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## THE PENNSYLVANIA PRISONER EXCHANGE CONFERENCES, 1778

**T**HE ISSUE of prisoners of war has always been an emotional, complex, and crucial episode in any prolonged military conflict, and the American Revolution was no exception on this matter. Prisoners were an obvious military problem, but they also became pawns in what was then a unique struggle with some important political ramifications for the two adversaries. In such a war for independence, rebel prisoners are not only the enemy in the eyes of their captors, they also are guilty of treason. Conventional rules governing prisoners are not wholly applicable to captives taken in a colonial insurrection and, consequently, the prisoner of war issue in the American Revolution was greatly complicated from the outset.

In coping with the American Revolution, Great Britain faced a delicate situation. The British military authorities were usually anxious to recover lost and badly needed manpower through exchanges and, at the same time, the British army wished to avoid any action which could lend credence to the American claim of independence. In a more conventional war, Great Britain would have been able to enter into an agreement of some sort to facilitate prisoner exchanges. Such negotiations, however, are undertaken by two sovereign nations, and in Great Britain's view the American colonies had no legitimate claim to national sovereignty. As a consequence, prisoner exchanges were more than just a technical problem. British authorities realized that any formal agreement to exchange captives with the rebels could be viewed as a recognition of American independence by Great Britain and that might directly encourage Britain's European enemies to intervene in the war. So, from Britain's viewpoint, an alternative to the traditional means of exchange had to be developed.

From the beginning of the American Revolution in 1775, the British refused to classify captured Americans as prisoners of war even though they treated them as such. To declare openly that Americans were prisoners of war would have indirectly bestowed a status of sovereignty upon the rebellious colonies which British political leaders hoped to avoid. As a consequence of this political consideration, British military commanders were authorized to offer partial prisoner exchanges to their American counterparts.

A partial exchange was nothing more than a trading of prisoners which was arranged by the American and British commanders in chief or by their designated representatives.<sup>1</sup> Each exchange was specially negotiated, and its terms were fulfilled because it served the interests of both sides to do so. A partial exchange as utilized by the British was not an international agreement or treaty. It was rather a gentlemen's agreement between two military commanders who pledged their personal honor that all parts of the partial exchange would be faithfully executed. In other words, a partial exchange was a one-time arrangement to return a specified number of captives and, if other exchanges were to be made, then another agreement had to be made again based upon the word and honor of the contracting commanders. By using a system of partial exchanges, the British government avoided negotiating with American authorities and maintained the legal position of refusing to recognize American sovereignty. By employing partial exchanges the British hoped to serve both military and political ends at the same time.

Partial exchanges were not easy to transact but they did begin to occur in 1776.<sup>2</sup> Exchanges of this sort were convenient for both sides but they did not create a regular apparatus or permanent

1. *Papers of the Continental Congress*, National Archives Microfilm Publication, Washington, D.C., Roll 72, Item 59, 1-2: 46. Cited hereafter as PCC. Worthington C. Ford, ed., *The Journals of the Continental Congress* (Washington, D.C. 1904-1937), 5:708-709. Cited hereafter as JCC. General Sir William Howe to Lord George Germain, 25 September 1776, Lord George Germain Papers, William L. Clements Library, Ann Arbor, Michigan. Ambrose Serle to Earl of Dartmouth, 11 November 1776, B. F. Stevens, ed., *Facsimiles of Manuscripts in European Archives Relating to America, 1773-1782* (London, 1889-1895), 23: Document 2044, 1.

2. For examples of a few of the partial exchanges prior to 1778 see PCC, Roll 72 Item 59, 1-2: 44, 46, 48. George Washington to William Howe, 1 December 1776, Headquarters Papers of the British Army in America, microfilm copy, Reel 3, Document 335. Cited hereafter as BHQP. Lord George Germain to William Howe, 3 September 1777, *ibid.*, Document 661, and William Howe to George Washington, 6 September 1777, *ibid.*, Document 663.

rules governing future exchanges. The British were basically pleased with the system since it did recover manpower and served their political goals too. Americans, at the outset of the struggle, also appeared relatively content with the partial exchanges since they proved a speedy means of release of many American captives taken in the early and disastrous campaigns of the war. Then in early 1778 the attitude of American leaders, especially those in the Continental Congress, toward the existing exchange policy began to change.

By the beginning of 1778 it was becoming apparent that the war would not end soon. Several factors seemed to justify such a conclusion. American military fortunes dramatically improved in 1777. An American force led by General Horatio Gates trapped a British army under the command of General John Burgoyne at Saratoga, New York, and captured the entire unit. Now several thousand British military personnel resided in makeshift American prisons.<sup>3</sup> In addition to this turn of events, everyone now awaited news of the impending Franco-American alliance which was formally concluded in February 1778. An alliance with France meant that America would probably receive significant aid from one of Great Britain's most dedicated foes and that the war was destined to be prolonged. American leaders were buoyed by the events of late 1777 and early 1778, and they began to demand a formal agreement with the British controlling prisoner exchanges. Thus the stage was set for the meeting between American and British military authorities at Germantown and Newton, Pennsylvania, in early 1778 to discuss prisoner exchange policy.

One of the more unmistakable signs that the American mood regarding exchange of prisoners was changing in 1777 appeared in the Continental Congress. On 7 August 1777, the Congress resolved to permit General George Washington to begin to negotiate with the enemy to arrange an exchange at whatever time and on whatsoever terms he should think expedient.<sup>4</sup> Prior to this alteration in policy the Congress had always set precise regulations to control prisoner exchanges. But now, perhaps sensing the need for a more aggressive and flexible policy, Washington was given greater latitude to deal with the enemy.<sup>5</sup> Washington, however, did not have much

3. For a good account of the Saratoga episode see, William M. Dabney, *After Saratoga: The Story of the Convention Army* (Albuquerque, 1954), pp. 7-14.

4. JCC, 7: 621.

5. See resolutions of Congress on 22 July 1776, *ibid.*, 5: 599, and 24 March 1777, *ibid.*, 7: 197.

time to devote to the question of a prisoner exchange in the latter part of 1777. It must be recalled that at this juncture he was preparing to defend Philadelphia from General William Howe's onslaught which finally came that autumn and resulted in the British capture of the city. Consequently little was immediately done to follow up on the Congressional resolution of August 1777.

By early 1778 when General Howe was safely ensconced in Philadelphia and General Washington was in winter quarters at Valley Forge, a correspondence between the two commanders centering on prisoners of war began to materialize. The first significant breakthrough on the question occurred in early February. On 5 February 1778, Howe addressed a letter to Washington and declared himself ready to commence another prisoner exchange.<sup>6</sup> Howe also stated he was prepared to appoint commissioners to meet with American representatives to discuss the terms and means of such an exchange. Armed with the Congressional resolution of the previous August, Washington answered Howe's letter on 10 February 1778.<sup>7</sup> In his reply to Howe, Washington agreed to a meeting of commissioners to discuss an exchange. Washington suggested that the meeting take place on 10 March 1778 in or near Germantown, Pennsylvania.<sup>8</sup> Washington's letter implied that he hoped the proposed conference would not only produce an exchange of captives but that it would also develop a broader policy of exchange whereby prisoners might be more easily repatriated in the future. In other words, Washington was hinting at a formal agreement of one kind or another above and beyond the partial exchange policy of the past. General Washington was obviously trying to capitalize on the changed circumstances of the war and endeavoring to alter the whole concept of the exchange of prisoners of war. He was seeking a "cartel." A cartel, as the term was then used, meant a formal commitment bordering on, if not actually, a treaty between the two adversaries. As innocuous as his letter might first appear, Washington sought a dramatic shift in the

6. William Howe to George Washington, 5 February 1778, BHQP, Reel 3A, Document 929.

7. George Washington to William Howe, 10 February 1778, Washington Papers, microfilm copy, Library of Congress, Washington, D.C., Reel 47. Cited hereafter as WP.

8. Ibid. Harry M. and Margaret B. Tinkcom and Grant Miles Simon, *Historic Germantown, From the Founding to the Early Part of the Nineteenth Century* (Philadelphia, 1955), p. 24.

prisoner of war issue. On 14 February 1778, Howe wrote to Washington and consented to a meeting at Germantown on 10 March 1778.<sup>9</sup> Howe did not commit himself on the matter of a formal agreement, but he was obviously in favor of an immediate repatriation of captives. General Howe did not directly reject the idea of a cartel, but only a meeting of the commissioners could determine whether such an agreement was possible.

Upon learning that Washington and Howe had agreed to have their representatives meet in Germantown, Congress began to review the situation.<sup>10</sup> On 26 February 1778, Congress passed a resolution which was to cause Washington some embarrassment.<sup>11</sup> The new resolution pointed out that the previous December Congress decided that all the money advanced by the several states to care for enemy prisoners of war had to be paid in full by the British before there was to be an exchange of captives. On the same day, the Congress ordered that express riders be sent to the various states to gather the accounts due and that they be delivered to General Washington so he could forward them to Howe and demand payment prior to the Germantown meeting.<sup>12</sup>

Rather abruptly, Congress inserted itself into the question and appeared bent upon altering Washington's plans. Evidently, Washington had chosen to ignore the December resolution and elected to proceed on the terms of the earlier resolution enacted by Congress in August 1777. Now he was caught in a dilemma. He had arranged the conference with Howe's deputies setting no preconditions of any sort, and Congress, his superior, had just established some terms to be fulfilled before the Germantown meeting could convene. A tense situation between Washington and the Congress began to develop.

Washington acted to avert a deadlock between himself and the Congress by addressing a lengthy letter to its president. In his communication, which was couched in forceful but polite language, Washington asserted that the negotiations with the British must soon begin.<sup>13</sup> He pointed out that he believed himself to be governed

9. William Howe to George Washington, 14 February 1778, WP, Reel 47.

10. JCC, 10: 194.

11. *Ibid.*, pp. 197-198.

12. *Ibid.*, 9: 1037.

13. George Washington to President of Congress, 28 March 1778, John C. Fitzpatrick, ed., *The Writings of George Washington* (Washington, D.C., 1931-1944), 11: 37-45. Cited hereafter as Fitzpatrick, *Writings of Washington*.

by the August 1777 resolution of Congress and that any further delay would work great hardship on American captives. Furthermore, Washington stated that if an exchange was put off it would encourage American captives to enlist in the British army to escape the loathsome conditions of the enemy prisons, and a delay might also have a detrimental effect upon current efforts to recruit manpower for the Continental Army.<sup>14</sup> Washington's letter was explicit, and it left little doubt that he was both concerned and upset over the actions the Congress had recently taken. Moreover, the General also indicated he believed that the precipitate action of Congress had put his honor in jeopardy since he arranged the Germantown meeting with no prerequisites of any sort. Washington was distressed, and anyone who read his letter could not misinterpret his meaning or tone.

Congress decided to act. It dispatched the Committee on Conference, chaired by Francis Dana, to Valley Forge to consult directly with Washington.<sup>15</sup> On Sunday, 8 March 1778, the committee met with Washington and his staff and they reviewed the situation.<sup>16</sup> The committee explained the views of Congress regarding the payment of debts prior to an exchange of prisoners, and Washington remained firm in his belief that the issue of debts should presently be set aside. No accord was reached at the meeting and the committee finally left the Valley Forge encampment visibly annoyed by Washington's inflexibility.<sup>17</sup>

Not knowing what Congress would eventually decide to do and faced with a meeting at Germantown one day hence, Washington composed another letter to Howe on 9 March 1778, and requested the conference be postponed until 30 March 1778. His letter offered no explanation about the delay; he simply wrote, "Particular circumstances make it inconvenient for my Commissioners to meet yours at the time appointed."<sup>18</sup> Howe responded the next day

14. *Ibid.*

15. Edmund C. Burnett, ed., *Letters of the Members of the Continental Congress* (Washington, D.C., 1921-1938), 3: 61, 115. Cited hereafter as Burnett, *Letters of Members of Congress*. Elias Boudinot, *Journal or Historical Recollections of Events During the Revolutionary War* (Philadelphia, 1894), pp. 43-44. Cited hereafter as Boudinot, *Journal*.

16. Burnett, *Letters of Members of Congress*, 3: 61, 111. Charles H. Metzger, *The Prisoner in the American Revolution* (Chicago, 1971), pp. 229-230.

17. Boudinot, *Journal*, pp. 43-44. The Committee on Conference to George Washington, 9 March 1778, Burnett, *Letters of Members of Congress*, 3: 115-120.

18. George Washington to William Howe, 9 March 1778, BHQP, Reel 4, Document 1007.

and consented to a meeting on 30 March.<sup>19</sup> In his prompt reply to Washington's letter, General Howe declared that the sudden appeal for a postponement left him a bit puzzled, but he would honor the request. General Howe, it should be noted in passing, usually proved to be a reasonable man with whom to deal.

Washington, once he had gained a postponement of the conference, moved to reassure the Congress that the proposed Germantown meeting would not be inimical to the interest of America. He wrote the Congress that every "precaution will certainly be used to prevent the Enemy gaining any advantage in the exchange of prisoners."<sup>20</sup> He also reiterated his belief that the negotiations must soon commence or serious consequences would surely arise from continued procrastination. Congress reviewed the report submitted to it by the Committee on Conference, studied General Washington's several letters on the subject of an exchange, and voted on 18 March to permit Washington to proceed in attempting to conclude a general cartel without waiting for settlement of the financial accounts arising from American expenses incurred while caring for British captives.<sup>21</sup> Washington finally got what he wanted. He now could negotiate with Howe using the August 1777 resolution of Congress.

On 22 March Washington contacted Howe and informed him that he intended to send Colonel William Grayson and Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot to represent him in the conference.<sup>22</sup> Five days later, on 27 March, Howe replied to Washington and officially designated Colonels Charles O'Hara and Humphrey Stephens, and Captain Richard Fitzpatrick as his spokesmen.<sup>23</sup> Howe also suggested that he and Washington declare Germantown a neutral town and that no troops, except a military escort of fourteen men for each delegation, be permitted to enter the area so long as the commissioners deliberated. Washington promptly assented to the proposal.<sup>24</sup>

19. William Howe to George Washington, 10 March 1778, *Ibid.*, Document 1008.

20. George Washington to President of Congress, 12 March 1778, Fitzpatrick, *Writings of Washington*, 11: 73.

21. JCC 10: 266. PCC, Roll 72, Item 59, 1-2: 52. Boudinot, *Journal*, p. 44.

22. George Washington to William Howe, 22 March 1778, Fitzpatrick, *Writings of Washington*, 11: 129-131. F. B. Heitman, ed., *Historical Register of Officers of the Continental Army During the Revolution* (Washington, D.C., 1892), pp. 111, 259, 269, 277.

23. William Howe to George Washington, 27 March 1778, BHQP, Reel 4, Document 1051.

24. *Ibid.* George Washington to William Howe, 29 March 1778, WP, Reel 48.

So by 29 March the necessary arrangements for the Germantown conference—which had now been shifted to 31 March—were set.<sup>25</sup> The Americans expected to debate the possibility of a cartel with Howe's representatives, and Grayson, Harrison, Hamilton, and Boudinot busily prepared themselves for the meeting. All four American officers were located at Valley Forge and they were prepared to journey to Germantown to be on hand by 11:00 A.M. on 31 March to begin the session.

On 30 March 1778, the day before the scheduled Germantown meeting, Congress again entered the picture.<sup>26</sup> It produced a compact but stringent resolution setting new conditions it expected to be satisfied prior to any general exchange. These included the repatriation of General Charles Lee and Lieutenant Colonel Ethan Allen, both of whom presently were captives, a promise from British military authorities to cease arbitrary arrests of American civilians, and the requirement that Washington personally approve all clauses of a cartel before it became official.<sup>27</sup>

By the time the new resolution reached Washington, the American commissioners had left Valley Forge for Germantown. So on 1 April Washington dispatched a letter to his delegates and enclosed a copy of the resolution.<sup>28</sup> He informed Grayson, Harrison, Hamilton, and Boudinot that they were to observe all sections of the resolution, but that he had complete confidence in them. They were to proceed to negotiate for a cartel.<sup>29</sup>

As it turned out the new resolution had no direct impact on the Germantown meeting. The American commissioners departed Valley Forge on the morning of 31 March and arrived in Germantown at 11:00 A.M. for the initial session.<sup>30</sup> The two groups of

25. During the move to reschedule the Germantown conference, Washington and Howe changed the date from 30 March to 31 March 1778, William Howe to George Washington, 27 March 1778, BHQP, Reel 4, Document 1051.

26. JCC, 10: 295. Charles Thomson to Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot, 30 March 1778, Harold C. Syrett and Jacob E. Cooke eds., *The Papers of Alexander Hamilton* (New York, 1961-), 1: 447-448. Cited hereafter as Syrett and Cooke, *Papers of Hamilton*.

27. *Ibid.*

28. George Washington to Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, and Alexander Hamilton, and Elias Boudinot, 1 April 1778, *ibid.*, p. 449.

29. *Ibid.* Also see *The Pennsylvania Gazette*, 2 May 1778.

30. "Colonel Elias Boudinot's Notes of Two Conferences Held by the British and American Commissioners To Settle a General Cartel For the Exchange of Prisoners of War, 1778," *The Pennsylvania Magazine of History and Biography*, 24 (1900): 291. Cited hereafter as "Boudinot's Notes."



commissioners examined each other's instructions, exchanged rough drafts of their respective plans for prisoner repatriation, and adjourned until 10:00 A.M. the next day.<sup>31</sup> At the close of the meeting the British delegation asked that the Americans indulge them by permitting them to return to Philadelphia for a social event that evening and the Americans consented.<sup>32</sup> The Americans spent the night at Germantown preparing for the meeting scheduled the next day while O'Hara, Stephens, and Fitzpatrick spent the night pleasantly in Philadelphia.

The next morning, 1 April 1778, the Americans, who had to wait an extra hour for their counterparts to appear, took the offensive.<sup>33</sup> As of yet the Americans had not learned of the current demands of the Congress on the British and contented themselves to discuss procedural matters. The Americans expressed their concern that the British envisaged the purpose of the meeting to be the arrangement of another partial exchange rather than a long standing commitment for the future. They indicated they believed that General Howe was an honorable man but that they had been sent to Germantown to negotiate a cartel, not another partial exchange. Grayson, Harrison, Hamilton, and Boudinot meticulously pointed out that they desired an exchange backed by the word of the British government and not a pledge by Howe.<sup>34</sup> To complicate matters more, the British officers, freshly returned from Philadelphia, then informed the Americans that General Howe had not intended for the Americans to quarter in Germantown during the meetings.<sup>35</sup> Evidently the American Commissioners were taken aback by Howe's position and, upon confirming their suspicion that he only wanted an exchange secured by his word, the Americans withdrew from the meeting and returned to Valley Forge.<sup>36</sup> The demands of the Con-

31. *Ibid.*, pp. 292-293.

32. Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot to George Washington, 4 April 1778, Syrett and Cooke, *Papers of Hamilton*, 1: 454.

33. "Boudinot's Notes," pp. 292-293.

34. *Ibid.* Colonel William Grayson, and Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot to George Washington, 4 April 1778, *The Pennsylvania Gazette*, 2 May 1778.

35. "Boudinot's Notes," pp. 292-293. Boudinot, *Journal*, p. 44.

36. *Ibid.* Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot to Colonels Charles O'Hara and Humphrey Stephens, and Captain Richard Fitzpatrick, 2 April 1778, Syrett and Cooke, *Papers of Hamilton*, 1: 451. Douglas S. Freeman, *George Washington, A Biography* (New York, 1951), 4: 623.

gress put forward in the resolution of 30 March 1778, never came up in the brief and unproductive Germantown meeting.

General Howe, once he learned that the Germantown meeting had faltered, initiated contact with Washington to explore the possibility of another conference of the commissioners. On 3 April 1778, Howe wrote Washington and expressed his dismay over the failure of the abortive meeting and stated that he had never expected Germantown to be the permanent site for the negotiations. He had, he told Washington, assumed that the commissioners would choose another more appropriate location to carry on their discussions and that he meant no affront by insisting the Americans seek quarters outside Germantown.<sup>37</sup> Howe proceeded then to suggest that another site for a second meeting farther from his main garrison in Philadelphia be selected, and he indicated the villages of Burlington, Bristol, or Chester might suffice.<sup>38</sup> Howe's 3 April letter was apologetic, and it also conveyed the idea that he wished to exchange captives. Washington, who was equally anxious to arrange a general exchange of prisoners, replied to Howe's letter and agreed to another meeting. Washington proposed that the commissioners assemble in Newton, Pennsylvania, on 6 April 1778, to renew the talks.<sup>39</sup> Washington's response set another conference into motion.

On the same day, 4 April, that the Newton conference was arranged, Washington notified both the Continental Congress and his commissioners that he had reopened the effort to secure a cartel. In his letter to Congress, Washington noted there was nothing to fear about his commissioners giving any advantage to the enemy in negotiating an exchange. Furthermore, Washington wrote, General Charles Lee was soon to be offered for exchange and all the provisions of the 30 March resolution of the Congress were about to be fulfilled or they could be raised at the bargaining table at Newton.<sup>40</sup> After serving notice to the Congress

37. William Howe to George Washington, 3 April 1778, WP, Reel 48.

38. Ibid.

39. George Washington to William Howe, 4 April 1778, Fitzpatrick, *Writings of Washington*, 11: 213–215. A. Howry Espenshade, *Pennsylvania Place Names* (Detroit, 1969), p. 37.

40. George Washington to President of Congress, 4 April 1778, Fitzpatrick, *Writings of Washington*, 11: 216–219. Ethan Allen, who was not mentioned in Washington's letter to Congress, was exchanged in May 1778. See Ethan Allen, *Allen's Captivity, being a Narrative of Colonel Ethan Allen* (Boston, 1845), p. 124. Charles Lee was in the process

about the impending meeting, Washington dispatched orders to Grayson, Harrison, Hamilton, and Boudinot directing them to travel to Newton to consult with the British commissioners on 6 April.<sup>41</sup>

On the appointed day the American delegation left Valley Forge and arrived in Newton as 6:00 P.M. finding that their British counterparts had just entered the village ahead of them.<sup>42</sup> The reunion was cordial, and upon learning that the British officers had left Philadelphia for Newton in such great haste that they had no provisions with them, the Americans invited O'Hara, Stephens, and Fitzpatrick to join them for dinner. Boudinot later recorded that, while the British officers had no food supplies with them, O'Hara and his comrades did supply the liquor for the evening meal.<sup>43</sup> No official business was transacted that night, but the commissioners apparently enjoyed a friendly and relaxed evening together.

Early the next morning the commissioners gathered in the Red Lion Inn owned by Amos Strickland and the first formal conversation began.<sup>44</sup> Grayson, Harrison, Hamilton, and Boudinot wasted no time. They immediately queried the British delegation as to what authority they proposed to base an exchange upon.<sup>45</sup> The Americans hastily pointed out that they had not come to Newton to discuss another partial exchange. Instead, they asserted their readiness to negotiate a cartel backed by the full force of the governments of Great Britain and the United States.<sup>46</sup> The next day, 8 April, the British commissioners replied to the Americans on this point and their response was not encouraging. O'Hara, Stephens, and Fitzpatrick stressed the point that they had been sent to Newton to discuss a partial exchange and nothing more. Nevertheless, the

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of being exchanged at the time Washington sought to arrange the Newton meeting. See Boudinot, *Journal*, pp. 76-79. Also see George Washington Lafayette, ed., *Memoirs, Correspondence and Manuscripts of General Lafayette* (London, 1837), pp. 48-49.

41. George Washington to Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot, 4 April 1778, WP, Reel 48. Also see "Boudinot's Notes," p. 294.

42. "Boudinot's Notes," p. 294.

43. *Ibid.*

44. *Ibid.*, pp. 294-295. Samuel G. Smyth, "Revolutionary Events about Newton," *Bucks County Historical Society*, 3 (1909): 193.

45. "Boudinot's Notes," pp. 294-295.

46. *Ibid.*, p. 295.

British officers voiced their deep concern over the apparent stalemate and O'Hara and Fitzpatrick indicated they were leaving for Philadelphia to consult directly with General Howe to learn if they were absolutely bound to discuss only a partial exchange.<sup>47</sup>

Shortly after the meeting recessed, O'Hara and Stephens left for Philadelphia and did not return to Newton until late in the afternoon the following day.<sup>48</sup> The next morning, 10 April, the commissioners gathered to hear what O'Hara and Stephens had to report. The news was bad. No concessions were to be made to the Americans and only a partial exchange was possible. The Americans did not conceal their irritation over this turn of events, and withdrew from the meeting to consult among themselves.<sup>49</sup>

What the American and British commissioners did not know at this juncture was that General Howe learned on 9 April, the day O'Hara and Stephens met with him, that he was soon to be relieved of command in America.<sup>50</sup> With a change of command in the offing, all Howe wanted was an exchange of prisoners based on his personal word as it had always been done in the past. Howe had no taste for a more complicated question at this point. He wanted to leave America after freeing as many of his men as possible and let his successor wrestle with the question of a cartel.

After the Americans withdrew from the 10 April session, they returned to their quarters and composed a note to O'Hara and his fellow commissioners in which they stated there was no reason to continue the negotiations. So far as the Americans were concerned, the Newton conference was deadlocked, and all that remained for the two groups to do was for them to meet on 11 April and exchange final statements before returning to their respective posts.<sup>51</sup> Grayson, Harrison, Hamilton, and Boudinot had had enough. They were ready to terminate the conference.

47. Ibid. Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, and Alexander Hamilton, and Elias Boudinot to George Washington, 15 April 1778, Syrett and Cooke, *Papers of Hamilton*, 1: 475-478.

48. Ibid.

49. Boudinot, *Journal*, pp. 48-49. For a copy of the treaty the Americans had hoped to implement see Elias Boudinot Papers, The Historical Society of Pennsylvania, Philadelphia, Pennsylvania, April 1778, pp. 110-114.

50. Ira Gruber, *The Howe Brothers and the American Revolution* (New York, 1972), p. 294.

51. Colonel William Grayson, and Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot to Colonels Charles O'Hara and Humphrey Stephens, and Captain Richard Fitzpatrick, 10 April 1778, *The Pennsylvania Gazette*, 2 May 1778. Also see Syrett and Cooke, *Papers of Hamilton*, 1: 458-460.

O'Hara, Stephens, and Fitzpatrick countered the American note and declared they saw no obstacle to a cartel based upon the word and honor of Washington and Howe.<sup>52</sup> Although the British officers tried to present an optimistic front, they knew the Newton conference had collapsed without accomplishing an exchange of any sort.

On 11 April the two groups of commissioners met for the last time. They exchanged final statements and the atmosphere of the session was relaxed.<sup>53</sup> Then, late that afternoon, they parted company.

Partial exchanges of captives continued until the end of the war. Great Britain never concluded a general cartel with the United States of America until the Treaty of Paris of 1783 which ended the American Revolution and provided for the repatriation of all captives. Nevertheless, the Germantown and Newton conferences proved useful in that they sponsored a dialogue on the question of prisoners of war. And, when it came time for subsequent partial exchanges, both sides understood the complexities of the issue better than they would have without the face-to-face meetings in Pennsylvania in 1778.

52. Colonels Charles O'Hara and Humphrey Stevens, and Captain Richard Fitzpatrick to Colonel William Grayson, and Lieutenant Colonels Robert Hanson Harrison, Alexander Hamilton, and Elias Boudinot, 11 April 1778, BHQP, Reel 4, Document 1086.

53. Colonels Charles O'Hara and Humphrey Stephens, and Captain Richard Fitzpatrick to William Howe, 11 April 1778, *ibid.*, Document 1084. Colonel William Grayson, Lieutenant Colonels Robert Hanson Harrison, and Alexander Hamilton, and Elias Boudinot to Colonels Charles O'Hara and Humphrey Stephens, and Captain Richard Fitzpatrick, 11 April 1778, Syrett and Cooke, *Papers of Hamilton*, 1: 474. "Boudinot's Notes," pp. 296-297.