *Political Science Quarterly*, 71, no. 1 (1956), 34.

²⁵ Hammond to Grenville, 17 April 1794, No. 15, National Archives, Kew, FO 5/4, fo. 177.

²⁶ Hammond to Grenville, 17 April 1794, No. 15, FO 5/4, fo. 181.

however, assured Hammond that it was his personal disposition 'to remove by fair and candid explanations every obstacle that may be opposed to the amicable adjustment of the points in discussion between Great Britain and the United States.' To that end, and to preserve flexibility, Jay made it clear to the Washington administration his determination to relinquish his appointment if any of the hostile measures agitated in the House of Representatives were passed into law. The immediate effect of Jay's determination was seen in the Senate when a bill suspending all commercial intercourse with Britain from November onwards was defeated by a tie-breaking vote from Vice President John Adams.²⁷ If Jay was to succeed in his mission, he would not enter negotiations with his hands tied. In early May 1794, Jay set off from New York to Britain, armed with instructions to settle some of the issues Hammond had been sent to America to settle back in 1791.

With Jay on his way across the Atlantic with such a task, it would be easy to view Hammond's own mission as an irrelevance. Since Hammond's original instructions were now to be negotiated in London, he was arguably a diplomat without a purpose. However, even with Jay's dispatch to London, the situation between Britain and the United States remained extremely volatile, and the threat of war either on the frontier or on the high seas was high. Therefore, to ensure that both sides observed cordial relations whilst Jay's negotiations took place, it was imperative that Hammond use to position to continue representing the British government and protect the rights of British subjects and officials in America.

The British are Coming!

Hammond's war of letters over the seizure of vessels by French privateers was finally bolstered in the summer when a British fleet set sail for the United States.

²⁷ Hammond to Grenville, 28 April 1794, National Archives, Kew, FO 5/4, fos. 238-239.

Grenville informed Hammond that Rear Admiral George Murray was under sail to America with a squadron of ships to protect both British vessels and American vessels carrying British goods. To ensure that Murray's fleet received all the proper reception from American representatives, Hammond was instructed 'to lose no time in obtaining from the American government a renewal of the assurance formerly given to you, of permitting His Majesty's fleets to remain in the American ports, in the same manner as has been allowed to the French ships.' If Hammond was able to facilitate an American welcome for Murray's fleet, its presence could serve as the means of 'establishing a system of mutual good offices and friendship' where British and American vessels could enjoy safe passage to British ports.²⁸

In anticipation of Murray's arrival in the United States, which took place in July 1794, Hammond moved his base of diplomatic operations to New York City, reasoning that, with more direct access to transatlantic traffic, it would provide a safer means of conveying his despatches. The war and the embargo were already having an impact on Hammond's ability to send information: one ship he had chosen to carry his despatches had sprung a leak, a second had been detained in the Delaware by the embargo, and a third had been captured by the French. Luckily for Hammond, and for the British government, it was believed the despatches were thrown overboard before they fell into the hands of the enemy.²⁹ In New York City, with the added protection of a Royal Navy squadron, Hammond could maintain a faster and safer line of communication with London.

Rear-Admiral Murray's arrival in New York also coincided with a series of major naval engagements between the British and French navies in the Atlantic. In

²⁸ Grenville to Hammond, 10 May 1794, National Archives, Kew, FO 5/4, fos. 36-40.

²⁹ Roger Knight, *Convoys: The British Struggle Against Napoleonic France and America* (New Haven: Yale University Press, 2022), 21; Hammond to Grenville, 3 August 1794, National Archives, Kew, FO 5/5, fo. 191.

June 1794, Admiral Richard Howe had engaged a French squadron escorting a convoy, commanded by Rear Admiral Pierre Jean Van Stabel, carrying desperately needed American grain for famine-ridden France. The so called Glorious First of June would prove a strategic victory for the Royal Navy, but Howe was unsuccessful in preventing the grain convoy from reaching France. Murray meanwhile was more effective, successfully in Hammond's words, '[capturing] sixteen of the American vessels laden with flour and provisions on account of the French government.'³⁰ Murray's and Howe's exploits in the Atlantic were integral to British strategy as the Royal Navy's dominance prevented the French from procuring desperately needed American grain to feed their starving populace and revolutionary armies.

Hammond's relocation to New York was also driven by a diplomatic incident in which insults had been hurled at one of the naval officers. Hammond had already obtained from Randolph the assurance that Royal Navy vessels would be granted safe haven in American waters, as had been granted by Jefferson back in September 1793. However, New York governor George Clinton had seen fit, in Hammond's view, to place obstacles 'in the way of the King's ships experiencing that friendly and hospitable treatment, to which they are entitled by the President's assurances.' The incident had stemmed from a disagreement over the customary salute of the British frigate *Thetis* when entering New York harbour.³¹ Alongside this apparent misunderstanding, when Alexander Cochrane, the captain of the *Thetis*, took a barge to the shore, his party were set upon by a crowd calling on the crew to quit 'the service of the British scoundrels', on the promise of one-hundred dollars per man. Despite a formal complaint by Cochrane, the incident remained unresolved and the British commander

³⁰ Hammond to Grenville, 3 August 1794, National Archives, FO 5/5, fo. 183.

³¹ Hammond to Grenville, 3 August 1794, fo. 187.

felt unwelcome.³² Another separate incident occurred over purchases of food and water by the Royal Navy ship *Africa*. Again, British sailors were set upon by angry crowds who encouraged them to desert and threatened anyone who agreed to procure provisions for the Royal Navy ships.³³ The hostility of incidents was such that Murray decided to anchor his fleet off Sandy Hook, New Jersey rather than in New York harbour.

Attempting to remedy matters, Hammond appealed directly to Clinton, asking whether, if a British ship was required to salute the American flag, an equal number of guns would be fired in return. Clinton did not explicitly say, but his reply claimed that Cochrane had not fired enough guns as prescribed for an American national salute, leaving the commanders of the New York Battery in the apparently humiliating predicament of firing a greater number of guns in response. Confused by Clinton's answer, Hammond asked for more information and stated that he 'had a right to expect' that the governor provide proof of his accusation against Cochrane. Clinton, however, would not play ball and stated that the assurance of safe haven for Royal Navy ships in American ports 'cannot be misunderstood, or require explanation.'³⁴ Likely having no evidence to prove his point, Clinton fell back on bluster, arguing that

I could certainly never have intended to become the "accuser" of Captain Cochrane, it may, therefore, be premature in you to expect proofs in support of the "accusation" you cannot be ignorant of the real cause which prevented a salute between his frigate and the fort. I shall therefore content myself with observing that if the *Thetis* had anchored agreeably to the prescribed regulations, as Captain Cochrane was requested to do, in a

³² Enclosure W: Hammond to Randolph, 30 July 1794, National Archives, Kew, FO 5/5, fo. 237.

³³ Captain Roddam Home to Hammond, 3 August 1794, in Enclosure III: Hammond to Randolph, 14 August 1794, National Archives, Kew, FO 5/5, fos. 262-263.

³⁴ Enclosure O: Hammond to George Clinton, 26 July 1794, National Archives, Kew, FO 5/5, fo. 221; Enclosure M: George Clinton to Hammond, 27 July 1794, National Archives, Kew, FO 5/5, fo. 217; Enclosure N: Hammond to George Clinton, 28 July 1794, National Archives, Kew, FO 5/5, fo. 219.

letter delivered to him from the commanding officer of the fort, it is possible no difficulty would have occurred.³⁵

Clinton's answer was that of an experienced politician accustomed to use any legal ploy to win an argument. Commenting on his correspondence to Grenville, Hammond lamented that 'it is useless to offer any comment' to Clinton's 'unsatisfactory vindication.' Whilst he accepted that it might not have been in the governor's power to prevent a crowd from insulting Cochrane, he believed that Clinton could have provided some protection against such insults happening again.³⁶ Hammond had also provided copies of his correspondence with Clinton to Cochrane himself, who stated unequivocally that he had not received the letters that Clinton claimed to have delivered to him. 'All the officers of the *Thetis*', Cochrane stated, 'declare that they never received any except one of the letters from the governor which is now in my possession. The boat that brought it on board took no notice whatever of the ships being anchored above the line prescribed.'³⁷ Hammond's attempts to press the matter further proved fruitless: his letters were met with silence. With Murray's decision to anchor off Sandy Hook, the dispute was effectively over. For Hammond and Murray, the message from Clinton was clear: the Royal Navy squadron would not receive a warm welcome in New York's waters, regardless of whether they followed harbour protocol or not.

The dispute over the national salute might appear to be simply a disagreement over harbour protocol. However, with tensions between Britain and the United States still high in the summer of 1794, the incident had the potential to sour relations even further. Whilst Hammond had proved unable to settle the dispute, in detailing the

³⁵ Enclosure V: George Clinton to Hammond, 30 July 1794, National Archives, Kew, FO 5/5, fos. 235-236.

³⁶ Hammond to Grenville, 3 August 1794, National Archives, Kew, FO 5/5, fo. 188.

³⁷ Alexander Cochrane to Hammond, 1 August 1794, in Enclosure I: Hammond to George Clinton, 6 August 1794, National Archives, Kew, FO 5/5, fo. 256.

incident back to Grenville, he had stressed the continued importance of reaching a diplomatic understanding with the United States to make certain such incidents were not repeated. By concluding a treaty with the United States, the assurance granting Royal Navy ships safe haven in American ports would potentially become law and Royal Navy seamen would therefore be protected by treaty.

The King's Bounty

The coming of Murray's fleet also brought to the fore a dispute which would dog Anglo-American relations for the next twenty years and be cited as a primary cause of the outbreak of the War of 1812. Throughout the eighteenth century, during times of war, the Royal Navy had relied on the practice of pressganging as a means of maintaining a steady stream of manpower. Adam Smith himself wrote in *The Wealth of Nations* that '[t]he defence of Great Britain...depends very much on the number of its sailors and shipping. Desertion and death, particularly in the West Indies, where disease and natural disasters were endemic, was also a primary reason for the employment of pressgangs.³⁸ The outbreak of war between Britain and France in 1793 was no exception, and Royal Navy agents began patrolling port cities and boarding merchant ships, hunting British subjects to replenish the Navy's manpower shortage. The existence of the United States was a complicating factor because, due to the similarities between the two peoples, pressganged sailors, understood to be British, could either be American, claim to be American, or were claimed to be the property of Americans.

The first instance in Hammond's correspondence of British commanders supposedly pressganging Americans into the Royal Navy came in July 1794, at the

³⁸ Adam Smith, C. J. Bullock, eds., *An Enquiry into the Nature and Causes of the Wealth of Nations* (New York: P. F. Collier & Son, 1909), 342; Michael Duffy, *Soldiers, Sugar, and Seapower: The British Expeditions to the West Indies and the War Against Revolutionary France* (Oxford: Oxford University Press, 1987), 6.

time of Admiral Murray's arrival in the United States, when Randolph raised the issue of several American citizens seen on board Murray's ships. 'A citizen of the state of Connecticut', Randolph claimed, 'and several other American citizens who were on board the *Thetis*, and other ships of the same squadron, are detained against their will.' Hammond agreed to investigate the claim but raised the point that the *Thetis* had not been present at the mouth of the Delaware, where the claimant's affidavit stated the sighting took place.³⁹ At the same time, Hammond had learned that a suit had been brought against the same Captain Cochrane by a citizen of South Carolina, claiming that, during the Revolutionary War, Cochrane had carried away an enslaved person he maintained to be his property on board the Royal Navy ship *Carolina*. Both Cochrane and Hammond were sure of the weakness of the case, with Hammond arguing that it was not only an infraction of the article six of the Treaty of Paris (1783), but also 'part of a preconcerted plan, formed by some individuals of this country, for the purpose of insulting and harassing the officers in His Majesty's service.'⁴⁰ Nevertheless, given its possible implications in the context of Jay's negotiations in London, Hammond requested the federal government to intercede in the case.

Murray assured Hammond that there were no American citizens on board ships under his command. It should be noted that citizenship was sometimes hard to ascertain on the high seas; protection papers issued to American sailors to protect them from impressment could be forged and sailors often expressed their citizenship through other means, including tattoos. This made distinguishing between the two peoples difficult. Nevertheless, Murray agreed that any sailors proved to be American citizens would be returned, except those who had taken the King's Bounty or had been

³⁹ Enclosure Q: Randolph to Hammond, 24 July 1794, National Archives, Kew, FO 5/5, fo. 225; Enclosure R: Hammond to Randolph, 26 July 1794, National Archives, Kew, FO 5/5, fo. 227.

⁴⁰ Enclosure S: Hammond to Randolph, 25 July 1794, National Archives, Kew, FO 5/5, fo. 229.

captured on board French ships of war or privateers. Those captured on board privateers would only then be freed after an Admiralty Court restored the vessel to the original owners, and only if the owners demanded the crew's return. By stating Murray's conciliatory policy towards possible American sailors on British ships, Hammond was attempting to illustrate the marked differences between what he considered the cordial reception given by British officers and the rancorous welcome given them by both American citizens and policymakers. 'But it is with the sincerest concern', Hammond wrote to Randolph, expressing his displeasure both at the accusations against the officers of Murray's squadron and the supposed reasons behind them, 'that I am under the necessity of stating to you that a very different course of proceeding towards the officers of this squadron has been pursued by individuals both in Philadelphia and this city.'⁴¹

The Attorney General, Willaim Bradford, and the federal government, however, would not intercede in the case, arguing that, as the case was a civil suit and not a criminal suit, it was up to Cochrane and the plaintiff to state their arguments in court.⁴² Hammond was obviously disappointed by the Attorney General's refusal to intercede and the apparent disregard of the treaty whose articles he believed trumped all other legal arguments relating to the Revolutionary War. Having been through the same battle with Jefferson on the jurisdictions of the Treaty of Paris back in 1792, Hammond reminded Randolph that the sixth article of the treaty stated categorically that there shall be 'no future prosecution commenced against any person or persons for or by reason of the part which he or they may have taken in the present war.' Therefore, as the charges against Cochrane occurred during the war, Hammond argued, the case

⁴¹ Enclosure W: Hammond to Randolph, 30 July 1794, National Archives, Kew, FO 5/5, fo. 237.

⁴² Enclosure T: Randolph to Hammond, 28 July 1794, National Archives, Kew, FO 5/5, fos. 231-232; Enclosure II: Randolph to Hammond, 11 August 1794, National Archives, Kew, FO 5/5, fos. 258-259.

‘in my opinion falls within the purview of this stipulation of amnesty.’⁴³ Hammond thought the federal government should restrict US citizens bringing such cases. In June 1794, Jay had arrived in London and begun negotiations with Grenville on settling the outstanding articles of the Treaty of Paris. The bringing of lawsuits against British officers could potentially disrupt the negotiations. Hammond therefore felt it his duty to request that his American counterparts control the actions of their citizens until the Jay negotiations could be concluded.

To Hammond, regardless of whether the case against Cochrane was criminal or civil, the stipulations of the treaty took precedence over any other legal argument. As Cochrane would now be forced to argue his case in court, Hammond agreed to intercede on his behalf and, ‘employ some able lawyers to defend [the] captain.’ If they could succeed in having the case dismissed, Hammond and his hired lawyers would ‘direct a prosecution against the person bringing this malicious and vexatious action.’ Luckily for Hammond and Cochrane, they would not need to worry about hiring lawyers. By the end of August, Hammond learned that the plaintiff had abandoned his case by means of leaving New York City ‘without leaving any direction, with the counsel he had employed, as to the prosecution of the action.’⁴⁴ Hammond does not provide any reason behind the plaintiff’s swift exit, but his flight left Cochrane with his honour at least temporarily intact.

Once he received Hammond’s accounts of the incidents relating to British officers in the United States, Grenville was of course concerned. His negotiations with Jay were now far advanced and news of British officers receiving insults on American shores was unwelcome. However, whilst he agreed that ‘the conduct of the Americans

⁴³ Enclosure Y: Hammond to Randolph, 30 July 1794, National Archives, Kew, FO 5/5, fo. 241.

⁴⁴ Hammond to Grenville, 16 August 1794, National Archives, Kew, FO 5/5, fo. 251; Hammond to Grenville, 29 August 1794, National Archives, Kew, FO 5/5, fo. 268.

appears to have been, in the several instances which you have stated, extremely violent and unjustifiable', the outcome of negotiations with Jay could not be jeopardised by raising the issues Hammond had relayed. 'Under the existing circumstance of a depending negotiation between the two countries', Grenville reasoned, 'it may be sufficient for me at present to observe that, should the negotiation now carrying on with Mr Jay terminate in a satisfactory manner, there will probably be some stipulation agreed to on this subject.' In the meantime, Hammond was instructed to continue voicing complaints on the subject, whenever they occurred, but advised that he should moderate his tone to prevent any antagonism, and to allow the US government to apologise and punish the perpetrators when possible. The Foreign Secretary, however, doubted that the US government would take any measures to prevent such incidents happening again, writing that 'the disposition, which is so evidently prevalent in America towards the principle of French anarchy, makes it certainly very difficult for such a government as the American to prevent their transaction.'⁴⁵ For Grenville, the actions against Cochrane proved that some in America were determined to antagonise British officials in the country to the benefit of France. But in this late stage in his negotiations, it would be unwise to rock the boat with demands for apologies. Until peace arrived, Hammond would have to turn the other cheek.

Debates over the treatment of Royal Navy personnel and the presence of individuals believed to be American sailors or American property would continue to feature in Hammond's despatches until his departure from the United States in August 1795. Navigating the problem of seeking redress for insults against British officers and defending them against accusations of harbouring American sailors against their will,

⁴⁵ Grenville to Hammond, 2 October 1794, National Archives, Kew, FO 5/5, fos. 31-32.

or of committing crimes against American citizens, would be the most difficult task Hammond undertook whilst the Jay Treaty was negotiated in London. The debate exposed long animosities about the presence of British subjects in the United States and how they interacted with the American population. With tensions so high between the two countries, any wrong step from a Royal Navy officer could lead to a legal rupture which could quickly spiral into a crisis. When attempting to force the United States to answer for insults against British officers, Hammond was either met, as in his exchange with Clinton, with intransigence and political bluff or legal hair splitting. At the same time, he found himself forced to answer for increasing instances of supposed American citizens being pressganged into the Royal Navy. Grenville, by placing his faith in the success of his negotiations with Jay, took away Hammond's ability to demand assurances that the affronts to British nationals would not continue. Hammond was now almost powerless to demand American apologies whilst Grenville gave peace a chance.

The Jay Treaty

On 19 November 1794, following months of high stakes negotiations, Grenville and Jay were finally able to conclude a treaty between Britain and the United States. Grenville immediately sent word of the treaty to Hammond and of his instructions which would accompany the treaty when it arrived in America. The twenty-eight articles of the Jay Treaty were myriad in nature and covered many of the disagreements which had afflicted Anglo-American relations since the 1780s, including the evacuations of the British garrisons around the Great Lakes, Indian rights, trade with the British West Indies, and debts and compensations on both sides. Of exceptional importance to Hammond's presence in the United States were articles six, seven, and eight. Under these articles, in the words of Grenville, 'certain

regulations have been established respecting the appointment of commissioners for the purpose of ascertaining and determining the claims of British subjects, who, from various causes, may now be unable to obtain by the ordinary course of judicial proceedings full compensation for the losses they have sustained.⁴⁶ At the same time, similar commissioners would be appointed to determine compensation for any losses sustained as a result of their vessels being captured by British ships and their cargoes being condemned. At last, following three years in America, the very issues which Hammond had been dispatched to resolve appeared to be reaching a settlement.

Whilst it is not mentioned in Grenville's despatch to Hammond, the treaty also granted the United States much desired access to the ports of the British West Indies, a highly lucrative market which had been closed off to American shipping since the Revolutionary War. The decision by Grenville to allow American trade concessions was, however, controversial and opposed by the mercantilist Lord Hawkesbury, President of the Board of Trade, who argued that British trade already depressed because of the war with France, would suffer a double injury from the presence of American ships. Hawkesbury went so far as to provide statistics to prove his point, claiming that between 1774 and 1792, British exports to the West Indies had risen by almost a million pounds, a fact he attributed to the exclusion of American ships. Furthermore, he warned that, with the presence of US citizens, islanders would be exposed to republican principles and British sailors would be induced to desert on the promise of higher wages on board American ships. Before long, Hawkesbury argued, 'the United States will in a short time become masters in effect of the West Indies.'⁴⁷ Despite his misgivings, Hawkesbury was overruled by the Cabinet and American ships

⁴⁶ Grenville to Hammond, 20 November 1794, No. 20, National Archives, Kew, FO 5/5, fos. 35-36.

⁴⁷ Charles R. Ritcheson, *Aftermath of Revolution: British Policy Towards the United States, 1783-1795* (New York: The Norton Library, 1971), 347.

of no more than seventy tons were allowed access to West Indian ports. Whilst the access was limited, it was better than no access at all.

Where the treaty was lacking, however, or could cause potential backlash among the American public, was on questions of impressment and the status of American trade. Firstly, as we have seen, Grenville had agreed with Hammond in principle to discuss impressment and insults to British officers with Jay back in the summer. But, although Jay raised the issue with Grenville, he was unable to negotiate a further article prohibiting British impressment of American sailors. Owing to the need for manpower in the Royal Navy, the British government could not countenance giving up the right to reclaim individuals they claimed to be deserters, or who claimed to be naturalised American citizens. As a result, until 1812, impressment would persist as an issue between the two countries and spark no end of crises into the early nineteenth century. Secondly, as part of being granted access to British West Indian ports, the United States agreed to give Britain “most favoured nation” status in trade. Along with this status, the United States acquiesced to British interpretations of goods deemed contraband of war. Article eighteen then listed over twenty items liable for confiscation, ranging from cannon and muskets to hemp and copper sheets.⁴⁸ As a result, Jay had effectively negotiated away American neutral rights, and left the United States unable to trade with all belligerent powers as a neutral nation.

Regardless of these potential sticking points on the treaty, Grenville was pleased with the resulting document and praised Jay’s ‘entirely satisfactory’ conduct, which he believed would also be well received in America. The stipulations of the treaty, he commented,

⁴⁸ Treaty of Amity, Commerce, and Navigation, between His Britannic Majesty, and the United States of America, by Their President, with the Advice and Consent of Their Senate, 19 November 1794, in Elizabeth M. Nuxoll, ed., *The Selected Papers of John Jay*, vol. 6, 1794–1798 (Charlottesville: University of Virginia Press, 2020), 212–230.

appear to be in every respect calculated to remove those difficulties and embarrassments which, by whatever cause occasioned, tended to keep alive a spirit of disunion and discontent. A foundation is I trust now laid for permanent harmony and good understanding between the two countries in future.⁴⁹

Behind the scenes, however, Grenville had been greatly assisted by Hammond's despatches in August, in which he reassured the Foreign Secretary that the United States had no intention of joining the Scandinavian led League of Armed Neutrality, a prospect which had worried the British government earlier in the year. This diplomatic coup, according to Samuel Flagg Bemis, deprived Jay of one of his strongest bargaining chips and left Grenville '[knowing] every one of the cards.' 'No longer', Bemis argues, 'was there any reason why [Grenville] should even listen to a recital of Jay's propositions for the tender treatment of neutral commerce and navigation.'⁵⁰ Grenville was further assisted by Jay's innate sense of self-righteousness, and sometimes naive liking for Britain and British society, potential shortcomings which Democratic-Republicans in the United States had raised at the time of his nomination. When Jay had arrived in London to begin negotiations, Lord Auckland advised Grenville that 'almost every man has a weak...quarter, and Mr Jay's weak side is *Mr Jay*.'⁵¹ Had Jay perhaps conceded too much to Britain?

Nevertheless, with the treaty concluded, it was now up to Hammond to carry through the instructions designed to safeguard its passage into law. In the first instance, Hammond was instructed to inform Randolph 'that it is extremely desirable that the nomination of the commissioners on the part of the American government should take place as immediately as may be, so that a similar appointment may take

⁴⁹ Grenville to Hammond, 20 November 1794, No. 20, National Archives, Kew, FO 5/5, fos. 34-35.

⁵⁰ Samuel Flagg Bemis, *Jay's Treaty: A Study in Commerce and Diplomacy* (New York: The MacMillan Company, 1923), 251; Stanley Elkins and Eric McKittrick, *The Age of Federalism: The Early American Republic, 1789-1800* (Oxford: Oxford University Press, 1993), 411.

⁵¹ Lord Aukland to Grenville, 22 June 1794, in John Ehrman, *The Younger Pitt*, Vol. 2, *The Reluctant Transition* (London: Constable and Company Limited, 1983), 511.

place here as soon as the American ratification shall be received.’⁵² Once the treaty was ratified, Grenville hoped that its myriad articles would be implemented as soon as possible. It was therefore Hammond’s job to encourage the US government to put the treaty’s wheels in motion as soon as it arrived in America.

With Britain and the United States appearing to have reached an accommodation, Grenville believed that Hammond’s tireless work in keeping him informed of events in America warranted advancement. Writing two weeks after the conclusion of the Jay Treaty negotiations, Grenville informed Hammond that ‘in the present situation of affairs between this country and America, your presence here may be advantageous to His Majesty’s service.’ To that end, Grenville informed him that ‘the King has been graciously pleased to allow you a leave of absence, that you may be enabled to give His Majesty’s servants information concerning the state of affairs in the country where you now reside.’⁵³ As we have seen when examining Hammond’s appointment in Chapter One, positions at home were sought far more highly than foreign placements. A leave of absence therefore could be a means of securing a higher permanent position within the Foreign Office in London. Of course, being the Foreign Office’s highest-ranking representative in the United States, Hammond’s knowledge of American affairs would be vital in helping to ensure the treaty was ratified. However, once ratification of the treaty had been completed, Hammond was instructed to transfer his official papers and cyphers to Phineas Bond and return to Britain. Hammond’s work in the United States appeared to have paid off with the advancement he craved.

Holding the Peace

⁵² Grenville to Hammond, 20 November 1794, No. 20, National Archives, Kew, FO 5/5, fos. 37-38.

⁵³ Grenville to Hammond, 10 December 1794, No. 24, National Archives, Kew, FO 5/5, fo. 51.

Conveying the Jay Treaty to America would not be an easy mission. Due to the continuing hostilities between Britain and France, any ship assigned to carry Grenville's despatches to Hammond was under threat of attack and capture. Grenville was keenly aware of the perilous nature of sending sensitive information in times of war and therefore, in December 1794, made sure to enclose duplicates of his despatches from the previous month, alongside another copy of the treaty.⁵⁴ Unfortunately, even as the months passed, no copy of the treaty or of Grenville's separate despatches appeared on Hammond's desk. By February 1795, Hammond was receiving multiple accounts of the treaty from British ships docking in the United States. Time was of the essence for Hammond to receive a copy of the treaty by 3 March because, after that date, Congress would adjourn and not be reconvened for another ninety days. Much to Hammond's chagrin, that date would pass without any despatches or copy of the treaty reaching the United States.⁵⁵

On 7 March, Hammond finally received news that a copy of the treaty, dispatched by Jay, had arrived in America. Around the same time, Randolph informed Hammond that the President would not be able to convene the Senate to debate ratification of the treaty until 8 June, owing to the distances certain Senators would need to travel.⁵⁶ This was doubly bad news. On the one hand, with no copy of his own, Hammond could not provide his own opinions on the treaty's articles to his American counterparts. On the other, it further delayed ratification of the treaty, prolonging the crisis between the two countries. Hammond was caught in the middle; in limbo, with nothing to do but count the days until his despatches arrived.

⁵⁴ Grenville to Hammond, 10 December 1794, No. 23, FO 5/5, fo. 49.

⁵⁵ Hammond to Grenville, 23 February 1795, National Archives, Kew, FO 5/9, fos. 120-121; Hammond to Randolph, 3 March 1795, National Archives, Kew, FO 116/2, fo. 151.

⁵⁶ Hammond to Grenville, 7 March 1795, National Archives, Kew, FO 5/9, fos. 131-133; Enclosure D: Randolph to Hammond, 7 March 1795, National Archives, FO 5/9, fo. 134.

By April 1795, having received nothing from Hammond relating to the treaty, even Grenville was becoming suspicious. Nearly five months had now passed since he had sent a copy to Hammond with no word of its arrival. Grenville did not believe that all the copies of the treaty had been miscarried and therefore asked Hammond to inform him as soon as possible whether the treaty had arrived, and what steps were to be taken on the part of the US government.⁵⁷ Little did Grenville know that the *Tankerville* packet, assigned to carry the mails of November and December, had been captured by the French privateer *Lovely Lass* a formerly British brig captured by Citizen Genet back in 1793. Hammond reassured Grenville that the mails in question were thrown overboard before the vessel was captured, thus protecting the security of Grenville's despatches.⁵⁸ Unfortunately, despite the silver lining of the Grenville's despatches being saved from falling into enemy hands, the capture of the *Tankerville* further deprived Hammond of the treaty he was instructed, and desperately needed, to help implement.

Around the time of Hammond's April despatch, Grenville received his own reports of the *Tankerville's* capture, meaning that his chief representative in America had been uninformed of events for almost six months. To remedy the situation, Grenville immediately transmitted fresh copies of all his despatches dating back to the previous August along with a quadruplicate copy of the treaty. Concurrently, Grenville also provided his opinion on Hammond's news that the Senate could not be convened until June, arguing that this would cause procedural problems for the British government's own parliamentary ratification. If the Senate debate was to be delayed until June, any American ratification would not be received in London until the following

⁵⁷ Grenville to Hammond, 15 April 1795, No. 3, National Archives, Kew, FO 5/9, fo. 9.

⁵⁸ Hammond to Grenville, 28 April 1795, National Archives, Kew, FO 5/9, fo. 146; Masterson misspells the *Tankerville* as *Tankersley*; William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 25.

July at the earliest. Such an arrangement would be unworkable according to Grenville because 'it will be impossible to keep Parliament sitting or to take any steps to execute the treaty in the meanwhile.'⁵⁹ It was therefore Hammond's job to explain Grenville's predicament to Randolph, with the prospect of potentially bringing the debate on treaty ratification to a head. Unfortunately for Grenville, these instructions would not reach Hammond until July, long after the Senate debate had begun.

Hammond's circle of political allies in the United States also suffered an irreparable loss with the resignation of Hamilton in January 1795. Hamilton had already expressed a determination to retire in 1794, following the appointment of House committees to investigate his financial systems. However, due to the crisis with Britain and outbreak of the Whiskey Rebellion, he had continued as Treasury Secretary, with Washington's support. Now though, Hamilton saw no other option but to resign his position and rebuild his reputation as a private citizen. Hamilton was, according to Hammond, under enormous political and personal pressure to retire by the end of 1794. Hamilton's position had been dented by the Giles Resolutions back in 1793, but he also faced his own financial troubles.⁶⁰ Commenting on Hamilton's finances, Hammond wrote,

In addition to this public motive, the interests of his [Hamilton's] family require his retirement from an office, the salary [\$3500 a year] of which is so totally inadequate to his most ordinary expenses, that, as I understand from himself, almost the whole of the small fortune he had acquired, has been exhausted in supplying the deficiency of his appointments.⁶¹

Hamilton's personal finances were indeed in a terrible state at the time of his resignation; his biographer Ron Chernow has highlighted the irony of Hamilton's

⁵⁹ Grenville to Hammond, 9 May 1795, No. 7, National Archives, Kew, FO 5/9, fo. 29.

⁶⁰ In 1793, House Representative William Branch Giles had brought three resolutions to censure Hamilton for his activities as Treasury Secretary. The attempt failed and Hamilton avoided censure, but his position was damaged.

⁶¹ Hammond to Grenville, 5 January 1795, National Archives, Kew, FO 5/8, fos. 4-5.

astute management of the nation's finances as opposed to his own. George Washington Parke Custis, the President's adopted grandson, even commented that, upon tendering his resignation, Hamilton remarked, 'I am not worth exceeding five hundred dollars in the world.'⁶²

Hammond himself, whilst he understood that Hamilton's time had expired, mourned the loss of his political ally 'which deprives me of the advantages I derived, from the confidential and friendly intercourse, that I have uniformly had with him, when the most influential member of this administration.' Even with the appointment of Oliver Wolcott Jr as Hamilton's successor, whom Hammond described as 'a very candid and worthy man', he doubted whether Wolcott would hold the same influence as his predecessor.⁶³ With his copy of the treaty having still not arrived in America, Hammond was now deprived of the one man in the US government who could persuade the President of its merits.

Peace For Our Time?

By the time Jay had arrived back in the United States, the country was in ferment over the treaty he had negotiated in London. Alas for Jay, much of the public ferment was negative. The treaty was denounced by the Democratic-Republicans as a sell out to Britain, with mobs of people lambasting Jay in chants and graffiti and burning both copies of the treaty and likenesses of himself in effigy. Jay himself is said to have commented that he could travel from one end of the country to the other by the light of his own burning effigies. Hamilton also, when attempting publicly to defend the treaty as a private citizen in New York City, was struck by stones outside Federal

⁶² George Washington Parke Custis, *Recollections and Personal Memoirs of Washington* (New York: Derby & Jackson, 1860), 352, quoted in Ron Chernow, *Alexander Hamilton* (New York: Penguin Books Ltd, 2004), 483-484.

⁶³ Hammond to Grenville, 5 January 1795, National Archives, Kew, FO 5/8, fo. 5.

Hall.⁶⁴ Hammond similarly wrote of 'tumultuous meetings of people' from Portsmouth (New Hampshire) to Charleston, 'all of which it has been determined to present remonstrances to the President, reprobating the treaty in terms of the grossest invective, and requesting him to withhold his ratification of it.' It would not be long before this public tumult reached Hammond's front door as angry mobs began harassing British officials and attacking anything labelled as "British." Hammond detailed how a Philadelphia mob of

about three or four hundred persons proceeded from the place of assembly to the house of Mr Bond...before which after much tumult and clamour they burnt a copy of the treaty. Thence they came to my house, and after ranging themselves in front of it in the street, and expressing their indignation by various noises, burnt another copy of the treaty.⁶⁵

Whilst the violence did not result in any injury to Hammond or his family, it left them feeling both threatened and isolated by the tide of popular ferment.

Despite the outpouring of fury against the treaty on the part of the Democratic Republicans, the Senate convened to debate ratification. The debates were heated, with accusations of treason being thrown out by both sides. On one occasion, when it was discovered that two senators from Georgia and South Carolina, two states normally in the vanguard of southern anti-British rhetoric, were to vote for ratification, the new French Minister, Pierre Adet, who had succeeded Fauchet in June 1795, accused them of accepting British bribes. He went so far as to claim that '[Jacob] Read, Senateur de la Carolina du Sud, a reça de l'Angleterre...1500 Livres Sterling d'Argenterie' in exchange for his vote.⁶⁶ Needless to say, the bribing of Read to vote

⁶⁴ Walter Stahr, *John Jay: Founding Father* (New York: Diversion Books, 2012), 337; Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967), 33-34.

⁶⁵ Hammond to Grenville, 27 July 1795, No. 29, National Archives, Kew, FO 5/9, fos. 378-379.

⁶⁶ 'Read, Senator of South Carolina, received from England...1500 Pounds Sterling of Silverware', Author's translation of Adet to Committee of Public Safety, 25 June 1795, in Frederick Jackson Turner, ed., *Correspondence of the French Ministers to the United States, 1791-1797* (Washington D.C., Government Print Office, 1904), 738; Perkins' translation inaccurately names Hammond as the

for the treaty in return for silverware does not appear in any of Hammond's letters, but they illustrate how he could easily become implicated in the highly partisan Senate debates.

The Jay Treaty divided the United States along emerging party lines. However, even with the Democratic-Republican opposition out in force, it remained likely that the treaty would pass the Senate. There was nonetheless one article which both Federalists and Democratic-Republicans agreed was too much for the United States to accept. Under the twelfth article of the treaty, American vessels of no more than seventy tons were allowed access to the British West Indies. As mentioned before, this concession settled one of the key disputes between Britain and the United States since the 1780s. What upset both sides of the Senate aisle was that, by the same article, the United States was prohibited from re-exporting those same West Indian goods – or goods from any other power – to Europe. In addition, as Hammond detailed in his observations of the debates,

amongst the productions so prohibited, cotton, one of the staples of the United States, was included, and that trade carried on by their citizens with the North of Europe in the sale of the productions of the French islands was lucrative, and constitutes so important a part of the actual commercial speculations of this country, that it was not to be expected that the individuals engaged in them would consent totally to relinquish them.⁶⁷

As a result, 'it was unanimously determined to omit the article altogether, and to request the President to institute a new negotiation upon it with His Majesty's Ministers.'⁶⁸ Owing to the secrecy involved in relaying these observations to London, Hammond made sure to write most of these despatches in cypher. Having already

supposed giver of the bribe, Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967), 32.

⁶⁷ Hammond to Grenville, 25 June 1795, National Archives, Kew, FO 5/9, fos. 290-291.

⁶⁸ Hammond to Grenville, 25 June 1795, FO 5/9, fo. 292. Hammond to Grenville, 28 June 1795, No. 16, National Archives, Kew, FO 5/9, fo. 293.

experienced the threat of British despatches falling into enemy hands, Hammond was taking no chances.

Following intense debate, the Senate appeared to be reaching a consensus on which parts of the treaty they would agree to vote on. Hammond, for his part, could do nothing but observe the debates as best he could and relay information back to London. It was in July, as the Senate continued to debate, that Hammond held a confidential conference with Randolph to discuss the President's feelings on the treaty. Randolph explained that 'on condition of an article being added to it conformable to the resolution of the Senate, the President would ratify the treaty signed by your Lordship and Mr Jay with as little delay as possible.'⁶⁹ The treaty would finally be ratified by the Senate in mid-August 1795 – minus the twelfth article – by twenty votes to ten, exactly the two thirds majority needed. Even with the Senate's ratification, however, Washington resisted signing it into law, citing reports of a new Order in Council allowing Royal Navy commanders to seize neutral vessels carrying provisions to France. Tensions were not helped when reports that several despatches from James Monroe, American Minister in Paris, had been intercepted by the Royal Navy and examined on orders of an Admiralty Court in Halifax, Nova Scotia.⁷⁰ If there was ever a time where the Jay Treaty ratification could be easily derailed, it was in those tense days between the Senate ratification and Washington's final ascent.

Hammond would, however, be helped by the surprisingly swift fall from grace of Secretary of State Randolph. As with his relationship with Jefferson, Hammond and Randolph rarely saw eye to eye on the disputes between Britain and the United States. The Secretary of State's conduct, Hammond argued, rather than being rooted in a

⁶⁹ Hammond to Grenville, 18 July 1795, No. 23, National Archives, Kew, FO 5/9, fos. 340-341; Hammond to Grenville, 27 July 1795, No. 29, National Archives, Kew, FO 5/9, fo. 380.

⁷⁰ Hammond to Grenville, 28 May 1795, No. 12, National Archives, Kew, FO 5/9, fo. 250.

desire to assert American sovereignty, 'is without a doubt dictated by the interest he takes in the affairs of France.' Hammond felt confident that Randolph supported the public displays of support from France, the success of French arms, and was influenced by French agents.⁷¹ Again, as a protective measure, Hammond was prudent enough to bury his accusations under a cypher.

It was therefore with absolute glee that he greeted intercepted despatches from the ex-Minister Fauchet. Earlier in the year, the *Jean Bart*, the vessel entrusted to carry Fauchet's despatches, was intercepted by *HMS Cerberus*. The despatches, saved from the deep by a Royal Navy sailor, were then passed to Grenville in London. In one despatch in particular – number ten, dated 31 October 1794 – Fauchet had claimed that Randolph had intimated that he could resolve the Whiskey Rebellion in a way beneficial to French interests in return for a bribe.⁷² Sensing an opportunity to damage Randolph, Grenville relayed the despatches to Hammond. Delighted to discover Randolph's apparent conspiring with a foreign power in return for financial rewards, Hammond wrote that, if treated properly, the letters might 'effect an essential change in the public sentiment of this country with regard to the character and principles of certain individuals, and to the real motives of their political conduct.'⁷³ Passing the despatch to the new Treasury Secretary Oliver Wolcott on 28 July 1795, Hammond believed that he would not only deal a deadly blow to Randolph's authority, but also bring Washington around to applying his signature to the treaty.

Whilst the charges against Randolph were never proven, the exposure of his apparent lapse of judgement was explosive within the Washington administration. For

⁷¹ Hammond to Randolph, 28 April 1795, No. 8, National Archives, FO 116/5, fos.196-197.

⁷² Ron Chernow, *Washington A Life* (London: Penguin Books Ltd, 2010), 732; Stanley Elkins and Eric McKittrick, *The Age of Federalism: The Early American Republic, 1789-1800* (Oxford: Oxford University Press, 1993), 425; Grenville to Hammond, 9 May 1795, No. 8, National Archives, Kew, FO 5/9, fo. 31.

⁷³ Hammond to Grenville, 27 July 1795, No. 28, National Archives, Kew, FO 5/9, fo. 374.

the Federalist members, including Wolcott and Secretary of War Timothy Pickering, the despatches were political gold dust. Pouncing immediately, they dragged Washington away from his leave in Virginia and lambasted Randolph. 'This man is a traitor', Pickering pointed accusingly at Randolph when asked by Washington why his presence in Philadelphia was required. Washington did not immediately react upon the accusations stemming from the French despatches, but in the next cabinet meeting, the President announced his intention to sign the treaty. As the only remaining cabinet member who opposed the treaty, Randolph was now both defeated and humiliated. On 19 August 1795, following a dressing down by Washington and his cabinet colleagues over the despatch, Randolph resigned in disgrace. Retrospectively, and despite writing a scathing 103-page defence of his conduct, where he denied the conspiracy charges, Randolph himself would cite the revelations of the French despatches as the principal reason behind Washington's final decision to sign the treaty.⁷⁴

Whether or not the Fauchet-Randolph despatches really served to change Washington's mind on signing the treaty, Hammond's conveying of the letters into American hands was nevertheless instrumental in ejecting opponents of the Jay Treaty from the President's cabinet. On 14 August, Hammond was able, with much pleasure, to send Grenville a letter from Randolph to him announcing the President's intention to sign the treaty.⁷⁵ Hammond had already departed America when Washington signed the treaty in late August 1795, but he was able to leave knowing that he had been instrumental in ensuring its implementation. Having now received his letter of recall from Grenville, Hammond prepared to depart the United States to

⁷⁴ Edmund Randolph, *A Vindication of Mr Randolph's Resignation* (Philadelphia: Samuel H. Smith, 1795); Ron Chernow, *Washington A Life* (London: Penguin Books Ltd, 2010), 733-735.

⁷⁵ Hammond to Grenville, 14 August 1795, No. 33, National Archives, Kew, FO 5/9, fos. 402-405.

begin the next chapter of his diplomatic career. 'I take the liberty', Hammond wrote to the Foreign Secretary, 'of intreating your Lordship to lay at his Majesty's feet my most humble and dutiful acknowledgments for the gracious approbation, with which his Majesty has condescended to honour my conduct.' For Grenville himself, Hammond wanted the Foreign Secretary 'to accept the warmest thanks for the very flattering manner in which you have been pleased to communicate to me His Majesty's approbation.'⁷⁶ The only formal occasion left on his calendar was his official farewell to the President.

On 14 August 1795, Hammond had a private audience with President Washington where he presented his formal recall letter. Their meeting had been delayed due to poor weather on Washington's return from Virginia.⁷⁷ Unfortunately, neither individual recorded what was discussed. Once his farewell audience was concluded, Hammond called upon Phineas Bond to deliver both his official papers and his cyphers. Until Hammond's anticipated return, Bond would temporarily take over his diplomatic duties as *chargés d'affaires*. From there,

having therefore no motive to postpone availing myself of his Majesty's gracious permission, I shall set off tomorrow morning for New York, at which place his Majesty's frigate *Thisbe* fortunately arrived some few days ago. This ship will convey me to Halifax, whence I shall embark to England.⁷⁸

Hammond would never return to America. Upon returning to Britain, he would be appointed as Under-Secretary at the Foreign Office, under the young George Canning. Hammond did not record many of his feelings when he left America, but his

⁷⁶ Hammond to Grenville, 14 August 1795, No. 32, National Archives, Kew, FO 5/9, fo. 400.

⁷⁷ George Washington to Edmund Randolph, 31 July 1795, Private Letter, Footnote, in John C. Fitzpatrick, *The Writings of George Washington*, Vol. 34, *11 October 1794-29 March 1796* (Washington D.C.: Government Printing Office, 1940), 265; August [1795], in Donald Jackson and Dorothy Twohig, ed., *The Diaries of George Washington*, vol. 6, *1 January 1790-13 December 1799* (Charlottesville: University Press of Virginia, 1979), 208-209.

⁷⁸ Hammond to Grenville, 14 August 1795, No. 34, National Archives, Kew, FO 5/9, fo. 407.

wife, Margaret, in a letter to her father, wrote that 'his cold, formal manner, not only with strangers, has been thrown off and everybody observes how agreeable he is in company...I don't think you ever saw him at his best in Philadelphia.'⁷⁹ Hammond would not miss his time in America. However, as he put his time as British Minister to America behind him, Hammond could be certain that he had been instrumental in guaranteeing that the Washington administration adopted the Jay Treaty, thus ensuring that Britain and the United States would not go to war for almost the next twenty years.

⁷⁹ Margaret Hammond to William Allen, [date unknown], quoted in Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors in America, 1791-1930* (New York: Books for Libraries Press, 1934), 17.

Conclusion

‘The art of concluding from experience and observation consists in evaluating probabilities, in estimating if they are high or numerous enough to constitute proof. This type of calculation is more complicated and more difficult than one might think. It demands a great sagacity generally above the power of common people.’

- Benjamin Franklin and Antoine Lavoisier, 1784.¹

In August 1795, as he began his return voyage from America, George Hammond was confident that Britain and the United States had reached a lasting accommodation which settled the unfinished peace left by the Treaty of Paris. Indeed, the accommodation reached between Britain and the United States resulted in a peace which would persist for the next seventeen years. Yet Hammond’s time in America raises fundamental questions about British foreign policy at the end of the eighteenth century, and how the nation balanced its European and Atlantic commitments. How does a deeper appreciation of Hammond’s role illuminate the history of Anglo-American relations, and how does it alter our understanding of them? Does a re-evaluation of Anglo-American relations shift our understanding of Britain’s geopolitical position at the end of the eighteenth century?

A study of Hammond’s role as British Minister to the United States naturally challenges the strand of Eurocentrism which has formed a major strand of the historiography of this period. On 12 December 1780, as Britain faced increased isolation over the continued war in America, Lord Stormont, Secretary of State for the Northern Department, wrote that

¹ Benjamin Franklin and Antoine Lavoisier, *Rapport des commissaires chargés par le roi de l'examen du magnétisme animal* (1784), quoted in Stephen Jay Gould, *Bully for Brontosaurus* (New York: W. W. Norton & Company, 1991), 195.

[t]he revival of the Old System becomes utterly impossible if England loses her weight in the general scale, and she must lose it if this war ends in such a manner as to deprive her of those resources that feed and maintain her strength and which if preserved, may be advantageously employed, as they have been, in support of the general interest of Europe.²

Whilst Stormont's words were written before Hammond's time in America, his sentiments vividly illustrate the challenges faced by British policymakers at the end of the eighteenth century. debates over whether Britain's place lay within Europe or in the wider world came to dominate our understanding of British foreign policy in the eighteenth century. This has been echoed in the historiography, with arguments about Britain's links to Europe taking precedence in recent years.³ However, the argument that Britain's foreign policy was principally Eurocentric and underplays Britain's role as a global power.

Despite concern about the European balance of power, Britain's geographical detachment from the European Continent has consistently enabled it to utilise its naval strength to further its overseas expansion.⁴ Even with the independence of the United States in 1776, and attempts to emphasise the United States' isolation from Jefferson's so called "entangling alliances", the British Atlantic system persisted and allowed Britain to maintain its position as both a global and European power.⁵

² Lord Stormont to Robert Murray Keith, 12 December 1780, quoted in Brendan Simms, *Three Victories and a Defeat: The Rise and Fall of the First British Empire, 1714-1783* (London: Allen Lane, Penguin Books), 636.

³ Brendan Simms, *Three Victories and a Defeat: The Rise and Fall of the First British Empire, 1714-1783* (London: Allen Lane, Penguin Books), 1-5; Jeremy Black, *America or Europe?: British Foreign Policy, 1739-1763* (London: Routledge, 1998); Jeremy Black, *Debating Foreign Policy in Eighteenth Century Britain* (London: Routledge, 2011).

⁴ P. J. Marshal, *Remaking the British Atlantic: The United States and the British Empire after American Independence* (Oxford: Oxford University Press, 2012); Bruce Collins, *War and Empire: The Expansion of Britain, 1790-1830* (Abingdon: Routledge, 2014); N. A. M. Rodger, *A Naval History of Britain*, 3 Vols (London: Allen Lane, Penguin Books, 1997-2024); Ben Wilson, *Empire of the Deep: The Rise and Fall of the British Navy* (Weidenfeld & Nicolson, 2013); Andrew Lambert, *The Challenge: Britain Against America in the War of 1812* (London: Faber & Faber, 2012).

⁵ Alexander DeComde, *Entangling Alliance: Politics and Diplomacy under George Washington* (Durham, NC: Duke University Press, 1958); Felix Gilbert, *To the Farewell Address: Ideas of Early American Foreign Policy* (Princeton: Princeton University Press, 1970), 19-20.

As historians of the Atlantic and the Royal Navy have argued, Britain existed in two worlds: one preserving European stability and the other asserting dominance at sea. But Britain would have been unable to wield European power without its Atlantic dominance, because a threat in the west would constrain or remove its freedom of action in Europe. The geopolitical situation in which Britain found itself at the time of Hammond's appointment illustrates the importance of the Atlantic system in British foreign policy. The adoption of the US constitution in 1787 and the Nootka Sound Crisis in 1789 brought Britain's isolated position into stark reality. With revolution in France underway, Britain had to secure its global position if it was to push back against revolutionary forces from Europe and commercial isolation in the Americas. Britain therefore had to secure good relations with its new North American neighbour if it was to exert its power in Europe.

Whilst Britain and the United States remained intrinsically linked through the British Atlantic System, scholarship of Anglo-American relations has been a principally American affair. The history of Anglo-American relations has been largely a story of the United States' attempts to establish itself in a British world, with Britain playing the role of antagonist.⁶ By taking an American perspective, and emphasising a Jeffersonian American exceptionalism in a British world, historians have (intentionally or not) played down the United States' connectedness to the Atlantic world and the wider geopolitics of the period. As a newly independent nation in a world of empires, the United States was heavily influenced by events in Britain and Europe, but with little

⁶ Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967); Samuel Flagg Bemis, *Jay's Treaty: A Study in Governance and Diplomacy* (New Haven: Yale University Press, 1962); Charles R. Ritcheson, *Aftermath of Revolution: British Policy Toward the United States, 1783-1795* (Dallas, Texas: Southern Methodist University Press, 1969).

power to push back. The history of Anglo-American relations should therefore be viewed less as a story of US nationalism and more a story of Atlantic geopolitics.

A further challenge posed by the historiography of early Anglo-American relations is its underlying determinism.⁷ This analysis implies that the War of 1812 was inevitable. However, it ignores the importance of contingency and the capacity for individuals to shape diplomacy and foreign policy. Contingency matters, and for British and American policymakers of the 1780s and 1790s, war between Britain and the United States, whilst remaining possible, was not inevitable and in the case of both countries, undesirable.

This determinist outlook on early Anglo-American relations has come to encapsulate the established scholarly opinion of both Hammond and his mission to America.⁸ There is some truth to this argument. Hammond left the United States in 1795 having not fulfilled the primary instructions he had been entrusted with at the time of his appointment in 1791. He also departed a country which had just signed a controversial treaty with Britain. However, as this study has shown, Hammond's career as British Minister was far more consequential than previous historians have given him credit for.

Hammond's appointment marked a major divergence from the previous British policy of brooding disregard of the United States. The decision to appoint a permanent Minister was the first move by a British government in accepting the existence of the United States and settling the outstanding disputes from the Treaty of Paris. The

⁷ Duncan Andrew Campbell, *Unlikely Allies: Britain, America and the Victorian Origins of the Special Relationship* (London: Hambledon continuum, 2007); Sam W. Haynes, *Unfinished Revolution: The Early American Republic in a British World* (Charlottesville: University of Virginia Press, 2010).

⁸ Beckles Wilson, *Friendly Relations: A Narrative of Britain's Ministers and Ambassadors to America, 1791-1930* (Freeport, New York: Books for Libraries Press, 1934); Bradford Perkins, *The First Rapprochement: England and the United States, 1795-1805* (Berkeley: University of California Press, 1967); William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985).

1790s were thus a pivotal decade. Hammond's appointment also presented a new diplomatic challenge for the British government: how should Britain's new Minister conduct himself in a republic founded upon the rejection of the European system of monarchy? It was Hammond's job to navigate this new diplomatic landscape.

Hammond was tasked with establishing a permanent diplomatic presence and settling outstanding disputes to secure an accommodation between the two nations. In both these endeavours he succeeded. Throughout his career in America, Hammond also maintained a calm and professional temperament, devoid of sentiment, which ensured his survival as Minister during the turbulent 1790s. Of course, Hammond's attitudes and tactics did not always make him popular, particularly with Jefferson, his principal American interlocutor. However, by favouring the counsel of Hamilton over Jefferson, Hammond successfully utilised emerging American divisions to his and Britain's benefit. In Hammond's view, representing the British government's interests far outweighed trifles about his own popularity. As the French Revolutionary Wars upturned notions of convention throughout Europe and America, and the Whiskey Rebellion threatened to destabilise the frontier, Hammond's sometimes cold yet consistent dedication to the status quo ensured the survival of his mission, whilst Genet, his chief French rival, fell into ignominy. This survival allowed Hammond to observe and influence American policy through the Crisis of 1794 and successfully defenestrate Secretary of State Randolph to ensure the resulting Jay Treaty's implementation.

Hammond's career in America also serves as a fascinating example of the continued importance diplomats play in the history of foreign policy, especially before the onset of faster modes of communication. As perhaps the most isolated British representative in the 1790s, Hammond went for weeks – even months – without

instructions from London. At times of crisis, as shown with the debacle over the Navigation Act in 1792 and the Yellow Fever epidemic, this left him deeply isolated and disconnected. Yet this also offered Hammond much more leeway in determining what he believed to be British policy, as his actions surrounding the Navigation Act show. Hammond's unique positioning as a conduit between the British government, the British colonial government in Canada, and the US government also allowed him to serve as an effective broker between the three factions. As his efforts to facilitate the Sandusky conference in 1793 illustrate, his isolation provided him with an unparalleled opportunity to correspond with opposing sides and be a moderating influence in the increasingly hostile relationship between the United States and British North America with their Native American allies. Of course, Hammond would not have the time to fully utilise this power. However, he nevertheless held considerable sway over the implementation of British policy in and towards the United States.

In the past decade, the actions of British diplomats in the United States, and the Anglo-American relationship have been a subject of political controversy. The diplomatic incident resulting in Kim Darroch's resignation as British Ambassador in 2019, when secret messages about the President were leaked, illustrates the continued importance the actions of diplomats play in the relationships between nations, and especially between Britain and the United States.⁹ Coming at a time when Britain was attempting to carve out a new relationship with its European neighbours, the Darroch Affair also illustrated the continued importance good relations with the United States in British foreign policy. There is no better time to examine how the first

⁹ BBC News, "Trump: 'We won't deal with UK ambassador' after leaked emails", 8 July 2019, *BBC*, Accessed 4 July 2024, <https://www.bbc.co.uk/news/world-us-canada-48914294>; BBC News, "Sir Kim Darroch: UK ambassador to US resigns in Trump leaks row", 10 July 2019, *BBC*, Accessed 4 July 2024, <https://www.bbc.co.uk/news/uk-48937120>; Kim Darroch, *Collateral Damage: Britain, America and Europe in the Age of Trump* (London: William Collins, 2020).

British Minister attempted to establish a diplomatic presence in the United States and foster a favourable relationship between Britain and its former American colonies.

With Hammond's mission in mind, perhaps it is time for a further reorientation in studies of Anglo-American relations in the eighteenth and nineteenth centuries. Analysing the British perspective through the prism of Hammond provides a much-needed corrective to what has previously been a story of American nationalism against British imperialism, but, of course, the Anglo-American relationship did not end with Hammond's departure from America. New crises and disputes erupted. To what extent might our understanding of Anglo-American relations in the early nineteenth century – for instance in the era of the Monroe Doctrine – shift with a greater focus on the British dimension? Hammond's mission is also an interesting starting-point for a wider re-evaluation of British diplomacy in America, structurally and culturally. Perhaps it is time, too, for a re-evaluation of Grenville's impact on diplomacy, which might enhance our understanding of British foreign policy in the French Revolutionary era. It might also become less Eurocentric and more 'global'. A more holistic history of early Anglo-American relations, making greater use of the British perspective would provide a helpful rebalancing of current scholarship.

In 1814, as arrangements were being made for a conference at Ghent to end the War of 1812, the Foreign Secretary, Lord Castlereagh, asked Hammond if he wished to join the British commission. Hammond, remembering his time in the United States, commented, 'my sentiments with regard to America are so well known both in that country and this and during my residence in the former I was necessarily so much engaged in hostile and irritating discussions...that if the...negotiations should fail I

have little doubt that the failure would in a great measure be ascribed to me.'¹⁰ It is clear that no love was lost between Hammond and his former diplomatic residence. Yet, whilst Hammond held little regard for his previous posting, he nevertheless established a permanent British diplomatic presence in the United States and played a pivotal role in guaranteeing a peaceful understanding between Britain and its new North American neighbour.

¹⁰ Hammond to William Hamilton, 30 April 1814, quoted in William H. Masterson, *Tories and Democrats: British Diplomats in Pre-Jacksonian America* (College Station: Texas A&M University Press, 1985), 28-29.

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