75. Kirkmichael zonger. Thomas Kennedy, younger of Kirkmichael.

12th line. 76. Mr. James Hall, Ballantrae. Mr. James Hall, minister at Ballantrae.

77. John Kennedy.

78. David McCauley.

79. James Grey.

80. James McMeikeine.

Signatures Below Glasgow Determination.

81. James Corrie. James Corrie in Maybole, who was at one time a servitor of the Earl of Cassillis, and was probably the Captain James Corrie in Maybole who was killed at the battle of Alford in 1645. He was the younger brother of George Corrie of Kelwood (died c. 1633-4) and so was the uncle of the John Corrie of Kelwood of 1638.

82. Frances Mure. Francis Mure of Pennyglen, a younger brother of John Mure of Auchindran and so a nephew of Sir Alexander Kennedy of Culzean.

83. David Kennedy of Garrihorne.


87. R. Kennedy.
where he unsuccessfly attempted to plant a colony. In Scotland Oswald also amassed a large family estate, including the purchase of Auchincruive in Ayrshire in 1764 and Cavens House.

As a merchant Oswald participated in extensive commercial ventures. He gained early experience in trade by association with his cousins in Glasgow. While still a young man he lived for six years in Virginia and engaged in trade in the area around Norfolk and Elizabeth River. Referring to his stay in Virginia, Oswald stated that he "had in person visited every part of the colony and had bought upon the spot Assortments or Cargos of every Article of... produce." He then returned to England and established himself as a merchant at Philpot Lane in London, continuing in trade for over thirty years. During the Seven Years' War he served as contractor for supply of troops on the continent. Being unable to get satisfactory agents, he himself went to Germany as Commissary-General to the Army of the Duke of Brunswick, a nephew of Frederick the Great.

As a London merchant Oswald devoted considerable attention to the African slave trade. In 1748 the firm of Alexander Grant, Richard Oswald, and Company purchased Bance Island, one of several islands in the mouth of the Sierra Leone River in the colony of the same name, where the Royal African Company had erected a fort. Oswald and his associates gained control of other small islands by treaties with native chiefs and established on Bance Island a trading station for factors in the slave traffic.

Frequent correspondence relative to the slave trade was carried on with Henry Laurens of South Carolina. Operating as a Charleston factor and commission merchant, Laurens traded principally in deer skins, indigo, wine, rice, and slaves. For Oswald he handled most of the slave cargoes imported into Charleston, and when unable to manage his friend's business personally, he arranged for the disposition of shipments to reliable mercantile firms.

Oswald in 1778 referred to "a correspondence of more than Twenty Years" with Laurens, whom he had always found a man of "strict honour...most humane & friendly temper," and a person "of good sense, & of great industry." The friendship of the two men was a lasting one. They met several times between 1771 and 1774 during Laurens's intermittent residence in England to educate his children. Upon returning to America in 1774, Laurens became a Revolutionary leader and succeeded John Hancock in 1777 as President of the Continental Congress. Two years later he was selected as commissioner to the Netherlands to negotiate a loan and to draw up a treaty of amity and commerce with the Dutch. En route to Europe he was captured by the British off the shore of Newfoundland. During a six-hour sea chase Laurens destroyed most of his papers and belatedly threw overboard the remainder of what he considered insignificant records in an inadequately weighted sack. The British fished the papers from the sea and sent them to London, where the Van Berckel paper, containing the draft of a proposed treaty between the Dutch and the Americans, was used by England as one of the reasons for beginning hostilities against the Netherlands.

Laurens was taken to England after his capture and imprisoned in the Tower of London in October, 1780, on suspicion of high treason. Oswald made several visits to the Tower and worked for his friend's release. Through the aid of Edmund Burke and Benjamin Franklin, Laurens was released on bail in December, 1781, with plans for the exchange of the prisoner Lord Cornwallis. Oswald posted bond of £2,000. In April, 1782, Oswald was sent by the British Ministry to the South Carolinians with the announcement of his final discharge from further obligations to British courts. The two men then continued their association as peace commissioners, Laurens having been designated by the American Congress as one of five peace commissioners and Oswald selected by Lord Shelburne to open negotiations with the Americans.

Prior to selection for peace negotiations, Oswald was acquainted with many of the leading officials of the British Ministry. Because of his residence in America and his knowledge of its geography and trade, he was frequently consulted about the war. Lord North, serving as Prime Minister from 1770 to 1782, sought information from Oswald on several occasions. Oswald also made detailed recommendations to the Secretary of State for the Colonies, a position created in 1768 to improve imperial administration and to strengthen the King's control over colonial government. The Secretaries of State for the Northern Department and Southern Department considered the third Secretary inferior in rank. But the outbreak of the Revolution focused the attention of the British upon the American colonies, and one modern writer has concluded that the third Secretary became "in practice, at least until defeat loomed on the horizon, the principal Secretary of State."
Occupied first by Lord Hillsborough and then by Lord Dartmouth, the office passed in 1775 to Lord George Germain, who filled the position during the Revolution until 1782.

Oswald also made recommendations about the conduct of the war in America to Henry Dundas (later Viscount Melville), appointed Lord Advocate of Scotland in 1775. As the King's principal legal official in Scotland, the Lord Advocate was responsible for representing the Crown in cases before the supreme civil and criminal courts in Scotland. In this position Dundas gathered a large political following and was recognised by 1779 as a man of great value to the King and the Prime Minister. As a member of the House of Commons he proved to be a forceful and sound debater. He gained control of the Scottish vote in the Commons and has been referred to as "the foremost Scotsman of the eighteenth century." On June 11, 1779, arrangements were completed for his appointment as sole Keeper of the Signet of Scotland. By 1781 Dundas was recognised along with Lord North and Lord George Germain as a leading spokesman of the Ministry, and King George III. referred to him as "that able servant of the Crown."

Oswald's role as adviser to the British Ministry on the conduct of the war in America is a little-known phase of his career which has been overlooked by both British and American writers.

His role as adviser is important within itself, and knowledge of his recommendations is necessary to understand fully his actions as a peace commissioner. A brief review of Oswald's proposals from 1775 to 1782 will exemplify the nature of his recommendations, the diversity of his interests, and his association with leaders of the British Ministry.

Beginning in February, 1775, we find that Oswald forwarded proposals relative to the war in America to Lord Dartmouth, Secretary of State for the Colonies. Oswald was not personally acquainted with the Secretary but justified his communication on the basis of "the duty I owe to my country" and on the twenty-nine years' experience as a merchant in London which, he stated, "might plead my excuse for submitting my thoughts." The document was passed on to Lord Dartmouth by John Pownall, Under-Secretary of State in the American Department, who appended a note to the papers referring to Oswald as a "merchant of great Esteem & credit," whose enclosed recommendations showed "great knowledge of the subject it treats of and a very uncommon precision and acuteness in the reasoning & reflection upon the facts stated in respect to the commerce & policy of Virginia."


(8) This "Plan" (22 p.) is reprinted in R. E. Stevens' Facsimiles of Manuscripts in Jones' Papers Relating to America, 1771-1793, vol. 24 (London, 1895), no. 2035.

(9) This "Memorandum" (21 p.) is reprinted in Stevens' Facsimiles, no. 2034.

Oswald's first recommendation to Lord Dartmouth was enclosed in his letter of February 9, 1775, and included his "Plan submitted for breaking up the American Confederacy by detaching one of the Southern Provinces." In this proposal we find the origin of Oswald's later ideas to maintain British control over the American colonies by the policy of divide and conquer. Hoping to thwart the effectiveness of the trade embargo of the Association adopted by the First Continental Congress in October, 1774, Oswald proposed the detachment of either Virginia, Maryland, or South Carolina through an appeal to sectional interests. The needs of the southern colonies, Oswald explained, differed from their northern neighbours' because of the southern economy based on slave labour and the prevalence of an influential aristocracy with "great Family Connexions." The efforts to sever the confederacy should be attempted in Virginia, and Oswald recommended that an agent be sent to the Old Dominion—a dependable, prudent, and discreet person who had good family connexions and could influence the leading members of the colony. The agent should draw the colony away from the American union by convincing the leading families that their interests were not the same as that "Mob of Northern Yeomen," that "despicable Rabble of Rioters," that "Confederacy of Smuglers" in New England. Virginia should withdraw from that "unnatural Confederacy" and renounce the trade embargo in 1775, and to continue shipments only to Europe. To aid in preventing its enforcement, Oswald suggested an act of Parliament that would increase the duty on all rice exported from the American colonies with the specific exception of rice shipped to the West Indies. This inviting provision, he surmised, would lead South Carolina to violate her agreements with the northern colonies and to act in behalf of her own economic self-interest.

Lord George Germain succeeded Lord Dartmouth as Secretary of State for the Colonies in the fall of 1775 and assumed a prominent role in direction of military and naval affairs in the Revolution. Following the raid of the British General Edward Matthews in the
area of Portsmouth and Norfolk, Oswald dispatched to Lord George Germain a "Memorandum Relating to Elizabeth River in Virginia," dated June 26, 1779. Oswald emphasised the importance of Elizabeth River as "a safe Retreat for Shipping, & a Repository for every Species of Stores and Provisions." England should retain her hold on this river, he urged, because it would assure safety to squadrons assigned to control Hampton Roads and would afford "quick dispatch in fitting and victualling British ships from the West Indies.

Following the treaty of alliance between France and the American colonies, England and France drifted into open conflict in June, 1778. Spain entered the war in June, 1779, on the side of France. With both nations in the war against Great Britain, Oswald during August, 1779, prepared his "General Observations, relative to the present State of the War." For an "honourable peace," he contended, the American colonies must be separated from France. Contrary to the opinion of some of his countrymen, Oswald thought the main efforts of the war should be continued against the colonies and not against France, for England had a better chance to tire France of the conflict by eliminating America than to recover America by attacks upon France. In the conduct of the war, Oswald urged that the major British efforts should be directed to the southern colonies with only defensive forces retained in northern cities and seaports. To co-ordinate civil and military affairs in America, Oswald recommended that a Council of War be sent from England consisting of "sundry Persons with direction of all enterprises by sea or land."

News of the French capture of Grenada in the Windward Islands reached England soon after Oswald had completed these "General Observations." Therefore he added a thirty-three page "Supplement to the Papers of August 1779." His main arguments were directed against the diversion of English troops from Northern America to the West Indies either for the purpose of recapturing Grenada or to attack the French in Guadeloupe and Martinique. Diversion for either purpose might be temporarily successful, but the French could easily strike back; and, according to Oswald, any English success obtained in the West Indies would have little significant influence upon the American colonies.

One of the most extraordinary proposals by Oswald was his "Plan for an alliance with Russia, in order to carry on the American War." Originated in February, 1781, amid British despondency over the progress of the war, the scheme was to encourage a Russian conquest of "Spanish settlements on the coast of the South Seas" and of other important Spanish posts on the mainland such as Callao and Lima. Oswald delivered these papers of February in person to Lord North and reported that he was well received by the Prime Minister, being requested to send additional information on this subject.

Reports circulating in London that negotiations for peace were to be undertaken through the mediation of Russia led Oswald to modify his proposals of February. As altered and submitted on April 12, 1781, the plan called for a less direct approach to Russia in order not to be "repugnant to the supposed Impartiality of a Mediator." Insinuations of an English attack against the Spanish settlements along the Gulf of Mexico were to be made to Russia, and a request was to be submitted for five or six thousand Russian soldiers for garrisoning American cities to release English troops for the campaign. Indirect suggestions were to be made of the possibility of Russian conquests in California, Mexico, Peru, and Chile through the dispatch of Russian troops from Kamchatka in North-Eastern Asia. When submitting this altered proposal in April, 1781, Oswald expressed his willingness to go in person to St. Petersburg, secretly and at his own expense, to explain the procedure for the plan to the English Ambassador in Russia. He was later notified, however, that no action could be taken immediately; and apparently no definite steps were ever made by the British Ministry with regard to this plan. Oswald, however, revived this same idea during the peace negotiations in Paris in 1782. French territorial demands and Spanish greed for Gibraltar called forth the old scheme with minor modifications. Franklin considered it "a little visionary," and Oswald himself stated that "it may probably appear to be a visionary project." But amid the discouraging negotiations at Paris, Oswald thought the plan could do no harm and was convinced that information about the possibility of English and Russian co-operation would lead France and Spain to conclude a more reasonable peace earlier than could otherwise be expected.

In August, 1781, Oswald wrote his "Memorandum," advocating that the British alter the conduct of the war in America. This "Memorandum" was supplemented with notes on a conversation with Henry Laurens, prisoner in the Tower of London, in which Oswald obtained the opinion of his friend on these proposals without Laurens knowing that Oswald was formulating plans to submit

(10) A copy of this "Memorandum" (12 p.) is in the Tracy W. McGregor Library, University of Virginia, but see Appendix III of the Ninth Report, Historical Manuscript Commission, The Manuscripts of Mrs. Stodart-Sackville (London, 1884), p. 96.

(11) These "General Observations" (72 p.) are in the William L. Clements Library, Ann Arbor, Michigan.

(12) This "Supplement" (33 p.) is in the William L. Clements Library, Ann Arbor, Michigan.

(13) This "Plan" (19 p.) is in the William L. Clements Library, Ann Arbor, Michigan. A significant commentary on the "Plan" by Oswald in his "Memorandum., Relative to the Plan for an alliance with Russia" (5 p.) is in the Tracy W. McGregor Library, University of Virginia.
to the British Ministry. Also accompanying the "Memorandum" was Oswald's sketch of the Chesapeake area along with a one-page description of its strategic value. Upon request from the Lord Advocate General, Henry Dundas, these papers were forwarded to him by Oswald.

With keen perception Oswald foresaw the difficulties that Lord Cornwallis might encounter in Virginia and urged his recall to the Carolinas. Rerouting his earlier theme of divide and conquer, Oswald advocated that the British concentrate their efforts in recovering the southern colonies and introduce a plan for the civilian control over the military.

Most of the basic ideas in these recommendations had been included in the "General Observations, relative to the present State of the War" of August, 1779. Whether or not Oswald wrote another separate proposal between August, 1779, and August, 1781, has not been definitely determined. It seems likely that he did, but no such document has come to light. Whatever the case, the essence of his "Plan of Alteration" is clearly outlined in the proposals of August, 1781. The "Plan" is a proposed "Superintendency of Civil Direction and Authority" for individual colonies which the British hoped to break away from the colonial union. The "Superintendency" would consist of the governor and council appointed by the King and would have authority over military leaders except in details of execution of orders. The purpose of the civil authority was to take advantage of military success and to hasten restoration of colonies to British control upon the "ancient footing, as before 1763." The governor and a chief justice for the supreme court should be sent from England, while selected local citizens should receive a mandate from the King as councilor. Testimonies of allegiance to the British Government were to be taken at county court-houses at a designated time; and once hostilities ceased, provisions for an elected assembly would be made by the governor.

There was a remarkable consistency in Oswald's recommendations relative to America. Modified only by the varied course of the war, the plans from 1775 to 1782 focused upon the southern colonies and continually emphasized the success that Britain might have by detaching one or several of these colonies. This repeated emphasis, neglecting details of the war in the North, was due in part to Oswald's greater familiarity with the area through his six years' residence in Virginia and his extensive trade with the southern provinces, especially with South Carolina through Henry Laurens. His recommendations displayed a detailed knowledge of trade in the British colonies on the continent and in the West Indies. But on several occasions he overestimated the influence of economic self-interest to the exclusion of the increasing desire for political independence.

The dominant motive in Oswald's keen interest and efforts to improve the conduct of the war seems to have been one of patriotic duty. He frequently referred to the obligations he owed his country, to his concern for national welfare and prestige, and to his determination to uphold the "Honour and interest" of the nation. As a merchant he was naturally interested in expanding English trade, yet by the time of the American Revolution he possessed a comfortable fortune and had retired from most of his trading ventures. Consistent with his free trade principles, he strongly opposed special privileges for certain merchant groups, stating in a letter to Lord Shelburne on June 12, 1782, that "... to trace back our Wars for 60 or 70 years it would be found that half the present difficulties of the Nation were owing to Mercantile Jobs & the Selfish views & Clamours of Merchants & that I hoped our present administration would be more attentive to national distinctions..." Being around seventy-five years of age, Oswald did not have the burning political ambitions of a more youthful politician, and apparently he sought little or no recognition as an adviser to the Ministry. In several of his recommendations to Lord Dartmouth in 1775 he specifically requested that no publicity be given him. For "particular reasons," which were not explained, he requested "... to remain unknown in these matters," and once Oswald asked that in case excerpts were to be made from his notes, "I wish it may be done by some person who is not acquainted with my writing which I believe is known at some of the offices."
on the disposition of troops which were confusing to Cornwallis and failed to co-ordinate British operations. Lord Cornwallis, second-in-command with a commission providing for his advancement in case of the disability or death of Clinton, had made his own decision to march to Virginia. Having concluded that the southern colonies could not be subdued without British control of Virginia, Cornwallis moved to the Old Dominion with plans to wage an offensive war. Lord George Germain, who as Secretary of State for the Colonies attempted to control all operations from London, sided with Cornwallis, antagonised Clinton, and issued contradictory orders to the two Generals approving both their plans. Amid this confusion General Washington, with aid from the French fleet under Admiral de Grasse, forced the capitulation of Cornwallis at Yorktown on October 19, 1781. Clinton's efforts to relieve Cornwallis by sea were five days too late.

Had Oswald's recommendations of August, 1781, been proposed and accepted early enough to have ordered Lord Cornwallis back to the Carolinas, Yorktown would have been prevented. Oswald's war would then have concentrated on breaking away the southern colonies, beginning with Georgia and South Carolina. With exposed outposts abandoned and "useless," expensive military excursions eliminated, a cautious war with concentrated forces controlled by civil authority would have been prosecuted.

Oswald's proposals for restricted campaigns were sound. This concentration of troops in limited areas with security provided by the establishment of civil authority would have come nearer to the realisation of the strong loyalist support expected by the British. Such a plan did, however, eliminate the possibility of an immediate and decisive blow against the colonies; and like several other English proposals, it overestimated the number of loyalists willing to take a stand for the King. Oswald's recommendations relative to the strategic value of Portsmouth and its aid in maintaining control of Chesapeake Bay were also well founded.

Any attempt to evaluate the extent to which Oswald's proposals influenced British decisions relative to America is hindered by the difficulty, if not impossibility, of analysing accurately the responsibility for British policy shared by the King, the Cabinet, and the Secretary of State for the Colonies. Whatever the extent of their influence, Oswald's plans present interesting and original ideas on the conduct of the war. They reveal a significant phase of Oswald's career, and they contribute to a better understanding of Oswald's action as a peace commissioner in 1782.

Oswald's role as peace negotiator was occasioned in part by his friendship with Lord Shelburne which was initiated by a letter of introduction from Adam Smith, a fellow Scotsman. Both adhered to Smith's laissez-faire doctrine of free trade and abolition of monopolies. Upon the downfall of the North Ministry in March, 1782, Shelburne declined the offer to establish a new government under his own name, but aided the King in forming a new ministry under the Whig Lord Rockingham. Significant changes were made in the organisation of the government. The office of Secretary of State for the Colonies, previously held by Lord George Germain, was abolished. Lord Shelburne became Secretary of State of the Home Department, which replaced the old Southern Department and included jurisdiction over domestic, Irish, and colonial affairs. Charles James Fox became Secretary of State of the Foreign Department, which replaced the old Northern Department and assumed jurisdiction over all foreign affairs.

Plans for discussion of peace in 1782 were set in motion by Benjamin Franklin's note of March 21 to Lord Shelburne, expressing the hope that recent votes in the Commons disapproving of continuation of the American war might bring about a general peace. To begin informal negotiations in Paris, Shelburne picked Richard Oswald. This selection was designed to appeal to Franklin. Oswald shared the latter's free trade commercial views; he possessed a "philosophic disposition"; and he had previously had a limited acquaintance and correspondence with Franklin. Benjamin Vaughan, a friend of both Shelburne and Franklin, and a secret agent of the former during peace negotiations, claimed credit for urging the selection of Oswald. As stated by Vaughan, the position demanded a "negotiator acquainted with mercantile & military affairs; yet few of the English merchants had seen at once America & an army." Considering Oswald a fortunate choice, Vaughan praised him as a man of "original ideas," with the necessary experience to temper them; a man, if lacking the "finish of a philosopher," yet possessing "the strength & simplicity of conception, the candour, & the habits of meditation, which attach to that character"; a modest man of great patience and generosity with a "liberal and yielding temper," and a man "versed in the world" who was quick to inspire confidence.17

For his meeting with Franklin, Oswald took along letters of recommendation from both Lord Shelburne and Henry Laurens. Shelburne described Oswald as an honest and "pacific man. who "is fully appriz'd of my Mind," while Laurens endorsed him as "a Gentleman of the strictest candour and integrity . . . disinterestedly engaged" in his mission from "motives of benevolence." Franklin received Oswald in Paris on April 12. Of necessity conversations were informal. Oswald was not authorised to open formal negotiations and Franklin made it clear

On July 25, 1782, the King ordered a commission for Oswald, authorising him to negotiate formally with "any commissioner or commissioners of the American colonies or plantations." When a copy of this commission reached France, Jay objected to the wording "colonies or plantations," which failed to acknowledge the independence and sovereignty of the United States. Jay at first insisted strongly on preliminary recognition of independence, but was finally satisfied with Oswald's new commission of September 21, which referred to the colonies as the "Thirteen United States of America." About one month before the preliminary treaty was completed, Henry Stueckey, Under-Secretary of State in the Home Department, joined Oswald in Paris to aid in a final effort to get favourable provisions relative to losses suffered by loyalists and to debts still owed to British merchants.

Suspicion of French and Spanish demands led the American negotiators to arrange separate terms with Britain on the condition that the preliminary agreements would not be effective until France made peace with England. The preliminary articles concluded on November 30, 1782, were signed by Richard Oswald for Great Britain and by John Adams, Franklin, Jay, and Henry Laurens for the United States. With practically no alterations these preliminary articles were incorporated into the definitive treaty of September 3, 1783. The peace acknowledged the independence of the thirteen United States with favourable boundary provisions, gave to the United States essentially the same fishing privileges in America as the British with permission for drying and curing fish in designated areas, promised that British creditors should "meet with no lawful impediment" in recovering debts, and provided for Congress to "earnestly recommend" to the States the restoration of confiscated property of the loyalists.

The Anglo-American preliminary articles met stringent criticism in England. Both Shelburne and Oswald received scathing attacks from opponents of the Shelburne Ministry. The Duke of Richmond urged the recall of Oswald, charging that he "plead only the Cause of America, not of Britain." A motion of censure of the articles was made in Parliament and carried 207 to 190, whereupon Shelburne and his cabinet resigned on February 24, 1783.

Part of the responsibility for the terms of the treaty favourable to America can be assigned to Oswald. He had not opposed Franklin's suggestion that England cede Canada to the United States, and even at times had advocated it. His recommendations

that definite action would have to be postponed until the additional American commissioners—John Adams, John Jay, and Henry Laurens—could be summoned to Paris. Franklin also indicated that negotiations must be made in conjunction with the allies of the American colonies, and he arranged to introduce Oswald to Vergennes, French Minister of Foreign Affairs.

Franklin was favourably impressed with Oswald as a negotiator and described him as a man with an "Air of great Simplicity and Honesty." He "appears so good and so reasonable a Man," Franklin added, that "I should be loth to lose" him. After several meetings, Oswald returned to England to confer with Shelburne, taking with him Franklin's suggestions that England cede Canada to the United States and that Oswald be continued as the English negotiator. In line with Franklin's request, the Cabinet on April 23, 1782, authorised Oswald to return to Paris to arrange the time and place for formal peace discussions.

English negotiations were complicated during the Rockingham Ministry by the antagonism of the two rival Secretaries, Shelburne and Fox. Shelburne, claiming that the colonies were under his jurisdiction as Home and Colonial Secretary, sent Oswald as his representative; while Fox as Foreign Secretary sent Thomas Grenville to parley with both the French and Americans. The jealousy of the two secretaries extended to their agents in Paris. But the death of Lord Rockingham on July 1, 1782, led to significant changes. Shelburne became Prime Minister; Fox resigned and along with him Thomas Grenville. Under the new ministry the business of peace in America was the business of the Home and Colonial Secretary with Shelburne as Prime Minister controlling negotiations. Thomas Townshend accepted the position of Secretary of State for Home and Colonial Affairs with Oswald being continued in Paris to carry on the American negotiations. Lord Grantham became the new Secretary of State for Foreign Affairs with Alleyne Fitzherbert replacing Grenville in Paris to negotiate with the allies of America.

(18) Thomas Jefferson was originally selected as a peace commissioner, but did not serve. Henry Laurens delayed his arrival in Paris until two days before the preliminary articles of peace were concluded.

(19) Oswald's correspondence as a peace commissioner may be found in "Oswald's Journal" in the Franklin Papers, Library of Congress (Washington, D.C.), first series, which is a transcript from vol. 79 of the Shelburne (Lansdowne) Papers now in the William L. Clements Library, Ann Arbor, Michigan. Some of these papers are calendared in the Appendix of the Fifth Report of the Royal Commission on Historical Manuscripts (London, 1876), Part 1, p. 239-242. Other correspondence either by Oswald or pertaining to him as a peace negotiator may be found in Francis Wharton, editor, The Revolutionary Diplomatic Correspondence of the United States (Washington, 1889), vol. 1, p. 640 and vol. 2; Albert H. Smyth, editor, The Writings of Benjamin Franklin (New York, 1905-07) vols. 8-10; Sir John Fortescue, editor, The Correspondence of King George the Third from 1760 to December, 1788 (London, 1928), vols. 5 and 6; and Lord John Russell, editor, Memorials and Correspondence of Charles James Fox (London, 1853), vols. 1 and 2.

(20) The originals of the two commissions issued in August and September, 1782, by King George III. to Richard Oswald to negotiate peace are now in the Library of the American Philosophical Society, Philadelphia, Pennsylvania. For a commentary on these two documents, see William E. Lingelbach, "Notable Letters and Papers," Proceedings of the American Philosophical Society, vol. 95, no. 3 (June 12, 1951).
for concessions relative to boundaries and fishing rights brought even from Lord Shelburne words of caution. In a private letter of October 20, 1782, Shelburne wrote:

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

Shelburne himself, however, later agreed to these same concessions; and after the downfall of his ministry, its successor, the Fox-North coalition, was unable during six months of negotiations to improve the preliminary articles in the interest of Britain. The United States profited by the fact that once Lord Shelburne and Oswald had conceded the recognition of independence, both anticipated, in behalf of Britain, favourable commercial relations and liberal reciprocal rights with the new nation. Other factors contributing to the success of the treaty for the United States were Britain's efforts to separate America from her ally, France; the necessity for Britain to negotiate simultaneously with Spain, Holland and France; and finally the astute negotiations on the part of Franklin, Jay, and John Adams.

The name of Richard Oswald appears as the official signature only on the preliminary peace of November, 1782, not on the definitive treaty of September, 1783. When the Shelburne Ministry resigned in February, 1783, David Hartley replaced Oswald, who then returned to his comfortable estate of Auchincruive in Ayrshire, where he died in 1784.

The estate of Auchincruive was owned successively by the Wallaces (-1374), the Cathearts (-1758), a Mr. James Murray (-1764), and the Oswalds (-1925). Its policy grounds, woodlands and mansion house were purchased in 1925 by the late Mr. John Hannah of Girvan Mains and gifted by him two years later to the West of Scotland Agricultural College. Since 1931 it has served as a centre for agricultural education and advisory work and its mansion house was used as a women's hostel.

That there were earlier mansion houses, there can be no doubt. Sir Duncan Wallace, the last of his line, had strong local connexions and it is not improbable that at times he lived at Auchincruive before acquiring near-by Sundrum estate, the castle of which became his ultimate domicile. Not until 1532, however, is a house specifically mentioned, and then in a charter granted to the second Lord Cathcart. It is again on record in 1541 when the third Lord Cathcart, following a period of resignation, had the charter restored in recognition of his services to James V. In the latter case the house was described as a "castell," but there is reason to question the aptness of this title and certainly, fully half a century later, Timothy Pont, the noted cartographer, gave it no such prominence in his map of the area.

The fifth Lord Cathcart died at Auchincruive in 1628, thus confirming the existence of a mansion house at this later date. It seems not unlikely, however, in view of the greater importance of Sundrum Castle, that Auchincruive was in the main reserved for the use of cadet members of the family.

Sir William Fraser, the eminently nineteenth-century biographer, states in the "Lennox," a production embodying, inter alia, researches into the lineage of the Oswalds, that the present mansion house was completed in 1767 and that "it occupies the site of the former mansion house which was destroyed by fire about the middle of the (18th) century." In the light of recent evidence the implication of this statement, namely that the present house rose, within a few years, from the ashes of the manor house referred to is unacceptable, it being now established from a copy of a deed of sale of 1758, entered into between the Commissioners of the 9th Lord Cathcart, acting on his Lordship's behalf, and James Murray of Broughton, the then purchaser of Sundrum and Auchincruive, that the latter estate possessed a "Tower Fortalice Manor Place." This manor place, it may reasonably be assumed, was the immediate forerunner of the present mansion house. As for the old manor house mentioned by Sir William Fraser, not improbably it was