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Revolution, Vol. 01

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*** START OF THE PROJECT GUTENBERG EBOOK THE DIPLOMATIC CORRESPONDENCE OF
THE AMERICAN REVOLUTION, VOL. 01 ***

THE
DIPLOMATIC CORRESPONDENCE
OF THE
AMERICAN REVOLUTION.

BEING

THE LETTERS OF BENJAMIN FRANKLIN, SILAS DEANE,
JOHN ADAMS, JOHN JAY, ARTHUR LEE, WILLIAM LEE,
RALPH IZARD, FRANCIS DANA, WILLIAM CARMICHAEL,
HENRY LAURENS, JOHN LAURENS, M. DUMAS, AND
OTHERS, CONCERNING THE FOREIGN RELATIONS OF
THE UNITED STATES DURING THE WHOLE
REVOLUTION,

TOGETHER WITH

THE LETTERS IN REPLY FROM THE SECRET
COMMITTEE OF CONGRESS, AND THE SECRETARY OF
FOREIGN AFFAIRS.

ALSO,

THE ENTIRE CORRESPONDENCE OF THE FRENCH
MINISTERS, GERARD AND LUZERNE WITH CONGRESS.

Published under the Direction of the President of the
United States, from the original Manuscripts of the
Department of State, conformably to a Resolution of
Congress, of March 27th, 1818.

EDITED

BY JARED SPARKS.

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VOL. I.

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1829.

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Resolution of Congress of March 27th, 1818.

Resolution directing the Publication and Distribution of the Journal and Proceedings of the Convention, which formed the present Constitution of the United States.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, that the Journal of the Convention, which formed the present Constitution of the United States, now remaining in the office of the Secretary of State, and all acts and Proceedings of that Convention, which are in possession of the Government of the United States, be published under the direction of the President of the United States, together with the Secret Journals of the Acts and Proceedings, and the Foreign Correspondence of the Congress of the United States, from the first meeting thereof, down to the date of the ratification of the definitive treaty of peace, between Great Britain and the United States, in the year seventeen hundred and eightythree, except such parts of the said foreign correspondence, as the President of the United States may deem it improper at this time to publish. And that one thousand copies thereof be printed, of which one copy shall be furnished to each member of the present Congress, and the residue shall remain subject to the future disposition of Congress.

[Approved March 27th, 1818.]

ADVERTISEMENT.

The Correspondence between the old Congress and the American Agents, Commissioners, and Ministers in foreign countries, was secret and confidential during the whole revolution. The letters, as they arrived, were read in Congress, and referred to the standing Committee of Foreign Affairs, accompanied with requisite instructions, when necessary, as to the nature and substance of the replies. The papers embracing this correspondence, which swelled to a considerable mass before the end of the revolution, were removed to the department of State after the formation of the new government, where they have remained ever since, accessible to

such persons as have wished to consult them for particular purposes, but never before published. In compliance with the resolution of Congress, of March 27th, 1818, they are now laid before the public, under the direction of the President of the United States.

On the 29th of November, 1775, a Committee of five was appointed to correspond with the friends of America in other countries. It seems to have been the specific object of this Committee, to gain information in regard to the public feeling in Great Britain towards the Colonies, and also the degree of interest which was likely to be taken by other European powers in the contest, then beginning to grow warm on this side of the Atlantic. Certain commercial designs came also under its cognizance, such as procuring ammunition, arms, soldiers' clothing, and other military stores from abroad. A secret correspondence was immediately opened with Arthur Lee in London, chiefly with the view of procuring intelligence. Early in the next year, Silas Deane was sent to France by the Committee, with instructions to act as a commercial or political agent for the American Colonies, as circumstances might dictate. This Committee was denominated the *Committee of Secret Correspondence*, and continued in operation till April 17th, 1777, when the name was changed to that of the *Committee of Foreign Affairs*. The duties and objects of the Committee appear to have remained as before, notwithstanding the change of name.

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In the first years of the war, it was customary for the Commissioners and Ministers abroad to address their letters to the Committee, or to the President of Congress. In either case the letters were read in Congress, and answered only by the Committee, this body being the organ of all communications from Congress on foreign affairs. The proceedings of Congress in relation to these topics were recorded in a journal, kept separately from that in which the records of other transactions were entered, and called the *Secret Journal*. This Journal has recently been published, in conformity with the same resolution of Congress, which directed the publication of the foreign correspondence.

Robert R. Livingston was chosen Secretary of Foreign Affairs on the 10th of August, 1781, when the Committee was dissolved, and the foreign correspondence from that time went through the hands of the Secretary. As the responsibility thus devolved on a single individual, instead of being divided among several, the business of the department was afterwards executed with much more promptness and efficiency.

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The plan adopted, in arranging the papers for publication, has been to bring together those of each Commissioner, or Minister, in strict chronological order. As there is much looseness, and sometimes confusion in their arrangement as preserved in the Department of State, this plan has not always been easy to execute. The advantage of such a method, however, is so great, the facility it affords for a ready reference and consultation is so desirable, and the chain of events is thereby exhibited in a manner so much more connected and satisfactory, that no pains have been spared to bring every letter and document into its place in the exact order of its date. Thus, the correspondence of each Commissioner, or Minister, presents a continuous history of the acts in which he was concerned, and of the events to which he alludes.

It will be seen, that letters are occasionally missing. These are not to be found in the archives of the government. The loss may be accounted for in several ways. In the first place, the modes of conveyance were precarious, and failures were frequent and unavoidable. The despatches were sometimes intrusted to the captains of such American vessels, merchantmen or privateers, as happened to be in port, and sometimes forwarded by regular express packets, but in both cases they were subject to be captured. Moreover, the despatches were ordered to be thrown overboard if the vessel conveying them should be pursued by an enemy, or exposed to the hazard of being taken. It thus happened, that many letters never arrived at their destination, although duplicates and triplicates were sent. Again, the Committee had no Secretary to take charge of the papers, and no regular place of deposit; the members themselves were perpetually changing, and each had equal access to the papers, and was equally responsible for their safe keeping. They were often in the hands of the Secretary of Congress, and of other members who wished to consult them. Nor does it appear, that copies were methodically taken till after the war. In such a state of things, many letters must necessarily have been withdrawn and lost. When Mr Jay became Secretary of Foreign Affairs, in the year 1784, that office had been made the place of deposit for all the foreign correspondence which then remained. Under his direction, a large portion of it was copied into volumes, apparently with much care, both in regard to the search after papers, and the accuracy of the transcribers. These volumes are still retained in the archives of the Department of State, together with such originals as have escaped the perils of accident, and the negligence of their early keepers.

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The letters of the Committee of Congress to the agents abroad were few, scanty, and meagre. This may be ascribed to two causes. First, there was really very little to communicate, which was not known through the public papers; and, secondly, it was not made the duty of any particular member of the Committee to write letters. Hence the agents frequently complained, that their despatches were not answered, and that they were embarrassed for want of intelligence. When Mr Livingston came into the office of Foreign Affairs, a salutary change took place in this respect. His letters are numerous, full, and instructive.

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In preparing the papers for the press, according to the spirit of the resolution of Congress, the first rule has been to print such matter only as possesses some value, either as containing historical facts, or illustrating traits of character, or developing the causes of prominent events. In such a mass of materials, so varied in their character and in the topics upon which they treat,

it has not always been easy to discriminate with precision in regard to these points. The editor can only say, that he has exercised his best judgment to accomplish the end proposed. His task has been rendered still more perplexing, from the disputes, and even quarrels, which existed between the early American Commissioners, and with the effects of which a large portion of their correspondence is tinged. No worthy purpose can be answered by reviving the remembrance of these contentions at the present day; but, at the same time, such particulars ought to be retained, as will exhibit in their proper light the characters of the persons concerned, and show how far their altercations operated to the public good or injury. This line has been pursued as far as practicable, and those parts of the correspondence chiefly marked with personalities, and touching little on public interests, have been omitted, as neither suited to the dignity of the subject, nor to the design of this publication.

On perusing these volumes, it may at first seem extraordinary, that so large a collection of letters, written by different persons at different times, embracing topics of great moment, and assuming the character of secret and confidential despatches, should be so generally well fitted to meet the public eye. But it must be kept in mind, that the writers knew their letters would be read in open Congress, which was much the same as publishing them, and under this impression they were doubtless prompted to study circumspection, both in matter and manner.

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Justice to himself requires the editor to observe, that he has not felt at liberty, in accordance with the express terms of the resolution of Congress, to add anything to the original papers by way of commentary or illustration. The few notes, which he has subjoined, are intended mainly to assist the reader in referring to collateral topics in different parts of the work. When it is considered under what circumstances and with what aims these letters were written, it will be obvious, that time and succeeding events must have detected occasional misapprehensions and errors of statement in the writers, as well as the fallacy of some of their conjectures and speculations. They were called upon to grapple with the politics of Europe, and to discourse on a theme and execute a task, that would have been of no easy accomplishment in the hands of the veteran diplomatists of the old world. The editor's researches in the public offices of England and France, with particular reference to the early diplomatic relations between those countries and the United States, have put in his possession a body of facts on the subjects discussed in these papers, which might have been used to advantage in supplying corrections and explanations; but, for the reason above mentioned, he has not deemed himself authorised to assume such a duty. He is not without the expectation, however, that the public will hereafter be made acquainted with the results of his inquiries in some other form.

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NOTE.—The French money, so often mentioned in this and the succeeding volumes, is reckoned in livres, sols, and deniers. Thus, 85,706*l.* 16*s.* 3*d.* or, 85,706. 16. 3. indicates 85,706 livres, 16 sols, 3 deniers. In reducing this money to American currency, five livres and eight sols were allowed to the dollar.

THE

[Pg 1]

CORRESPONDENCE

OF

SILAS DEANE,

COMMISSIONER FROM THE UNITED STATES

TO THE COURT OF FRANCE.

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Silas Deane was born in the town of Groton, Connecticut, and graduated at Yale College in 1758. He was a member from his native colony of the first Congress that met in Philadelphia. Early in the year 1776 the Committee of Secret Correspondence commissioned him to go to France, as a political and commercial agent. He was instructed to ascertain the disposition of the French Court, in regard to the contest between Great Britain and the Colonies, and to procure if possible supplies of arms and military stores. Having arrived at Paris in June, he immediately applied himself to execute his instructions, and was successful in obtaining the main objects for which he was sent.

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In September three Commissioners were appointed by Congress to negotiate treaties with foreign powers, and particularly with the Court of France. The persons chosen were Dr Franklin, Silas Deane and Arthur Lee. They all met at Paris in December, and continued to procure supplies of money and arms for the United States; till at length they signed the treaties of alliance and commerce with France, February 6th, 1778. Meantime Deane had been recalled on the 21st of November preceding. Of this he received the intelligence in March following, and left Paris April 1st to join Count d'Estaing's fleet at Toulon, in which he came to America.

The account which he gave to Congress of his transactions abroad, was not satisfactory, and he was detained many months in Philadelphia soliciting opportunities to vindicate himself before Congress from what he deemed the unjust charges of his enemies; but the papers relating to his

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mercantile proceedings having been left in France, he was not able wholly to remove the unfavorable impression that existed against him. Congress, however, neither passed a vote of censure nor approbation of his conduct.

In the spring of 1780 he returned to France, where he remained more than a year in reduced circumstances, attempting to settle his accounts. He exhibited large claims against Congress, which do not appear to have been allowed. In March, 1782, he was living in Ghent. After the peace he went to England, where he died in August 1789.

THE

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CORRESPONDENCE

OF

SILAS DEANE.

FROM THE COMMITTEE OF SECRET CORRESPONDENCE TO SILAS DEANE. ^[1]

Philadelphia, March 3d, 1776.

On your arrival in France, you will for some time be engaged in the business of providing goods for the Indian trade. This will give good countenance to your appearing in the character of a merchant, which we wish you continually to retain among the French, in general, it being probable that the court of France may not like it should be known publicly, that any agent from the Colonies is in that country. When you come to Paris, by delivering Dr Franklin's letters to Monsieur Le Roy at the Louvre, and M. Dubourg, you will be introduced to a set of acquaintance, all friends to the Americans. By conversing with them, you will have a good opportunity of acquiring Parisian French, and you will find in M. Dubourg, a man prudent, faithful, secret, intelligent in affairs, and capable of giving you very sage advice.

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It is scarce necessary to pretend any other business at Paris, than the gratifying of that curiosity, which draws numbers thither yearly, merely to see so famous a city. With the assistance of Monsieur Dubourg, who understands English, you will be able to make immediate application to Monsieur de Vergennes, *Ministre des Affaires Etrangères*, either personally or by letter, if M. Dubourg adopts that method, acquainting him that you are in France upon business of the American Congress, in the character of a merchant, having something to communicate to him, that may be mutually beneficial to France and the North American Colonies; that you request an audience of him, and that he would be pleased to appoint the time and place. At this audience if agreed to, it may be well to show him first your letter of credence, and then acquaint him that the Congress, finding that in the common course of commerce, it was not practicable to furnish the continent of America with the quantity of arms and ammunition necessary for its defence, (the Ministry of Great Britain having been extremely industrious to prevent it,) you had been despatched by their authority to apply to some European power for a supply. That France had been pitched on for the first application, from an opinion, that if we should, as there is a great appearance we shall, come to a total separation from Great Britain, France would be looked upon as the power, whose friendship it would be fittest for us to obtain and cultivate. That the commercial advantages Britain had enjoyed with the Colonies, had contributed greatly to her late wealth, and importance. That it is likely great part of our commerce will naturally fall to the share of France; especially if she favors us in this application, as that will be a means of gaining and securing the friendship of the Colonies; and that as our trade was rapidly increasing with our increase of people, and in a greater proportion, her part of it will be extremely valuable. That the supply we at present want, is clothing and arms for twenty five thousand men with a suitable quantity of ammunition, and one hundred field pieces. That we mean to pay for the same by remittances to France or through Spain, Portugal, or the French Islands, as soon as our navigation can be protected by ourselves or friends; and that we besides want great quantities of linens and woollens, with other articles for the Indian trade, which you are now actually purchasing, and for which you ask no credit, and that the whole, if France should grant the other supplies, would make a cargo which it might be well to secure by a convoy of two or three ships of war.

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If you should find M. de Vergennes reserved, and not inclined to enter into free conversation with

you, it may be well to shorten your visit, request him to consider what you have proposed, acquaint him with your place of lodging, that you may yet stay sometime at Paris, and that knowing how precious his time is, you do not presume to ask another audience, but that if he should have any commands for you, you will upon the least notice immediately wait upon him. If, at a future conference he should be more free, and you find a disposition to favor the Colonies, it may be proper to acquaint him, that they must necessarily be anxious to know the disposition of France, on certain points, which, with his permission, you would mention, such as whether if the Colonies should be forced to form themselves into an independent state, France would probably acknowledge them as such, receive their ambassadors, enter into any treaty or alliance with them, for commerce or defence, or both? If so, on what principal conditions? Intimating that you shall speedily have an opportunity of sending to America, if you do not immediately return, and that he may be assured of your fidelity and secrecy in transmitting carefully any thing he would wish conveyed to the Congress on that subject. In subsequent conversations, you may, as you find it convenient, enlarge on these topics, that have been the subjects of our conferences, with you, to which you may occasionally add the well known substantial answers, we usually give to the several calumnies thrown out against us. If these supplies on the credit of the Congress should be refused, you are then to endeavor the obtaining a permission of purchasing those articles, or as much of them as you can find credit for. You will keep a daily journal of all your material transactions, and particularly of what passes in your conversation with great personages; and you will by every safe opportunity, furnish us with such information as may be important. When your business in France admits of it, it may be well to go into Holland, and visit our agent there, M. Dumas, conferring with him on subjects that may promote our interest, and on the means of communication.

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You will endeavor to procure a meeting with Mr Bancroft by writing a letter to him, under cover to Mr Griffiths at Turnham Green, near London, and desiring him to come over to you, in France or Holland, on the score of old acquaintance. From him you may obtain a good deal of information of what is now going forward in England, and settle a mode of continuing a correspondence. It may be well to remit him a small bill to defray his expenses in coming to you, and avoid all political matters in your letter to him. You will also endeavor to correspond with Mr Arthur Lee, agent of the Colonies in London. You will endeavor to obtain acquaintance with M. Garnier, late *Chargé des Affaires de France en Angleterre*, if now in France, or if returned to England, a correspondence with him, as a person extremely intelligent and friendly to our cause. From him, you may learn many particulars occasionally, that will be useful to us.

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B. FRANKLIN,
BENJ. HARRISON,
JOHN DICKINSON,
ROBERT MORRIS,
JOHN JAY.

FOOTNOTES:

- [1] On the 29th November, 1775 a committee was appointed by Congress, which was called the *Committee of Secret Correspondence*, and consisted of five persons. The first members chosen were Harrison, Franklin, Johnson, Dickinson and Jay. The purpose of the committee was to correspond with the friends of the Colonies in Great Britain, Ireland, and other parts of the world, and communicate their correspondence to Congress when required. Provision was made for defraying expenses, and paying such agents as the committee might send on this service. There was another standing *Secret Committee* of Congress, first instituted September 18th, 1775, and empowered to purchase arms, ammunition and military stores, and also to export various articles to meet the charges of such purchases abroad. But this committee had no connexion with that of secret correspondence. It was dissolved, July 5th, 1777, when the *Committee of Commerce* was appointed in its stead.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, August 18th, 1776.

I wrote you every material occurrence to the time of my leaving Bordeaux, and sent duplicates by Captains Palmer, Bunker, and Seaver, one of which you will undoubtedly have received, before this comes to hand. I left that city on the last of June, and arrived here the Saturday following, having carefully attended to every thing in the manufacturing or commercial towns in my way, which, indeed, are neither numerous nor of great consequence. I spent at Angouleme a day in viewing what, as to manufactures alone, deserves attention on the journey; the foundery for cannon, where the greatest part of those used in the kingdom are manufactured. The cannon are cast solid, after which they are put as in a turner's lathe, and bored out, and the outside smoothed and turned at pleasure; they can bore and complete a twelve pounder in one day in each lathe, which takes four men only to work; the workmen freely showed me every part of their furnace and foundery. On Monday after my arrival, I waited on my bankers, and found that Mr Bancroft had arrived the same day with me, Mr Thomas Morris and M. Venzonals about ten days

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before. I waited on M. Dubourg and delivered him Dr Franklin's letter, which gave the good gentleman the most sincere and real pleasure.

M. Penet, on his arrival in Paris, waited on M. Dubourg, showed him a copy of his contract with the committee of Congress, and told him he had letters from Dr Franklin to him, but had left them on the road, or at Rotterdam, through fear of a search; he told M. Dubourg, to whom he was a perfect stranger, so many particular circumstances, that he could not doubt of his sincerity, and in consequence he embarked in his affairs to a large amount. Five or six weeks have now passed without the arrival of the letters said to be left on the road. Arms, powder, &c. to a large sum were in readiness, when my arrival gave him confidence, that I would take the burden off him, as he doubted not that my credentials would be explicit. I saw immediately the arrangement of the whole, and that M. Penet had returned to France, (copy of the contract excepted,) almost as empty handed as he came to Philadelphia, yet had found means to collect a very considerable quantity of stores, part of which he had actually shipped. This circumstance gave me hopes, yet I found that it would now be expected I should become responsible for the articles, which embarrassed me much, since to detain them would be quite disagreeable, and to step out of my own line and involve myself with Messrs Plairne and Penet's contract, would be equally so.

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M. Penet had somehow got intelligence of my being in France, and that I was expected at Paris; he, therefore, waited for me, and I saw him the next day at my hotel, when he complained of want of remittances, and desired me to pledge my credit for the stores, which I waived in the best manner I could, for I saw the consequences might involve me in many difficulties and frustrate my greater designs. I, therefore, told him I would certify to the merchants, if necessary, that the Congress would pay for whatever stores they would credit them with, and in the mean time, advised him to proceed strictly agreeable to the letter of the contract, and I was positive that the Congress would fulfil their part of it. I finally satisfied both him and M. Dubourg, and he parted for Nantes to ship the goods the next day. I must do him the justice that is his due; he has been indefatigable in the business, his heart seems to be entirely in it, and I believe him honest, but his connexions either commercial or political are not, of themselves, equal to such an undertaking, but the cause he was employed in, had, in a great measure, I found, supplied this deficiency, which was to me a favorable appearance.

M. Dubourg told me that the ministers would not see me, as they meant to be quite secret in any countenance they gave the United Colonies, and that my arrival in France was already known in London, in consequence of which Lord Stormont arrived express but a few days before, and had applied to the court on the subject. I showed him my commission, and told him I was determined to apply; for every circumstance, in my opinion, was favorable instead of otherwise. On this he wrote a letter to Count de Vergennes, asking liberty to introduce me the Thursday following, on which day I went to Versailles, and though the letter had not been delivered to his excellency, yet he gave us immediate admission. Fortunately his chief secretary spoke English well, by which means I had an opportunity of conversing freely with him on the subject of my commission for two hours, and was attentively and favorably heard by him, and was asked many questions, which shows that the American disputes had been, and still were a principal object of attention. I pursued nearly the line marked out by my instructions, stating the importance of the American commerce and the advantages Great Britain had received from a monopoly of it. That all intercourse ceasing between the two countries the Colonies had considered where they might dispose of that produce, which they necessarily had so large a surplus of, and receive for their raw or first materials the various manufactures they wanted. That they first turned their eyes on France, as the best country in Europe for them to be connected with in commerce. That I was purchasing a large quantity of manufactures for which I expected to pay the money, and that I should want a quantity of military stores, for which remittances would be made. That I doubted not the Colonies had before this declared independency, and that I should soon receive instructions in consequence, more full and explicit; that in the mean time they were very anxious to know how such a declaration would be received by the powers in Europe, particularly by France, and whether, in such case, an ambassador would be received from them, &c.

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To which he replied, that the importance of the American commerce was well known, and that no country could so well supply the Colonies, and in return receive their produce as France; it was, therefore, the interest of both to have the most free and uninterrupted intercourse, for which reason the court had ordered their ports to be kept open, and equally free to America, as to Britain. That, considering the good understanding between the two courts of Versailles and London, they could not *openly* encourage the shipping of warlike stores, but no obstruction of any kind would be given; if there should, as the custom houses were not fully in their secrets in this matter, such obstructions should be removed, on the first application. That I must consider myself perfectly free to carry on any kind of commerce in the kingdom, which any subject of any other state in the world might, as the court had resolved their ports should be equally free to both parties. That I was under his immediate protection, and should I meet with any difficulty, either from their police, with the rules of which he supposed me unacquainted, or from any other quarter, I had but to apply to him and every thing should be settled. That as to independency, it was an event in the womb of time, and it would be highly improper for him to say any thing on that subject, until it had actually taken place; mean time he informed me, that the British ambassador knew of my arrival, and therefore advised me not to associate with Englishmen, more than I was from necessity obliged; as he doubted not I should have many spies on my conduct.

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I then told him the precautions I had taken and should persevere in, in coming from Bermuda, and that I did not mean in public to pass for other than a merchant from that island, on speculation, during the present cessation of commerce in America; but at the same time I told his excellency, that I was well assured it was known in London, that I was coming long before I arrived at Paris, and I doubted not, they conjectured my errand, but at the same time, I should take every precaution in my power; and most sincerely thanked him for his protection and assistance so generously offered, which he might depend I would never abuse. He was pleased with my having come by Bermuda, and passing as an inhabitant of that island, and said, if questioned, he should speak of me in that character. He then asked me many questions with respect to the Colonies, but what he seemed most to want to be assured of, was their ability to subsist without their fisheries, and under the interruption of their commerce. To this I replied, in this manner, that the fisheries were never carried on, but by a part of the Colonies, and by them, not so much as a means of subsistence, as of commerce. That the fishery failing, those formerly employed in them turned part to agriculture, and part to the army and navy. That our commerce must for sometime be in a great measure suspended, but that the greater part of our importations were far from being necessities of life, consequently we should not suffer under the want of them, whilst it was not wealth or luxuries that we were contending for. That our commerce ceasing, it would be out of the power of our enemies to support themselves on our plunder, and on the other hand, our ships, as privateers, might harrass their commerce, without a possibility of their retaliating. That I hoped to see a considerable marine force in the Colonies, and that, joined to the impossibility of Britain's guarding so extensive a coast, would preserve some of our commerce, until it should be thought an object deserving the protection of other powers.

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After many questions on this subject, he put this, in which I thought he seemed interested,—whether, if the Colonies declare an independency, they would not differ among themselves? To this I replied, that the greatest harmony had as yet subsisted, and I had no grounds to doubt it in future; that the common danger, which first drove them into measures, which must end in such a declaration, would subsist, and that alone was sufficient to ensure their union.

He then desired me to give his secretary my address, and said, though he should be glad to see me often, yet as matters were circumstanced, his house was too public a place, but that I might put the same confidence in his secretary as himself, to whom I might apply for advice and direction, but that whenever anything of importance occurred, I need but inform him, and he would see me; but on common occasions, I must address the secretary, which would be every way more convenient as he understood the English language well, and was a person in whom the greatest confidence could be placed. Having settled the mode of intercourse, I expressed the sense I had of his excellency's politeness, and the generous protection he had given me, and on parting said, if my commission or the mode of introducing the subject were out of the usual course, I must rely on his goodness to make allowances for a new formed people, in circumstances altogether unprecedented, and for their agent wholly unacquainted with courts. To which he replied, that the people and their cause were very respectable in the eyes of all disinterested persons, and that the interview had been agreeable.

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After this I returned to Paris with M. Dubourg, whose zeal for the American cause led him to draw the most favorable consequences from this beginning. The next day while from home I was informed that Count Laureguais had inquired out my lodgings, immediately after which he asked leave to go for England, which was refused him by the court. The same day I was informed that Sir Hans Stanley and Sir Charles Jenkinson, who I knew were at Bordeaux when I left it, were in France, for the sole purpose of inquiring what agents were here from the Colonies, and what commerce or other negotiation between them and the Colonies was carrying on. This alarmed my friends, and as I had agreed for other lodgings, to which I was next day to remove, M. Dubourg advised me to secrete both my lodgings and name. I told him that the Count Laureguais' conduct appeared mysterious, yet I could never think of keeping myself secret, for though I should not seek these gentlemen, nor throw myself purposely in their way, yet I must think it an ill compliment to count Vergennes, to suppose after what had passed, that I was not on as good and safe footing in France, as they or any other gentleman could be. However, his uneasiness made him write to the Count what he had advised, who returned for answer, that such a step was both unnecessary and impolitic, as it would only strengthen suspicions by giving every thing an air of mystery, while there was not the least occasion for it.

The next day I had a fresh conference with M. Dubourg, who brought me a number of memorials from officers and engineers offering their services in America; some of whom, I believe, deserve the utmost encouragement; but more of this hereafter. While I was casting in my mind, how best to improve the present favorable crisis for supplying the Colonies, Monsieur Beaumarchais made proposals for procuring whatever should be wanted, but in such a manner as was understood by M. Dubourg to amount to a monopoly, which indeed was not his only objection, for Monsieur Beaumarchais, though confessedly a man of abilities, had always been a man of pleasure and never of business; but as he was recommended by Count Vergennes, M. Dubourg could not avoid noticing him, but immediately expostulated with the Count in a letter, which brought on embarrassments no way favorable, and I saw that M. Dubourg was so far from sounding the views of his superior in this manœuvre, that he was, with the best intentions in the world, in danger of counteracting his own wishes, the extent of which were, to obtain the supplies of merchants and manufacturers on the credit of the Colonies, in which the strictest punctuality and most scrupulous exactness would be necessary, and which under the present difficulties of

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remittance, I feared would not be lived up to.

As I had learned, that in the late reform of the French army, they had shifted their arms for those of a lighter kind, the heavy ones, most of which were the same as new, to the amount of seventy or eighty thousands, lay useless in magazines, with other military stores, in some such proportion, I apprehended it no way impossible to come at a supply from hence, through the agency of some merchant, without the ministry being concerned in the matter. In such case the merchant would be accountable to the ministry, and the Colonies to the merchant, by which means a greater time of payment might be given, and more allowance in case of our being disappointed. With this in view I went to Versailles on Wednesday, the 17th, and waited on M. Gerard, first secretary of foreign affairs, and presented to him the enclosed memorial,^[2] which led to a very particular conversation on the affairs of America, and which I turned finally on this subject, to which he would not then give me any immediate answer, but promised me one in a day or two. Returning to town, I found Messrs Dubourg and Beaumarchais had a misunderstanding, the latter giving out that he could effect every thing we wished for, and the former, from the known circumstances of M. Beaumarchais, and his known carelessness in money matters, suspecting he could procure nothing, and the more so as he promised so largely. They parted much displeas'd with each other, and Mons. Beaumarchais went directly to Versailles. On M. Dubourg's coming and informing me what had passed, I immediately wrote to M. Gerard the enclosed letter,^[3] and in return was desired to come with M. Dubourg the next morning to Versailles.

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We went as desired, and after explaining many things to M. Gerard, had a conference with his excellency, from whom I had fresh assurances of the utmost freedom and protection in their ports and on their coasts; that in one word, I might rely on whatever Mons. Beaumarchais should engage in the commercial way of supplies, which, indeed, was all I wished for, as I was on the safe side of the question, viz. on the receiving part. I communicated to his excellency that clause of my instructions for procuring arms, &c. of which he asked a copy. I then informed him, that I considered the present as a most critical juncture of American affairs, that the campaign would undoubtedly be carried far into the winter, that supplies now shipped might arrive very seasonably in the fall to enable the Colonies to hold out the present campaign. He replied that no delay should be made by any obstruction of any officer, or others of the customs or police. He then told me that the Count Laureguais was, perhaps, a well meaning man, but not sufficiently discreet for such purposes as this; that Mr Lee, meaning Mr Arthur Lee of London, had confided, he feared, too much in him, and wished me to caution him on the subject, and that if I would write to him, he would enclose it in a letter of his, by a courier that evening. I most readily embraced this safe way of corresponding, and sent a letter I had before written, with an addition on this subject, a copy of which is enclosed. I have thus given you the heads of my negotiation to this time, July 20th, and will not take up your time in making remarks on it, and the prospect before me, which are obvious; but inform you of the plan I mean to pursue, in the execution of my commission, and hint some methods, by which I think I may be enabled to complete every part of it to your satisfaction, and the relief of my country, which is all my wish, and the extent of my most ambitious hopes. I go on the supposition of an actual unconditional independency, without which little can be effected publicly; with it, almost every thing we can wish for.

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It is by no means probable that Europe will long remain in a state of peace; the disputes between Portugal and Spain are on the point of producing an open rupture; the former relies on England; the latter will look to this kingdom, and has already applied to this Court on the subject. Nothing but the division of Poland has taken the king of Prussia's attention off from the injustice done him by Great Britain, at the close of the last war. He has now completed his part of that extraordinary work, and I am well informed, listens with pleasure to the dispute between the United Colonies and Great Britain. He is ambitious of becoming a maritime power, and is already in possession of the capital ports on the Baltic; but without commerce it is impossible to effect the design, and no commerce can put him so directly in the road as the American. The consumption of coffee, sugar, and other West India productions, increases fast in the north of Europe, and it must be his interest, at least, to supply his own dominions. In case of a war in Europe, France, Spain and Prussia might be brought into one interest, and the emperor of Germany is too closely connected with his majesty of France to take part against them, after which Great Britain, having her whole force employed in America, there could be nothing on the one hand to prevent Spain and France from reducing Portugal to a submission to the former, nor from Prussia and France subduing and incorporating into their own dominions Hanover, and the other little mercenary electorates, which lie between them, and which for several centuries have been one principal cause of every war that has happened in Europe.

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With respect to Russia, it is as closely allied to Prussia, as to Great Britain, and may be expected to be master in the contest. Denmark and Sweden are a balance for each other, and opposites. Not to enlarge on this plan at present, I have only to suggest, that an application to the king of Prussia will do no harm, and may be attended with good and great consequences; the Prussian ambassador at this court and at that of London may be sounded on the subject. But my powers and instructions are so limited, that I can by no means take such a step; yet when I see Great Britain exerting her whole force, and that of her allies, and courting every power in Europe to aid her, I can but wish she may be counteracted in her own system, and by having employ found for her in Europe, bring her to leave America in peace, and I think myself bound in duty to hint at what to me seems the most probable means. Dr Bancroft was full with me in this opinion. Mons. Chaumont, a very wealthy person, and intendant for providing clothes, &c. &c. for the French

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army, has offered me a credit on account of the Colonies, to the amount of one million of livres, which I have accepted. I have in treaty another credit, which joined to this will purchase the articles directed in my instructions; the credit will be until May next, before which I hope remittances will be made. I have purchased of said M. Chaumont a quantity of saltpetre at ten sous, or five and one fourth per cent, in order that Captain Morgan might not return empty.

As soon as I have given the orders for despatching him, and settled some other matters here, I design for Dunkirk to ship the Indian goods, which I hope may arrive in season for the winter supply, though I leave you to consider my situation with only about 6 or 7000 pounds to complete a contract of forty, and the bills for my private expenses being protested, obliged to support myself out of that capital, which I labor to do with all the economy in my power. Dr Bancroft is returned to London, and by him I wrote to Mons. Garnier, and agreed on a mode of correspondence. I think your remittances in armed vessels will be much the best method, and I have ordered Captain Morgan's sloop to be armed, and should she arrive safe, recommend him, as one I am confident will serve the Colonies with great zeal and fidelity; and I have had some experience of the goodness of his temper and his abilities. Mr Seymour, his mate, is also deserving of encouragement, as a good seaman and of undaunted resolution. I am not without hopes of obtaining liberty for the armed Vessels of the United Colonies to dispose of their prizes in the ports of this kingdom, and also for arming and fitting out vessels of war directly from hence, but I will not venture on this until I see what effect my last memoir may have; the substance of which is, to shew the danger to France and Spain, if they permit Great Britain to keep so enormous a force in America, and to recover the dominion of the Colonies; also how fully it is in their power to prevent it, and by that means deprive Great Britain of the principal source of her wealth and force, even without hazarding a war of any consequence in point of danger.

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This memoir, which takes several sheets, I am unable to send you a copy of, as I have no one to assist me, and must make out several copies for the persons to whom they are to be delivered. I was directed to apply for arms and clothes for 25,000 men, and for 100 field pieces, with ammunition and stores in proportion. This I wished to get of the ministry direct, but they evaded it, and I am now in treaty for procuring them, through the agency of Mons. Chaumont and Mons. Beaumarchais, on a credit of eight months, from the time of their delivery. If I effect this, as I undoubtedly shall, I must rely on the remittances being made this fall and winter without fail, or the credit of the Colonies must suffer. If I can get the arms out of the magazines, and the field pieces here, I hope for a much longer credit; but if we send to Sweden for the brass cannon, the credit will not be lengthened beyond that. Some new improvements have lately been made in this branch, consequently the cannon now manufactured will be preferable to those of former construction. Some engineers here assert, that iron is preferable to brass, that is, wrought iron, out of which the pieces may be made lighter, and to a better purpose. Considering the want of these pieces, and the plenty of iron in America, the experiment might, I think, be made without delay. I am still in hopes of procuring an admission of the article of tobacco directly from America, but the Farmers-General will not offer equivalent to the risk.

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Without intelligence from April to this time, leaves me quite uncertain and extremely anxious about the line of conduct now pursuing by Congress, and consequently I cannot, without further intelligence and instructions, proceed in my negotiation either with safety or honor. The resolution of Congress of the 15th of May, is not considered by the ministry as a declaration of independence, but only a previous step, and until this decisive step is taken, I can do little more to any purpose. This taken, I dare pledge myself, the United Colonies may obtain all the countenance and assistance they wish for, in the most open and public manner, and the most unlimited credit with the merchants of this kingdom; I must therefore urge this measure, if not already taken, and that the declaration be in the most full and explicit terms.

Merchants here would speculate deeply in the American trade, could they be insured at any premium within bounds. I wish to know if offices are already open, and I would suggest that if the Congress would take the insurance under their own direction, it would give it such a proportionably greater credit, that supplies would most certainly be obtained in plenty. I shall be able to procure a private interview with the Spanish Ambassador, and shall present him my memorial, and am in a train, which I think will carry it quite to the fountain head.

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Thus I have in a minute, possibly a tedious detail, mentioned every thing material on my mind, which has occurred since my arrival, and submit the whole to the wisdom and candor of the honorable Congress, observing that I had gone to the extent of my instructions, and though I have been successful beyond my expectations, yet I have but been laboring principally to set certain great wheels in motion, which still want something more decisive on my part, and I am confident of all that is wanting to set them so effectually moving, as to roll the burthen and calamities of war from our doors back with aggravated ruin on its authors, which, if I can be the means of effecting, the world may bestow the rest of its honors on whom it pleases; I shall be contented, the extent of my most ambitious hopes thus accomplished.

I have now to urge a survey with respect to the contents of this letter; more that is said in Congress transpires and crosses the Atlantic, than you conceive of; more than I can account for, without having uncharitable thoughts of individuals, still without fixing them on any one. I have written a short letter to Mr Jay on common affairs, and have enclosed one to Mons. Longueville, which I pray may be forwarded; the letter is from his friends here, who have heard of his being a prisoner somewhere in America. M. Dubourg has continued to render me every assistance in his power; to be particular would swell this letter beyond all bounds; his abilities and connexions are

of the first style in this kingdom, and his zeal for the cause of the United Colonies is to be described only by saying, that at times it is in danger of urging him beyond both; in short, I am every way deeply indebted to him, personally for bringing me acquainted with agreeable persons of rank and character, and on account of my honored constituents, for assisting me to make such a favorable beginning and progress in my business. I know not how affluent he may be, but as he has really for some time devoted himself to assist in this negotiation, I am confident something honorable will be thought of for him. I have complimented him by asking of him his portrait to be sent to his and my friends in America, in my private capacity, mentioning our mutual friend Dr Franklin. This I found so agreeable, that I am confident some such distinction would be more acceptable than more lucrative rewards. Dr B. took pains to collect all the political publications of the last year for me and brought them with him; he was at considerable expense in his journey; I sent him from Bordeaux a bill of £30, and paid his expenses in my lodgings here; at parting I desired him to keep an account, and when the money was expended to inform me. This gentleman is certainly capable of giving as good, if not the best intelligence of any man in Great Britain, as he is closely connected with the most respectable of the minority in both houses, not particularly obnoxious to the majority, and for his abilities, they are too well known to Dr Franklin to need any attempt to do them justice in a letter. I am with the highest esteem and respect for the honorable Congress and their Committee of Secret Correspondence, &c.

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SILAS DEANE.

August 1st.—Since writing the foregoing I have been at — and am of opinion, that a war between Portugal and Spain is at the door, and I have had an interview proposed with the ambassador of Portugal, who resides here on commercial affairs, which I have most readily embraced, and expect to see him again on Wednesday next, after which I will write you further; his proposals are merely commercial, as is his station, but something else may be investigated.

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August 2nd.—I should have sent this off earlier, but delayed on account of hearing something more directly; if I might depend on certain articles for which I was in treaty, I am now assured I may, and the whole will be ready to ship in all the month of October. My next labor will be to obtain a convoy, which I do not despair of, though it is a delicate question, and I have only sounded at a distance, yet I have no doubt of obtaining one, at least, off the coast of Europe, and the articles will be shipped as for the West India islands. I propose arming and well manning the vessels in which these articles shall be embarked, and I advise again the sending all remittances to Europe in armed vessels; the probability of meeting with English merchants is well worth the risk. I hope that it will be considered that 100 field pieces, and arms, clothing and accoutrements, with military stores for 25,000 men, is a large affair; and that although I am promised any credit, yet as they must be paid for, the sooner the better, if to be done without too great a risk.

A considerable part of these articles are now on hand, and orders are issued for the others by the contractors this day. I prefer Bordeaux to any other port for shipping them from, but the remittances must be made to several, on which I will give you my opinion in my next. A number of gentlemen of rank and fortune, who have seen service, and have good characters, are desirous of serving the United Colonies, and have applied; pray let me have orders on this subject; if it be politic to interest this kingdom in the present contest, what way so effectual as to get into their debt for supplies, and employ persons of good family and connexions in it, in our service? I have given encouragement, on which some are prepared to embark. One Mons. C. a celebrated engineer, who was chief in that way in the Turkish army, is returned, and is willing to go to America, but the ministry cannot as yet spare him, as certain regulations are making elsewhere; possibly he may go out sometime in the winter; he is a first character in his profession and otherwise. Indeed, this contention has set on foot such a spirit of inquiry in Europe into the state of America, that I am convinced that at the first close of this war, if, as I trust in God, it will close in our favor, there will be an inundation of inhabitants from this side of the globe. Many persons of capital fortunes have declared to me their resolution of moving to America, as soon as the liberties of America shall be established, and that many of their friends will accompany them.

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August 15th.—I received from a friend at Amsterdam, a letter informing me that he would be with me on the 20th, and as the vessel could not be sooner ready to sail, I determined not to risk this packet by a private hand, or by the public post; he is now arrived and takes charge of it in person. Were it possible, I would attempt to paint to you the heart rending anxiety I have suffered in this time, through a total want of intelligence; my arrival here, my name, my lodgings, and many other particulars have been reported to the British administration, on which they sent orders to the British ambassador to remonstrate in high terms, and to enforce their remonstrance, despatched Wedderburn from London, and lord Rochford from Holland, as a person of great interest and address here to counteract me. They have been some time here, and the city swarms with Englishmen, and as money purchases every thing in this country, I have had and still have a most difficult task to avoid their machinations. Not a coffee-house or theatre, or other place of public diversion, but swarms with their emissaries; but knowing the ministry are my friends, I attend these places as others, but cautiously avoid saying a word on American affairs any where, except in my own hotel or those of my intimate friends.

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I have seen many more of the persons in power in this time, and had long conversations with them; their intentions are good and they appear convinced, but there is wanting a great and daring genius at their head, which the Count Maurepas is very far from being; he has even imbibed a notion, that no assistance is necessary, as the Colonies are too powerful for Great

Britain. All eyes are turned on the Duc de Choiseul. I am convinced the moment he comes into office, an active, open, and — will be taken. I think he will be minister very soon; meantime I have nothing to complain of the —. Indeed they will not be altered if he takes the lead. I find M. Beaumarchais, as I before hinted, possesses the entire confidence of the ministry; he is a man of wit and genius, and a considerable writer on comic and political subjects; all my supplies are to come through his hands, which at first greatly discouraged my friends, knowing him to be a person of no interest with the merchants, but had I been as doubtful as they, I could not have stepped aside from the path so cordially marked out for me by those I depend on. Mr Coudray, the engineer I before hinted at, obtained liberty last week to go for America with as many engineers as he should choose, and was not only assured of M. Beaumarchais being able to procure the stores he had stipulated for, but received orders for them, and liberty to take 200 pieces of brass cannon, lest part might be intercepted. M. Coudray has the character of the first engineer in the kingdom, and his manners and disposition will, I am confident, be highly pleasing to you, as he is a plain, modest, active, sensible man, perfectly averse to frippery and parade. My friends here rejoice at the acquisition, and considering the character of the man, and at whose hands I in effect received him, I must congratulate you on it. Several young gentlemen of fortune, whose families are nearly connected with the Court, are preparing to embark for America, by each of whom I shall without disguise, write you the characters they sustain here; I have told them that merit is the sole object with the Congress. The bearer can give you some idea of the situation I am in, should this packet fail, and should he arrive with it he may explain some part of it. I am confident his attention to the affairs of America here will be considered by the Congress; I have found him in the mercantile way active and intelligent.

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Mr Carmichael is now with me from Maryland, and I find him a person of great merit. Respecting the Colonies he is recommended as such by — from whom he has received a letter but of no immediate importance; he proposes seeing me here this month. M. Dumas has written me two letters from the Hague, but so timid that he has not ventured to sign either, though he speaks in the highest terms of the American cause. The pamphlet called *Common Sense* has been translated, and has a greater run, if possible, here than in America. A person of distinction writing to his noble friend in office, has these words;—"Je pense comme vous, mon cher Compte, que le *Common Sense* est une excellente ouvrage, at que son auteur est un des plus grands legislateurs des millions d'ecrivains, que nous connoissons; il n'est pas douteux, que si les Americains suivent le beau plan, que leur compatriote leur a tracé, ils deviendront la nation la plus florissante et la plus heureuse, qui ait jamais existé."

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Thus freely do men think and write in a country long since deprived of the essentials of liberty; as I was favored with a sight of the letter, and permitted to make this extract, I thought it worth sending you as a key to the sentiments of some of the leading men. I must again remind you of my situation here; the bills designed for my use are protested, and expenses rising fast in consequence of the business on my hands, which I may on no account neglect, and a small douceur, though I have been sparing in that way, is sometimes of the utmost importance. The quantity of stores to be shipped will amount to a large sum, the very charge on them will be great, for which I am the only responsible person. Five vessels arrived from America with fish, which is a prohibited article, and the officers of the customs detained them, on which I was sent to and informed, that if those vessels came from the Congress to me, they should be permitted to unload and sell. Here was a difficulty indeed, for the Captain had not so much as applied to me by letter; however, I assured the — that there could be no doubt but they were designed for that use, and that the letters to me must have miscarried, on which orders were issued for unloading and storing those cargoes until further intelligence should arrive. I mention this case in confidence, and pray that in future some regulation may be made on this subject, and that vessels coming out may be directed to apply to me as their agent or owner at least, and I will procure in the different ports houses of known reputation to transact their business. This is absolutely necessary, for by this means their articles may be admitted. Tobacco may come in this way, and every other article. — deeply indebted ostensibly to M. Beaumarchais, he can obtain the liberty for the discharge of their debts. M. Coudray will see that the articles of ammunition, cannon, &c. are provided in the best manner for the army, and will embark himself by the 1st of October.

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I wrote you from Bermuda on the subject of seizing and fortifying that island. I am well informed the British ministry have had it in contemplation, and propose doing it next spring. Mr Warder, of Philadelphia, came a few days since from Bordeaux to Paris, and called on me with some young gentlemen from New England; he brought letters from my good friends Messrs — in consequence of letters to them from Mr Alsop. I received him as I do all my countrymen, with real pleasure. A gentleman present warned him against conversing with a particular person in Paris, to which Mr W. seemed to agree, yet I am told he went directly from my hotel to that person, and informed him of every thing he heard mentioned, and of every person he saw visiting me; happily he could inform nothing of any consequence; for my chamber was full of a mixed company, and the conversation was general and in French and in English; but this conduct of his, with his want of common complaisance in leaving the city without calling on me to receive any letters I might have for London, which he had promised to convey, has given me some uneasiness, and I mention the incident only as a caution how and what persons are recommended. The pleasure I feel in seeing one of my countrymen is such, that I may be in as great danger from them as others, possibly much more. I should be unhappy if any suspicion should operate to the prejudice of this person without cause, but my friends here, who are kindly attentive to every thing that is said or done which respects America, think very strange of his conduct.

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I rely on your indulgence for the length and incorrectness of this letter. I have had much on my hands, and no one to assist me in copying, &c. Visits from persons to whom I cannot be denied, or visiting them, with constant applications made on various subjects, take up my mornings, and I have had only now and then an evening to write in.

I have seen the prime agent, who proposed something in the way of supplying the Colonies with military stores from Prussia. I shall confer further on the subject with him and write you. I have drawn up a memorial on the commerce of America, and its importance to Europe, and shall present it tomorrow to the different personages concerned. I shall send a copy, if I can get one made, by this conveyance. The debt of the Colonies in carrying on the war is a common topic for ministerial writers, but permit me to assure you at the close of this long letter, that the demand for land in America, if its liberties are established, will more than compensate the whole expense. I will in a future letter be more explicit on this important subject, but am well convinced of the certainty of this fact, "that the advance in the price of lands in America, if the Colonies are victorious, will more than reimburse the expenses of the war." I have nothing material to add. Never were a people more anxious for news than the people of this kingdom are for news from America, and surely you will put me down as one of the first in the roll of American heroes, when you consider my situation, plunging into very important engagements, which I can by no means avoid, yet without funds to support them. But I will not enlarge on this subject, and only say, that I have met with every possible encouragement from every person I have seen, whether in or out of office, and I believe no person in the same space of time ever conferred with more of both. My being known to be an American, and supposed to be one of the Congress, and in business for the United Colonies, has introduced me beyond what almost any other recommendation could have done, which I mention to convince you of the attention paid here to the cause of the United Colonies, and how very popular it has become in this country.

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I have repeatedly seen Mr Hopkins, formerly of Maryland, now advanced to be a brigadier general in this service; he talks of coming out to America; should the Duc de Choiseul, who is his friend and patron, come into the lead of administration, he might come out to advantage. Insurance from London to Jamaica is 20 per cent. If a few of our cruizers should venture on this coast they might do very well, as they would find protection in the harbors of this kingdom. Coming ostensibly for the purpose only of commerce or otherwise, no questions would be asked, and they might wait until an opportunity offered (of which they might be minutely informed,) and then strike something to the purpose. I give this hint to individuals, rather than to the honorable Congress as a body. The bearer, Mr McCreary, has obliged me by copying my memoir, which I send herewith. It has had a great run among the ministers of this and some other courts in a private way. M. Beaumarchais writes by this opportunity; he has shown me his letter, and I have agreed in general to the contents, not understanding any exclusive privilege for his house. Every thing he says, writes, or does, is in reality the action of the ministry, for that a man should but a few months since confine himself from his creditors, and now on this occasion be able to advance half a million, is so extraordinary that it ceases to be a mystery. M. Coudray was not in the Turkish service as I was informed; it was a gentleman who proposes accompanying him, but he is an officer of the first eminence, an adjutant general in the French service, and his prospects here of rising are exceeding good; but he is dissatisfied with an idle life. His proposals in general have been, that he should be general of the artillery, and subject only to the orders of congress or their committee of war, or of their commander in chief of the army where he might be. In the next place, that he should rank as major general, and have the same wages, &c. coming in as youngest major general for the present, and rising of course.

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Many other particulars are not yet adjusted, but considering the importance of having two hundred pieces of brass cannon, with every necessary article for twenty five thousand men, provided with an able and experienced general at the head of it, warranted by the minister of this court to be an able and faithful man, with a number of fine and spirited young officers in his train, and all without advancing one shilling, is too tempting an object for me to hesitate about, though I own there is a silence in my instructions. I therefore honestly declare, I am at your mercy in this case, and I have no uneasiness of mind on the occasion, for should I be sacrificed, it will be in that cause to which I have devoted my life and every — in it. The terms of M. Coudray may be thought high, but consider a person leaving a certain and permanent service and his native country, to go he hardly knows where, and it must be supposed he will ask at least as good terms as he could have in his own country, but as the terms have not been particularly considered, I must defer any thing further on this subject for the present, hourly in hopes of some explicit intelligence from the honorable Congress. You have the good wishes of every one here. Chevalier de Chastellier desires me this instant to write down his compliments to Dr Franklin, and with pleasure I say, the being known to be his friend, is one of the best recommendations a man can wish to have in France, and will introduce him when titles fail.

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S. D.

FOOTNOTES:

[2] Missing

[3] Missing

FROM CARON DE BEAUMARCHAIS TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Translation.

Paris, August 18th, 1776.

Gentlemen,

The respectful esteem that I bear towards that brave people, who so well defend their liberty under your conduct, has induced me to form a plan concurring in this great work, by establishing an extensive commercial house, solely for the purpose of serving you in Europe, there to supply you with necessaries of every sort, to furnish you expeditiously and certainly with all articles, clothes, linens, powder, ammunition, muskets, cannon, or even gold for the payment of your troops, and in general every thing that can be useful for the honorable war in which you are engaged. Your deputies, gentlemen, will find in me a sure friend, an asylum in my house, money in my coffers, and every means of facilitating their operations, whether of a public or secret nature. I will if possible remove all obstacles that may oppose your wishes, from the politics of Europe.

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At this very time, and without waiting for any answer from you, I have procured for you about two hundred pieces of brass cannon, four pounders, which will be sent to you by the nearest way, 200,000 lbs of cannon powder, 20,000 excellent fusils, some brass mortars, bombs, cannon balls, bayonets, platines, clothes, linens, &c. for the clothing of your troops, and lead for musket balls. An officer of the greatest merit for artillery and genius, accompanied by lieutenants, officers, artillerists, cannoniers, &c. whom we think necessary for the service, will go for Philadelphia, even before you have received my first despatches. This gentleman is one of the greatest presents that my attachment can offer you. Your deputy, Mr Deane, agrees with me in the treatment which he thinks suitable to his office, and I have found the power of this deputy sufficient, that I should prevail with this officer to depart, under the sole engagement of the deputy respecting him, the terms of which I have not the least doubt but Congress will comply with. The secrecy necessary in some part of the operation, which I have undertaken for your service, requires also, on your part, a formal resolution, that all the vessels and their demands should be constantly directed to our house alone, in order that there may be no idle chattering or time lost—two things that are the ruin of affairs. You will advise me what the vessels contain, which you shall send into our ports. I shall choose so much of their loading, in return for what I have sent, as shall be suitable to me, when I have not been able before hand to inform you of the cargoes which I wish. I shall facilitate to you the loading, sale, and disposal of the rest. For instance, five American vessels have just arrived in the port of Bordeaux, laden with salt fish; though this merchandise coming from strangers is prohibited in our ports, yet as soon as your deputy had told me that these vessels were sent to him by you, to raise money from the sale for aiding him in his purchases in Europe, I took so much care that I secretly obtained from the Farmers-General an order for landing it without any notice being taken of it. I could even, if the case had so happened, have taken upon my own account these cargoes of salted fish, though it is no way useful to me, and charged myself with its sale and disposal, to simplify the operation and lessen the embarrassments of the merchants, and of your deputy.

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I shall have a correspondent in each of our seaport towns, who, on the arrival of your vessels, shall wait on the captains and offer every service in my power; he will receive their letters, bills of lading, and transmit the whole to me; even things which you may wish to arrive safely in any country in Europe, after having conferred about them with your deputy, I shall cause to be kept in some secure place; even the answers shall go with great punctuality through me, and this way will save much anxiety and many delays. I request of you, gentlemen, to send me next spring, if it is possible for you, ten or twelve thousand hogsheads, or more if you can, of tobacco from Virginia, of the best quality.

You very well understand that my commerce with you is carried on in Europe, that it is in the ports of Europe I make and take returns. However well bottomed my house may be, and however I may have appropriated many millions to your trade alone, yet it would be impossible for me to support it, if all the dangers of the sea, of exports and imports, were not entirely at your risk. Whenever you choose to receive my goods in any of our windward or leeward islands, you have only to inform me of it, and my correspondents shall be there according to your orders, and then you shall have no augmentation of price, but of freight and insurance. But the risk of being taken by your enemies, still remains with you, according to the declaration rendered incontestable by the measures I shall take by your deputy himself. This deputy should receive as soon as possible, full power and authority to accept what I shall deliver to him, to receive my accounts, examine them, make payments thereupon, or enter into engagements, which you shall be bound to ratify, as the head of that brave people to whom I am devoted; in short, always to treat about your interests immediately with me.

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Notwithstanding the open opposition, which the king of France, his ministers, and the agents of administration show, and ought to show to every thing that carries the least appearance of violating foreign treaties, and the internal ordinances of the kingdom, I dare promise to you,

gentlemen, that my indefatigable zeal shall never be wanting to clear up difficulties, soften prohibitions, and, in short, facilitate all operations of a commerce, which my advantage, much less than yours, has made me undertake with you. What I have just informed you of is only a general sketch, subject to all the augmentations and restrictions, which events may point out to us.

One thing can never vary or diminish; it is the avowed and ardent desire I have of serving you to the utmost of my power. You will recollect my signature, that one of your friends in London some time ago informed you of my favorable disposition towards you, and my attachment to your interest. Look upon my house then, gentlemen, from henceforward as the chief of all useful operations to you in Europe, and my person as one of the most zealous partisans of your cause, the soul of your success, and a man most deeply impressed with respectful esteem, with which I have the honor to be,

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RODERIQUE HORTALEZ & CO.
[4]

P. S. I add here, to conclude, that every American vessel, though not immediately armed or loaded by you, will be entitled to my good offices in this country; but yours, particularly addressed to my house, will receive a particular preference from me. I ought also to intimate to you, gentlemen, that from the nature of my connexion, it is to be wished you would use discretion, even in the accounts that you give to the general Congress. Every thing that passes in your great assemblies is known, I cannot tell how, at the court of Great Britain. Some indiscreet or perfidious citizen sends an exact account of your proceedings to the palace of St James. In times of great exigency, Rome had a dictator; and in a state of danger the more the executive power is brought to a point, the more certain will be its effect, and there will be less to fear from indiscretion. It is to your wisdom, gentlemen, that I make this remark; if it seems to you just and well planned, look upon it as a new mark of my ardor for your rising republic.

R. H. & CO.

FOOTNOTES:

[4] This signature was assumed by M. Beaumarchais for the purpose of concealment.

TO COUNT VERGENNES.

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Paris, August 22d, 1776.

Sir,

I was this morning informed of the arrival of Mr Arthur Lee, and that he would be in Paris tomorrow. This was surprising to me, as I knew of no particular affair that might call him here, and considering the extreme jealousy of the British Ministry at this time, and that Mr Lee was the agent of the United Colonies in Great Britain, and known to be such, I could wish, unless he had received some particular intelligence from the United Colonies, that he had suspended his visit, as I know not otherwise how he can serve me or my affairs, now (with the most grateful sense I mention it) in as favorable a course as the situation of the times will admit.

I have the honor to be, &c.

SILAS DEANE.

TO ROBERT MORRIS.

Bordeaux, 17th September, 1776.

Dear Sir,

I shall send you in October clothing for 20,000 men, 30,000 fusils, 100 tons of powder, 200 brass cannon, 24 brass mortars, with shells, shot, lead, &c. in proportion. I am to advise you that if, in future, you will give commissions to seize Portuguese ships, you may depend on the friendship and alliance of Spain. Let me urge this measure; much may be got, nothing can be lost by it. Increase at all events your navy. I will procure, if commissioned, any quantity of sailcloth and cordage. A general war is undoubtedly at hand in Europe, and consequently America will be safe, if you baffle the arts and arms of the two Howes through the summer. Every one here is in your favor. Adieu. I will write you again next week.

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SILAS DEANE.

TO ROBERT MORRIS.

Paris, September 30th, 1776.

Sir,

Yours of the 5th of June came to hand on the 25th instant. Mr Delap will inform you of the state of remittances in his hands. Messrs Cliffords & Teysett, and Mr Hodgson of Amsterdam, have received next to nothing; about two hundred pounds by the last accounts; from which you will perceive that not one third of the sum proposed has come to hand, and even out of that my private expenses and those for promoting the other parts of my mission must take something, let me be ever so prudent and cautious.

To solicit arms, clothing, and tents for thirty thousand men, two hundred brass cannon, mortars, and other stores in proportion, and to be destitute of one shilling of ready money, exclusive of the fund of forty thousand pounds originally designed for other affairs, (which you know by the protests in London was my case) has left me in a critical situation. To let slip such an opportunity for want of ready money would be unpardonable, and yet that was taking out of a fund before deficient. I hope, however, to execute both, though not in the season I could have wished. I have, as you see, had but a few days since the receiving of yours, in which I have discoursed with some of the persons to whom I had before proposed such a scheme, and think it will take well, but as men of property will be engaged in it, the remittances should be made very punctual.

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The insurance I am sensible had better be in Europe, but it cannot be had at present unless in Holland, where I am told there are often disputes with the underwriters. On the whole it must be done in America. I can, I believe, engage for one hundred thousand pounds sterling during the winter. I shall write to you further in a few days.

You have mentioned to me a loan. I choose to speak of this in a letter of business particularly by itself, which I will endeavor to do by a young gentleman going on Sunday, to which opportunity I also refer what I have further to say on this subject. Pray forward the trifles I am sending to my little deserted family as soon as received.

Tobacco is rising very fast, being now seven stivers in Holland. The scheme of the Farmers-General here is very artful; they grow anxious. They held high terms on my first application. I turned off, and they are now applying to me, as are also some people further northward.

God bless and prosper America is the prayer of every one here, to which I say Amen and Amen.

I am, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 1st October, 1776.

Gentlemen,

Mr Morris's letters of the 4th and 5th of June last,^[5] on politics and business, I received with the duplicates of my commission, and instructions on the 25th ult. I stand corrected and confine myself to politics.

Your letter found me in a most critical situation; the Ministry had become extremely uneasy at your absolute silence; and the bold assertions of the British Ambassador, that you were accommodating matters, aided by the black and villainous artifices of one or two of our own countrymen here, had brought them to apprehend, not only a settlement between the two countries, but the most serious consequences to their West India Islands, should we unite again with Great Britain. For me, alas! I had nothing left but to make the most positive assertions, that no accommodation would or could take place, and to pledge myself in the strongest possible manner, that thus would turn out the event, yet so strong were their apprehensions, that an order was issued to suspend furnishing me with stores. Think what I must feel upon such an occasion. Our friend, M. Beaumarchais, exerted himself, and in a day or two obtained the orders to be countermanded, and every thing is again running on favorably. For heaven's sake, if you mean to have any connexion with this kingdom, be more assiduous in getting your letters here. I know not where the blame lies, but it must lie heavy somewhere, when vessels are suffered to sail from Philadelphia and other ports quite down to the middle of August, without a single line. This circumstance was urged against my assertions, and was near proving a mortal stab to my whole proceedings. One Mr Hopkins, of Maryland, in this service, and who is in the rank of Brigadier General, appeared desirous of going to America, but on my not paying him the regard he vainly thought himself entitled to, he formed the dark design of defeating at one stroke my whole prospects as to supplies. At this critical period he pretended to be in my secrets, and

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roundly asserted that I had solely in view a reconciliation with Great Britain, immediately after which the stores now furnishing would be used against France. This coming from a professed enemy of Great Britain, from a native of America, from one who professed himself a zealous friend to the Colonies, you must suppose had weight. However thunderstruck I was, as well as my friend, M. Beaumarchais, at this unexpected and last effort of treachery, we exerted ourselves, and truth prevailed. The mischief has recoiled on himself, and having fallen into disgrace here, he will strive to get to America, where he threatens, I hear, to do much mischief to me. However, he will not probably be permitted to depart, unless he slips off very privately. Should that be the case, or should he write letters, you have now a clue to unravel him and his proceedings.

It would be too tedious to recount what I have met with in this way. It has not only confined me to Paris, but to my chamber and pen for some weeks past in drawing up by way of memorial, the true state of the Colonies, their interests, the system of policy they must unquestionably pursue, and showing that the highest interests of France are inseparably connected therewith. I do not mention a single difficulty with one complaining thought for myself; my all is devoted, and I am happy in being so far successful, and that the machinations of my enemies, or rather the enemies of my country, have given me finally an opportunity of experiencing the friendship and protection of great and valuable men; but it is necessary that you should know as much as possible of my situation. The stores are collecting, and I hope will be embarked by the middle of this month; if later, I shall incline to send them by Martinique, on account of the season. It is consistent with a political letter to urge the remittance of the fourteen thousand hogsheads of tobacco written for formerly, in part payment of these stores; if you make it twenty, the public will be the gainers, as the article is rising fast. You are desired by no means to forget Bermuda; if you should, Great Britain will seize it this winter, or France on the first rupture, having been made sensible of its importance, by the officious zeal of that same Mr H. As your navy is increasing, will you commission me to send you duck for twenty or thirty sail? I can procure it for you to the northward on very good terms, and you have on hand the produce wanted to pay for it with. Have you granted commissions against the Portuguese? All the friends to America in Europe call loudly for such a measure.

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Would you have universal commerce, commission some person to visit every kingdom on the Continent, that can hold any commerce with America. Among them by no means forget Prussia. Grain will be in demand in this kingdom, and in the south of Europe. Permit me again to urge an increase of the navy. Great Britain is calling in her Mediterranean passes, to expose us to the Algerines. I propose applying to this Court on that subject. Doctor Bancroft, of London, merits much of the Colonies. As I shall now have frequent opportunities of writing by officers and others going out, I will not add more, than that Mr Carmichael has now been with me some time, recommended by Mr A. Lee, of London. I owe much to him for his assistance in my despatches, and for his friendly and seasonable advice upon all occasions. He is of Maryland, and is here for his health, and proposes going soon to America. I expect to hear from London tomorrow by Dr B. who is on his way here.

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I am, with my most sincere respect and esteem for the Secret Committee, and most profound regard to the Congress, your most obedient and very humble servant,

SILAS DEANE.

P. S. An agent from Barbadoes is arrived in London to represent their distresses; another from Bermuda with a declaration to the Ministry of the necessity of their being supplied with provisions from the Colonies, and saying that if not permitted they must ask the protection of Congress.

I have to urge your sending to me, either a general power for the purpose, or a number of blank commissions for vessels of war. It is an object of the last importance, for in this time of peace between the nations of Europe, I can be acquainted with the time of every vessel's sailing, either from England or Portugal, and by despatching little vessels armed from hence, and to appearance property of the citizens of the United States of America, to seize them while unsuspecting on this coast, and to stand directly for America with them, great reprisals may be made; and persons of the first property have already solicited me on the occasion. Indeed they have such an opinion of my power, that they have offered to engage in such an adventure, if I would authorise them with my name; but this might as yet be rather dangerous; it is certainly however a very practicable and safe plan to arm a ship here, as if for the coast of Africa or the West Indies, wait until some ship of value is sailing from England or Portugal, slip out at once and carry them on to America. When arrived the armed vessel increases your navy, and the prize supplies the country.

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It is of importance, as I have mentioned in my former letters, to have some one deputed and empowered to treat with the king of Prussia. I am acquainted with his agent here, and have already through him received some queries and proposals respecting American commerce, to which I am preparing a reply. I have also an acquaintance with the Agent of the Grand Duke of Tuscany, who proposes fixing a commerce between the United States and Leghorn, but has not as yet given me his particular thoughts. France and Spain are naturally our allies; the Italian states want our flour and some other articles; Prussia, ever pursuing her own interests, needs but be informed of some facts relative to America's increasing commerce, to favor us; Holland will pursue its system now fixed, of never quarrelling with any one on any occasion whatever. In this view is seen at once the power we ought to apply to, and gain a good acquaintance with. Let me again urge you on the subject of tobacco. Receive also from me another hint. It is this; if you

would apportion a certain tract of the Western Lands, to be divided at the close of this war among the officers and soldiers serving in it, and make a generous allotment, it would I think have a good effect in America, as the poorest soldiers would then be fighting literally for a freehold; and in Europe it would operate beyond any pecuniary offers. I have no time to enlarge on the thought, but may take it up hereafter; if I do not, it is an obvious one, and if capable of execution, you can manage it to the best advantage.

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I have no doubt but I can obtain a loan for the Colonies, if empowered, and on very favorable terms. I have already sounded on the subject, and will be more explicit hereafter, both as to my proposals, for I can go no further, and the answers I may receive.

S. D.

FOOTNOTES:

[5] These letters are missing.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 8th October, 1776.

Gentlemen,

Your Declaration of the fourth of July last has given this Court, as well as several others in Europe, reason to expect you would in form announce your Independency to them, and ask their friendship; but a three months' silence on that subject appears to them mysterious, and the more so as you declared for foreign alliances. This silence has again given me the most inexpressible anxiety, and has more than once come near frustrating my whole endeavors; on which subject I refer you to mine of the first instant. Employment must be found for the forces of Great Britain out of the United States of North America. The Caribs in St Vincent, if set agoing, may be supplied through Martinique with stores. The Mountain negroes in Jamaica may employ a great number of their forces. This is not employing slaves, which, however, the example of our enemy authorises. Should there arise troubles in these two Islands, which a very little money would effect, the consequence would be, that Great Britain, which can by no means think of giving them up, would be so far from being able to increase her force on the continent, that she must withdraw a large part to defend her Islands. I find that every one here, who is acquainted with Bermuda, is in my sentiments; and by the officiousness of H. the ministry here have got it by the end. This makes me the more solicitous, that the Island should be fortified this winter if practicable.

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Tobacco in Holland is at the enormous price of seven stivers, and will soon be as dear in France and Germany. I have promised that you will send out twenty thousand hogsheads this winter, in payment for the articles wanted here. Let me advise you to ship the whole to Bordeaux, after which it may be shipped in French bottoms to any other port; the price will pay the convoy; therefore I would recommend the vessels in which it should be shipped to be armed, and that each ship shall sail under convoy of one of your frigates, which may also be ballasted with it; this will be safer than coming in a fleet. On their arrival, Messrs Delap, whose zeal and fidelity in our service are great, will be directed by me, or in my absence by Mons. B. or ostensibly by Messrs Hortalez and Co. where to apply the money. Eight or ten of your frigates, thus collected at Bordeaux, with a proper number of riflemen as marines, where they might have leisure to refit and procure supplies, would strike early next season a terrible blow to the British commerce in Europe, and obtain noble indemnity. The appearance of American cruisers in those seas has amazed the British merchants, and insurance will now be on the war establishment; this will give the rival nations a great superiority in commerce, of which they cannot be insensible; and as our vessels of war will be protected in the ports of France and Spain, the whole of the British commerce will be exposed. I hope to have a liberty for the disposal of prizes here, but dare not engage for that. The last season the whole coast of England, Scotland, and Ireland has been and still remains unguarded; three or four frigates, arriving as they certainly might unexpectedly, would be sufficient to pillage port Glasgow or other western towns. The very alarm, which this would occasion, might have the most surprising and important effects, and in this method it might be effected with the utmost certainty if entered upon early next spring; but should that be laid aside, the having five or six more of your stoutest ships in these ports, where you may every day receive intelligence of what is about to sail from England, would put it in our power to make great reprisals.

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I wrote for blank commissions, or a power to grant commissions to ships of war. Pray forward them, as here are many persons wishing for an opportunity of using them in this way. The granting commissions against Portugal would ensure the friendship of Spain. Grain will bear a great price in this kingdom and the south of Europe; and I have made application to the minister of marine to supply masts and spars from America for the French navy. Pray inform me how, and on what terms the British navy formerly used to be supplied from New England. I am fully of

opinion, that a war must break out soon and become general in Europe. I need say no more on the situation I am in, for want of your further instructions. I live in hopes, but should I be much longer disappointed, the affairs I am upon, as well as my credit, must suffer, if not be absolutely ruined. My most respectful compliments to the Congress.

I am, gentlemen,

Your most obedient very humble servant,

SILAS DEANE.

Translation.

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Articles for hiring armed Vessels and Merchandize, agreed to between Messrs de Monthieu, and Rodrique Hortalez & Co. and Mr Silas Deane.

We the subscribers John Joseph de Monthieu and Rodrique Hortalez & Co. are agreed with Mr Silas Deane, Agent of the United Colonies, upon the subsequent arrangements.

That I, de Monthieu, do engage to furnish on account of the thirteen United Colonies of North America, a certain number of vessels to carry arms and merchandize to the burthen of sixteen hundred tons, or as many vessels as are deemed sufficient to transport to some harbor of North America belonging to the thirteen United Colonies, all the ammunition and appurtenances, agreeable to the estimate signed and left in my possession, and which we suppose would require the abovementioned quantity of vessels to carry sixteen hundred tons burthen, which are to be paid for at the rate of two hundred livres the ton, and that I will hold said vessels at the disposal of said Messrs Hortalez & Co. ready to sail at the ports of Havre, Nantes and Marseilles, viz.—The vessels which are to carry the articles and passengers mentioned in the aforementioned list, and are to depart from Havre, as well as those that are to go from Nantes, to be ready in the course of November next, and the others in the course of December following, on condition that one half of the aforementioned freight of 200 livres per ton, both for the voyage to America and back to France, laden equally on account of the Congress of the thirteen United Colonies and Messrs Hortalez & Co. aforesaid, who are responsible for them, shall be advanced and paid immediately in money, bills of exchange, or other good merchandize or effects, and the other half the said Messrs Hortalez & Co. do agree to furnish me with in proportion as the vessels are fitting out, in the same money or other effects as above; over and above this they are to pay me for the passage of each officer, not belonging to the ship's crew, the sum of 550 livres tournois, and for every soldier or servant 250 livres, and for every sailor who goes as passenger 150 livres. It is expressly covenanted and agreed between us, that all risks of the sea either in said vessels being chased, run on shore or taken, shall be on account of the Congress of the United Colonies, and shall be paid agreeably to the estimation which may be made of each of these vessels, agreeably to the bills of sale of each, which I promise to deliver to Messrs Hortalez & Co. before the departure of any of the said vessels from any of the ports of France mentioned above.

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Finally it is agreed that if the Americans detain these vessels longer than two months in their ports, without shipping on board them the returns they are to carry to France, all demurrage, wages or expenses on them from the day of their arrival to that of their departure, these two months excepted, shall be at their charge and paid by them or by Messrs Hortalez & Co. in our own name, as answerable for the Congress of the United Colonies. We accept the above conditions, as far as they respect us, and promise faithfully to fulfil them, and in consequence we have signed this instrument of writing one to the other, at Paris, 15th October, 1776.

MONTHIEU,
RODRIQUE HORTALEZ & CO.
SILAS DEANE, *Agent for the
United Colonies of North
America.*

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 17th October, 1776.

Gentlemen,

I once more put pen to paper, not to attempt, what is absolutely beyond the power of language to paint, my distressed situation here, totally destitute of intelligence or instructions from you since I left America, except Mr Morris' letters of the 4th and 5th of June last, covering duplicates of my first instructions. Nor will I complain for myself, but must plainly inform you, that the cause of the United Colonies or United States has, for some time, suffered at this court for want of positive orders to me, or some other person.

It has not suffered here only, but at several other courts, that are not only willing, but even desirous of assisting America. Common complaisance, say they, though they want none of our assistance, requires that they should announce to us *in form* their being Independent States, that we may know how to treat their subjects and their property in our dominions. Every excuse, which my barren invention could suggest, has been made, and I have presented memoir after memoir on the situation of American affairs, and their importance to this kingdom, and to some others. My representations, as well verbally as written, have been favorably received, and all the attention paid them I could have wished, but the *sine qua non* is wanting,—a power to treat from the United Independent States of America. How, say they, is it possible, that all your intelligence and instructions should be intercepted, when we daily have advice of American vessels arriving in different ports in Europe? It is true I have effected what nothing but the real desire this court has of giving aid could have brought about, but at the same time it has been a critical and delicate affair, and has required all attention to save appearances, and more than once have I been on the brink of losing all, from suspicions that you were not in earnest in making applications here. I will only add, that a vessel with a commission from the Congress has been detained in Bilboa as a pirate, and complaint against it carried to the court of Madrid. I have been applied to for assistance, and though I am in hopes nothing will be determined against us, yet I confess I tremble to think how important a question is by this step agitated, without any one empowered to appear in a proper character and put in a defence. Could I present your Declaration of Independence, and shew my commission subsequently, empowering me to appear in your behalf, all might be concluded at once, and a most important point gained,—no less than that of obtaining a free reception, and defence or protection of our ships of war in these ports.

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I have written heretofore for twenty thousand hogsheads of tobacco. I now repeat my desire, and for a large quantity of rice. The very profits on a large quantity of these articles will go far towards an annual expense. The stores, concerning which I have repeatedly written to you, are now shipping, and will be with you I trust in January, as will the officers coming with them. I refer to your serious consideration the enclosed hints respecting a naval force in these seas, also the enclosed propositions which were by accident thrown in my way. If you shall judge them of any consequence you will lay them before Congress; if not, postage will be all the expense extra. I believe they have been seen by other persons, and therefore I held it my duty to send them to you. My most profound respect and highest esteem ever attend the Congress, and particularly the Secret Committee.

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I am, Gentlemen, &c.

SILAS DEANE.

P. S. Doctor Bancroft has been so kind as to pay me a second visit, and that most seasonably, as my former assistant Mr Carmichael has gone to Amsterdam, and thence northward on a particular affair of very great importance. The vessel referred to is commanded by Captain Lee, of Newburyport, who on his passage took five prizes of value, and sent them back, but brought on two of the Captains and some of the men prisoners to Bilboa, where the Captains entered their protest, and complained against Captain Lee as a pirate, on which his vessel is detained, and his commission, &c. sent up to Madrid. This instantly brings on a question, as to the legality of the commissions; if determined legal, a most important point is gained; if the reverse, the consequences will be very bad, and the only ground on which the determination can go against the Captain, is that the United States of America, or their Congress, are not known in Europe, as being Independent States, otherwise than by common fame in newspapers, &c.; on which a serious resolution cannot be grounded. The best, therefore, that the Captain expects will be to get the matter delayed, which is very hard on the brave Captain and his honest owners, and will be a bad precedent for others, who may venture into the European seas. I have done every thing in my power, and am in hopes from the strong assurances given me, that all will be settled to my satisfaction in this affair, but cannot but feel on the occasion as well for the Captain as for the public. I have been told repeatedly I was too anxious, and advised "*rester sans inquietude*," but I view this as a capital affair in its consequences, and though I wish it, I cannot take advice.

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Warlike preparations are daily making in this kingdom and in Spain; in the latter immediately against the Portuguese, but they will most probably in their consequences involve other powers. I need not urge *the importance of immediate remittances towards paying for the large quantity of stores I have engaged for*, and depend this winter will not be suffered to slip away unimproved.

I have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Paris, 17th October, 1776.

Sir,

The bearer, Mons. M. Martin de la Balme, has long served with reputation in the armies of

France as a Captain of Cavalry, and is now advanced to the rank of a Lt Colonel; he has made military discipline his study, and has written on the subject to good acceptance; he now generously offers his services to the United States of North America, and asks of me what I most cheerfully grant, a letter to you and his passage, confident he may be of very great service, if not in the general army, yet in those Colonies which are raising and disciplining cavalry. I have only to add that he is in good esteem here, and is well recommended, to which I am persuaded he will do justice.

I have the honor to be, &c.

SILAS DEANE.

TO WILLIAM BINGHAM.^[6]

[Pg 57]

Paris, 17th October, 1776.

Dear Sir,

Since receiving yours of the 4th and 5th of August last, I have written you repeatedly, and have no doubt of your receipt of my letters, to which I refer you. You are in the neighborhood of St Vincents, and I learn that the Caribs are not contented with their masters, and being an artful as well as revengeful people, would undoubtedly take this opportunity of throwing off a yoke, which nothing but a superior force can keep on them. My request is, that you would inquire into the state of that island, by proper emissaries, and if the Caribs are disposed to revolt, encourage them and promise them aid of arms and ammunition. This must tear from Great Britain an island, which they value next to Jamaica, and to which indeed they have no title but what rests on violence and cruelty. At any rate they will oblige Great Britain to withdraw part of her forces from the continent. If any thing can be effected there, inform me instantly, and I will order to your care such a quantity of stores as you shall think necessary.

The enclosed letter I desire you to break the seal of, and make as many copies as there are vessels going northward, by which some one must arrive. A war I think may be depended upon, but keep your intelligence of every kind secret, save to those of the Secret Committee.

You will send also a copy of this, by which the Committee will see the request I have made to you, and the reason of their receiving several duplicates in your hand-writing. I wish you to forward the enclosed to Mr Tucker, of Bermuda, and write me by every vessel to Bordeaux or Nantes.

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I am, with great esteem, &c.

SILAS DEANE.

FOOTNOTES:

- [6] Mr William Bingham was an American merchant, residing in Martinique. He was an Agent for Congress during a large portion of the war, and was the medium of communication with France, by way of the French West India Islands.

TO WILLIAM BINGHAM.

25th October, 1776.

Dear Sir,

I have received no letter from you since those of the 4th and 5th of August last, nor any intelligence from Congress since the 5th June, which not only surprises but distresses me. I now send to the care of Mons. Deant two hundred tons of a necessary article to be at your orders for use of the Congress; the freight is to be paid in Martinique as customary, and I wish you to ship it for the ports of the Colonies, in such a manner, and in such quantities in a vessel, as you shall judge most prudent, advising the Congress of your having received it, and the methods you are taking to ship it to them, praying them to remit you the amount of the freight, as you must make friends in Martinique for advancing the same.

I wish you could write me oftener, and inform me very particularly what letters you receive from me, directed immediately to you, and what letters for other persons. In this way I shall know which of my letters fail.

I am, with great respect, &c.

P. S. Forward the enclosed under cover, and with the usual directions, in case of capture.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 25th October, 1776.

Gentlemen,

I have purchased two hundred tons of powder, and ordered the same to be shipped to Martinique to the care of Mons. Deant, to the direction of Mr Bingham for your use. The first cost is 18 sols per lb. or 10d sterling; the charges will be added; the amount I have not as yet ascertained, and interest at five per cent until payment. I must again urge you to hasten your remittances. Tobacco, rice, indigo, wheat, and flour are in great demand, and must be so through the year. Tobacco is nine stivers per lb. in Holland, rice 50s sterling per cwt. Flour is already from 20 to 23 livres per cwt. and rising. I have engaged a sale for 20,000 hogsheads of tobacco, the amount of which will establish the credit of the Congress with the mercantile interest in France and Holland.

Let me urge your attention to these articles, though I must say your silence ever since the 5th of last June discourages me at times. Indeed it well nigh distracts me. From whatever cause the silence has happened, it has greatly prejudiced the affairs of the United Colonies of America; and so far as the success of our cause depended on the friendship and aid of powers on this side the globe, it has occasioned the greatest hazard and danger, and thrown me into a state of anxiety and perplexity, which no words can express. I have made one excuse after another, until my invention is exhausted, and when I find vessels arriving from different ports in America, which sailed late in August, without a line for me, it gives our friends here apprehensions that the assertions of our enemies, who say you are negotiating and compounding, are true; otherwise, say they, where are your letters and directions? Surely, they add, if the Colonies were in earnest, and unanimous in their Independence, even if they wanted no assistance from hence, common civility would cause them to announce in form their being Independent States.

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I will make no other comment on the distressing subject than this; were there no hopes of obtaining assistance on application in a public manner, I should be easier under your silence, but when the reverse is the case, to lose the present critically favorable moment, and hazard thereby the ruin of the greatest cause in which mankind were ever engaged, distresses my soul, and I would if possible express something of what I have undergone for the last three months, until hope itself has almost deserted me. I do not complain for myself, but for my country, thus unaccountably suffering from I know not what causes.

I am, gentlemen, with most respectful compliments to the Congress, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 6th November, 1776.

Gentlemen,

The only letters I have received from you were 4th and 5th of June last, five months ago, during which time vessels have arrived from almost every part of America to every part of France and Spain, and I am informed of letters from Mr Morris to his correspondents, dated late in July. If the Congress do not mean to apply for foreign alliances, let me entreat you to say so, and rescind your resolutions published on that head, which will be but justice to the powers of Europe, to whom you gave reason to expect such an application. If I am not the proper person to announce your Independency, and solicit in your behalf, let me entreat you to tell me so, and relieve me from an anxiety, which is become so intolerable that my life is a burthen. Two hundred pieces of brass cannon, and arms, tents and accoutrements for thirty thousand men, with ammunition in proportion, and between twenty and thirty brass mortars have been granted to my request, but the unaccountable silence on your part has delayed the embarkation some weeks already. I yesterday got them again in motion, and a part are already at Havre de Grace and Nantes, and the rest on their way thither, but I am hourly trembling for fear of counter orders. Had I received proper powers in season, this supply would before this have been in America, and that under the convoy of a strong fleet; the disappointment is distracting, and I will dismiss the subject, after taking the liberty to which a freeman and an American is entitled, of declaring, that by this neglect the cause of the United States has suffered in this and the neighboring Courts, and the blood that will be spilt through the want of these supplies, and the devastation, if any, must be laid at this door.

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Captain Cochran having arrived at Nantes, I sent to him to come to me. He is now with me, and by him I send this with a packet of letters. He can inform you of the price of American produce in Europe, the very advance on which will pay you for fitting out a navy. Rice is from 30 to 50 livres per cwt., tobacco 8d and 9d per lb., flour and wheat are growing scarce and rising, masts, spars, and other naval stores are in demand, and the more so as a war with Great Britain is considered as near at hand.

Mons. du Coudray, who has the character of being one of the best officers of artillery in Europe, has been indefatigable in our service, and I hope the terms I have made with him will not be thought exorbitant, as he was a principal means of engaging the stores. The rage, as I may say, for entering into the American service increases, and the consequence is, that I am pressed with offers and proposals, many of them from persons of the first rank and eminence, in the sea as well as land service. Count Broglio, who commanded the army of France during the last war, did me the honor to call on me twice yesterday with an officer who served as his Quarter Master General the last war, and has now a regiment in this service, but being a German,^[7] and having travelled through America a few years since, he is desirous of engaging in the service of the United States of North America. I can by no means let slip an opportunity of engaging a person of so much experience, and who is by every one recommended as one of the bravest and most skilful officers in the kingdom, yet I am distressed on every such occasion for want of your particular instructions. This gentleman has an independent fortune, and a certain prospect of advancement here, but being a zealous friend to liberty, civil and religious, he is actuated by the most independent and generous principles in the offer he makes of his services to the States of America.

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Enclosed you have also the plan of a French naval officer for burning ships, which he gave me, and at the same time showed me his draughts of ships, and rates for constructing and regulating a navy, of which I have the highest opinion; he has seen much service, is a person of study and letters, as well as fortune, and is ambitious of planning a navy for America, which shall at once be much cheaper and more effectual than any thing of the kind which can be produced on the European system. He has the command of a ship of the line in this service, but is rather disgusted at not having his proposed regulations for the navy of France attended to. His proposal generally is to build vessels something on the model of those designed by the Marine Committee, to carry from 24 to 36 heavy guns on one deck, which will be as formidable a battery as any ship of the line can avail itself of, and by fighting them on the upper deck a much surer one. Had I power to treat with this gentleman, I believe his character and friends are such, that he could have two or three such frigates immediately constructed here on credit and manned and sent to America, but the want of instruction, or intelligence, or remittances, with the late check on Long Island, has sunk our credit to nothing with individuals, and the goods for the Indian contract cannot be shipped, unless remittances are made to a much greater amount than at present. Not ten thousand pounds have been received for forty thousand delivered in America as early as last February, and I am ignorant what has become of the effects shipped. Under these circumstances I have no courage to urge a credit, which I have no prospect of supporting; but I will take Mr Morris's hint and write a letter solely on business; but politics and my business are almost inseparably connected. I have filled this sheet, and will therefore bid you adieu until I begin another.

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I am, with the utmost esteem, &c.

SILAS DEANE.

FOOTNOTES:

[7] The Baron de Kalb.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 9th November, 1776.

Gentlemen,

I have written to you often, and particularly of affairs here. The want of intelligence retards every thing; as I have not a word from you since the 5th of June last, I am well nigh distracted. That I may not omit any chance of sending to you, I write this, though I have long and minute letters by me waiting the departure of General du Coudray and his train, who, had I been properly and in season instructed, would before this have been with you. At present I have put much to the hazard to effect what I have. Enclosed you have my thoughts on naval operations, and I pray you send me some blank commissions, which will enable me to fit out privateers from hence without any charge to you. A war appears at hand, and will probably be general. All Europe have their eyes on the States of America, and are astonished to find month after month rolling away, without your applying to them in form. I hope such application is on its way. Nothing else is wanting to effect your utmost wishes. I am, with compliments to friends, and respect to the

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 26th November, 1776.

Gentlemen,

This serves only to enclose and explain the within *State of the Commerce of Leghorn*, which was given me by the Envoy of the Grand Duke of Tuscany, a gentleman of universal knowledge, and a warm friend to America, and indeed to all mankind. I have the honor of his acquaintance in an intimate degree, and have communicated to him a memoir, setting forth the particular state of the commerce of America, with the history of its rise and increase, and its present importance, it being a copy of what I delivered to this Court. He has marked the articles generally in demand, after which he enumerates their articles for exportation, which in my turn I marked and observed upon, as you will see.

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I have only to add, that the Grand Duke has taken off all duties on the American commerce, to give it encouragement. This indeed is done rather privately to prevent complaint of other powers of a seeming partiality. When I add to this, that it is agreed on all hands that ships of war may be purchased at Leghorn ready fitted for sea, cheaper than in any other port in Europe, I think a good acquaintance ought to be cultivated with this State.

I have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Paris, 27th November, 1776.

Sir,

The bearer, Mr Rogers, is a native of Maryland, whom I fortunately met in the hotel I some months lodged in. He was in Paris finishing his education, and by my advice accepted the office of aid-de-camp to Mons. du Coudray, and accompanies him out to America. I have received many kindnesses from him, and, confident of his integrity, have intrusted him with many things to relate to you *viva voce*, especially should my despatches fail. He has a general knowledge of the history of my proceedings, and what I have at times to struggle with. As he speaks French tolerably, he will I conceive prove a valuable acquisition, at a time when such numbers of foreigners are crowding to enter your service.

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I am, wishing him a speedy and safe arrival, with the most profound respect for the Congress, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 27th November, 1776.

Gentlemen,

In a former letter I mentioned a naval enterprise, which might at first appear romantic, but the more it is considered the less danger I shall be in of being taxed on that score. Admiral Montague lately returned from the Banks, where the fishermen have had a wretched season, in consequence of the American privateers. He left two small sloops of war there of 14 and 16 guns. In common years they leave six or seven thousand of their laborers or fishermen there, as in a prison, through the winter, employed in taking seals, repairing boats, stages, &c.; these are unarmed, and ever dissatisfied to the last degree with their situation. Two frigates arriving early in February would destroy the fishery for one if not two years, and obtain an acquisition of a fine body of recruits for your navy. I have conferred with some persons here on the subject, who highly approve the enterprise, but I submit it to your opinion, after urging despatch in whatever is done or attempted on that subject.

The resolution of the Court of Spain in the case of Capt. Lee, at Bilboa, gives every encouragement to adventurers in these seas, where the prizes are valuable, and where you have

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constantly harbors at hand on the coast of France and Spain to repair to and refit in, and where constant and certain intelligence can be had of the situation of the British ships of war, as well as of commerce. I need not add, on a subject so plain, and at the same time so important, but will only remind you that the Dutch, in the space of two or three years after their first revolt from Spain, attacked the Spaniards so successfully and unexpectedly in every quarter of the globe, that the treasures they obtained thereby enabled them to carry on the war. Let me repeat, that if you empower me or any other person here, you may obtain any number of ships of war on credit from individuals, on paying interest at five per cent until the principal is discharged. The king will probably have use for his, and besides, to let his go would be the same as a declaration of war, which in form at least will for some time be avoided.

I write on different subjects in my letters, as they rise in my mind, and leave you to use as you may judge best my sybil leaves, and am, gentlemen, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 28th November, 1776.

Gentlemen,

Your favor of the 7th of August last, covering a copy of yours of the 8th of July, I received, though the original never came to hand. This letter also enclosed the *Declaration of Independency*, with instructions to make it known to this and the other powers of Europe; and I received it the 7th inst. though the vessel which brought it had but 38 days passage from Salem. This letter was very far from relieving me, as it enclosed what had been circulated through Europe for two months before, and my pretending to inform this Court would be only a matter of form, in consequence of your orders, which were expressed in the style of any common affair. I certainly prefer simplicity of style, as well as manners, but something is due to the dignity of old and powerful states, or if you please to their prejudices in favor of long established form and etiquette; and as the United States of America, by this act, introduce themselves among the established powers, and rank with them, it must of course be expected that at the first introduction, or the announcing of it, some mode more formal, or if I may so say, more respectful, would have been made use of, than simply two or three lines from the committee of congress, in a letter something more apparently authentic, not that either your power or the reality of your letter could be doubted. I mention it as deserving consideration, whether in your application here and your powers and instructions of a public nature, it is not always proper to use a seal? This is a very ancient custom in all public and even private concerns of any consequence.

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Further, to keep a proper intercourse with Europe, it is by no means sufficient to write a single letter, and leave it to be forwarded when the captain of a vessel thinks of it, or has nothing else to do. Duplicates of every letter should be lodged in every port in the hands of faithful and attentive persons, to be forwarded by the first conveyance to any part of Europe. Had this been practised since my leaving America, instead of receiving but two short letters from you, I might have had intelligence every month; let me urge you, from the danger our affairs have been in of totally miscarrying for want of intelligence, to pay some attention to this in future.

As the copy was dated the eighth of July I took occasion to observe, that the honorable Congress had taken the earliest opportunity of informing this Court of the declaration of their Independency, and that the variety of important affairs before Congress, with the critical situation of the armies in their neighborhood, and the obstructions of their commerce, had prevented that intelligence which had been wished for, but that the present served to shew the early and principal attention of the United States to this Court; and as their Independency was now in form declared, the queries I had formerly put in consequence of my first instructions might now be resolved, and I hoped favorably. To this I was answered, unless France by a public acknowledgment of your Independency makes war on Great Britain in your favor, what service can such acknowledgment be of to the United States? You are known here, our ports are open, and free for your commerce, and your ships are protected in them, and greater indulgencies allowed than to any other nations. If France should be obliged to make war on England, it will be much more just and honorable in the eyes of the world to make it on some other account; and if made at all, it is the same thing to the United States of America, and in one important view better for them, to have it originate from any other cause, as America will be under the less immediate obligation. Further, France has alliances, and cannot resolve a question which must perhaps involve her in a war, without previously consulting them. Meantime the United States can receive the same succors and assistance from France without, as well as with, such an open acknowledgment, and perhaps much more advantageously. To this and such like arguments I had the less to reply, as you informed me that articles for a proposed alliance with France were under consideration, and that I might soon expect them.

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I was further told that the Swiss Cantons, though in every respect free and independent States for several centuries, had not to this hour been acknowledged as such by any public act of any one power in Europe, except France, and that neither the Revolution in the United Provinces or

Portugal had been attended with any such acknowledgment, though the powers of Europe in both cases lent their aid. I replied that I would not urge a formal acknowledgment, as long as the same ends could be obtained, and without the inconveniences hinted at; besides, as I daily expected further instructions I would reserve myself until their arrival. The apprehensions of the United States' negotiating has done us much damage, and the interview at New York said to have been between a Commissioner of Congress and the two brothers, however politic the step may have been in America, was made use of to our prejudice in Europe, at this Court in particular, as it has been for some time asserted by Lord Stormont and others, that a negotiation would take place, and as far as this is believed, so far our cause has suffered and our friends been staggered in their resolutions. My opinion is, that the House of Bourbon in every branch will be our friends; it is their interest to humble Great Britain.

Yesterday it was roundly affirmed at Versailles, that a letter was received in London from Philadelphia, in which it was said I had written advising the Congress to negotiate, for that I could obtain no assistance from Europe. You can hardly conceive how dangerous even such reports are, and how prejudicial every step that looks like confirming them. The importance of America in every point of view, appears more and more striking to all Europe, but particularly to this kingdom.

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Enclosed I send you the size of masts and spars with the price, which, if it will answer, may be a certain article of remittance, as may other naval stores, but I dare not contract with the marine, as I have no powers, and am unacquainted with the rate at which they were usually exported to England. A wide field is opening, since the American commerce is to be free, and I have had applications from many parts on the subject, though few are disposed to venture until the close of this campaign, and if it is not decisive against us, our wants will be supplied another season at as cheap a rate as ever, but I trust never more on the old terms of long credit.

I am well nigh harrassed to death with applications of officers to go out to America. Those I have engaged are I trust in general of the best character; but that I should engage, or rather take from the hands of some leading men here, some one or two among the rest not so accomplished, cannot be surprising, and may, considering my situation, be pardonable, but I have no suspicion of any such in my department, of consequence. I have been offered troops from Germany on the following general terms, viz.;—officers to recruit as for the service of France, and embark for St Domingo from Dunkirk, and by altering their route land in the American States. The same has been proposed with Switzerland, to which I could give no encouragement, but submit it to your consideration in Congress, whether, if you can establish a credit as I have before hinted, it would not be well to purchase at Leghorn five or six stout frigates, which might at once transport some companies of Swiss, and a quantity of stores, and the whole be defended by the Swiss soldiers on their passage? Or, if you prefer Germans, which I really do not, the vessels might go from Dunkirk. I daily expect important advices from the North, respecting commerce at least, having sent to the King of Prussia, in consequence of a memorial he ordered his agent here to show me, and propose some queries to me, a state of the North American commerce at large. I have presented memorial after memorial here, until in my last I think I have exhausted the subject as far as the present time, having in my last given the history of the controversy, obviated the objections made against us, and pointed out the consequences that must ensue to France and Spain if they permit the Colonies to be subjugated by their old hereditary enemy. It consisted of fifty pages, and was, after being translated, presented to his Majesty and his Ministers, and I was assured was favorably received and considered. I presented it about two weeks since, and whether it has hastened the preparations or not I cannot say. The Ministry were pleased to say, that I had placed the whole in the most striking point of view, and they believed with great justice. I could wish to send you copies of these, but I have no assistant except occasionally, and the uncertainty of my situation will not permit my making engagements to one, who might deserve confidence, and those who are deserving are but few.

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Bread will be scarce before the next harvest. Flour is now 22 and 23 livres per cwt. and tobacco is as I have before mentioned; and I promise myself you will not let slip so favorable an opportunity of making remittances to advantage. In expectation of your sending over frigates to convoy your ships, and of your giving instructions on what I have written you of operations in these seas, I design being at Bordeaux in March, when I shall be able to give you the needful directions in any such affair; but, at any rate, send out a number of blank commissions for privateers to be fitted out in Europe under your flag. The prizes must finally be brought to you for condemnation, and the principal advantage will remain with you. I have written largely, and on many subjects, yet fear I have omitted some things deserving attention.

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Mons. du Coudray will be with you by the receipt of this, with stores complete for thirty thousand men. The extraordinary exertions of this gentleman, and his character, entitle him to much from the United States, and I hope the sum I have stipulated with him for, will not be considered extravagant, when you consider it is much less than is given in Europe. Baron de Kalb I consider an important acquisition, as are many other of the officers whose characters I may not stay to particularize, but refer you to Baron de Kalb, who speaks English, and to Mr Rogers, who is generally acquainted with them. As to sea officers, they are not so easily obtained, yet some good ones may be had, and in particular two; one of whom I have already mentioned; the other is quite his equal, with some other advantages; he was first lieutenant of a man of war round the world, with Captain Cook, and has since had a ship, but wants to leave this for other service, where he may make a settlement, and establish a family. These two officers would engage a number of

younger ones. Should they embark, I send herewith the plans of one of them for burning ships. I submit it to the honorable Congress, who are sensible of the variety and magnitude of the objects before me, whether it is not of importance to despatch some one of its body to assist me, or to take a part by his own immediate direction. Such a person known to possess your fullest confidence, would, by his advice and assistance, be of service to me, though he were, and I were, occasionally at Madrid or Berlin. Having obtained some knowledge of the language, and an acquaintance with those in power here, as well as others, such abilities as I have, which are ever devoted to my country, can be employed here to the best advantage at present, but I submit my thoughts to your determination, and am, with great truth and sincerity,

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SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 29th November, 1776.

Gentlemen,

The several letters you will receive with this, will give you some idea of the situation I have been in for some months past, though after all I must refer you to Mr Rogers for particulars on some subjects. I should never have completed what I have, but for the generous, the indefatigable and spirited exertions of Monsieur Beaumarchais, to whom the United States are on every account greatly indebted; more so than to any other person on this side the water; he is greatly in advance for stores, clothing, and the like, and therefore I am confident you will make him the earliest and most ample remittances. He wrote you by Mr McCrery, and will write you again by this conveyance. A nephew of his, a young gentleman of family, education, and spirit, makes a voyage to America with Monsieur du Coudray, and is ambitious of serving his first campaigns in your service. I recommend him therefore to your particular patronage and protection, as well on account of the great merits of his uncle, as on that of his being a youth of spirit and genius; and just entering the world in a foreign country, he needs protection and paternal advice to countenance and encourage him. This I have confidently assured his uncle he will receive from you, and am happy in knowing you will fulfil my engagements on that score, and, in whatever department you may fix him, that you will recommend him to the patronage of some person, on whom you may rely to act at once the friendly and the paternal part.

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A particular account of the stores shipped may probably not be ready by this vessel, but may go by the next or some succeeding one, as several will sail after this on the same errand. Let me by every letter urge on you the sending in season a quantity of tobacco, of rice, and flour or wheat. These are articles which cannot fail, and are capital ones; twenty thousand hogsheads of tobacco are this instant wanted in France, besides the demand in other kingdoms. I think Monsieur Beaumarchais wrote you under the firm of *Hortalez & Co.* if so, you will address him in the same style; but as I must probably remain here until the arrival of these articles, I can regulate that on the arrival of your despatches. I have advised these stores being shipped for some of the New England ports, northeast of Newport first, and if failing of making a port there, to stand for the Capes of the Delaware, or for Charleston in South Carolina, as the most likely route to avoid interception. I cannot in a letter do full justice to Monsieur Beaumarchais for his great address and assiduity in our cause; I can only say he appears to have undertaken it on great and liberal principles, and has in the pursuit made it his own. His interest and influence, which are great, have been exerted to the utmost in the cause of the United States, and I hope the consequences will equal his wishes.

I have the honor to be, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 29th November, 1776.

Gentlemen,

I have recommended several officers to your service, but none with greater pleasure, scarce any one with so much confidence of his answering great and valuable purposes, as the bearer, Colonel Conway, a native of Ireland, advanced in the service by his merit. His views are to establish himself and his growing family in America; consequently he becomes our countryman and engages on the most certain principles. This gentleman has seen much service; his principal department has been that of training and disciplining troops, and preparing for action; and from his abilities as well as from his long experience, he is considered as one of the most skilful disciplinarians in France. Such an officer must be, I conceive, of very great service, and his generously confiding in the honorable Congress for such rank and appointments as they shall

confer, entitles him still more to our immediate attention and notice. I have assured him of the most favorable reception, and am confident he will receive the same.

Colonel Conway takes with him some young officers of his own training, who know well the English language, and may be of immediate service in the same important department of discipline. As Colonel Conway has been long in service, (though in prime of life) I am confident you will not think it right he should rank under those who have served under him in this kingdom, which will not be the case if he fills the place of an Adjutant, or Brigadier General, for which, I am well assured, he is every way well qualified. I have advanced him as per receipt enclosed towards his expenses and appointments or wages, and told him he may rely on your granting him one of the above ranks in the Continental forces. Should the honorable Congress have a new body of troops to form in any part of the Continent, this gentleman might take the direction of them to very great advantage, and may, I presume, be equally so in the station you may appoint him in the main army.

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I have the honor to be, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 1st December, 1776.

Gentlemen,

Among the many important objects, which employ your whole attention, I presume ways and means for defraying the expenses of the present war have a capital place. You will therefore give the following thoughts the weight which they deserve. In the first place, to emit more bills will be rather dangerous; for money, or whatever passes for such, when it exceeds the amount of the commerce of a state, must lose its value; and the present circumscribed state of the American commerce, is perhaps within the amount of your emissions already made. Your bills, therefore, must be borrowed of individuals by the public at interest, or those already emitted paid off by taxes and new emissions. Some Colonies may now be content with a tax, but it is most probably quite out of the power of some, and a measure rather impolitic in a majority of the Colonies or States, *durante bello*.

To effect any considerable loan in Europe is perhaps difficult. It has not been tried, and on the probability of succeeding in this I will give my sentiments hereafter. It is obvious, that let the loan be made when it will, it must have a day fixed for payment, and respect to some fund appropriated to that purpose. The relying on future taxes is holding up to the people a succession of distresses and burthens which are not to cease even with the war itself, whereas could they have a prospect of paying the expenses of the war at the close of it, and enjoying the remainder of their fortunes clear of incumbrance, it must greatly encourage and animate both the public and private spirit in pushing it on with vigor. A loan of six or eight millions, or a debt of that amount, will probably enable you to finish the war. This I am confident may be negotiated on terms, which I will propose hereafter, but previously let it be attended to, that the present contest has engaged the attention of all Europe, and more, it will eventually interest all Europe in favor of the United States, the Russians in the north and Portugal in the south, excepted; I make no consideration of the little mercenary electorates in my calculation. The mercantile part of the other powers are convinced, where their interest appears so evidently engaged. The political part are sensible of the importance of enlarging their own naval concerns and force, and of checking that of Great Britain. The good and wise part, the lovers of liberty and human happiness, look forward to the establishment of American freedom and independence as an event, which will secure to them and their descendants an asylum from the effects and violence of despotic power, daily gaining ground in every part of Europe. From those and other considerations, on which I need not be minute, emigrations from Europe will be prodigious, immediately on the establishment of American Independency. The consequence of this must be the rise of the lands already settled, and a demand for new or uncultivated land; on this demand I conceive a certain fund may now be fixed. You may smile, and recollect the sale of the bearskin in the fable, but at the same time you must be sensible that your wants are real, and if others can be induced to relieve them, it is indifferent to you whether they have a consideration in hand or in prospect.

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I trace the river Ohio from its junction to its head, thence north to Lake Erie on the south and west of that lake to Fort Detroit, which is in the latitude of Boston, thence a west course to the Mississippi, and return to the place of my departure. These three lines of near one thousand miles each, include an immense territory in a fine climate, well watered, and by accounts exceedingly fertile; it is not inhabited by any Europeans of consequence, and the tribes of Indians are inconsiderable, and will decrease faster than the lands can possibly be demanded for cultivation. To this I ask your attention as a resource amply adequate, under proper regulations, for defraying the whole expense of the war, and the sums necessary to be given the Indians in purchase of the native right. But to give this land value, inhabitants are necessary. I therefore propose, in the first place, that a grant be made of a tract of land at the mouth of the Ohio, between that and the Mississippi, equal to two hundred miles square, to a company formed

indiscriminately of Europeans and Americans, which company should form a distinct state, confederated with and under the general regulations of the United States General of America. That the Congress of the United States shall, out of such grant, reserve the defraying or discharging of the public debts or expenses; one fifth part of all the lands, mines, &c. within said tract, to be disposed of by the Congress, in such manner as good policy and the public exigencies may dictate, the said one fifth to be sequestered out of every grant or settlement made by the company, of equal goodness with the rest of such grant or settlement. The company on their part shall engage to have, in seven years after the passing such grant — thousand families settled on said grant, and civil government regulated and supported on free and liberal principles, taking therein the advice of the honorable Congress of the United States. They shall, also, from and after their having one thousand families as abovementioned, contribute their proportion of the public expenses of the Continent, or United States, according to the number of their inhabitants, and shall be entitled to a voice in Congress, as soon as they are called on thus to contribute. The company shall at all times have the preference of purchasing the Continental or common interest thus reserved, when it shall be offered for sale. The company shall consist, on giving the patent or grant, of at least one hundred persons.

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These are the outlines of a proposed grant, which you see contains more than 25,000,000 acres of land, the one fifth of which, if a settlement is carried on vigorously, will soon be of prodigious value. At this time a company might be formed in France, Germany, &c. who would form a stock of one hundred thousand pounds sterling, to defray the expense of this settlement. By such a step, you, in the first place, extend the circle of your connexion and influence. You increase the number of your inhabitants, proportionably lessen the common expenses and have in the reserve a fund for public exigencies. Further, as this company would be in a great degree commercial, the establishing commerce at the junction of these large rivers, would immediately give a value to all the lands situate on or near them within the above extensive description, and future grants might admit of larger reserves, amply sufficient for defraying the expenses of the war, and possibly for establishing funds for other important purposes. It may be objected that this is not a favorable time for such a measure. I reply it is the most favorable that can happen. You want money, and by holding up thus early to view a certain fund on which to raise it, even the most certain in the world, that of land security, you may obtain the loan and engage the monied interest of Europe in your favor. I have spoken with many persons of good sense on this subject, which makes me the more sanguine.

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As to a loan, I will now dismiss this scheme to speak of that, only adding, or rather repeating what I have in a former letter written, that a large and generous allowance ought immediately to be made to the officers and soldiers serving in the present war, in which regard should be had to the wounded, the widows or children of those that fall, and to the term or number of campaigns each one serves. This will make the army consist literally of a set of men fighting for freehold, and it will be a great encouragement to foreigners, with whom five hundred or a thousand acres of land has a great sound.

It has been a question with me at times, whether, if our commerce were open and protected, the colonies would be wise in negotiating a loan. But on considering, that before this war, the imports of the Colonies just about balanced their exports, I cannot think it possible, with the most rigid economy, supposing exports as large as formerly, to make a lessening of consumption equal to the amount of the expenses of the war; and consequently a debt must be contracted by the public somewhere. The question which naturally arises is, whether it be most prudent to contract this debt at home or abroad. To me it admits of no doubt, that the latter is to be preferred on every account. If you can establish a credit and pay your interest punctually, the rate of interest will be less by two or three per cent in Europe than in America; you will thereby engage foreigners by the strongest tie, that of their immediate interest, to support your cause. There are other obvious reasons for preferring the latter mode.

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The next question is, where can you borrow, and what security can you offer? Holland is at present the centre of money and credit for Europe, and every nation is more or less indebted to her collectively to such an amount, that could the nations in Europe at once pay the whole of their debts to this *Republic of Mammon*, it would as effectually ruin it, as the breaking in of the sea through their dykes. Would you know the credit and situation of the affairs of the different kingdoms, consult the books of the Dutch banks.

This kingdom (France) has been in bad credit, from the villainy of a late Comptroller General, as it is said, one Abbe Terrai, against whose administration the severest things have been uttered and written. He was succeeded by the much esteemed Mons. Turgot, and stocks rose, and a commission was given to a banker (a correspondent of mine in Amsterdam) to negotiate a loan, but the dismissal of Mons. Turgot, and the indifferent opinion which monied men at least had of his successor, Mons. Clugny, prevented the loan, and lowered the stocks. Mons. Clugny died last week, and is succeeded ostensibly by one Monsieur Tabourou; I say ostensibly, for M. Necker, a noted Protestant banker, is joined with him as Intendant of the Treasury. This raised stocks immediately, and I am told they have already risen ten per cent. This is the most politic appointment that could have been made, and it deserves our notice, that where a man has it in his power to be of public service, his principles of religion are not a sufficient obstacle to hinder his promotion even in France. This will probably enable this kingdom to borrow money, which from all appearances will be soon wanted. Spain, from the punctuality of its payments of interest, and its well known treasures, is in high credit in Holland. Denmark borrows at four per cent,

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Sweden at the same; the emperor of Germany, from the security of his hereditary dominions, and the empress of Russia, from her having lately paid part of the large sum she borrowed in the Turkish wars, are both of them in good credit. The credit of Great Britain, though it has not fallen, yet it is in a critical situation with those foreseeing people, who, on receiving the news of the action on Long Island, which raised stocks a trifle in England, began immediately to sell out.

Not a power in Europe, the king of Prussia excepted, can go to war without borrowing money of Holland to a greater or less amount, and whilst so many borrowers are in its neighborhood, whose estates, as I may say, are settled and known, it is not to be expected Holland will be fond of lending money to the United States of North America, though we should offer higher interest. To offer a large interest might be tempting, but it would be very ruinous to us, and I conceive it will never be thought prudent to permit higher than five per cent interest in the States of North America, and this is but one per cent more than is given in Europe.

This view leads me again to reflect, as I constantly do, with the utmost grief, on the unaccountable delay of proper authority announcing the Independency of the United States, and proposing terms of alliance and friendship with France and Spain. This I am confident would at once remove this and many other difficulties; would put our affairs on the most established and respectable footing, and oblige Great Britain herself to acknowledge our Independency and court our friendship. On such powers being received and presented, these kingdoms, I have no doubt, would become our guaranty for the money we want, and the produce of our country will be wanted for the interest, and even the principal, as fast as we can transport it hither. But as no such powers and instructions are received, and as it is possible you mean not to send any, I will mention a few thoughts on another plan.

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You are not in want of money, but the effects of money in the manufactures of Europe. For these the Colonies or United States must now have a demand to the amount of some millions sterling. These manufactures are to be had principally in France and Holland. As to the latter, they have not at present, and are resolved never to have, any peculiar connexion with, or friendship for, any power, further than their commerce is served by it, but that is not the ruling passion of the former. The desire of humbling their old rival and hereditary enemy, and aggrandizing their monarchy, are predominant, and never was there a more favorable opportunity than the present, —so favorable is it, that were the funds of this kingdom in a little better situation, and were they confident that the United States would abide by their Independency, not a moment's time would be lost in declaring war, even though you had made no application direct. Whatever part this kingdom takes will be pursued by the Court of Madrid. Would this Court give a credit even to private merchants, it would answer the same purpose as a loan; as for instance, the United Colonies want about three millions value of manufactures annually (it has heretofore been a little more) from Europe. If this Court will give a credit to that amount to any body of men in the kingdom, that company may engage to pay the Court the same amount in Continental bills within a limited time, this company may send to America supplies to that amount, as the Congress shall order, such goods as are wanted either for the army or navy; the Congress will instantly deposit their bills for the amount; the residue may be sold at a stated advance for Continental bills, the whole of the amount immediately put on interest to this Court; this will be the calling in of such an amount of the bills, and of course give the greater currency to the whole. Meantime, this Court must become interested to have the commerce free, by which alone remittances can be made. This is but a sudden thought, recommended to you for consideration, if deemed worthy. That something may be effected in this way I can have no doubt, while I have this most unequivocal evidence. I am now credited to the amount of all the supplies for thirty thousand men, a train of artillery, amounting to more than two hundred pieces of brass cannon, ammunition, &c. &c. which must be of near half a million sterling, *not ostensibly by the Court, but by a private company*. At the same time other companies, as well as individuals, after offering any loan or credit I should ask, always brought in sooner or later the condition of having my bills endorsed by some banker or person of credit; where you are sensible in my situation the affair ended; though in several instances I had the most flattering encouragement, and expected most assuredly no security would be required; but that this particular house should be able and willing to advance this prodigious sum at once, and without security, is no way surprising, but perfectly consistent with what I have all along asserted.

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The most effectual card now played by the British Ambassador is, asserting that an accommodation will soon take place, and by some means or other conjecturing my want of powers by my not appearing at Court, he is bold in this assertion, and I find it the greatest difficulty I have to encounter. But I will not enter on a subject, which has well nigh distracted me, and embarrassed and disheartened in a greater or less degree every friend of America. The late conduct of the Court of Spain respecting Captain Lee, whose case I mentioned before, is a striking proof of what I have so positively asserted of the good disposition of both these Courts. They dismissed the complaint against him, afforded him protection, with assurances of every assistance he might need, declaring publicly that their ports were equally free for Americans as for Britons. I have besides these overt acts still more convincing proofs, that the moment your application is made every thing will be set in proper motion.

I now discuss a subject which has given, and still continues to give me as much anxiety as I can struggle with, and mention another, a little new but indeed somewhat connected with it; it is the equipping of a number of American ships of war in the ports of France. Considering the price of duck, cordage, ordnance, and other military stores in America, they may be built much cheaper

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here. This is not the sole advantage, they may carry over stores of every kind in safety, as being French bottoms, ostensibly at least, all the brave and ingenious in the Marine Department in this kingdom would become adventurers in person, or in purse and influence in such a scheme; and I speak on good grounds, when I say, that in three months after receiving your orders I can have ten ships of at least thirty six guns each, at your service, independent of assistance immediately from Government; so much attention is paid to the American cause by all persons of consequence in this kingdom. The honorable Congress must I conceive either continue emitting bills or borrow money, and I submit whether it be not better to borrow of foreign states than individuals, in the present situation of American affairs; I am convinced you may borrow five or six millions of Holland, on France becoming your security. This I am confident may be obtained on application to this Court and Spain, and that on these principles they can by no means be willing to permit the Colonies to return to their former subjection to Great Britain, armed as both countries are. Their possessions in America must lie at the mercy of Great Britain, on such an event as a reconciliation with the Colonies. The Colonies being in want of the manufactures of Europe, of this kingdom in particular, this sum would, a principal part of it, rest in France and give a great spring to their manufactures, and afford them the advantage of anticipating others in American commerce. These are important objects, and I have no doubt would be considered of consequence sufficient for them to risk such a credit. Rich individuals offer to supply any quantity of goods or stores on such security, and I believe the latter would do considerable, were they only assured of five per cent interest on their debts after they become due. But I submit the whole to the mature consideration of the honorable Congress, and am, &c.

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SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 3d December, 1776.

Gentlemen,

My letters from Bordeaux and since, to which I have received no reply, will give you my situation, but lest some of them fail, I will briefly in this give you the history of my proceedings. Immediately on my arrival, I sent forward your bills, a large part of which were protested, and intelligence arriving of the loss of Canada, and that Carleton was even on the frontiers of the Colonies, and at the same time the formidable armament gone and going over, made every one here give up the Colonies as subdued. To have tried for a credit under such circumstances would have been worse than useless; it would have been mortifying, as a refusal must have been the consequence. Mr Delap generously offered to advance five or six thousand pounds, but when I considered it was already more than four months since you began to prepare for remitting, and that next to nothing was received, I really found myself embarrassed, and hoping every day for some relief, I suspended engaging, and came up to Paris, having previously sent Mr Morris's letter to his different correspondents, not one of which appeared inclinable to be concerned in a credit.

I sent — to procure the goods in Amsterdam, if to be had, but found our credit worse there than in France. A gentleman here offered me a credit for a million of livres, but it was, when explained, on the following conditions. I must produce direct authority from the Congress, with their promise of interest; all American vessels must be sent to his address; and until this could be secured him I must provide a credit, or in other words a security in Europe. Here you are sensible my negotiation ended. I then contracted for the supplies of the army, and crowded into the contract as large a proportion of woollens as I well could, sensible that with them you might do something, and hoping your remittances might still arrive, or some intelligence of the situation of your affairs, for I thought I judged rightly, that if in six or seven months you were unable to send out one third the remittances, the returns must be equally difficult. On this ground I have been anxiously waiting to hear something from you. Meantime I shipped forty tons of saltpetre, two hundred thousand pounds of powder, via Martinique, one hundred barrels via Amsterdam. The late affairs at Long Island, of which we had intelligence in October, and the burning of New York, the report of Carleton's having crossed the lakes, and that you were negotiating, has absolutely ruined our credit with the greater part of individuals; and finding so little prospect of completing the Indian goods, I have attended the closer to despatch the supplies for the army, for which I had obtained a credit ostensibly from a private person, but really from a higher source. Meantime the monies remitted are in Mr Delap's hands, except what I have drawn out for my private expenses, for payment of the saltpetre, for the fitting out of Captain Morgan, and for the equipment of certain officers going to America. For the 200,000 weight of powder Mr Delap is my surety, consequently should he receive nothing more from you he will have no considerable balance in his hands. Could I have received but one half the amount in any season, I would have ventured on the goods long before this, but to what purpose would it have been, could I have been credited the amount, if you were unable to remit? The same obstruction must subsist against their arrival. I am however at last promised the goods on credit by the same way as the stores have been procured, and hope to ship them this month; but some of the articles are not manufactured any where in Europe except Great Britain, and others must be substituted in the best manner I can.

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I have written to Mr Delap to send you his account, also to send the particulars to me, which I will transmit as soon as received. The goods may be expected in the month of February; meantime I pray you, not on this account only, but on others, to exert yourselves in remitting so much as to support the credit of the Continent, for which I am now engaged to a very great amount. Tobacco, rice, flour, indigo, peltry, oil, whale fins, flaxseed, spermaceti, masts, spars, &c. are in good demand. Tobacco at 9 to 10 sous per lb. and rising, free of duty or expense, save commission. Rice 30 livres per cwt. Flour 22 to 24 livres.

I am, most respectfully, &c.

SILAS DEANE.

P. S. When I say tobacco is free of duty, I mean if sold to the Farmers-General directly; on other conditions it is inadmissible at any rate.

TO JOHN JAY.

Paris, 3d December, 1776.

Dear Jay,

If my letters arrive safe they will give you some idea of my situation. Without intelligence, without orders, and without remittances, yet boldly plunging into contracts, engagements, and negotiations, hourly hoping that something will arrive from America. By General Coudray I send 30,000 fusils, 200 pieces of brass cannon, 30 mortars, 4000 tents and clothing for 30,000 men, with 200 tons of gun powder, lead, balls, &c. &c. by which you may judge we have some friends here. A war in Europe is inevitable. The eyes of all are on you, and the fear of your giving up or accommodating is the greatest obstacle I have to contend with. Mons. Beaumarchais has been my Minister in effect, as this Court is extremely cautious, and I now advise you to attend carefully to the articles sent you. I could not examine them here. I was promised they should be good and at the lowest prices, and that from persons in such station, that had I hesitated it might have ruined my affairs. But as in so large a contract there is room for imposition, my advice is that you send back to me samples of the articles sent you. Cannon, powder, mortars, &c. are articles known; but send clothes, the fusils, &c. by which any imposition may be detected. Large remittances are necessary for your credit, and the enormous price of tobacco, of rice, of flour, and many other articles, gives you an opportunity of making your remittances to very great advantage. 20,000 hogsheads of tobacco are wanted immediately for this kingdom, and more for other parts of Europe.

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I have written you on several subjects, some of which I will attempt briefly to recapitulate. The destruction of the Newfoundland fishery may be effected, by two or three of your frigates sent there early in February, and by that means a fatal blow given to Great Britain, I mean by destroying the stages, boats, &c. and by bringing away the people left there as prisoners. Glasgow in Scotland may be plundered and burnt with ease, as may Liverpool, by two or three frigates, which may find a shelter and protection in the ports of France and Spain afterwards. Blank commissions are wanted here to cruise under your flag against the British commerce. This is a capital stroke and must bring on a war. Hasten them out I pray you. France and Spain are friendly, and you will greatly oblige the latter by seizing the Portuguese commerce whenever it is found. I have had overtures from the king of Prussia in the commercial way, and have sent a person of great confidence to his Court with letters of introduction from his Agent here, with whom I am on the best terms. A loan may be obtained for any sums at five per cent interest, perhaps less, if you make punctual remittances for the sums now advanced. The Western Lands ought to be held up to view as an encouragement for our soldiers, especially foreigners, and are a good fund to raise money on. You may, if you judge proper, have any number of German and Swiss troops; they have been offered me, but you know I have no powers to treat. A number of frigates may be purchased at Leghorn, the Grand Duke of Tuscany being zealously in favor of America, and doing all in his power to encourage its commerce. Troubles are rising in Ireland, and with a little assistance much work may be cut out for Great Britain, by sending from hence a few priests, a little money, and plenty of arms. *Omnia tentanda* is my motto, therefore I hint the playing of their own game on them, by spiring up the Caribs in St Vincents, and the Negroes in Jamaica, to revolt.

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On all these subjects I have written to you. Also on various particulars of commerce. Our vessels have more liberty in the ports of France, and Spain, and Tuscany, than the vessels of any other nation, and that openly. I presented the Declaration of Independence to this Court, after indeed it had become an old story in every part of Europe; it was well received, but as you say you have articles of alliance under consideration, any resolution must be deferred until we know what they are. The want of intelligence has more than once well nigh ruined my affairs; pray be more attentive to this important subject, or drop at once all thoughts of a foreign connexion.

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Had I ten ships here I could fill them all with passengers for America. I hope the officers sent will be agreeable; they were recommended by the Ministry here, and are at this instant really in their army, but this must be a secret. Do you want heavy iron cannon, sea officers of distinction, or

ships? Your special orders will enable me to procure them. For the situation of affairs in England I refer you to Mr Rogers, Aid de Camp to Mons. du Coudray. I have presented a number of memoirs, which have been very favorably received, and the last by his Majesty, but my being wholly destitute of other than accidental and gratuitous assistance will not permit my sending you copies. Indeed I was obliged to make them so as to explain the rise, the nature, and the progress of the dispute. I have been assured by the Ministers, that I have thrown much light on the subject, and have obviated many difficulties, but his Majesty is not of the disposition of his great grandfather Louis 14th. If he were, England would soon be ruined. Do not forget or omit sending me blank commissions for privateers; under these, infinite damage may be done to the British commerce, and as the prizes must be sent to you for condemnation the eventual profits will remain with you.

Doctor Bancroft has been of very great service to me; no man has better intelligence in England in my opinion, but it costs something. The following articles have been shewn to me; they have been seen by both the courts of France and Spain, and I send them to you for speculation.

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1st. The thirteen United Colonies, now known by the name of the thirteen United States of North America, shall be acknowledged by France and Spain, and treated with as Independent States, and as such shall be guarantied in the possession of all that part of the continent of North America, which by the last treaty of peace was ceded and confirmed to the crown of Great Britain.

2dly. The United States shall guaranty and confirm to the crowns of France and Spain, all and singular their possessions and claims in every other part of America, whether north or south of the equator, and of the Islands possessed by them in the American seas.

3dly. Should France or Spain, either or both of them, possess themselves of the Islands in the West Indies now in possession of the crown of Great Britain (as an indemnity for the injuries sustained in the last war, in consequence of its being commenced on the part of Great Britain in violation of the laws of nations,) the United Colonies shall assist the said Powers in obtaining such satisfaction, and guaranty and confirm to them the possession of such acquisitions.

4thly. The fisheries on the banks of Newfoundland, of Cape Breton, and parts adjacent, commonly known and called by the name of the Cod Fishery, shall be equally free to the subjects of France, Spain, and the United States respectively, and they shall mutually engage to protect and defend each other in such commerce.

5thly. The more effectually to preserve this alliance, and to obtain the great object, it shall be agreed, that every and any British ship or vessel found or met with on the coasts of North America, of South America, or of the Islands adjacent, and belonging thereto, and within a certain degree or distance to be agreed on, shall be forever hereafter considered as lawful prize to any of the subjects of France, Spain, or the United Colonies, and treated as such, as well in peace as in war, nor shall France, Spain, or the United Colonies ever hereafter admit British ships into any of their ports in America, North and South, or the Islands adjacent. This article never to be altered or dispensed with, but only by and with the consent of each of the three contracting States.

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6thly. During the present war between the United States and Great Britain, France and Spain shall send into North America, and support there, a fleet to defend and protect the coasts and the commerce of the United States, in consequence of which if the possessions of France or Spain should be attacked in America by Great Britain or her allies, the United States will afford them all the aid and assistance in their power.

7thly. No peace or accommodation shall be made with Great Britain to the infringement or violation of any one of these articles.^[8]

I am, with the utmost impatience to hear from you, Dear Sir, yours, &c.

SILAS DEANE.

FOOTNOTES:

[8] From the manner in which Mr Deane introduces these articles, it does not appear in what source they originated. From the following sketch, which was prepared some time before this letter was written to Mr Jay, it is evident that the project was first proposed by Mr Deane himself.

"Outline of a Treaty between France and Spain and the United States, drawn up by Silas Deane, and presented to the Count Vergennes in his private capacity, Nov 23, 1776.

"1. Independence to be recognized.

"2. The United States to guaranty and confirm to France and Spain all their possessions in North America and the West India Islands.

"3. Should France or Spain gain possession of any of the West India Islands, (as an indemnity for the injuries sustained by them in the last war, in consequence of its being

commenced on the part of Great Britain, in violation of the laws of nations,) the United States to assist the said powers in gaining satisfaction, and in retaining possession of such acquisitions.

"4. The fisheries on the Banks of Newfoundland to be enjoyed equally between the three contracting powers, to the exclusion of all other nations.

"5. The regulations of commerce to be reciprocal.

"6. Any British vessel found or met with on the coast of North or South America, or the Islands adjacent or belonging thereto, *within a certain degree or distance to be agreed on*, shall be forever hereafter considered as lawful prize to any of the subjects of France, Spain, or the United States, and treated as such as well in peace as in war,—nor shall France, Spain, or the United States ever hereafter admit British ships into any of their ports in America, North or South, or the Islands adjacent, nor shall this article ever be altered or dispensed with, but only by and with the consent of each of the three contracting States.

"7. During the present war, France and Spain to send fleets into the seas of the United States to defend them from the British, and should the possessions of France or Spain in America be attacked, the United States to lend such aids as they can for their defence.

"8. No peace to be made with Great Britain, by either of the contracting parties, to the infringement or violation of any one of these articles."

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 6th December, 1776.

Gentlemen,

You have enclosed the duplicate of an agreement with Mons. du Coudray, of my orders for clothing, stores, &c., of my agreement with Baron de Kalb and others of his train, also with the Comte de Monau and his, which I hope will be agreeable, also the agreement for freight of the ships, which I was assured by letters from Bordeaux and elsewhere was as low as could be procured. At the same time, if it is above the stated price, in such cases I am promised an abatement. I hope the peculiarity of my situation, and the anxious desire I have of forwarding aid to my country, will be considered if any of the articles are thought high. Men cannot be engaged to quit their native country and friends, to hazard life and all in a cause, which is not their own immediately, at the same easy rate as men will do who are fighting literally *pro aris et focis*, and it is a universal custom in Europe to allow something extra to foreigners, but my allowances are very much below the rates here for officers in the same station.

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I have the honor to be, with the most profound respect for the Congress, &c.

SILAS DEANE.

List of Officers of Infantry and Light Troops destined to serve the United States of North America.

NAMES OF OFFICERS.	RANK.	COMMENCEMENT OF THEIR PAY.
Baron de Kalb,	Major General,	7th November, 1776.
Vicount de Mauroy,	Major General,	20th do. do.
de Senneville,	Major,	7th do. do.
The Chevalier du Buyssons,	Major,	7th do. do.
The Chevalier de Fayoles,	Lieut. Colonel,	20th do. do.
Dubois Martin,	Major,	20th do. do.
de Holtzendorff,	Lieut. Colonel,	26th do. do.
The Chevalier de Faily,	Lieut. Colonel,	1st December, 1776.
Amariton,	Major,	do. do.
de Roth,	Captain,	do. do.
de Gerard,	Captain,	do. do.
Philis de Roseval,	Lieutenant,	do. do.
de Montis,	Lieutenant,	1st December, 1776.
Loquet de Granges,	Lieutenant,	do. do.
de Vrigny,	Capt. Company franche,	do. do.
Candon,	Lieutenant,	do. do.

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The said ranks and pay at the dates marked in the present list have been settled mutually

between us, the undersigned, me, Silas Deane, in my quality of deputy of the most honorable Congress of the United States of North America, and me, John Baron de Kalb, Major General in the service of the States General. Done double at Paris this 1st of December, 1776.

DE KALB,
SILAS DEANE.

List of Officers of Infantry and Light Troops destined to serve in the armies of the United States of North America.

NAMES OF OFFICERS	RANK	COMMENCEMENT OF THEIR PAY
M. de la Fayette,	Major General,	from the 7th December, 1776.
Baron de Kalb,	Major General,	7th November,
Delessier,	Colonel,	1st December,
De Valfort,	Colonel,	1st December,
De Fayoles,	Lieutenant Colonel,	20th November,
De Franval,	Lieutenant Colonel,	1st December,
Dubois Martin,	Major,	7th November,
De Gimat,	Major,	1st December,
De Vrigny,	Captain,	1st December,
De Bedaulx,		
Capitaine,	Captain,	1st December,
de la Colombe,	Lieutenant,	1st December,
Candon,	Lieutenant,	7th November.

The ranks and the pay, which the most honorable Congress shall affix to them to commence at the periods marked in the present list, have been agreed to by us the undersigned, Silas Deane in quality of deputy of the American States General on the one part, the Marquis de la Fayette and the Baron de Kalb on the other part. Signed double at Paris this 7th of December, 1776.

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SILAS DEANE,
The MARQUIS de la FAYETTE,
DE KALB.

The desire which the Marquis de la Fayette shows of serving among the troops of the United States of North America, and the interest which he takes in the justice of their cause make him wish to distinguish himself in this war, and to render himself as useful as he possibly can; but not thinking that he can obtain leave of his family to pass the seas, and serve in a foreign country, till he can go as a general officer; I have thought I could not better serve my country, and those who have intrusted me, than by granting to him in the name of the very honorable Congress the rank of Major General, which I beg the States to confirm to him, to ratify and deliver to him the commission to hold and take rank, to count from this day, with the general officers of the same degree. His high birth, his alliances, the great dignities which his family holds at this Court, his considerable estates in this realm, his personal merit, his reputation, his disinterestedness, and above all his zeal for the liberty of our provinces, are such as to induce me alone to promise him the rank of major general in the name of the United States. In witness of which I have signed the present, this 7th of December, 1776.

SILAS DEANE.

On the conditions here explained I offer myself, and promise to depart when and how Mr Deane shall judge proper, to serve the United States with all possible zeal, without any pension or particular allowance, reserving to myself the liberty of returning to Europe when my family or my king shall recall me.

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Done at Paris this 7th of December, 1776.

The MARQUIS de la FAYETTE.

TO COUNT VERGENNES.

Paris, December 8th, 1776.

Sir,

I received last evening a letter from my friend, Dr Franklin, at Nantes, which place he was to leave last Sunday morning, so that I expect him in Paris this day, or early tomorrow. Meantime I have and shall carefully attend to the hint given me, and am confident he will do the same. His arrival is the common topic of conversation, and has given birth to a thousand conjectures and reports, not one of which I have given ground for, having constantly declared that I am ignorant of the motives of his voyage, or his business.

I have the honor to be, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 12th December, 1776.

Gentlemen,

Just as I had closed my despatches by the Generals de Coudray and Baron de Kalb, I was most agreeably surprised with a letter from Dr Franklin, at Nantes, where he arrived, after thirty days passage, with two prizes. I hourly expect him here, but knowing of his arrival, I despatch this with a duplicate to Havre de Grace, to go by the ships sailing thence, and have only time to inform you, that I sent an express instantly to Mr Lee to join us here without delay, for the news of Dr Franklin's arrival may occasion his friends being forbid coming from London to France. Nothing has, for a long time, occasioned greater speculation than this event, and our friends here are elated beyond measure, as this confirms them you will not negotiate with England; and for me, I will not attempt to express the pleasure I feel on this occasion, as it removes at once difficulties under which I have been constantly in danger of sinking. I may not add, as I shall miss the post, but am, with the most grateful and respectful compliments to the Congress, &c.

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SILAS DEANE.

P. S. The King of Portugal is dead. The Comte Grimaldi, Prime Minister of Spain, has resigned, which will tend to accelerate a rupture in Europe, which I think unavoidable.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 20th January, 1777.

Gentlemen,

I have met with disappointments, unexpected as they have been affecting; after orders and counter orders and manœuvres, the very history of which would fill a volume, the Amphitrite departed with the first parcel of the stores on the 14th ult., and I was then in full confidence that the other vessels would instantly follow, as they lay ready in their different ports, when, to my surprise, counter orders arrived. While laboring to remove these, the Amphitrite returned into port, pretendedly through the want of live stock, &c. by the officers. The Captain has protested, that he returned in consequence of the positive orders of Mons. du Coudray, to whom a superior power was given. I have no time to decide so disputable a point as that respecting Monsieur du Coudray's return, but the consequences have been bad. This, I must say, he acted an unwise and injudicious part, in returning into the port he did, as he thereby gave a fresh alarm to the ministry, and occasioned a second counter order. Indeed Mons. du Coudray appeared to have solely in view his own ease, safety, and emolument, and instead of instantly despatching the ships with supplies, and thereby preventing a noise, he left the ships, and returned quite to Paris without the least ground, that I can find, for his conduct; and has laid his scheme to pass into America in a ship without the artillery, which is inconsistent and absurd, and contrary to our original agreement, and constant understanding, as I engaged with this man solely on account of the artillery he was to assist in procuring, expediting, and attending in person. His desertion of this charge, with his other conduct, makes me wish he may not arrive in America at all. I am sensible that my difficult situation may affect you, and therefore I shall, if possible, prevent his going out at all. With respect to the other stores they are embarked, and I am promised a permit, which is all I may say on the subject, which is left solely to my management by my colleagues.

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M. du Coudray, not content with leaving the ship, took with him the papers which occasioned a still further delay after she was ready; but I will not enlarge on these disagreeable topics, but wishing the stores at hand,

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I am, with much esteem, &c.

SILAS DEANE.

I recommend the Captain to the generosity of Congress.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 6th February, 1777.

Gentlemen,

The bearer, Mons. Holtzendorff, is a Prussian officer, who served the last war in Germany, and with reputation. Gentlemen of first character in the army here have recommended him, as an excellent officer both for skill and bravery. I take therefore the liberty of recommending him to the service of the United States. He leaves a Major's post here in the army of France, hoping by his services in America to advance himself beyond what he can expect in Europe in a time of peace. I shall as soon as possible send you a particular account of all my proceedings to the time of the arrival of Dr Franklin, which I have in a great measure done already, though in detached parts in different letters, some of which may undoubtedly miscarry.

I am, with much respect, &c.

SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 27th February, 1777.

Gentlemen,

This will be delivered you by Captain Goy, who, with his lieutenant and two sergeants, embarks with thirty field pieces, ten ton of powder, ball, lead, &c. which I wish safe and in season for service, though delayed beyond my expectations. Captain Goy has the best of recommendations from officers of distinction here, and I am confident will be found to be of great service in the artillery, a part of which he accompanies. Dr Franklin is at present in the country in good health, and we shall jointly write you very particularly in a few days; meantime we are without any intelligence from Congress since he left Philadelphia, in October last. I will not attempt to give you an idea of the difficulties, which are the consequence of our being left thus without intelligence, nor the anxiety it occasions in our minds; but must urge you to take some effectual measures for keeping up a correspondence with us in future, without which many proposals of the utmost importance to the United States are extremely embarrassed, and in danger of failing.

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I have the honor to be,

With the most profound respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Paris, 8th April, 1777.

Sir,

The bearer, Viscount Murreu, is the gentleman of whom I formerly wrote, and who has been long detained by a variety of accidents, which he can relate to you at large. The engagements taken with him were previous to the arrival of my colleagues, who have not therefore intermeddled in the affair. His character and abilities are high in estimation here, and the Comte de Broglio has written in particular to General Washington. He served under the Comte, who commanded the armies of France with reputation in the last war.

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I have the honor to be,

With the most profound respect, &c.

SILAS DEANE.

TO ROBERT MORRIS.

Paris, 23d August, 1777.

Dear Sir,

My letter, No. 1. of this date, gives you the state of Captain Bell's proceedings and the circumstances attending it. In this I mean to give you a short view of the conduct of this Court, with respect to American ships of war, private as well as public, which I cannot well do without giving you a history of facts.

You know that when I left America the naval armaments were but beginning by the Congress, and the inquiry was hardly made, even by individuals, whether foreign powers would admit our cruisers and their prizes. After my arrival the question was first started by Captain Lee of Marblehead, at Bilboa, of which I gave you an account in my letters of October and November last. Captain Lee carried no prize into Bilboa with him, and the question turned simply on the complaint of the English Consul, charging him with having committed acts of piracy on the high seas in making prizes of English vessels. The commissary or governor of the port detained his vessel and sent to Court for directions, and received orders to set the vessel at liberty; which orders were accompanied with a general declaration, that his Catholic Majesty was neuter in the dispute between England and America. Though the issue of this business was favorable, it was not direct to the point; we wished to establish the declaration of neutrality to be general.

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In my letters of October and November last, some of which must have been received, I repeatedly gave my sentiments in favor of sending cruisers into these seas. The first that arrived was the Reprisal with two prizes; this caused much speculation, and at our first audience after, we were told, that by the treaties subsisting between France and England, ships of war belonging to any foreign power at war with either could not be admitted into their ports, unless driven by stress of weather, or want of provisions, &c. and that in such case they could not be permitted to stay longer than twenty four hours, or until they had taken on board the provisions necessary to carry them to the nearest port of their respective states, &c. as you will see in the treaty of commerce of 1713, confirmed by all the subsequent treaties. At the same time we were given to understand, that every favor and indulgence compatible with the treaties would be shewn us, and that ways might be found out to dispose of those prizes without giving public offence to England. The hint was taken, the prizes disposed of, and the Reprisal repaired and fitted for another cruise; which she made on the coast of Spain, taking, among other English prizes, the packet boat from Lisbon; with which Captain Wickes returned to port L'Orient. On this the English Ambassador complained loudly, and the English merchants were alarmed. Insurance rose in London, and it was generally supposed that there would be a restitution of the prizes and detention of Captain Wickes, or a declaration of war. This Court then ordered the prizes as well as Capt. Wickes to leave the port in twenty four hours. The former were sent out but sold to French merchants, and Captain Wickes, his ship being leaky, was permitted to stay. Soon after this, Captain Johnson arrived in the Lexington, and we, having bought a cutter with a view of sending her out as a packet, altered our resolution and equipped her as a cruiser, and sent her and the Lexington out under the command of Captain Wickes as commodore, with the design of intercepting the Irish linen ships; but by contrary winds, and mistaking the time of the sailing of those ships, they were unsuccessful as to the main object; but as they sailed quite round Ireland, and took or destroyed seventeen or eighteen sail of vessels, they most effectually alarmed England, prevented the great fair at Chester, occasioned insurance to rise, and even deterred the English merchants from shipping goods in English bottoms at any rate, so that in a few weeks forty sail of French ships were loading in the Thames on freight; an instance never before known.

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But upon this, the English Ambassador complained in a higher tone, and gave us much difficulty; the prizes however were disposed of, though at a prodigious loss, and Captain Wickes set about repairing and refitting the Reprisal, which had been obliged to throw over her guns, and saw some of her beams, to escape a seventy four gun ship, which chased her and the Lexington on their return from their cruise. But before he was refitted, orders were sent from Court to detain his vessel and the Lexington, until further orders. This was owing partly to Captain Wickes having repeatedly come into the ports of France with prizes, and refitted his ship for fresh cruises, it being directly contrary to the treaty, which they pretend to hold sacred, and partly to the transaction at Dunkirk and the consequent threatenings of the British Ministry. In this situation Captain Wickes and Captain Johnson remain at present. Soon after Mr Hodge's arrival, we bought a lugger at Dover, and sent her to Dunkirk. Mr Hodge went after her and equipped her with great secrecy, designing a blow in the North Sea. He sent Captain Cunningham in her, and ordered him to intercept the packet between England and Holland, and then to cruise northward towards the Baltic. Cunningham fell in with the packet in a day or two after leaving Dunkirk, and took her. As she had a prodigious number of letters on board, he imagined it was proper he should return to Dunkirk instead of continuing his course; in his return he also took a brig of some value, and brought both prizes into port. This spread the alarm far and wide, and gave much real ground of complaint, as he had been entirely armed and equipped in Dunkirk, and had returned thither with his prizes. The Ministry, therefore, to appease England ordered the prizes to be returned, and Cunningham and his crew to be imprisoned, which gave the English a temporary triumph.

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But not discouraged thereby, another cutter was bought and equipped completely in the port of Dunkirk. Cunningham and his crew were set at liberty, and with some address and intrigue he got again to sea from the same port, in a swift sailing cutter, mounting fourteen six pounders and twenty two swivels, with one hundred and six men. His first adventure greatly raised insurance on the northern trade, even the packet boats from Dover to Calais were for some time insured. On his leaving the port of Dunkirk the second time, he had orders to proceed directly for America, but he and his crew, full of resentment for the insults they had received from the enemy whilst in prison at Dunkirk, and afterwards, attacked the first vessels they met with, and plundered and burnt as they went on. Our last accounts are, that they had taken or destroyed about twenty sail, and had appeared off the town of Lynn and threatened to burn it unless ransomed; but the wind proving unfavorable, they could not put their threats into execution. In a word, Cunningham, by his first and second bold expeditions, is become the terror of all the

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eastern coast of England and Scotland, and is more dreaded than Thurot was in the late war. But though this distresses our enemies, it embarrasses us. We solicited his enlargement, and Mr Hodge engaged for his going directly for America. I know not how his engagement was expressed, but to appease the British Ministry and drive off an instant war, Mr Hodge has been arrested and confined. His friends need not be in distress for him; he will soon be at liberty. He merits much from his country, having been ready at all times to promote and serve its interests.

Just before the sailing of Cunningham, Captain Burrall arrived in a Maryland pilot boat. He made several prizes in his passage, and brought one into Cherbourg with him. He came to Paris for our advice, but on his return suffered himself to be enticed on board an English cutter in the port, where he was instantly seized, and the cutter came to sail and carried him off prisoner. We complained, and were promised that he should be reclaimed by this Court; it has probably been done, but we have received no answer. The ship General Mifflin, after cruising some time on the coasts of England and Ireland, put into Brest, and there, under Continental colors, saluted the admiral, who, after consulting his officers, returned the salute, which causes much speculation, and shows that the officers, as well as the other orders in this kingdom, are much in our interest. But, the politics of this Court are intricate, and embarrassed with connexions and alliances on the continent of Europe, which, with the state of their fleet, and their sailors being abroad in the fishery, &c. puts off bold and decisive measures. Some other prizes have arrived in different ports, particularly two valuable Jamaica men sent into Nantes a few days since, by Captains Babson and Hendricks.

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This is a brief account of the proceedings of our cruisers, who have put into the ports of this kingdom. The prizes are sold without condemnation, and consequently to a great loss, as the whole is conducted secretly, and put too much in the power of the agents. Though these cruisers have not been profitable to us, they have been of infinite prejudice to our enemies, both in their commerce and reputation. I will not add to this, as I shall write another letter by this conveyance.

I beg my best compliments to Mrs Morris, and that you will believe me ever, dear sir, yours, &c.

SILAS DEANE.

P. S. Since writing the above the two Jamaica prizes are, by order of Court, arrested, and it remains doubtful whether they will not be restored to the original proprietors. The captain of one of the privateers on his passage took on board a lady, who was prisoner on board an American privateer, bound for Boston. This he did from motives of humanity. On his arrival at Painbeuf, she wrote to her brother, a merchant at Nantes, who came down, and hoping to get the consignment of the prizes, officiously advised the captain to report them as ships laden at St Eustatia, which they did, and on their arrival at Nantes consigned the prizes to Messrs Lee & Williams, who immediately made a private sale of them. Meantime the owners being acquainted with the proceeding, and knowing that the ships and cargoes, by being regularly entered, were in the hands of the custom house, lodged claims, showing that they had been falsely entered, and were English property captured by American privateers, and consequently by treaty could not be sold in France. This obliged the government to arrest the prizes or openly violate the treaty. Mr Williams came up a few days since, and presented a memorial on the subject, but I fear he will receive an unfavorable answer. Orders are received for Captains Wickes and Johnson to depart the ports of France. I purpose sending duplicates of this letter by each of them. I cannot omit any opportunity of doing justice to these gentlemen, their officers and seamen, whose conduct has been such as merits the approbation of their countrymen, and has given reputation to our navy in France. They will not be able to carry out any goods, though we had purchased some with a design of sending by them, particularly a quantity of saltpetre. This, with other articles to a considerable amount, will be sent in the course of this and the next month. I have received letters a few days since, advising that Captain Cunningham was at Ferrol. I know not where he designs next, having nothing directly from him.

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S. D.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

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Paris, 3d September, 1777.

Gentlemen,

Captain Landais is the bearer of this. He goes in the *Heureuse*, loaded with stores for America. This cargo has, by a succession of obstacles thrown in the way, been delayed from January last, to a most prodigious cost and expense. I hope, however, that it may finally arrive in season to be of essential service. Captain Landais, whom I have mentioned in my former letters, will offer his service to the United States. I must repeat here what I have written before, that I find him to be a skilful seaman, of long experience in every part of the world, of good judgment, and of the most unsuspecting honor and probity; I can but consider him as a valuable acquisition to our navy.

My agreement with M. Monthieu, the owner of this ship, in case she should not be sold in

America, is that she be despatched with a cargo of tobacco as soon as possible, if the article is to be had, if not, with such articles as can be procured, as I have engaged for the freight out and home, and you are sensible of the necessity of having remittances by every opportunity. Whatever this ship may be loaded with, I pray the cargo may come to Messrs Rodrique Hortalez & Co. as they have advanced for the arms and other articles of this cargo, over and above their other large advances. Tobacco is the best article at present, in the ports of France, or indeed in any part of Europe, and must continue so for a very considerable time yet to come, most probably for twelve months. You will please to send me an account of the cargo, whatever it may be, that you ship in this vessel, and duplicates by others.

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I have the honor to be, &c.

SILAS DEANE.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, 10th September, 1777.

Gentlemen,

This will be handed you by M. Francy, who is agent for Messrs Rodrique Hortalez & Co.^[9] You will see by the bills of lading, the quantity of stores shipped by that house, and make some judgment of their considerable amount. The vessel, in which M. Francy sails, is loaded with stores, which were long since engaged, but by a succession of obstacles have been until this detained. I still hope they will arrive in safety, and in season to be of service. The ship will be offered you to purchase, if she suits you, and if not, it will be equally agreeable to have her returned on the owners' account. I could not say any thing of purchasing a ship, without knowing more of her than I could know of this; I have therefore left it to your option to pay the price demanded, or the freight; the latter is to be what is at this time customary in vessels of such force, which not being precisely fixed, is submitted to M. Chaumont, by the advice and consent of my colleagues; it will probably be about two hundred and fifty livres per ton of goods to America, and back to France; it will not exceed that.

Messrs Rodrique Hortalez & Co. have other vessels, which will follow this in a short time, which they want to have despatched with tobacco, agreeably to what they formerly wrote you, and M. Francy goes partly on that account; I must therefore pray you to furnish him with the means of procuring the quantity he will want for them in season. The cargo of the Therese, sent by the way of St Domingo, I hope is by this time arrived; it was so valuable that it was thought most prudent to send it by that route, as it would run no risk in getting there, whence it might in different bottoms be got into the Continent, without the considerable risk of going direct. As the vessels of Messrs Hortalez & Co. will arrive at a time when despatch will be of the utmost consequence, they are desirous to have their cargoes ready on their arrival. By these vessels I will write you particularly on this subject, and in the meantime, have the honor to be, with the greatest respect, &c.

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SILAS DEANE.

FOOTNOTES:

- [9] For a copy of the power given to M. Francy, by Caron Beaumarchais, representing in France the house of Hortalez & Co., and also for several resolutions of Congress on the subject, see the Journals of the Old Congress for April 7th, 1778.

TO ROBERT MORRIS.

Paris, 23d September, 1777.

Dear Sir,

As many of the commissioners' letters may have failed, I take the liberty of enclosing an extract of a letter written jointly by Dr Franklin and myself in March last, in which we sent an extract of a letter from Mr Lee, who had been at Nantes, and was then at Bordeaux. This letter was to the committee, and consequently to Congress. We wrote one also previous to this, to the committee, just before Mr Lee's going to Nantes.

I am informed that it is insinuated, that interested and private views influenced me to write as I did,^[10] and that the fixing Mr Williams at Nantes was the object I had in view. I am very sorry you should be so imposed upon; the consequences must ultimately be more prejudicial to yourself than to any other person. In the meantime, as a man of honor, I assure you I have neither interest

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or connexion in Mr Williams' business, nor have I engaged in the smallest private concern, except what you have been acquainted with, and which you know was in consequence of your letters in June, 1776.

Mr Williams came to France to visit Dr Franklin; he was in a good way of business in London, where he was entering into business with a capital house in the sugar business. England was disagreeable to him, solely on account of the animosities, which prevailed among individuals on account of the public quarrel. The stores which I had engaged, and which were sent out in the Mercury and Therese, were at Nantes, where matters had been so conducted that you must suppose I had no confidence in the managers. On this occasion I applied to Mr Williams, as a friend, to make a journey to Nantes, to examine the goods and see them shipped. He left Paris without intending to tarry longer than to perform this business. But his conduct at Nantes was so much the reverse of what had preceded, that every one who wished well to our affairs desired that he might be continued there. I needed no solicitations; the interest of my country was my sole motive; I knew he served it faithfully, and I knew him to be generous and disinterested in the service. Yes sir, disinterested; and you will acknowledge it when you are informed, that what he exacted of us was barely a sufficiency to support him, not amounting to one fourth of one per cent on the business. He has, if I am to have the credit of fixing him there, done me great honor; he has, at the same time, obtained the good opinion and friendship of the capital persons at Nantes. I am thus particular on this subject, as I am well convinced it has been represented to you very differently. How it has been represented I know not, nor am I likely to be informed but from second hand, from your brother's showing your letter directed to me to Mr Ross, and telling some others what were its contents, and that you not only justified his conduct, but had obtained for him more ample appointments, with severe reprimands to me, and even oblique censure on Dr Franklin, who happens to be Mr Williams' uncle.

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It is hard for me, acting as I have done, from the most disinterested motives, and from those principles of friendship which shall be ever sacred with me, to be thus censured by you unheard.

Mr Ross does justice to the character you gave of him. I expect to see him in Paris in a few days, when I shall show him what I now write you.

I have not the least desire of intermeddling in the commercial concerns of the Congress in Europe, nor of going out of my own department, whatever it may be, on any occasion; but I have been obliged to take much upon my hands in procuring supplies of clothing, &c. as have also my colleagues, on account of the unhappy situation of our affairs here as to commerce. I will not add to a letter already long, only that if I have been mistaken in any thing, you will reflect that I write in reply to a part of one of yours, which I am unable to procure a sight of, and assure you that no private concern affects me more, than having drawn on myself your resentment by my desire of serving you. Be assured that I retain the highest esteem and respect for you in your public as well as private character, and am your sincere friend, &c.

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SILAS DEANE.

FOOTNOTES:

[10] Allusion is here made to certain charges or complaints against Mr Thomas Morris, brother of Mr Robert Morris. He had been a merchant in Nantes, and was an agent for transacting in that port the mercantile affairs of the United States.

COMMITTEE OF FOREIGN AFFAIRS TO SILAS DEANE.

York, in Pennsylvania, 4th December, 1777.

Sir,

In compliance with the order of Congress, we now enclose you their resolve of November 21st last; a duplicate goes by another opportunity. We are, Sir, &c.

R. H. LEE,
J. LOVELL.

JAMES LOVELL TO SILAS DEANE.

York, 8th December, 1777.

Sir,

By accident I find myself called upon singly to execute the duty of the committee of foreign

affairs, in communicating to you an order of Congress, of this day, respecting your return to America.

The order stands in need of no comment from the committee to elucidate it;^[11] and being drawn up in terms complimentary to your abilities of serving these United States upon your arrival here, I take pleasure in conveying it, being, sir, your very humble servant,

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JAMES LOVELL.

FOOTNOTES:

[11] Mr Deane was recalled by a resolution of Congress, Nov. 21st, 1777. The following preamble and order were passed on the 8th of December following, viz.—"Whereas it is of the greatest importance, that Congress should at this critical juncture be well informed of the state of affairs in Europe; and whereas Congress have resolved that the Hon. Silas Deane be recalled from the Court of France, and have appointed another commissioner [John Adams] to supply his place there;

"*Ordered*, that the committee of foreign affairs write to the Hon. Silas Deane, and direct him to embrace the first opportunity to return to America, and upon his arrival to repair with all possible despatch to Congress."

It may here be observed, that after the 17th of April, 1777, the *Committee of Secret Correspondence* was by a resolution of Congress, passed on that date, styled the *Committee of Foreign Affairs*.

FROM COUNT DE VERGENNES TO THE PRESIDENT OF CONGRESS.

Translation.

Versailles, the 25th March, 1778.

Sir,

Mr Deane being about to return to America, I embrace the occasion with pleasure to give my testimony to the zeal, activity, and intelligence with which he has conducted the interests of the United States, by which he has merited the esteem of the king my master, and for which his Majesty has been pleased to give him marks of his satisfaction. Mr Deane will be able to inform Congress of the disposition of the king towards the United States. The engagements formed with his Majesty, will doubtless satisfy their wishes; the king on his part is not only convinced, that they are founded on principles unalterable, but also that they will contribute to the happiness of both nations.

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I have the honor to be, &c.

DE VERGENNES.

FROM COUNT DE VERGENNES TO SILAS DEANE.

Translation.

Versailles, 26th March, 1778.

As I am not, Sir, to have the honor of seeing you again before your departure, I pray you to receive here my wishes, that your voyage may be short and happy, and that you may find in your own country the same sentiments, which you have inspired in France. You need not, Sir, desire any addition to those which I have devoted to you, and which I shall preserve for you to the end of my life; they will be sureties to you of the true interest, which I shall forever take in your happiness, as well as in the prosperity of your country.

The king, desirous of giving you a personal testimony of the satisfaction he has in your conduct, has charged me to communicate it to the President of the Congress of the United States. This is the object of the letter, which Mr Gerard will deliver you for Mr Hancock. He will also deliver you a box with the king's portrait. You will not, I presume, Sir, refuse to carry to your country the image of its most zealous friend. The proof of this is in facts.

I have the honor to be, with the most sincere consideration, &c.

DE VERGENNES.

FROM DR FRANKLIN TO THE PRESIDENT OF CONGRESS.

[Pg 120]

Passy, near Paris, 31st March, 1778.

Sir,

My colleague, Mr Deane, being recalled by Congress, and no reasons given that have yet appeared here, it is apprehended to be the effect of some misrepresentations from an enemy or two at Paris and at Nantes. I have no doubt, that he will be able clearly to justify himself; but having lived intimately with him now fifteen months, the greatest part of the time in the same house, and been a constant witness of his public conduct, I cannot omit giving this testimony, though unasked, in his behalf, that I esteem him a faithful, active, and able minister, who, to my knowledge, has done in various ways great and important services to his country, whose interests I wish may always, by every one in her employ, be as much and as effectually promoted.

With my dutiful respects to the Congress, I have the honor to be, &c.

B. FRANKLIN.

TO THE PRESIDENT OF CONGRESS.

Delaware Bay, 10th July, 1778.

Sir,

I have now the pleasure of acquainting your Excellency of my arrival here yesterday, on board the Languedoc, commanded by his Excellency Count d'Estaing, with a fleet of twelve sail of the line, and four frigates. We sailed from Toulon the 10th of April last. I presume therefore that I have no intelligence from Europe so late as what you must be possessed of already. Finding that the enemy had escaped, the Admiral resolved instantly to pursue them to New York, and will sail this morning for that port, but he has no pilot. If, therefore, pilots can be sent to meet him on his arrival, it will be of the utmost service to the expedition. I shall embark this afternoon in company with his Excellency, Mons. Gerard, for Philadelphia, and hope soon to have the honor of paying my respects to your Excellency and the honorable Congress in person, and to congratulate you on the late glorious events. I have sent Commodore Nicholson express, who can inform you of our situation. Permit me to recommend him as an active, spirited officer, to whom the Admiral has been much obliged by his services during our passage.

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I have the honor to be, with the most profound respect, your Excellency's most obedient, and very humble servant,

SILAS DEANE.

P. S. His Excellency the Admiral desires, that on the arrival of the pilots at the Hook, where they will find his fleet, they would make a signal with a white flag, either on board their boat, if they have one, or from the shore, formed in a triangle. Mons. Chouen, who will wait on you with a letter from the Admiral, sets out suddenly, and may want money to bear his expenses on his further journey. Mons. Gerard desires he may be supplied on his account, with any sum to the amount of twenty thousand livres.

TO THE PRESIDENT OF CONGRESS.

[Pg 122]

Philadelphia, 28th July, 1778.

Sir,

I had the honor of receiving on the 4th of March last, in a letter from Mr Lovell, (a copy of which I now enclose,^[12]) the orders of Congress, announcing my recall, and directing my immediate return.

This was the first and only intimation I ever received of the resolutions of Congress on the subject; I immediately complied with it, and left Paris the 1st of April, with hopes of arriving in season to give Congress that intelligence, which in the order for my return, they express their want of.

Unfortunately my passage has been much longer than I expected, and I but now begin to find myself recovering from the fatigues of it; yet my desire of giving Congress, as early as possible, an account of the state of their affairs in Europe, when I left France, as well as the peculiar situation in which my recall has placed me personally, has induced me to address them through

your Excellency, to solicit for as early an audience as the important business in which they are engaged will admit of.

I have the honor to be,

With the most sincere respect, &c.

SILAS DEANE.

FOOTNOTES:

[12] See above, [page 117](#).

TO THE PRESIDENT OF CONGRESS.

[Pg 123]

Philadelphia, 8th September, 1778.

Sir,

I pray your Excellency to remind the Congress, that I still wait to receive their orders, and though I am sensible that they have many and important affairs under their consideration, yet I must entreat them to reflect on the peculiar situation I have for some time past been placed in, and inform me if they desire my further attendance.

I have the honor to be, with the highest respect, your Excellency's, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 11th September, 1778.

Sir,

I received your note, in which you politely informed me that you had laid before Congress the letter, which I did myself the honor of writing to your Excellency a few days since. I now return you my thanks for the attention you have paid me, and again take the liberty to ask of you to remind Congress, that the circumstances under which I left France, and the situation of the affairs in Europe, which I had been principally concerned in transacting, (as I had the honor of mentioning to Congress) render it indispensably necessary on my part, that I return as early as possible, and that if my further attendance here is not necessary, I pray to be informed of it, that I may be at liberty to visit my friends, and prepare for my voyage; or that if further intelligence is expected from me, I may have an early opportunity of giving it.

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I flatter myself your Excellency and the Congress will not judge my repeated applications improper, when the circumstances which attended my leaving Europe, and the situation I have been in since my arrival in America, are recollected and considered.

I have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 22d September, 1778.

Sir,

In consequence of an order of Congress on the 8th of December, 1777, for me to embrace the first opportunity of returning to America, and "upon my arrival to repair with all possible despatch to Congress, that they might be well informed of the state of affairs in Europe in that critical juncture," I left Paris the 1st of April last, having received the order on the 4th of March preceding, and arrived in Philadelphia, the seat of Congress, on the 13th of July following, ready at the pleasure of Congress to render such information as was in my power to give. In this situation I continued until the 15th of August, when I received the order of Congress to attend them on the 17th, on which day, and on the 21st, I had the honor personally to inform Congress generally, of my public transactions under their authority from the time of my departure from

Philadelphia in March, 1776, until my return.

In these audiences, I particularly stated and explained the unsettled state, in which the commercial transactions of the commissioners in Europe were at my departure, and that as well from their nature and extent, as that even at my departure from Paris many large orders were not completed, and of consequence, neither the accounts or vouchers delivered; that the interval between my receiving my order of recall, and my departure in compliance with it was so short, as to render it impossible for me to arrange those affairs further, than to be able to give a general state of them, which I then mentioned generally, and added, that I was under the necessity of returning speedily to Europe, as well on account of those, as of other important affairs left by my sudden departure in an unsettled state. At my last audience, I found and expected, that I should be called upon to answer questions, which might be put to me for the obtaining more clear and explicit information, than what I had given of some particulars in my general narration, and I held myself in readiness to attend the pleasure of Congress for that purpose. In this situation my private affairs pressed my immediate departure from Philadelphia, and my public as well as private affairs in Europe no less urged my departure from America. On the 8th of September, I took the liberty of reminding that honorable body, that I was still waiting to receive their orders, if they desired my further attendance upon them, and my affairs daily pressing, on the 11th of September, I again reminded Congress of my waiting their pleasure, and took the liberty of mentioning the reasons that pressed me to be anxious for their immediate decision. As Congress have not thought proper to make any reply to my letters, nor to admit me to lay before them such further information as they may desire, and I am enabled to give, and as from the many weighty affairs upon their hands it is uncertain when I may be admitted, and as my concerns will not permit my longer continuance in Philadelphia, I take the liberty of enclosing to your Excellency the account of the banker, in whose hands all the public monies were deposited, of which I gave you some time since a general state for your private information, and which I obtained from the banker but a day or two before my departure from Paris, with the view of giving all the information in my power on every subject to Congress, in which they were interested, and which account I expected in the course of my narration to have delivered personally to Congress.

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As to any other subject on which further information may be desired, I shall be ready to give it, whenever that honorable body shall call on me for it, during the short time my affairs will permit me to tarry in this city. I have indeed thought that some further information would be necessary; I have daily expected to be called upon for it. On this consideration alone, I have, notwithstanding the pressing circumstances I have found myself in, waited with patience the orders of Congress. I shall be happy if such information or any other service in my power may be found agreeable and of use to that respectable body and the United States, to whom I have long since, and ever shall be devoted. I have only further to request that honorable body to be assured, that I shall ever retain a most grateful sense of the confidence, which they have heretofore honored me with, and consider it as the most honorable and happy circumstance of my life, that I have had the opportunity of rendering important services to my country, and that I am conscious of having done them to the utmost of my ability.

I have the honor to remain, with the utmost respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

[Pg 127]

Philadelphia, 24th September, 1778.

Sir,

Being informed that letters from Mr Izard, reflecting on my character and conduct whilst in the service of the public abroad, have been read in Congress, I have to ask that honorable body to grant me copies thereof, and that I may be permitted to wait on Congress, and to be heard in my vindication. I have that regard for Mr Izard's opinion of my ability and disposition to transact public business, which I ought to have, and am consequently easy on that subject; but facts asserted, which affect either, call for an explanation. Those indeed, which respect myself personally, require none before Congress, nor will I trouble that honorable body with the making any; but those which regard my character and conduct as a public minister, and in so important a transaction as that of the late treaties of Paris, call on me, as well in justice to the public as to myself, for an explanation, which I am very happy in the having it in my power to give, as well as in the confidence I have, that Congress will neither delay nor refuse doing this justice to a faithful and greatly injured servant of theirs.

I have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 7th October, 1778.

Sir,

In consequence of my letter of the 24th ult. I had the honor of receiving the order of Congress of the 26th, directing me to attend on the 29th, at three o'clock in the afternoon, that day being assigned for my being heard; I was at the same time favored with extracts from Mr Izard's letters.^[13] On the 29th, I was served with an order of Congress, which postponed my being heard to some future time. On the 3d instant an extract of a letter from the honorable Arthur Lee, dated Paris, June 1st, 1778, was given me by order of Congress. I have for some time past waited with the greatest impatience for an opportunity of being heard before that honorable body, confident that my peculiar situation will excuse my impatience. I must, without repeating what I have already had the honor of writing to you, once more urge for as early an audience as the important business before Congress will admit of.

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I have the honor to be, &c.

SILAS DEANE.

FOOTNOTES:

[13] See Mr Izard's letters to the President of Congress, Feb. 16th and April 1st.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 12th October, 1778.

Sir,

I received your letter of the 7th instant, in which you informed me, that mine of the same date to you was by Congress ordered to lie on the table, until the examination of Mr Carmichael should be finished.

Though totally unable even to conjecture, what relation the examination of that gentleman can possibly have to those abusive and injurious letters, written by Mr Izard and Mr Lee, yet, as I had so often troubled Congress during a three months' attendance, with my repeated solicitations to be heard, I forbore repeating them until neither my health, my interest, nor my honor will permit me a much longer stay in America; I have, therefore, taken the liberty of enclosing my answers to the letters of those gentlemen. It pains me to be obliged to answer at all, and it grieves me exceedingly to be deprived of the opportunity of doing it in person; I still hope to be indulged before leaving America. I have only further to inform Congress, that I shall go into the country tomorrow, for a few days, that having engaged a passage in a ship, which will sail for France sometime next month, I propose to leave Philadelphia in a few days after I return from the country, in order to embark, and shall esteem myself honored by Congress if they have any thing further in which I may be of service to my country, if they will favor me with their commands.

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I have the honor to remain, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 12th October, 1778.

Sir,

In the extracts from the letters of the honorable Mr Izard, I find charges which respect me, supported by his opinions, and by what he declares to have heard from the honorable Arthur Lee, who, by his own account, is my irreconcilable enemy. I find also charges against the honorable Dr Franklin and myself jointly, supported on the same grounds, with this difference, that almost every complaint against us lies equally against Mr Lee, and it is worthy of remark, that where the charge lies equally against us all, Mr Izard leaves Mr Lee wholly out, and fixing it solely on Dr Franklin and myself, proceeds to represent the Doctor as entirely under my influence. My situation has, through the whole been peculiarly unfortunate, and in nothing more so than in this, that Mr Izard's letters, written as much with the design of impeaching Dr Franklin's conduct as mine, now operates solely against me.

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Mr Izard says, in his letter of the first of April, "*That if the whole world had been searched, it would have been impossible to have found a person more unfit than I was for the trust, with which Congress had honored me.*" It does not become me, and possibly not even Mr Izard himself, to determine on my competency to that trust, and I have only to observe, that both of us were appointed by the authority of Congress, with this only difference, that I had the honor of being personally known to the members who composed that body, and I can add with pleasure, that I always paid respect to Mr Izard from the choice they had made of him, which I doubt not was on good information. I shall feel no uneasiness on my own account, that Mr Izard's opinions of me remain on the journals of Congress, whilst on the same records there will be found that of his Most Christian Majesty, of his Minister, and Secretary of State, and of my venerable colleague, revered through Europe as the first of patriots, as well as philosophers, whom this age has produced. I find but two charges which respect me personally; the first is, the exercising such a degree of hauteur and presumption as to give offence to every gentleman with whom I transacted business. I transacted none with Mr Izard, and therefore must appeal from his opinion to the business I transacted, and the worthy and honorable persons with whom I transacted it, and who, from the first of my acquaintance with them to my leaving the kingdom, honored me with their friendship and their confidence. I desire it may be remembered, that, when I went abroad, charged with the transaction of political and commercial business for Congress, in the year 1776, I arrived at Paris as late in the season as the month of July, without funds, uncertain of remittances, without credit, ignorant of the language and manners of France, and an utter stranger to the persons in power and influence at Court; that I had not the patronage of any person of importance, and had no correspondence or connexions established in any part of Europe. The news of our misfortunes in Canada arrived in France with me, and that of our subsequent misfortunes immediately after, and was, as usual, exaggerated by the British Ambassador and his emissaries. In a word, without remittances, or even intelligence from Congress, and under all these disagreeable circumstances, I had to oppose the artifice, the influence, and the power of Great Britain; yet I have the pleasing reflection that before the first of December following, I procured thirty thousand stand of arms, thirty thousand suits of clothes, more than two hundred and fifty pieces of brass artillery, tents, and other stores to a large amount, provided the ships to transport them, and shipped a great part of them for America. Many of these supplies fortunately arrived at the commencement of the last year's operations, and enabled my brave countrymen, in some parts of America, to make a good stand against the enemy, and in the north to acquire immortal renown by the defeat and surrender of General Burgoyne and his whole army, an event peculiarly fortunate in its consequences, as it accelerated the completion of that alliance, to which the honorable Congress, with every true friend to the United States, have given their approbation. During this short period I had established a very extensive correspondence for the service of my country, not only in France but in Holland, at the Court of Russia, and elsewhere in Europe; and though the grant of money by the Court of Versailles was not at this time actually made, I had entered upon the negotiation and laid the foundation for obtaining it. These facts, without mentioning others of no less importance, will shew what business I transacted; and the character given me by those great personages, with whom I was in my public character connected, will evince the degree of reputation in which I stood. It is my misfortune that Mr Izard was of a different opinion.

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The second charge is, that Mr Arthur Lee had assured him, that his despatches to Congress, and even one of his private letters had been opened by me. I am surprised Mr Arthur Lee never intimated this to me, and that he should communicate it to Mr Izard, to be reported in this manner. I think it however sufficient for me to say here, what I shall say elsewhere, and on all occasions, that this is a groundless calumny, which I should not have expected, even from an enemy, at least not from a candid or generous one.

Mr Izard complains that Dr Franklin and myself concealed from him, or attempted to conceal the opportunities of writing to America, as well as the intelligence received from thence. In reply to this, it need only be observed, that no packets or letters were sent by the commissioners to America and to Congress, without the knowledge and consent of Mr Arthur Lee, and no intelligence received to which he was not privy. That he was often with Mr Izard, and therefore it was naturally to be supposed would give him every necessary information; if Mr Lee did not acquaint Mr Izard, he is at least equally culpable with us, and if he did, there is no ground for the complaint. It is true, that neither Dr Franklin nor myself considered ourselves at liberty to communicate the treaty or its contents, until the consent of the Court should be had; we considered ourselves in the same situation as to the appointment of Mons. Gerard, and the sailing of the Toulon fleet. Mr Izard appears, however, to have been well informed of the former at least, and that very early, and of the latter on the day of our leaving Paris. Mr Arthur Lee knew of it sometime before, as he wrote many letters by his Excellency Mons. Gerard. In justice, therefore, the complaint ought not to have been made solely against Dr Franklin and Mr Deane, and particularly against the latter.

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Mr Izard represents that there were dissensions and misunderstandings between the commissioners at Paris. It is true. He is of opinion that the interest of the public suffered by it, but in this he is mistaken, as the treaty itself and all our other public transactions will demonstrate. Mr Izard is of opinion that France might have been brought to have taken an active part much earlier. If circumstances, not in our power, had taken place earlier, they possibly might; but even in that case they would have done it under great disadvantages, as is evident from the representation I made to Congress when I had the honor of being heard on the 19th of August last. As the 11th and 12th articles of the treaty are complained of, and as this subject

immediately interests the public, I have drawn up a concise narration of the whole of that transaction and have communicated it to his Excellency Mons. Gerard, who agrees to the truth of every part thereof, which has come to his knowledge. This I beg leave to present to Congress, as it will show that Mr Izard had not the best information, and that neither Dr Franklin or myself (though "born in New England") procured the insertion of those articles; it will further show that the Court of France never urged it, but on the contrary left us perfectly free to have them both inserted or both omitted. It will also appear, that Mr Lee himself wrote and signed the letter, desiring they might be inserted, and that he afterwards had a private conference with M. Gerard on the subject, and appeared perfectly satisfied. If any doubts arise on this subject, I shall be happy to refer for satisfaction on that head to Mons. Gerard, and also for what passed between Mr Lee and himself on the occasion, as well as for the pretended verbal promise that the article should be expunged if objected to by Congress. I have signed that narration, and shall sign these observations in which I have avoided taking those advantages of Mr Izard, which the passionate and partial complexion of his letters has given me, were I disposed to make use of them; because, I conceive it to be an abuse, if not an insult to trouble Congress with any thing merely personal, though I have provocation sufficient to justify me in the eyes of the world, and am by no means deficient in materials.

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I recollect perfectly well the interview at Passy with Mr William Lee, at which Mr Izard was present, but I do not remember that any such letter as he describes was either desired or refused. I rather think that Mr Izard misunderstood Dr Franklin at the time, or that his memory has deceived him. The facts are these. The late Mr Thomas Morris had a commission to act as commercial agent; his commission was entirely distinct from, and independent of, the commissioners; he at least construed it so himself from the beginning. We were very early informed of his irregularities, and admonished him, and advertised Congress of them. As we could get no account of the disposition of the prizes brought into France, and the expense of repairing and equipping the vessels of war fell on the commissioners, Dr Franklin and myself (Mr A. Lee being then at Berlin) deputed Mr Williams to take the care of the prizes into his own hands, and ordered the Captains to account with him. On Mr William Lee's arrival at Nantes he joined with Mr Morris in writing a severe letter to the commissioners on what they had done, in which they complained, that the office or department of commercial Agent was broken in upon, and that we had no power over it. Dr Franklin, at the desire of Mr A. Lee and myself prepared an answer, in which the reason of our orders was given, and Mr Morris' conduct urged as our principal motive, but that as he, Mr William Lee, was there, we would recall our commission from Mr Williams. Mr Arthur Lee would not agree to the form of the letter, and after much dispute upon it, a second was written, when Mr Arthur Lee observed, that his brother was coming to Paris soon to receive his commission for Vienna and Berlin, and as there were then no prizes in port, or expected, the matter might rest. This was the reason why Mr W. Lee's letters were not answered. He came to Paris soon after, and represented the confused state in which affairs were at Nantes, and urged the interposition of the commissioners to put the whole agency into his hands. The situation of Mr William Lee at that time was precisely this; he had never received any commission either from Congress or their committee for the commercial agency, whilst Mr Thomas Morris was, and had been in the possession of a commission, and in the exercise of the agency.

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Congress had made Mr William Lee their commissioner to the courts of Vienna and Berlin, each of which places is at least a thousand miles from the scenes of our commerce, without saying anything about his former appointment, from which it was natural to suppose his former appointment had been considered as superceded by the new. We had received intelligence, that the information we had given of Mr Morris's conduct, had been received and read in Congress, and that Congress notwithstanding chose to continue him in this situation. We thought it very extraordinary that we should be applied to, to interfere where Congress, knowing the facts, had declined to interfere, and still more so, that we should be requested to put (what indeed was not in our power) the commercial agency into the hands of a gentleman, who must execute it by deputies; himself at a distance too great either to see or correct the abuses that might be practised. The letter referred to by Mr Izard was a letter to this purpose, and I remember well (for I avoided bearing any considerable part in the conversation) Doctor Franklin's reply, which was to this purpose, that Congress by disregarding the information we had given, and continuing Mr Morris, had impliedly censured our conduct. That Mr Morris had treated us ill personally for what we had done, and that Mr William Lee ought to remember, that he had himself jointly with Mr Morris complained of our interfering as he thought in that department; and therefore he did not incline to subject himself to any further censures, or as he expressed it "raps over the knuckles" for meddling in the affair. We were indeed as much surprised as Mr Izard appears to have been on the occasion, but our surprise arose from another cause; it was to find Mr William Lee desirous of holding such a plurality of appointments, in their own nature incompatible with each other, and impossible to have been executed by the same person. But as one of the places was supposed to be a lucrative one, the subject was too delicate to be touched on by us.

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Mr Izard says that Mr William Lee complained that parties had been excited against him at Nantes, and that so far from having been supported by the commissioners in the execution of his duty, these gentlemen had as much as possible contributed to perplex him in the discharge of it; that he had frequently written, &c. His letters have been taken notice of already, and the reason mentioned why they were not answered. The rest of this complaint is, as far as I know anything about the matter, totally groundless; it must appear so to every one acquainted with the following particulars. Mr William Lee never had a commission to the commercial agency, though he is now

executing it by his agents. Mr Lee's caution was such, that he never even answered my letters to him in February or March, informing him that Mr Robert Morris had written to me, that he was appointed; nor did I learn anything from him of his intentions, until he arrived at Paris the summer following, where also he acted with the greatest caution, while he waited the return of his brother from Berlin. Before and after his being at Nantes, he went so far as even to desire Mr Williams and others at Paris and at Nantes not to let it be known, that he had anything to do in American affairs, as he said it would greatly prejudice his interest in London; and so far was he from ever executing, or publicly attempting to execute, that agency, until after the news of General Burgoyne's defeat had arrived in France, that he did nothing that ever I heard of, which could have prevented his returning to the exercise of his Aldermanship in London.

Mr Izard is pleased to say, that "to let Mons. Gerard go away without giving him the least intimation of it, was a very high insult to Congress." It was not in our power to permit or prevent Mons. Gerard's going away, and if we did not, circumstanced as we then were, think ourselves authorised to communicate it to Mr Izard, I cannot conceive this to be a high insult to Congress; certain it is, we meant no such thing; we meant to serve, not insult that honorable body. "The object," he says, "of these gentlemen is to have Mr Deane come back in a public character, if not to France, perhaps to Holland, or some other part of Europe, and therefore they are afraid of having reasons given why this should not be the case." And he adds, "I am of opinion that he is upon every account an improper person to be employed by Congress." I have already appealed from this gentleman's opinions, so I shall say nothing further about them; his reasons, if he offers any, are to be judged of by Congress. I find, however, he had more apprehensions than reasons in this part of his letter; his apprehensions as well as opinions were in part at least groundless; he was apprehensive lest my venerable colleague would solicit some appointment for me; I do not learn that he has done it, I never desired or expected that he would. Mr Izard, I presume, knew that I had a very extensive correspondence with gentlemen of the mercantile and monied interest and character in Europe, but particularly in Holland, where I had long before been preparing the minds of such men in favor of a loan. He knew that there was not merely a correspondence, but a strict personal friendship subsisting between certain gentlemen in Amsterdam and at the Hague and myself, and that I had proposed to go there on the subject of the loan, as well as for other purposes. I presume also he knew, that the French Ambassador in Holland, the Duke de Vauguyson, who spent last winter in Paris, honored me with his acquaintance, and with all the politeness as well as zeal for the interest of the United States of North America, which make part of that nobleman's character, urged me to go there, assuring me of every personal service and civility, which should be in his power. My recall prevented the execution of the plan, and Mr Izard doubtless apprehended that I should solicit for the appointment. His apprehension was groundless; the honorable Congress know that I have not solicited for any appointment; my life and fortune, with what abilities I am blessed with, have been from the first, and will ever be devoted to the service of my country, who are most certainly the best judges in what department they can be most useful; or if they can be of any use at all, and to their judgment I most cheerfully submit.

I have the honor to be,

With the most respectful attachment, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 12th October, 1778.

Sir,

I beg leave to lay before Congress a few observations on the extracts from Mr Arthur Lee's letter, dated Paris, June 1st, 1778, read in Congress the 3d instant, which were ordered to be communicated to me. Mr Lee begins by saying that, "M. Monthieu's papers were sent to show you the demands that are made upon us, and the grounds of them; you will see that they are accounts, which Mr Deane ought to have settled."

Not having seen the accounts or papers said to have been sent, I can only reply generally by informing Congress, that I contracted with M. Monthieu (nearly at the time that I contracted with Mons. Beaumarchais for the stores) to procure ships to transport them over to America;^[14] the rate, I was told in Paris and elsewhere, was as low as could be then procured in France; it has risen since that time. The ships were to have been despatched in a reasonable time to and from America. Mons. Beaumarchais was my surety. The difficulty met with in getting away the stores was such, that the last of the ships did not sail from Marseilles until in September, 1777. The delay of near twelve months of some of them in France, and an uncommon delay of all of them, occasioned by repeated counter orders, and fresh obstacles rising in the way of embarking those stores, as well as the unexpected detention of those ships in America, as for instance, of the Amphitrite, from April until the October following, with the capture of them, were circumstances unforeseen and unexpected at the time of making the contract, and entitled M. Monthieu to an equitable consideration over and above the freight stipulated. Before the last ship sailed,

therefore, M. Monthieu insisted that some mode for a settlement should be agreed upon; on which Dr Franklin and myself agreed with him to submit the whole to Mons. Chaumont; the submission was made and signed. M. Monthieu, on his return from Marseilles, (to which place he went immediately to embark and send off the remainder of the stores) urged M. Chaumont to undertake it. I did the same; he declined, telling me that he found Mr Lee of so jealous and unquiet a disposition, and so much disposed to abuse every one that he had any concerns with, that he had well nigh resolved never to have any thing more to do with the commissioners, while he was one of them; but as M. Monthieu had other concerns with the commissioners, he thought it best to settle the whole at once, and when the whole was ready for a settlement, if Mr Lee would then desire him to undertake it, he would do it as well to oblige us as M. Monthieu, for whom he had a regard. This put off the settlement for the time.

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Mr Lee proceeds to say, "It is this sort of neglect, and studied confusion, that has prevented Mr Adams and myself, after a tedious examination of the papers left with Dr Franklin, from getting any satisfaction as to the expenditures of the public money. All we can find is, that millions have been expended, and almost every thing remains to be paid for."

I am not surprised at any thing of this kind from Mr Lee, nor that Mr John Adams has not joined with him in this letter, though I dare say, that gentleman knows his duty, and has done it, as well to the public as to me. After premising that Mr Lee had in his hands the accounts of all the monies received and paid out on the public account, I will lay before Congress the facts, which he had before him when he wrote this letter, after which Congress will be able to judge whether Mr Lee had any grounds for his representing me as a public defaulter for millions. It is certain, that Mr Lee knew that the total amount of monies received by the commissioners to the time of my leaving Paris,

amounted to	(livres) 3,753,250	
And that the balance due Mr Grand, the 27th March, was	293,738	17
And that the whole expenditures to that day consequently was	(livres) 4,046,988	17

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In the next place, it will appear, that by much the greater part of this was actually expended and paid out by and with Mr Lee's consent and orders at the time; the whole was well known to him, as he had, from time to time, access to Mr Grand's books, and Mr Grand delivered him copies thereof up to the 27th of March last, by which he had before him an account of every payment that had been made, and I sent him in writing an explanation of every payment that had been made in his absence, or which had not been made by his written order.

The accounts of the particular articles in detail, not being here, I am unable to explain every charge in Mr Grand's account. It is sufficient that Mr Grand's account shows, that the nature of nearly the whole of the expenditures was perfectly well known to Mr Lee, when he wrote the above account of millions expended, and represented he knew not how to show this. I have stated Mr Grand's account in a shorter compass than what it was before, and have brought the different payments for particular objects made to different people into one view, as will be seen in the annexed state or explanation of Mr Grand's account.

I have no design in answering this part of Mr Lee's letter to go farther into the accounts than to show demonstratively, that nothing can be more groundless and unjust, than for him to represent that millions had been profusely expended, and as if he knew not in what manner or to what purpose. The amount of expenditures, until the time of my leaving Paris, was 4,046,988 17 livres, and it appears, as well from the nature of the account, as from the knowledge Mr Lee had of the transactions, that he knew generally of the payment of every livre, and to whom it had been made, having the accounts and the explanation of them in his hands, up to the very day I set out from Paris. The particular application, indeed, of every part, could not be known until the several accounts should be given in. Mr Lee himself signed the orders for much the greater part of the monies to Mr Williams, and the other principal payments, and was well informed of the business which he (Mr Williams) was executing. By this stating of the account it will appear, that the commissioners, for their private expenses, from December, 1776, to 27th March, 1778, for the support and relief of Americans, escaping from prison in England, for the payment of Mons. Dumas, agent in Holland, the sending of expresses, the purchase of a large quantity of shoes, which were sent to Nantes, to be shipped for America, and for several less disbursements, had of Mr Grand only the sum of 244,285 livres, equal to the sum of ten thousand two hundred and sixty one pounds ten shillings sterling, which is of itself a demonstration, that there was no misapplication of the public monies, since Mr Lee has written, that he could not live under three thousand pounds sterling per annum himself. Whether or not extravagant prices were given for any of the articles purchased, will be an after consideration.

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Mr Arthur Lee says, "That almost every thing still remains to be paid for."

I really know not what he means. Things once paid for are not to be paid for a second time, and the payments stated above are proved, by Mr Grand's accounts, to have been bona fide made. "Bargains," he says, "of the most extravagant kind, have been made with this Mons. Monthieu and others;" and then he proceeds to give an example. As to the bargains I was concerned in with this man, and with every other person, I totally deny the fact, and the example given is but a mere pretence. I am so confident of the contrary, that I will most cheerfully take every bargain made by me, or with my consent, in Europe, the contract with the Farmers-General excepted, (which was partly political at the time,) on myself, and will be bound to abide the profit or loss,

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leaving them to be judged of by the ablest merchants in Europe. Mr Lee informs us of one hundred thousand livres given to Mr Hodge, and that the privateer or vessel he bought cost about £3000, or 72000 livres, and adds, "for what purpose the surplus was given to Mr Hodge, how the public came to pay for her refitting, and at length the vessel, and her prize money, made over to Mr Ross and Mr Hodge, without a farthing being brought to public account, rests with Mr Deane or Mr Hodge to explain;" and in a few lines further he says, "you will see my name is not to the contracts;" but he forgets to add,—that he was at Berlin when they were made. What I have already observed upon in Mr Lee's letter, and what I purpose to notice, confirms me in the opinion, which Dr Franklin and some others have for some time had of him, that, from a long indulgence of his jealous and suspicious disposition and habits of mind, he is at last arrived on the very borders of insanity, and that at times he even passes the line; and it gives me pleasure, though it is but a melancholy one, that I can attribute to the misfortunes of his head, what I must otherwise place to a depravity of heart.

Mr Hodge went to Dunkirk, by order of the commissioners. They sent him in consequence of orders from the Secret Committee; he purchased and fitted out two vessels, a fact though forgotten by Mr Lee, known to every one at the time. From what that brave and virtuous young American did and suffered on the occasion, it was the common topic of conversation every where; it raised insurance in England ten per cent for a time. Mr Hodge, to appease the British Ambassador, was sent to the Bastille, and Cunningham, making his cruise round England and Ireland, put into Spain without prize money equal to the repairs he wanted. Mr Hodge was released from his imprisonment, and one of the first things he did, was to give Mr Lee the account of his whole disbursements in writing. Mr Hodge had taken a small interest in the adventure from the first, and proposed following Cunningham into Spain by land, and making a cruise with him. He proposed that Mr Ross and he should purchase the vessel; but as a price could not easily be agreed upon, they proposed to take the vessel as she was, and do the best with her against the common enemy, and to account to Congress therefor. Mr Ross desired that such an agreement should be signed by the commissioners for his security. I know not that it was ever done. I have only to add on this subject, that all the monies received by Mr Hodge amounted to 92,729 livres 18 3, in the whole, and that Mr Hodge rendered us other services besides equipping these two vessels.

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Speaking of the contracts, he says, "they were in fact concealed from me with the utmost care, as was every other means of my knowing how these affairs were conducted." I have in reply to relate the following facts, which are easy to be ascertained. Mr Lee, on his return from Berlin, was made acquainted with the contracts; Messrs *Holker*, (now in Boston) *Sabbatier and Desprez* repeatedly conferred with Mr Lee on the subject in my presence, and when they brought in their accounts Mr Lee assisted in adjusting them, and signed with us the orders for the payment, as Mr Grand's account and the orders and accounts themselves will show. It is true, the execution of M. Monthieu's contract was not completed, when I left Paris, and therefore his accounts could not be settled. Mr Williams had the oversight of repairing the arms in the magazine at Nantes; he settled his accounts with his workmen monthly; he had a frigate fitting out for the commissioners, 10,000 suits of clothes making up, a number of shirts, shoes, &c. together with the charge of all the stores the commissioners were sending to Nantes to be shipped. Monthly accounts were not to be expected in reason from a man in such a situation; it could not be done if promised, and Mr Williams is a gentleman of too much probity as well as knowledge in business, to promise what he cannot perform. It is not enough to say, that no man in France enjoys a better character for strict honor and probity, both at Court and in the city, than Mons. Chaumont. Justice must add, there is no man enjoys it perhaps so universally through the kingdom, among the merchants, the farmers or husbandmen, and mechanics, in all which branches of business he is constantly speculating. This man is the friend of Dr Franklin; I have the pleasure of knowing him to be mine, and what is more, the friend of my country, on all and in the most trying occasions. I do not wonder that Mr Lee should appear jealous of this gentleman, as well as of every body else, a select few excepted, and very few indeed are those, who escape his jealous suspicions, either in Europe or America. It is a melancholy truth, but justice to the public requires my declaring it, that I never knew Mr Lee, from his first coming to Paris, satisfied with any one person he did business with, whether of a public or private nature, and his dealings, whether for trifles or for things of importance, almost constantly ended in a dispute, sometimes in litigious quarrels.

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Mr Lee lived some time in M. Chaumont's house. M. Chaumont knew him perfectly well, and was not reserved in speaking his opinion of him. I am sorry to be thus long on so disagreeable a subject, a subject which I cautiously waived entering on, in my narration to Congress, not choosing to trouble them with matters, which they might deem of a personal nature. I am grieved to have been forced on it at all, and hope never to be obliged to resume it, and as in commercial transactions there are but two sides to an account, and every thing goes to the debt or credit, the folio for profit or loss, so I must solicit that Dr Franklin and the honorable Mr Adams may be directed to see the settlement of all those accounts immediately on my return to Paris, and as there has been a charge made by Mr Lee, of profusion, of extravagant contracts, and the like, that those gentlemen be authorised to submit the accounts, with every allegation of the kind, to the adjustment and determination of gentlemen of ability and character on the spot, and that orders may be given, that whatever sum may be found due from the commissioners may by them be instantly paid into the hands of the banker for Congress, and that in like manner said banker may be ordered to pay whatever may be the balance, to the person in whose favor the same shall be found. By this means the truth will be demonstrated, and justice done, which is all I have ever

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wished for. Having forgot to mention it in its place, I must be permitted to add here, that the first vessel purchased and fitted out by Mr Hodge was, on the return and imprisonment of Cunningham, detained by order from Court, and a second purchased, in which Cunningham went on his second cruise. The first was put up for sale at Dunkirk, but not disposed of when I left Paris, at least I had not heard of it.

I have the honor to be,

With the most respectful attachment, &c.

SILAS DEANE.

P. S. I have mentioned money paid Mons. Dumas, as part of the aggregate sum of 244,285 livres 13s. 10d. There will be found the sum of 4351 livres 5s. 3d. paid by Messrs Horneca, Fitzeau & Co. to Mons. Dumas, and for other expenses. I fear on a review, that the brevity I aimed at may cause some mistake; it is therefore proper to observe, that but a part of this sum was paid to Mons. Dumas, a part being for other disbursements, independent of which sum the commissioners made other remittances to Mons. Dumas.

FOOTNOTES:

[14] See the articles of agreement, for this purpose, dated 15th October, 1776,—[p. 51](#), of this volume.

Mr Deane's Observations on Mr Arthur Lee's Letter of June 1st, 1778.

Mr Lee, in his letter of the 1st of June, on which I have made observations, having insinuated many things to the disadvantage of Doctor Franklin's character, as well as to that of Mons. Chaumont and my own; and Mr Izard in those letters, the extracts from which I was favored with by order of Congress, having gone even beyond Mr Lee, and since in his letter of the 28th of June last, speaking of Doctor Franklin and myself, he says,

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"There is very little reason to think that any objections however well founded would have made any impression on the interested views of one, or the haughtiness and self-sufficiency of the other."

Afterwards in the same letter speaking of Doctor Franklin he says,

"His abilities are great and his reputation high; removed as he is to so considerable a distance from the observation of his constituents, if he is not guided by principles of virtue and honor, those abilities and that reputation may produce the most mischievous effects. In my conscience I declare to you, that I believe him under no such internal restraints, and God knows that I speak the real unprejudiced sentiments of my heart."

Gratitude as well as justice to that truly great man, to whose friendship and counsel I owe much, oblige me to say on this occasion that I not only believe, but know that this is, to say no more of it, directly the reverse of the character which Dr Franklin has ever sustained, and which he now most eminently supports. It gives me pleasure to reflect on the honors and respect universally paid him by all orders of people in France, and never did I enjoy greater satisfaction, than in being the spectator of the public honors often paid him. A celebrated cause being to be heard before the Parliament of Paris, and the house, and streets leading to it crowded with people, on the appearance of Doctor Franklin, way was made for him in the most respectful manner, and he passed through the crowd to the seat reserved for him, amid the acclamations of the people, an honor seldom paid to their first princes of the blood. When he attended the operas and plays, similar honors were paid him, and I confess I felt a joy and pride, which were pure and honest, though not disinterested; for I considered it an honor to be known to be an American and his friend. What were the sensations of the writers of these letters on such occasions I leave their letters and conduct towards him to speak, and I cannot now express the indignation and grief I feel at finding such a character, represented as the worst that human depravity is capable of exhibiting, and that such a representation should be made by an American in a public character.

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In the course of my narrative I mentioned Mr Williams's accounts as being finally settled. I drew my conclusion from his letter to me of the 22d of July last read in Congress. I find the accounts are not finally closed, though Doctor Franklin and Mr Adams have ordered him the payment. Mr Williams informs me he has written to Congress and sent his accounts; the accounts themselves will show that I have not, nor ever had, any private or personal interest in his transactions; at the same time I beg leave to interest myself in what affects this gentleman, because I think I know him to have been a most faithful and useful servant of the public, and every way deserving of the character given him by Dr Franklin and Mr Adams; and as Dr Franklin, from being his uncle, feels a delicacy in writing so fully about him, I therefore pray that this gentleman's accounts may be put into a train for being closed.

I recollect that Mr Lee has mentioned Count Lauragais in his correspondence with Mons. Beaumarchais, and am informed that this gentleman has in his letters been referred to. Count Lauragais is a nobleman, who was born to an immense fortune, the chief of which he has long since dissipated in a wild and I may say in such an eccentric course of life, as hardly has a parallel in France. He has set up at times for a philosopher, a wit, a poet; then as suddenly flew off, and engaged in building, planting, or politics; he was one month for engaging in trade, the next a country gentleman on his farm, the third blazing in the beau monde at Paris; and France being insufficient to afford a variety of scenes suited to equal the restlessness of his genius, he has constantly been shifting them, from Paris to London and from London to Paris. In London he set up for a patriot, and engaged seriously in the disputes and parties of the day, and what was very diverting, sat down for a few weeks to study the laws of England in order to confute Blackstone. His rank, to which his birth entitles him, gives him admittance to court, and the extravagancy of his wit and humor serves to divert and please men in high office, and he consequently at times fancies himself in their secrets. This gentleman knew Mr Lee in London before I arrived in France, and was afterwards often with him at Paris. His character was given me soon after my arrival, and I was put on my guard and warned by the minister, not that he supposed him to have designs unfriendly, either to France or America, but on account of his imprudence, and of his being frequently in London, and with those in the opposition in England, of whom the Court of France were more jealous, and against whom they were equally on their guard, as with the British ministry themselves. As this nobleman's name may be made use of, I cannot dispense with touching lightly on the outlines of a character extremely well known in France and England, and to which some gentlemen in America are no strangers.

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I have mentioned the first and principal contract having been made for clothing, with Mr Holker, now agent for France in America. This gentleman was then one of the inspectors general of the manufactures of France, and knowing perfectly well the price and quality of cloth in every part of the kingdom, he undertook, at the request of our mutual friend, Mons. Chaumont, to put us in the way of being supplied at the cheapest rates, and, by joining himself in the written contract, induced his friends, Messrs Sabbatier and Desprez, to engage, which they did; they purchased the cloth at the manufactories, at the first cost, procured it to be made up at the cheapest rate, and the clothes to be transported to Nantes, charging only the prime cost on every thing, and two per cent commissions for their trouble. Mr Holker, after having engaged these men, whose house is a capital one in Paris, and who, from their having for some time supplied a great part of the clothes to the armies of France, were well acquainted with business of that kind, took no farther part in the affair, but that of examining the work and accounts, to see that every thing was performed in the best and cheapest manner. In this I assisted him. I went with him to the workmen, and examined the cloth, the fashion and the economy practised in the work, from which I will venture to assert, that clothes of equal goodness could not be made cheaper, if so cheap, by any other method in France.

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Mr Holker, and the other gentlemen, as I have already observed, saw Mr Arthur Lee several times on the subject, until they became so disgusted with a man, who found fault with every thing, without stepping out of his door to examine any thing, that they declined having any thing further to say to him. When their accounts were ready to be settled, I examined them, struck the balance, and Mr Arthur Lee joined with Dr Franklin and myself in signing draughts on Mr Grand for the money. The bills were drawn in favor of Messrs Sabbatier and Desprez solely, Mr Holker taking no share in the commissions, but generously gave in the time he had spent in the affair, though it had been considerable. This gentleman is now in Philadelphia, and if necessary may be applied to respecting what I have said on this subject; his character, as well as that of his worthy father is well known in France, where they are jointly inspectors of the manufactures of that kingdom, and on every occasion they exerted themselves to serve this country, a testimony due to them from me when I am called on to mention them publicly. The instances they gave me personally of the most disinterested friendship and attachment I shall never forget.

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I can but return to Mr Williams. This gentleman, after stating all his accounts in the fairest and most explicit order, attended near ten weeks at Passy for a settlement. Doctor Franklin and Mr Adams, as has before been related, so far approved of them as to order his balance, or nearly the whole of it, to be paid him, and gave him a letter certifying him of their full persuasion of his ability and integrity, and that he had done good services, yet such was the disposition of Mr Lee towards him, that he could by no means get them past. Impatient and wearied out with the captious insulting manner in which he was treated by Mr Lee, and which nothing but his official character protected him in, Mr Williams engaged a gentleman from Boston, Mr Cutler, to copy off all his accounts, and compare them with the original vouchers, and to make a voyage to America, to lay them before Congress. This gentleman arrived a few days since, and having made the voyage and journey on this purpose only, I take the liberty to entreat Congress in behalf of my absent friend and their faithful servant, that those accounts may be examined, that Mr Cutler may be heard if necessary to explain them, and Mr Williams relieved from the embarrassments of Mr Lee, whose disposition does not appear to be mended since I left Paris, but, if possible, greatly increased for dispute, and for the most vexatious altercation.

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Could I take any pleasure on so disagreeable a subject, and one which throws the affairs as well as reputation of these States into confusion and disgrace, it would be to find that the universal testimony of all who know the situation of our affairs in France, confirms what I have in duty and justice to these States been obliged to lay before Congress. Mr Lee's nephew, a son of the honorable Richard Henry Lee, is in the house of Mons. Schweighauser, at Nantes, as a clerk, or

as a partner, I am informed the latter. Commercial affairs, and the disposition of prizes, are put into the care of this house, while a near connexion of M. Schweighauser, at Guernsey, or Jersey, is employing himself in sending out cruisers on our commerce. I know nothing of M. Schweighauser, except by reports; those have been in his favor as a good merchant, but this circumstance, added to some others, which Mr Cutler informs me of, has given cause for the greatest uneasiness and distrust, which, added to the difficulties met with at Paris from Mr Arthur Lee, prevents any thing being done to effect, if really any thing at all towards sending out supplies to these States.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 12th October, 1778.

In a conference had with Mons. Gerard, in the month of January last, at Versailles, he observed that the thirteenth article^[15] in the treaty proposed by Congress, which exempted the molasses purchased by the inhabitants of the United States in any of the islands belonging to, and subject to, his Most Christian Majesty, from any duties whatever, was an unequal article, as he termed it, that without some concession of equal importance on the part of the United States, it could not be agreed to, as it would carry the appearance of inequality, and as if Congress were taking the advantage and dictating the terms in their own favor, that therefore it was expected, either wholly to omit the article, or place an equivalent over against it on our part.

On my return to Paris, I laid M. Gerard's proposals before my colleagues, who agreed generally to the justice and propriety of them, but we found it difficult to place any article or articles over against that of molasses, which would be of equal consequence, and in which the States of America were at the same time equally interested. After long consideration had on the subject, Dr Franklin proposed the article nearly as it now stands; Mr Lee objected to it, as being too extensive, and more than equivalent for that of molasses only; to which I answered, that though the concession might appear great, it was in reality nothing more than giving up what we never could make use of but to our own prejudice, for nothing was more evident than the bad policy of laying duties on our own exports; that molasses, though apparently but an article of small value, was the basis on which a very great part of the American commerce rested; that the manufacture of it into rum, was every year increasing, especially in the middle and southern states, where it had been more lately introduced.

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Doctor Franklin agreed with me, and argued on much the same ground, but neither of us insisted on the article at the time, but that the proposition should be made for the consideration of Mons. Gerard, reserving to ourselves the power of agreeing to it or not afterwards. A few evenings after, and nearly as I can remember about five or six days before the actual signing of the treaty, we met Mons. Gerard at my house in Paris; he brought the proposed treaty with him, in which he had inserted the 11th and 12th articles as they now stand. The treaty was read, considered, and agreed to, article by article, except the 11th and 12th, respecting which M. Gerard observed at first, that he considered them as they then stood reciprocal and equal, but that he left it entirely with us to retain them both, or to reject them both, it being indifferent with his Majesty, but that one could not be retained without the other. On our having agreed to all the other articles, we told him we would confer together on the 11th and 12th, and write to him what our determination should be. As soon as he was gone, the subject was taken up; the arguments before used were again considered, and finally we unanimously agreed to retain both the articles; on which I desired Mr Lee to write a letter to Mons. Gerard, informing him of it, and that I would send it out to Versailles the next morning, from Passy, that there might be no more delay in transcribing and executing the treaties. Mr Lee accordingly wrote, and Dr Franklin, he, and myself signed the letter, which I sent the next morning.^[16]

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A day or two after this, Mr A. Lee wrote a letter to Dr Franklin and me, in which he expressed great uneasiness about the 11th and 12th articles, and a desire to have them left out, on which we advised Mr Lee to go himself to Versailles on the subject, which he accordingly did, and we wrote to M. Gerard, by him, that we were content to have the two articles left out, if agreeable to his Majesty.^[17] As we had just before unanimously agreed and written to have them retained, we could not, with any consistency, make a point of their being expunged. Mr Lee discoursed on the subject with M. Gerald, who satisfied him as he thought at the time, and as we all then thought, of the impropriety of making any alteration in the treaty, after it had been so maturely considered; had been fully agreed upon by us all; had been approved of in form by his Majesty, and ordered to be transcribed and signed. Neither Mr William Lee nor Mr Izard ever spoke one word to me on the subject, and I did not think myself authorised or at liberty to consult them, or any other person on the subject, but my colleagues.

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SILAS DEANE.

FOOTNOTES:

[15] "ARTICLE XIII. It is agreed by and between the said parties, that no duties whatever shall ever hereafter be imposed on the exportation of molasses from any of the islands and dominions of the Most Christian King, in the West Indies, to any of these United States."

[16] The articles in question are as follows;

"ARTICLE XI. It is agreed and concluded, that there shall never be any duty imposed on the exportation of molasses, that may be taken by the subjects of any of the United States from the Islands of America, which belong, or may hereafter appertain, to his Most Christian Majesty.

"ARTICLE XII. In compensation of the exemption stipulated in the preceding article, it is agreed and concluded, that there shall never be any duties imposed on the exportation of any kind of merchandize, which the subjects of his Most Christian Majesty may take from the countries and possessions present or future of any of the thirteen United States, for the use of the islands which shall furnish molasses."

The treaty may be seen entire in the *Secret Journals of Congress*, Vol. II. p. 59.

[17] See these letters in Arthur Lee's Correspondence, under the date of January 30th, 1778.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 1st November, 1778.

Sir,

I think it unnecessary to make an apology for sending you the enclosed estimates and reflections made on two of the most important and interesting subjects, and for desiring the same may be communicated to Congress. Should that honorable body approve of any or all of them, I shall be very happy, and if they should not they will excuse me for having given them this trouble, when they reflect, that the desire of throwing some light on these subjects has been my sole motive.

The providing for the redemption of our money, and the establishment of a marine, are objects, which in my view, far exceed in the magnitude and extent of their importance, any that are at present under public consideration; they greatly depend on each other, and permit me to say, all our future operations in a great degree depend on them. We cannot pay the interest of any considerable loan without commerce, which cannot be revived effectually without a marine force of our own, which may I am confident be formed on the enclosed plan, and be ready in a short space of time to act with vigor. Great Britain has long had the empire of the ocean, and in consequence the whole world has been her tributary; her own bad policy and the present war will deprive her of that empire; at this important crisis it depends on the measures taken by the United States, whether they shall succeed Great Britain or not in this extensive dominion. Reason, observation, and experience authorise me to say, there is not in the world any power so capable of it, and as the United States can never aim at foreign conquests, but simply to guard their own coasts, and to protect the commerce of their subjects, their superiority at sea can never give just cause of jealousy or offence to any other nation. I am confident that a fleet of forty sail, to consist of twenty such large ships as I have described, and twenty frigates, will be more than equal to this purpose, and such a fleet may be got to sea in the course of the coming year, if the materials wanted from Europe can be procured, which, if immediately applied for, I have not the least doubt of.

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I have the honor to remain, &c.

SILAS DEANE.

P. S. I am still without the honor of any answer to my letter of the 7th ult.

November 13th.

After writing the above, my apprehension, lest I should be thought any way out of the usual course in communicating my sentiments to Congress, made me omit sending it to you with the enclosed, but the alarming intelligence, which I received but a day or two since, of the sentiments of my countrymen in different parts on the present situation of the credit of our money, the state of our finances and resources, and of the temper and disposition prevailing in consequence, has made me waive every personal consideration, and communicate this with the enclosed to Congress, and I shall count it one of the happiest occurrences of my life, if anything in my power will help to prevent that total loss of public as well as private credit, which I am sorry to find begins to be almost universally apprehended, and I fear appearances at this time are in support of such apprehensions, which though at bottom they may be ill founded, yet, if once generally prevailing, will produce consequences easily foreseen. I beg leave to refer to Colonel Duer for the substance of the intelligence I refer to, having communicated the letters I have received to him, for as they contain many things merely personal, I could not lay them at large before Congress.

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PLAN for sinking fiftythree millions of dollars of the Continental Currency, and to establish a Bank of one million, and a half sterling, or \$6,666,666²/₃ in Europe for the use of the States of America, at the expense of forty millions of dollars in specie only, or of Bills upon Europe equivalent.

1st. Let a loan be obtained of twentyfive millions of dollars on account of the United States; the interest and necessary charges will probably amount to, and will not exceed, six per cent per annum.

2dly. Let a fund be established of two millions and a half annually, clear of all charges of collecting and remittances, out of which let the interest of the loan be paid, and the surplus unalienably appropriated as a sinking fund to discharge the principal; the annual interest of twentyfive million dollars; at six per cent will be 1,500,000 dollars, the sinking fund one million.

3dly. The calculation which follows demonstrates, that this fund of two millions and a half of dollars will, in sixteen years, pay off the principal and interest of the twentyfive millions borrowed, and leave a surplus of \$673,103 in the hands of the States, which may be supposed equivalent to the charge of managing the money, and paying the loan in Europe. [Pg 161]

4thly. A fund of two millions and a half for sixteen years amounts to forty millions, but twentyfive millions at six per cent simple interest will in that time amount to fortynine millions, supposing the interest annually paid; hence it is evident, that a sinking fund of one million operating on such a loan of twentyfive millions, will make a saving of nine millions of dollars to the States out of what will otherwise be paid on the same capital, on the plan of borrowing practised in our, and indeed in most other loan offices; or in other words would reduce the interest from six to little more than three and a half per cent, which is demonstrated in the following calculations.

5thly. Twentyfive millions of dollars may be computed in value equal to £5,625,000 sterling. Of this, let one million and a half, or £1,620,000 sterling be applied to the payment of debts contracted in Europe, contracted by the commissioners, for the discharge of which no particular mode has been stipulated and agreed upon, and for the establishing a bank or fund for other uses and benefit of the United States.

6thly. As the sum of £125,000 sterling will be equal to the public debts already contracted in Europe, except those to the Farmers-General and the house of Rodrique Hortalez & Co. there will remain, agreeable to the plan, one million and a half sterling, or \$6,666,666²/₃ in the Congress' Bank in Europe, and four millions sterling, or \$17,777,777²/₃, for the purpose of sinking the sum of fiftythree millions proposed. [Pg 162]

7thly. The present rate of exchange is from five to six for one; it must happen that as bills are brought to market to a greater amount they will fall, but if it be considered that the ordinary demand of these States on Europe for goods exceeded four millions sterling annually in times of peace, that the demand at present and for two or three years to come, even if peace should take place immediately, must exceed the former usual demand, that though the cancelling and sinking of fiftythree millions of dollars will tend to appreciate the remainder in circulation, yet as there will still remain in circulation a greater nominal sum than the commerce of these States call for, the appreciation will not be repaid; and if it be further considered, that the merchants in the United States are at present destitute of their usual means of remittance, having neither ships, specie, nor produce on hand,—I say under these considerations it is improbable, if not impossible, consistent with the interest of individuals, that bills drawn on Europe for the sum of four millions sterling should be under three for one on an average.

8thly. Four millions sterling, or \$17,777,777²/₃, at three for one, will amount to \$53,333,333 here. Allowing \$333,333 for the charge of drawing the bills, for other expenses and deficiencies unforeseen, and there will be, agreeable to the proposals in the plan, fiftythree millions of dollars of the Continental currency paid off by the sales of those bills.

The benefits resulting from this plan, if realized, are numerous, indisputable, and obvious. As the sum proposed to be drawn for, does not exceed the ordinary amount of importation before the war, it cannot be presumed that this plan can produce any ill effects on commerce, especially if the Congress should think it wise and prudent to drop the merchants themselves, and depend on individuals for their supplies. The capital difficulty is to obtain the loan. On this, as well as on the preceding plan, I will make a few observations after the following calculations already referred to. [Pg 163]

FIRST CALCULATION.

Produce	Total of	
----------------	-----------------	--

Years.	of the sinking fund at the end of every year.	the Debts paid at the end of every year.	EXPLANATION.
1	1,000,000 60,000	1,000,000	The first column marks the years; the second the produce or amount of the sinking fund at the end of each year, the third shows how large a part of the capital has been paid off at the end of each year. The sum in the second column is found by adding to it annually the interest of that part of the capital paid off the preceding year, and the sum in the third by adding yearly the payments.
2	1,060,000 63,600	2,060,000	
3	1,123,600 67,416	3,103,600	
4	1,191,016 71,461	4,374,616	
5	1,262,477 75,788	5,637,093	
6	1,338,265 80,296	6,975,358	
7	1,418,561 85,113	8,393,919	
8	1,503,674 90,220	9,897,593	
9	1,593,894 95,633	11,491,487	
10	1,689,527 101,372	13,181,014	
11	1,790,899 107,454	14,971,913	
12	1,898,353 113,901	16,870,266	
13	2,012,254 120,735	18,882,520	
14	2,132,989 127,979	21,015,509	
15	2,260,968 135,658	23,276,477	
16	2,396,626 Principal Loan Surplus	25,000,000 673,103	

SECOND CALCULATION.

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\$2,500,000 annually collected and paid for sixteen years, amount to (the whole sum paid)	40,000,000
But the surplus of \$673,103 deducted, leaves \$39,326,897, the net sum applied to sink a principal of \$25,000,000, and the interest for sixteen years,	673,103
	39,326,897

The annual interest of \$25,000,000 at six per cent is 1,500,000, which at simple interest in sixteen years is 24,000,000,	24,000,000
Add the principal,	25,000,000
	49,000,000
Bring down	39,326,897
Surplus,	9,673,103

By these calculations it is clearly demonstrated,

First, that a certain net annual revenue of two millions and a half of dollars is sufficient for sinking the loan proposed of 25,000,000 in sixteen years, and to leave a surplus of \$673,103 after discharging both principal and interest. In the second place, that by this plan the public will save the sum of \$9,673,103 more than if the same sum is borrowed in the usual way of simple interest; or in other words, the money on this plan will be borrowed at $3\frac{1}{2}$ per cent interest nearest, a sum well deserving the attention of the public at this, and at every other time, and it is for that purpose the foregoing plan and calculations are submitted.

The only difficulties, that can possibly occur in the carrying this plan and every part of it into execution, are in the establishing such a fund, as will be certain for raising the two millions and a half of dollars annually, and in the next place in procuring the loan. The first may be obviated with greater ease and certainty than the second. It cannot in justice be concealed, that the loan cannot be obtained with the same ease now as it might have been six or seven months past, nor that the longer it is delayed, the greater the difficulty will be. It is however attainable if applied for in season, and in a proper manner. It is but too probable, that if delayed many months longer, it will not be obtained on any terms whatever. The war now kindling in Europe will probably in

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the course of another year become general, the consequence of which will be, that the emperor of Germany, the empress of Russia, and some other powers, the two former in particular, who have improved the late peace to regulate their finances, and to reduce and pay off their foreign debts, will on this change of affairs become borrowers afresh; in a word, there will be in Europe seven or eight, or more powers under the necessity of borrowing, and not more than two or three at the most in a situation to lend, and when so many demands are made for money, it will be very difficult to have ours preferred. To obtain it, therefore, requires immediate application, interest, and address; which thoughts, with the above plan, are respectfully submitted to the wisdom of Congress.

SILAS DEANE.

PROPOSALS for equipping such a fleet, as will be sufficient to defend the coasts and commerce of the United States against any force, which Great Britain will be able to send to America.

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It is necessary to premise, that the obtaining a loan, and setting on foot a naval force, are so connected with, and dependent on each other, and so many important consequences depend on both, that I have preferred placing one directly after the other, that my ideas on these great subjects may be perceived at one view, rather than the placing them in any manner separate or disjointed from each other. Without a naval force sufficient to protect in some degree our commerce as it revives, it will be very difficult, if not impossible, to pay either the principal or interest of the money we may borrow, and without some probably certain prospect of doing this, it would hardly be honest to borrow at all. I have only to add, that the following calculations are not founded on light and uncertain estimates, but on the most certain knowledge of the quantity of each of those articles necessary for the purpose. The prices are fixed at what they were last season in Sweden, and in the north of Europe; what I have ventured to say respecting ships of a new construction carrying fortytwo to fortyeight cannon, being equal to sixtyfour and even seventyfour line of battle ships, I am convinced of the truth of, not merely from my own observation and reasoning on the subject, but from the opportunities I have had of conversing with some of the most able and experienced constructors and commanders of ships in Europe, as well as in America. France, as well as England, has already several ships of such a plan on the stocks, which is a full proof in what light they view this plan of building; but fortunately for these States, their old prejudices, as well as the opposition of commanders of large ships, and a great number of men, to the changing them for ships of a less rate and fewer men, as well as of less pomp and appearance, will in a great measure prevent either of those nations from much immediate success in this plan for an improvement or reform.

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1st. A fleet consisting of twenty such ships as mentioned above, joined by twenty frigates from twentyfour to thirtysix guns, will be sufficient to guard this coast against any naval force, which Great Britain, or any other maritime power can spare, to send against us. An American fleet, opposing a foreign one on this coast, will always have many very decisive circumstances in their favor, which are obvious at first view, particularly that of clean ships and healthy men against foul ships and sickly men, or fatigued by a long voyage, and that of being able with ships of the proposed construction to enter harbors in case of storm or other accident, which larger ships cannot.

2dly. The twenty large ships, and ten or a less number of the frigates may be put on the stocks and built in America, and though the present price of labor is dear, yet were the undertakers to be paid in sterling bills, or in specie, the hulls or bodies of the ships may perhaps be had nearly at the same price as before the war; but suppose they cost more, yet if every other article be procured from Europe at the first cost and common charges, the ships complete will not amount to much more than such ships usually cost before the war in America, probably not so much.

3dly. Suppose also that eight of the frigates be built in America, and twelve purchased in Europe, to transport the materials from thence for the rest. In the first place, let a calculation be made what all these materials, allowing a large proportion, will amount to, and also for the purchase of the twelve frigates, or ships for frigates, which are to transport those materials over to America.

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CALCULATION.

	Livres.
160,000 aulms of sailcloth,	240,000
500,000 cwt of anchors,	125,000
3,200,000 cwt of cordage,	1,280,000
6,000,000 cwt of cannon,	960,000
10,000 fuzees, fit for marine service,	200,000
200 tons of powder,	400,000
N. B. As iron is scarce and dear in America, especially in the east and northward states, I suppose 300 tons of iron,	160,000
12 ships fit for sea, capable of being armed as frigates of 24 to 36 guns, will unarmed cost 250,000 livres each, nearly	3,000,000

I suppose for shells, shot, cutlasses, spears, hand-grenadoes, and a variety of small articles, too many to be enumerated in such a general calculation, the sum of
Total amount,

1,000,000
7,365,000

Equal to one million six hundred and seventytwo thousand dollars,^[18] for which sum twelve of the ships will be purchased, and all the capital materials for the others. One million of livres, or two hundred thousand dollars, is a large allowance for the small articles, and I know, from offers made me from Sweden, that the ships and other articles referred to, may be purchased there at the above rates, if they have not risen since the month of March last.

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4thly. Of the proposed loan by the plan preceding, there will remain, after sinking the fiftythree millions and the payment of the present debts, the sum of one million and a half sterling, or 6,666,666²/₃ dollars, out of which deduct the above sum of 1,672,000, and there remains the sum of 4,994,666²/₃ dollars, or twentyfive millions of livres nearest, for other purposes; a sum sufficient for many great purposes. The commissioners, to the time of my leaving France, had not in the whole ever received four millions of livres, to enable them to procure all the supplies, which they engaged and sent over.

5thly. These stores, and ships to transport them, may be procured on the best terms in Sweden. Swedish ships are not so durable as those built in England, or of cedar and live oak, but I am well assured they greatly exceed those built of the common American oak. Sweden is ever so under the influence of France, that there is no doubt but with proper management these ships and stores may be obtained, and a convoy for them, which, by sailing in June next and coming north about, might arrive at Boston in season, and with very little or no risk; but the fear of being too tedious prevents my being more particular.

6thly. If it be agreeable to make the purchase of the materials enumerated, but not of the ships, as ships may be had to freight them over, it will amount to much the same.

7thly. I will only add, that in time of peace should any of these ships proposed, be to be disposed of out of the continental, they will not be too large for many branches of the merchant service. If these proposals should appear just and practicable, many less matters connected with them will require consideration, and as in the first, so in this plan, every thing depends on immediate despatch.

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It has been objected, that such a number of ships could not be manned, but if it is considered that there are now employed in privateering a greater number of men, than are sufficient to man this proposed fleet, it is easy to obviate this difficulty by offering such inducements, as will infallibly lead both officers and men to prefer the public to any private service whatever. The United States have not in view private or partial, but public and extensive objects, the humbling our enemies, the defence of our coasts, and the laying the foundation of a great and flourishing marine. If the whole of the prize money be divided among the seamen and officers, or suppose threefourths actually shared, and the remainder appropriated for the building and support of a hospital for sick, wounded, and disabled seamen, such a resolution will be a generous one, and cannot fail of answering the end. His Most Christian Majesty has generously done this for his officers and seamen serving in his marine, by his ordinance of April last.

Philadelphia, 13th November, 1778.

P. S. Apprehensive of being tedious when I wrote the above, I said nothing on the methods for paying the interest for the first two or three years, until a certain revenue can be established, for considering the present depreciated state of our currency, and the scarcity of specie, it cannot be instantly expected. I take therefore the liberty of suggesting two methods, one of which will most certainly answer the purpose. The first is to borrow of France or Spain, the interest money for the first three years, by which, the interest punctually paid, a credit will become established, and future loans may be made if wanted, and our commerce will be so far restored, that it will not be difficult to raise specie equal to the payment. But should this method fail, there still remains a certain resource, for even if the plan for equipping a navy be adopted, yet there will still remain in bank, as will be seen by the calculation and estimate, a sum sufficient for more than three years interest.

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SILAS DEANE.

FOOTNOTES:

[18] There seems to be a mistake here, if the author's mode of reckoning five livres to the dollar be adopted. The sum would then be one million four hundred and seventy three thousand dollars.

TO THE PRESIDENT OF CONGRESS.

Sir,

I did myself the honor of writing to you on the 7th of October last, and having since received a letter from Mr Williams, I send it enclosed, to show Congress that the monies mentioned by Mr A. Lee, in his letter of the 1st of June last, to have been received by that gentleman, have, in the opinion of two of the commissioners, been well laid out and faithfully accounted for. It gives me great pleasure to find, that the clothes contracted for by Mons. Monthieu, Messrs Holker, Sabbatier, and Desprez, and others, are on examination approved of, and allowed to be the best of the kind, both as to the quality of the cloth and fashion they are made in, of any that have ever been imported; it is indeed a fortunate circumstance, that out of near forty thousand suits so few have been intercepted. As Mr A. Lee, in his letters, has insinuated that the contracts for these clothes were made entirely by me, and has charged me with great extravagance in them, I beg leave to inform Congress, that these suits complete, and delivered on board, do not cost, on an average, thirtysix livres, or thirtyone shillings and sixpence sterling the suit. I labored hard to send over shoes, stockings, and shirts in proportion, and so far as it was effected, the suit complete, with shoes, stockings and shirt, does not amount in the whole to forty shillings sterling. These facts being known, I am content to take on myself the merit or demerit of furnishing these supplies.

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I will make no comment on the dismissal of a man of Mr Williams' known abilities, integrity, and economy, and who did the business of the public for two per cent, to make room for the deputies of Mr William Lee, who shares five per cent with them, nor on the still more unaccountable conduct of Mr A. Lee, in ordering bills accepted by Messrs Franklin and Adams to be protested. It gives me pain to be forced to lay these facts before Congress, but I cannot, consistent with the duty I owe my country, nor with the justice due myself, permit them, and others of the like nature, to remain longer concealed from public view and examination.

My letter of the 7th ult. covered observations on Mr Lee's and Mr Izard's letters to Congress, to which I am still without the honor of any reply; nothing would give me greater satisfaction, than to learn by what part of my public conduct I have merited the neglect, with which my letters and most respectful solicitations for months past, to be heard before Congress, have been treated. I confess that I once flattered myself the services I performed in procuring supplies, and sending them to the United States at the most critical period of their affairs, and in assisting to bring forward and conclude the treaties, together with the honorable testimonials from the Court of France, whilst I had the honor of residing there, would have merited the approbation of Congress. And I now leave it with every person of sensibility and honor, to imagine what must be my disappointment and chagrin, to find myself obliged at last to leave America without being informed if exceptions have been taken to any part of my conduct, or what they may be. Thus situated, though I can but feel most sensibly, yet a consciousness of the integrity and zeal, which have ever guided and animated my conduct, and a sense of the important services I have been so fortunate as to render my country, with the confidence I have that justice will yet be done me, support and will never permit me to forget or desert myself or my country, whilst in my power to be useful.

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I took the liberty on the 12th instant, in writing to Congress, again to remind them of my being without any answer to my request, and having written already repeatedly, I will not trouble that honorable body further on the subject of my being heard, agreeable to what by their resolutions which recalled me, and since I hoped for, and had reason to expect; but praying them to accept my sincere thanks for the honor they did me, in appointing me their commercial and political agent in Europe, and afterwards one of their commissioners to the Court of France, by which I have had an opportunity of rendering my country important services, I have only to repeat my former request, that orders may be given to their minister at the Court of France to have my accounts examined and settled, immediately on my return thither, referring to my letter of the 7th, on that head, and entreating for a speedy resolution on the subject.

I have the honor to remain,

With the most profound respect, &c.

SILAS DEANE.

P. S. Since writing the above, I am informed that letters have been received from the honorable Mr Lee, and read in Congress, which mention certain proceedings of Mr Hodge, and that a sum of money had been paid Mr S. Wharton by my order, without the knowledge of the commissioners, and which I left unexplained and unaccounted for. I will only say here, that any insinuation of this kind is totally groundless, and makes me feel most sensibly what I suffer by not being permitted to be heard before Congress, which I still solicit for.

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S. D.

TO THE PRESIDENT OF CONGRESS.

Sir,

I am still so unhappy, as to be without the honor of any reply to the several letters I have written through you to Congress, praying that honorable body to favor me with an audience, and that they would give the necessary orders to their ministers or commissioners at the Court of Versailles to examine, adjust, and settle my accounts immediately on my return to France. I take the liberty now to add to what I have already written, that the hopes of being favored with an audience have already occasioned my losing several very agreeable and safe opportunities of returning, until the season has become as pressing as the business which calls me back, and obliges me most earnestly to entreat the attention of Congress to my situation and requests.

I have the honor to remain, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

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Friday, 4th December, 1778.

Sir,

I have now to acknowledge your favors of 10 o'clock last evening, and to thank you for the attention paid to my last letter to you. Previous to receiving the intimation you have given me, "that Congress had resolved to take into consideration their foreign affairs, and that such branches as I had been particularly concerned in, would in due course become subjects of deliberation," I had prepared to leave this city, and had made my arrangements accordingly, which it will not be in my power to dispense with for any time. I take the liberty of mentioning this, as I do not find in the intimation you have given me of the resolution of Congress any time fixed for my attendance, and I take the liberty of repeating what I have before had the honor of writing to you, that my detention is extremely prejudicial to my private affairs, and, so far as I am able to judge, in some degree so to those of the public, which I have had the honor of being intrusted with, some of which require my presence at the settlement of them, as well on account of my own reputation, as for the interest of the United States.^[19]

I have the honor to be, with much respect, &c.

SILAS DEANE.

FOOTNOTES:

- [19] On the 5th of December, Mr Deane published an article in the Pennsylvania Gazette, reflecting on the conduct of some of the commissioners in Europe. This publication gave much offence to Messrs Arthur Lee and William Lee, and Mr Izard, as will be seen hereafter in their letters to Congress.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 21st December, 1778.

Sir,

In obedience to the orders of Congress of the 7th inst.^[20] I have now committed to writing as particular an account of my agency of their affairs in Europe as my situation will permit, and wait the pleasure of Congress to lay the same before them. And I have only to request, that the letters written by the commissioners to Congress, or the Committee of Foreign Affairs, during my agency or since, which refer thereto, ordered to be read in Congress, may be laid on their table, when I shall have the honor to be admitted. I request this, from my not having the copies of those letters with me, to which the accounts I am directed to give refer, but recollecting the substance of them, I have judged it unnecessary to trouble Congress for copies of them at present, as it might cause some delay, and I am anxious to complete as soon as possible the information expected from me. I flatter myself that an early day will be fixed, and if I may take the liberty to mention one, I wish it may be tomorrow if consistent with the business of Congress.

I have the honor to be, with the utmost respect, &c.

SILAS DEANE.

FOOTNOTES:

[20] "*Resolved*, That Silas Deane report to Congress in writing as soon as may be, his agency of their affairs in Europe, together with any intelligence respecting their foreign affairs which he may judge proper.

"That Mr Deane be informed, that if he has anything to communicate to Congress in the interim of immediate importance, he shall be heard tomorrow evening at six o'clock.

"Mr Deane attending, was called in, and the foregoing resolutions were read to him."

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 30th December, 1778.

Sir,

When I had the honor of waiting on Congress last, I was informed that I should be favored with an opportunity of finishing my narrative without delay. I now take the liberty of applying to Congress, and to inform them that I am ready, and wait their orders. I have received letters, which I am desirous to communicate personally; they relate to parts of my narrative. My solicitude for a final issue of my affairs will, I trust, not appear unreasonable to Congress, when it is considered that a certain Mr Thomas Paine, styling himself Secretary for Foreign Affairs, and presuming to address the public in his official character, has thrown out in a late paper many insinuations injurious to my public character, and has avowed his intentions of laying before the public a number of interesting facts, and materials, relative to my conduct, as one of the commissioners of these United States at the Court of France.

I rely on the justice of Congress, and have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 4th January, 1779.

Sir,

In my letter of the 30th ult. I took the liberty of mentioning to Congress a circumstance, which made me very solicitous for a final issue of my affairs, which was the illiberal and abusive attacks made on my character, as the public agent and minister of these States, by a certain Mr Thomas Paine, styling himself Secretary for Foreign Affairs, and pretending to address the public in his official capacity. This person has since, in Mr Dunlap's paper of the 2d inst., ventured to assure the public, that the supplies, which I contracted for with Mons. Beaumarchais, were promised and engaged, and that as a present, before I arrived in France, and that he has in his possession full proof of this.

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I cannot suppose that Mr Paine is possessed of any letters, or papers on this subject, which are not before Congress, or to which the honorable members are strangers. I will not trouble Congress with any observations on the many groundless and extravagant assertions of this writer, but justice to my own character obliges me to entreat, that, if what he has asserted on this subject is a fact, I may be made acquainted with it. Mons. Beaumarchais, in his letter to Congress of the 23d of March last, asserts directly the contrary to what this man has ventured to publish; and as my engagements with Mons. Beaumarchais were made on a very different ground, it is of the last importance to me to know if I have been deceived in the whole of this transaction, and how, that I may be able to regulate my conduct accordingly.

I have the honor to be, with the utmost respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

[Pg 180]

Philadelphia, 21st January, 1779.

Sir,

When I had the honor of waiting on Congress, you were pleased to inform me, that if Congress

had any further commands for me I should be notified thereof. Not having received any notice from you on the subject, I take the liberty to inform you, that my affairs are become so pressing and so peculiarly circumstanced, that it is impossible for me to attend longer without doing greater prejudice to myself and interest, than I am able to sustain. I must therefore request of you to remind Congress of my situation, and that you will inform me of their determination respecting me.

I have the honor to be, with sincere respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 22d February, 1779.

Sir,

In obedience to the orders of Congress of the 8th of December, 1777, which I received the 4th of March, 1778, I embraced the first opportunity of returning to America, and on my arrival repaired with all possible despatch to Congress on the 13th of July last, since which time I have attended their orders in this city. I beg leave to remind Congress, that early in January, 1776, I had the honor of being engaged by their committee to go as their agent to France, to transact important business for them, in the commercial as well as political departments, and that I have ever since been in their service, in which I flatter myself I have been of some utility to them and to my country; but that an absence of almost four years from my family and private affairs, more than seven months of which I have waited to know their pleasure respecting me here, has so exceedingly embarrassed and distressed me, that I hope I shall not be deemed guilty of an unbecoming impatience in pressing to know, if Congress have any further commands for me, and in what manner my past transactions, as their agent and commissioner, are to be adjusted and closed. I have heretofore written repeatedly and particularly to Congress on this subject, and will not enlarge upon it at present, but have the honor to be, with the utmost respect, &c.

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SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 15th March, 1779.

Sir,

I did myself the honor of writing to you on the 22d of February past, to which letter I beg leave to refer your Excellency. Having received no answer to the requests I then made, I have now only to add, that my situation, which for eight months past has been peculiarly distressing, is now become such as to oblige me to leave this city without further delay, and therefore I again most respectfully entreat of Congress to inform me, if they expect further information from me respecting their foreign or other affairs, and as I shall without loss of time, return to Europe, that I may be informed if they have any further commands for my service, and in what manner my past transactions, as their agent and commissioner, are to be adjusted and closed.

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I have the honor to be, with the greatest respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 29th March, 1779.

Sir,

I did myself the honor of writing to your Excellency the 22d of February last, in which I mentioned the distressed situation into which my affairs were brought, by my being detained in this city, and in which I earnestly requested to know of Congress whether they had any further commands for me, and in what manner my past transactions, as their agent and commissioner, were to be adjusted and closed. You were pleased to inform me verbally, that my letter was referred to the committee, who were ordered to report immediately. I have since been informed that they have reported, but that the report has not been considered by Congress, nor any resolutions passed thereon. This forces me again to apply to Congress, and to lay before that honorable body in part my situation. I have been near four years absent from my family and

private affairs, which have suffered exceedingly thereby; more than three years of the time, I have been in the actual service of Congress.

The settlement of the commissioners' accounts and my own, will show to demonstration, that I have received nothing therefor, except money for my necessary expenses. When the orders of Congress, and the service of these States required my immediate return, I took with me one hundred and eighty louis d'ors or guineas only, to defray my expenses and those of four Americans and a servant to America. Two of the Americans were captains in the navy of the United States, and had escaped from prison in England; of the other two, one had been taken in a private ship of war, which he commanded, and had also escaped from prison; the other was a captain in the merchant service. Our journey to Toulon, which is near six hundred miles, was expensive, and was defrayed by me; our passage from Toulon to America was at the expense of His Most Christian Majesty. I took those American captains with me by the advice and at the desire of the ministers of France, and of Dr Franklin, these captains being well acquainted with the American coast. I have been for more than eight months past in this city, and at an expense to which my private fortune is by no means adequate, though I have regulated my expenses by the strictest economy my situation could admit of. I will not trouble Congress with mentioning what has past since my return. The loss of my private property is of no consideration with me, if my country is in any way essentially served thereby; but whilst Congress defer coming to any resolution respecting my private services as their agent and commissioner, what is dearer to me than life or fortune, my character, is attacked and liable to suffer, from the groundless and base insinuations of some, and from the open calumnies of others. I cannot but think it an act of justice due not only to me as an individual, but to Congress and the public in general, that my conduct be either approved of or censured; I have most surely merited one or the other, from the important part I have acted, and the manner in which I have transacted it. I had the honor of bringing with me testimonials, not only from my late venerable colleague, but from his Most Christian Majesty and his ministers, in favor of my conduct whilst in France; they have been long since laid before Congress, and I cannot but conceive, that if I have merited the calumnies which have for some months past been publicly thrown out against me, and industriously spread through these States, justice to those great personages, who condescended to interest themselves so warmly in my favor, requires that my demerits should be publicly known and made to appear, that they may no longer be deceived, or in a state of uncertainty, respecting my real character and merits.

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A writer, who has been busily employed for three months past in inventing and publishing the most scandalous falsehoods, in order to injure me in the opinion of my countrymen, has produced in Dunlap's paper of the 27th inst. two charges against me, the one for "*negotiating an intended present into a loan*," or, in other words, of defrauding my honorable constituents of a large sum of money; the other of intercepting and destroying the public despatches in order to cover the fraud. This writer has not long since been in the employ of Congress as a secretary or clerk, of which circumstance he avails himself to give force to his calumnies, and has had the confidence to appeal to Congress for the truth of his assertions, though he knew at the time that Congress had unanimously contradicted the first, and that the latter was but the creature of his own forming. From the moment that I was ordered by Congress to lay before them in writing, a narration of my public transactions, I have considered myself as being before that tribunal and no other, and under their immediate protection, and consequently not at liberty to take that notice of the publications of this writer, or of his prompters, which, as an individual, otherwise circumstanced, I should have took long since. This consideration, and the full reliance I have ever placed on the justice of Congress, have prevented my making any reply to the many base and false insinuations thrown out by this writer, and others, against me, and I have been encouraged to wait with patience for the decision of Congress, by repeated promises, that a speedy issue should be made of those affairs.

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I now submit it to that honorable body, whether, if my patience is exhausted, I ought to be deemed culpable; and have further to entreat, that if Congress, or any of its members, entertain any apprehensions, that I am guilty of the two charges brought against me, (to which I have referred) or on any other account whatever, that I may be heard before Congress, and I submit it to their wisdom to determine how public the inquiry shall be, assuring them, that the more public the scrutiny shall be into every part of my conduct, the more agreeable it will be to me. I have only to entreat further, that a decisive answer may be given to me on the above requests, and that you will be assured of my unalterable respect and attachment.

I have the honor to be, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 2d April, 1779.

Sir,

I am without an answer to the letter I did myself the honor of writing to you the 30th ult. As I

shall be obliged to leave Philadelphia in a few days at farthest, I have again to solicit a decisive reply to my last. Justice to my fortune as well as character requires it, and I can by no means bring myself to suppose, that Congress will ever refuse the doing of justice either to the character or fortune of any free citizen of these States, much less that they will any longer delay it to one in their service, and under their immediate protection, and who has for many months past been soliciting for justice, as well to his fortune as character.

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I have the honor to be,

With the utmost respect and attachment, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 17th April, 1779.

Sir,

I ask liberty to refer to the two last letters, which I did myself the honor of writing to you on the 30th ult. and 2d instant, and which remain unanswered. In them I mentioned the situation to which I was brought by my being detained in this city, the difficulties and distresses of which have been ever since daily increasing.

I will not take up the time of Congress by entering into a detail of circumstances; many of the honorable members are not unacquainted with them, but inform Congress that I am under the necessity of going out of town early in next week, and considering myself at the orders of Congress, pray to be informed if they have any commands for me, which render it necessary that I defer any longer to leave Philadelphia. My own family and private affairs, as well as those of one intrusted to my care, have long suffered by my absence; they must suffer to the last degree, if longer neglected.

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I have the honor to be, with the greatest respect,

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 26th April, 1779.

Sir,

As I have received no reply to my letters of the 30th ult. and 2d instant, I take the liberty of applying again to Congress, to remind them of my situation. It is now more than twelve months since, in obedience to their orders, I left France, to return to my native country. Having employed the short interval, between the receiving advice of my recall and my embarking, in soliciting essential aid and succor for these States, I entered on my voyage with the pleasing reflection, that after a two years' faithful service, in a most difficult and embarrassed negotiation, the issue had been fortunate, equal to my utmost wishes; that the supplies I had procured, and sent out, had enabled my brave countrymen and fellow citizens to resist and humble the enemy; that the treaty which I had the honor, with my colleagues, to conclude, had engaged one of the most powerful and generous princes in the world to guaranty the liberties and independence of these States.

The great and seasonable aid sent out by him, with which (after having received the most honorable testimonials of his approbation, and even of his esteem, as well as that of his ministers, and of my late worthy colleague and friend, Dr Franklin) I had the honor to embark, gave me in prospect the completion of my most sanguine hopes—the total reduction of the British force in North America. Unfortunately the length of our passage defeated the most essential objects of this great and well concerted enterprise. Extensive and important services were however thereby rendered, on which I need not be particular. Immediately on my landing in America, *I repaired with all possible despatch to Congress, to inform them of the state of affairs in Europe*, which I had been advised, by their resolution, was the business I was ordered to return upon. Between my arrival in this city, on the 13th of July, and my audience before Congress on the 21st of August, I was informed that the minds of some of my countrymen were prejudiced against me, and that insinuations were industriously circulated to effect others; I therefore took the earliest opportunity given me, and after having laid before Congress a general state of foreign affairs and of my proceedings, to request that if any thing had been laid to my charge, or suggested to my disadvantage, I might be made acquainted therewith, for that it was probable that in the difficult, complicated, and embarrassed scenes I had gone through, many things might require explanation. I received no reply, and continuing to solicit to have the business I returned upon

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concluded, I was informed that an honorable member produced in Congress an extract from a letter from a private gentleman, respecting a conversation which passed between him and Mr Carmichael, which implied a censure on my conduct. On the 26th of September, Mr Secretary Thompson acquainted me with the resolution of Congress of that day, to postpone further consideration of my requests, *until the examination of William Carmichael*.

What the result of that examination was I never knew, but having waited some days, the urgent necessity for my speedy return pressing on me, I applied again, and repeatedly, that I might finish the business upon which I had been sent for. Days were repeatedly appointed for that purpose, and I must suppose business of more importance prevented. In those letters I laid before Congress the unsettled state in which I had, by my sudden departure, been obliged to leave the accounts and other mercantile transactions of the commissioners, and pointed out the injuries, which the public must suffer by a delay of their settlement, as well as the personal inconveniences I must be subjected to whilst they remained unsettled. To these letters I beg leave to refer. In October, extracts from letters from Mr Arthur Lee and Mr Izard, were, by order of Congress, delivered me, to which I replied at large, on the 12th and 22d of the same month; my letters are still before Congress, and to them I refer, particularly to that of the 12th, which closes in these words;

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"As in commercial transactions there are but two sides to an account, and every thing goes to the debit or credit, the folio for profit or loss, so I must solicit that Dr Franklin and Mr Adams may be directed to see the settlement of all those accounts immediately on my return to Paris, and as there has been a charge made by Mr Lee, of profusion, of extravagant contracts, and the like, that those gentlemen be authorised to submit those accounts, with every allegation of the kind, to the adjustment and determination of gentlemen of ability and character on the spot, and that orders may be given, that whatever may be found due from the commissioners, or either of them, may be instantly paid into the hands of the banker for Congress, and that in like manner said banker may be ordered to pay whatever may be the balance, to the person in whose favor the same shall be found. By this means truth will be demonstrated, and justice done, which is all I have ever wished for."

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In December last I was directed to lay before Congress in writing,^[21] a narrative of my proceedings, whilst their commercial and political agent, &c. I must ask leave to refer to that narrative at large, as many of the honorable members then in Congress are now absent, and the representatives of several of the States entirely changed. On a reference it will be found, that I again solicited for as early a decision as possible on my conduct, that the most thorough examination might be made, and to demonstrate what my commercial conduct had been whilst the agent of these States, that my accounts might be put in the way of being settled without delay, that the part I had acted, and the station I had been in, could not be considered as a neutral or indifferent one, and that approbation or censure was my due, &c. &c. When I was favored with that audience, I flattered myself that the delays I had met with had given ample time for the most full and perfect scrutiny into every part of my conduct, and that if any charges were to be brought against any part of my conduct, I should then be informed of them. I therefore again requested to know if there were any. I was informed of none. Soon after I was told that a committee was appointed to examine into, and report on foreign affairs. I previously informed Congress, that I had no copies of the letters written to them by the commissioners, from Paris; that Doctor Franklin took the care of them, and that my having no apprehension of being questioned on them, I had not taken duplicates with me, therefore requested that I might have copies of them, that I might explain anything which might at first sight appear dubious or contradictory.

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I afterwards applied to the members of the honorable committee, desiring that if in the course of their examination, anything should appear doubtful, or such as might support a charge against any part of my conduct, I might be heard, before any report should be made. I did not receive copies of the letters, nor was I ever called upon by the committee, who I am informed have made their report, as to which I am wholly uninformed. Soon after this report was delivered to Congress, having been persecuted in the public papers for several months, in the most scandalous, virulent, and licentious manner, and accused before the public of crimes of the blackest complexion, I again addressed myself to Congress, and as their servant claimed their protection, and that I might be heard in the most public manner, or in any other way they thought proper. This letter, of the 30th of March, remains unanswered, and I now pray the contents of it may be considered. The part I acted as political agent and commissioner for Congress is well known, and may be judged of with certainty at this time, and the settlement of mine and the commissioners' accounts (which I have repeatedly solicited) will demonstrate what my commercial conduct has been. If, in the commercial, I have not acted with prudence and integrity, if I have neglected to supply these States with stores to the utmost of my power, and have either wasted or embezzled the public monies, the interest of the public requires that speedy justice be done, and the settlement of the commissioners' accounts will at once acquit or condemn me. If in my political department I have in any instance neglected or betrayed the interests of my country, if I have conducted weakly or wickedly, or both, the public ought to know it, and I ought to be punished. If, on the contrary, I sacrificed all private considerations, and put my life as well as fortune to the hazard, to procure relief and assistance for these States from abroad; if, unsupported by remittances from hence, without credit or friends, and a stranger to the language and manners of the country I was sent to negotiate in, I surmounted every obstacle, and in a few months obtained and sent out large supplies; if I was assiduous and indefatigable for

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the space of near two years in France, in the commercial as well as political affairs of these States, at times even to my personal danger; if, so far from having embezzled the public monies, I neglected my private fortune, and received nothing but my necessary expenses whilst transacting this business; if a principal share of the political negotiations fell on me, and if jointly with my colleagues I brought them to a happy and honorable issue, and individually acquired the confidence and esteem of His Most Christian Majesty and his ministers, as well as of the nation in general; and if, at my private solicitations (in part) after my recall, a strong fleet and armament were sent out to the relief of these States; if these are facts, which they certainly are, and the greater part of them long since fully ascertained, and the others ascertainable by the settlement of the commissioners' accounts, (which I have from the first requested) I flatter myself justice will be done by Congress, and that the artifices of interested and wicked men will not prevail to delay it, and thereby injure the public and their servant more essentially, than injustice itself would do.

I, therefore, with the sensibility of an innocent yet injured man, and with the firmness of a free independent citizen, ask for justice, fully confident that Congress will not refuse or delay it. I owe too much to those great personages, who generously patronized and protected me in Europe, to my countrymen and to myself, to suffer my character and conduct to remain longer under any uncertainty. When the part I acted abroad in the service of these States, my recall, the circumstances of my return, my reception, and the delays I have since met with, are reviewed, I think my case will be found peculiar.

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Permit me then to repeat, that my services have been in two departments, political and commercial; every thing respecting the first is already well known, the closing of the accounts will demonstrate what the latter has been; on the first, Congress is now able to judge; justice to the public, as well as to myself, calls for their determination. If there are charges against me in either of the characters I have supported, I must consider myself entitled to know what they are, and to be permitted to answer.

I cannot close this letter without complaining to Congress of the abuse I have met with in the public papers from a writer, who was lately their confidential servant, and who has abused their confidence to deceive and impose on the free citizens of these States, and to injure me in the public opinion; also of the partial and injurious manner in which I have been treated by others who, deeply interested by family and other connexions to support my enemies, represent my conduct and the letters written by the commissioners and myself, as inconsistent and contradictory, whilst I remain deprived of any opportunity to explain them. My utmost ambition and wishes have ever been to serve these States, and to merit the title of their faithful and approved servant; nothing can deprive me of the consciousness of having served faithfully and with integrity. If my country have no further service for me, my first object as well as my duty must be to justify my conduct, and to rescue my reputation and character from the injury and abuse of wicked men, and to do this I again ask of Congress, what I consider as my right, their decision on my conduct as their servant; and if any part thereof is questioned, I may be permitted to explain and vindicate the same, which I have often said and again repeat, the settlement of the commissioners' accounts will enable me to do, even to mathematical demonstration. Any further delay in my case must have all the consequences of a refusal, and as I have ever relied with confidence on the justice of Congress, and long waited their decision, I flatter myself it will no longer be postponed. I shall leave Philadelphia in the course of this week on my private affairs, and wish to do it as early as possible.

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I have the honor to be, with much respect, &c.

SILAS DEANE.

FOOTNOTES:

- [21] On the 5th of December Mr Deane published an article in the Pennsylvania Gazette, containing remarks on his transactions in Europe, and vindicating himself from certain charges in Mr Arthur Lee's letters to Congress.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 27th April, 1779.

Sir,

I heard yesterday, by accident, that an honorable gentleman in Congress had made a calculation from the general account, which I gave in my narrative of the price of the clothes purchased in France, and that given by M. Holker, in a memorial of his, and had drawn consequences very injurious to me therefrom. In my narrative I informed Congress that the clothes cost 32s. or 33s. sterling complete, delivered on board. This was nearly the average price, and of that, and not of the particular, I spoke. 32s. sterling is equal to 36 livres, 11 sols, 5 deniers. The clothes bought of Messrs Sabbatier and Desprez cost 36 livres nearest, delivered on board; those of Mons.

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Monthieu a few sols more; those by Mr Williams, the same, nearly as I recollect; and about a thousand suits of M. Coder, of a different fashion, more than 40 livres each. I have before related to Congress, that Mr Lee himself approved of these purchases, having been present at the contracting for a part of them, those of M. Coder in particular, and had signed the settlement of the accounts, and orders or draughts for the money.

Surprised at the calculation made, and the injurious inferences drawn therefrom, I wrote to M. Holker the enclosed letter, and received his answer thereto, a copy of which I take the liberty of enclosing. 37 livres being equal to 32s. 4¹/₂d. sterling, it is evident that the calculation made is wrong, even if I had fixed the price positively at 32s. or 33s. sterling.

I will not trouble Congress at present with any further observations on the subject,

But am, with much respect, &c.

SILAS DEANE.

TO M. HOLKER.

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Philadelphia, 26th April, 1779.

Sir,

I was this day surprised to hear, that in a memorial you had presented to Congress, you had said that the suits of clothes furnished by Messrs Sabbatier and Desprez, ought not to cost (or did not cost) more than 32 or 34 livres each, delivered in the ports of France. Permit me to remind you, that these clothes were transported from Paris, and the other places where they were made up, to the sea ports, at the expense of the commissioners; that they cost something more than 34 livres, exclusive of the transportation, as I am positive the accounts themselves will show. I must therefore presume, if my information is right, that you may be under some mistake as to this matter, and therefore pray you, if you have the copies of these accounts, that you will turn to them, which must convince you of it, or the error is with me, for, as I recollect, these suits of clothes cost, when delivered on board, nearest 36 livres on an average, and those purchased from Mons. Monthieu, a trifle more, and those from M. Coder, which were of a different fashion, considerably more; this occasioned my saying generally, in my narrative to Congress, that the suits cost 32s. or 33s. sterling, of which difference in our accounts advantage has been taken against me, though I spoke generally, referring to the accounts and contracts themselves to correct me if I erred. You will therefore oblige me by explaining the above, if you have the account, or if you recollect the circumstances of that transaction.

I have the honor to be, with much respect,

SILAS DEANE.

M. HOLKER'S ANSWER.

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Philadelphia, 26th April, 1779.

Sir,

I have this moment received your favor of this date. In my memorial to Congress, I said that each complete suit ought not to cost more than 33 or 34 livres (not 32 or 34) delivered in the sea ports. I spoke totally from memory, and believe I have made a mistake, by taking the price in Paris, or Montpellier, for the price at which they would stand at the sea ports. Admitting my error, they would cost no more than 36 or 37 livres the suit, according to the best calculation I can make from memory.

I have the honor to remain, most sincerely, &c.

HOLKER.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 30th April, 1779.

Sir,

In my letter of Monday last, I mentioned my intention to leave town in the course of the week. I

am now waiting for no other purpose, but to know if Congress will take notice of the requests I have so often troubled them with. The circumstances under which I left France, in obedience to their orders, and with a view of promoting their service in the greatest and most essential manner (it is well known) rendered it impossible to have the accounts of the commissioners and my own, connected immediately with theirs, settled and closed, so that the vouchers could be procured and brought out with me. But a few days past between the knowledge of my recall, and of my actual setting out on my return.

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One condition of sending out the Toulon fleet, and of my embarking in it was, that the most profound secrecy should be observed, and the greatest despatch made. The king's ministers did not think fit to communicate this secret to my colleague, Mr Lee, nor did they leave me at liberty to do it; I had as little grounds for confidence in that gentleman, as the ministers had, and it is evident from their letters and declarations that they never had any. Yet such is my peculiar situation, that I find myself blamed and censured by many in Congress as well as out, for not having performed an impossibility, and am represented as a defaulter, and as having misapplied or embezzled the public monies, at once to prevent my future usefulness to my country, and to the ruin of my private fortune and character. Thus situated, I can but appeal once more to the justice of Congress, and remind them that I brought with me and delivered them, it is now more than seven months since, an account from under the banker's hands, of all the monies received and paid out by him, and to whom paid; that in my letter of the 12th of October, I explained to Congress for what purposes those payments were made, and in my answers to Mr Lee's objections to these contracts, that I proved him to have been acquainted with them, and that he signed himself the orders for the money, for the greater part of them. I am informed, by several honorable gentlemen in Congress, that many of the members, from their absence at the time, or from their taking their seats since the delivering in of that account and my letter of the 12th of October, are to this moment uninformed of either. This obliges me to refer to them at this time, and though I have not the vouchers to support every article, yet I will cheerfully put my reputation as a merchant, as an honest man, and as a frugal servant of the public, on the examination of those accounts, the circumstances under which they were taken, at the same time to be considered.

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That account commences in February, 1777, and ends the 27th day of March, 1778, three days before my leaving Paris. It will show, that the whole amount of the monies received by the commissioners, was 3,753,250 livres, and their expenditures 4,046,988 livres, 7 sols, and by the general state of the account delivered the 12th of October, it appears for what those expenditures were made. After deducting the sums paid, for large contracts for supplies, &c. which are particularised, there will be left 219,250 livres, 1 sol, 11 deniers, equal to £9644. 8. 7¹/₂ sterling, for the commissioners' expenses, for almost fifteen months, and for small purchases, and for a variety of services not possible to be particularised, without the accounts at large. I might with safety rest this whole sum on the score of the commissioners' expenses for this space of time, and support it on Mr Lee's letter to Congress, in which he says, that Mr Adams and himself were fully convinced, that they could not live at Paris under £3000 sterling, (or about 70,000 livres) each annually. Had the commissioners expended at that rate, from February, 1777, to March, 1778, the whole of the sum would be no more than a sufficiency to supply their expenses; but this was not the case. The commissioners, in the whole, received out of it the sum of 115,480 livres, 5 sols, 6 deniers, for their expenses and private disbursements, as will appear by the account enclosed; of this, Dr Franklin received 27,841 livres, Mr Lee 52,039 livres, 5 sols, 9 deniers, and myself 35,600 livres. It is true, at the same time, that Mr Lee had in his hands the whole of the money received from Spain, which he disposed of without the interference of the other commissioners.

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I appeal to the honorable gentlemen in Congress, then present, and perfectly well acquainted with our mode and style of living, to inform Congress on which of the commissioners the greatest expense of providing for and entertaining the Americans, who visited them at Paris, or who escaped from prison in England, and applied for relief, fell. I lay this general state before Congress, to convince them how very far I was from being prodigal of the public monies, and that the accounts delivered, general as they are, are sufficient to exculpate me from every charge of speculation or extravagance. My future reputation and fortune depend much on my mercantile character in these transactions, and I rely on the justice of Congress to prevent its being any longer undeservedly sported with, vilified and abused.

Under the load of calumny and abuse I have for some months sustained, I have had this consolation, that the services I had rendered my country had been long since sensibly felt by her, and that they would one day be acknowledged, but when returning to the character of a private citizen in the mercantile line, I cannot sit down easy under imputations injurious to my private character.

I have long since requested to have these accounts examined into, on the spot, where only a full and minute investigation can be made, and that they should be settled as justice required. I now repeat my request, and that previous thereto, the accounts laid before Congress be examined, from which alone it will appear, if there be any ground even for suspicion, and that I may be permitted to obviate, if in my power here, any objections that may be made. The mode in which the monies were received for the commissioners' use at Paris, the source from whence they came, with other circumstances relative, are such that I have not thought it consistent with the interest, the policy, or even the delicacy of Congress, or others, to lay the case at large before my

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countrymen, though I found myself injured in their opinion, by the abuse constantly thrown out against me in the papers, and from my silence on the subject. I have ever been, and still remain confident, that a general examination of the accounts, even in the state they are, must prove satisfactory to Congress, and that a minute investigation will show me to have merited their approbation, and not their censure. My first duty is, to satisfy Congress, in whose determinations the public will undoubtedly acquiesce, and to them therefore I have constantly made my application on this subject.

I will make no apology for troubling them so long at this time, my situation is, I trust, a sufficient one. I have only to add, that having delayed to leave the town beyond the time I proposed in my last, I hope for an early answer, and have the honor to be, with the utmost respect and attachment, &c.

SILAS DEANE.

Account of monies paid by Mr Grand, to Benjamin Franklin, Silas Deane, and Arthur Lee, for their particular use, and charged by him, as paid immediately to them.

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To Benjamin Franklin—

	Livres.
14th July, 1777,	4800 0 0
25th September,	4001 0 0
15th November,	8000 0 0
29th December,	2400 0 0
2d March,	3600 0 0
25th "	4800 0 0
	<hr/> 27,601 0 0
10th March,	240 0 0
	<hr/> 27,841 0 0

To Silas Deane—

	Livres.
1st July, 1777,	2400 0 0
29th August,	4800 0 0
16th September,	4800 0 0
7th October,	2400 0 0
20th November,	2700 0 0
11th December,	2400 0 0
21st December,	2400 0 0
13th January,	4000 0 0
12th February,	2500 0 0
17th March,	4800 0 0
24th "	2400 0 0
	<hr/> 35,600 0 0

To Arthur Lee—

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	Livres.
August,	2400 0 0
8th October,	4800 0 0
12th November,	2400 0 0
December,	2400 0 0
23d November,	22,519 5 6
23d December,	2400 0 0
January,	720 0 0
11th "	4800 0 0
"	2400 0 0
16th February,	2400 0 0
6th March,	4800 0 0
	<hr/> 52,039 5 6
	35,600 0 0
	27,841 0 0
	<hr/> 115,480 5 6

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 12th May, 1779.

Sir,

I returned last evening, and now send you the New York papers of the 3d and 5th instant. You will much oblige me, by informing me what resolutions Congress have come to on my letters of the 26th, 27th, and 30th ult. as well as on the petitions I have repeatedly made to them for the settlement of the business, on which I was ordered to return to America. If nothing has been done, I pray to be informed when I may depend on a decisive answer from Congress.

I have the honor to be, with the most sincere respect,

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 22d May, 1779.

Sir,

As this will probably be the last time I shall trouble Congress with my addresses to them, I hope to be indulged in briefly laying before them the following observations on my case and situation.

From the moment, that the contest between these States and Great Britain became serious, I have taken and pursued a decided and active part in favor of the liberties of my country, have cheerfully sacrificed my fortune, and exposed my life, for an object much dearer to me than either, the peace, liberty, and safety of these States. The part I took in the first, and succeeding Congress, is well known to many of the honorable members now present, as well as to my countrymen and fellow citizens in general, who must do me the justice to say, that I let slip no opportunity either in Congress or out, which offered, for serving America, and distressing its enemies.

In January, 1776, when I was about returning to my family and private concerns, which had suffered much by my absence, I was applied to, by the committee of Congress, to go to France, to negotiate the political as well as commercial affairs of America in that kingdom. The advantages proposed to me in the latter were considerable, and without any probability of difficulty, embarrassment, or risk, further than the dangers of the voyage, which were indeed great at that time. In the former it was very different, but the difficulties which presented, great as they were, had no consideration with me, in the situation in which our affairs then were. My subsequent conduct, from my arrival in France, until I left that kingdom, fully demonstrates that private interest and personal safety never had any weight with me, when the service of my country called upon me. In my narrative I have been so particular on the situation I found myself in, on my arrival in Europe, the embarrassments and difficulties I constantly labored under, and had to encounter, and in the many letters I have written to Congress since my return, requesting my conduct might be examined, in the strictest and most public manner, I have so often represented to them what my situation and line of conduct had ever been, that I am under no necessity of saying anything on the subject at present.

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On the fourth of March, 1778, after having succeeded in procuring supplies for these States, which fell almost solely on me, and having, jointly with my colleagues, concluded the treaty of the sixth of February, which secured and guaranteed the independence of these States, when I found myself, for the first time after my leaving America, free from those distressing embarrassments and difficulties I had been constantly under, and at liberty to pursue openly the great objects in view, and which I had for some time contemplated for the service of these States, I received the resolution of Congress of the 8th of December, ordering me to return immediately to America, to inform Congress of the *state of foreign affairs in Europe*. I did not hesitate a moment as to the part I should take, but immediately set myself on improving this circumstance and others, which then fortunately coincided, to the greatest possible advantage of these States,—the publication of the treaty, until that time ordered to be kept a profound secret, and the sending out the Toulon fleet, in which I embarked early in April.

I submit to the consideration of Congress, whether from the 4th of March to the 30th, the day I left Paris, I could possibly have been better employed, and whether I could have justified myself, or been even excused by others, had I neglected these objects, and delayed to pay the most immediate attention to the order of Congress, for the mere purpose of collecting in and adjusting accounts from the different ports of France; accounts which could not be collected and closed under several months, and in the settlement of which my colleagues were equally interested with myself.

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I say I submit this to the consideration of Congress, nor do I fear publicly to submit it to the world, or even to those enemies whom I am so unfortunate as to have in it. The voice of my friend and colleague, Doctor Franklin, with that of my other noble friends and patrons in France to me was,—"Lose not a moment on any object either public or private; the fleet at Toulon will be ready by the time you arrive there; by no means let it wait a moment for you; you may sail early in April, and be in America in the course of the month of May; you may finish the information you have to give Congress immediately, and return to France by the time the accounts you have been concerned in can be got ready for settlement." It cannot be supposed, that I wanted to be urged

to take the part I did; on the contrary, I exerted myself to the utmost in my power to get away as early and as secretly as possible, being convinced that the plan was well laid, happy to find the ministry had come so readily into it, and sensible how much depended on despatch. Never was there a more glorious prospect before us than at that time, nor ever were my hopes and expectations raised higher on any occasion.

Having been honored with the particular confidence, and I may say friendship, of the minister, and knowing that the relief of my country and the defeat of its enemies depended solely on our seasonable arrival, I suffered no private considerations to detain me a single moment. I was not insensible that I had enemies in America; I knew well that I had them in France, in Mr Williams and Mr Arthur Lee, and I was well acquainted with their connexions in America; but conscious of the part I had acted, and of the services I had rendered, and was then doing, for my country, which services were not in words, but in acts, the most honorable testimonials of which, given by the highest and first characters in Europe or America, I had in my hands, I had nothing to apprehend. Though permit me to assure you, that had I at the time foreseen all that has happened, and that even my life, as well as reputation, were to be sacrificed on my return, to the interested views of my enemies, I should not have hesitated a moment on taking the part I actually did take at the time. On my arrival early in July, I repaired immediately to Congress, and informed them I waited their orders.

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It was late in August before I had the honor of an audience. Many circumstances, as well as direct information, convinced me, of what I had before suspected, that ill offices had been done me, and my conduct misrepresented. When I was first heard before Congress, I therefore requested, that if anything had been alleged against any part of my conduct, or character, as the public agent and commissioner of Congress, I might be made acquainted therewith, and have an opportunity for an explanation. I received no answer, and consequently had a right to conclude no charge had been made against me. I was told by many of the honorable members, that they knew of none, nor had they heard of any. Conversing with an honorable friend of mine, I mentioned to him my expectation of returning to France early in the fall, on which he told me I must not expect it, for that my enemies had determined to throw such obstacles and difficulties in my way, as most probably would detain me here much longer than I thought for. I asked him how it was possible, when the business I was ordered home upon was so very simple and so easily finished, and when the unclosed state in which I had been obliged to leave many public transactions in Europe, made my returning as early as possible of consequence to the public, as well as to myself, and especially when nothing had, nor, I presumed, could be, alleged against me. He answered, that it was the design of those, who wished to sacrifice me to the family interests and emoluments of my enemies, to wear me out by delays, and, without any direct charges, to ruin me in the opinion of my countrymen by insinuations, hints, and innuendoes, that though I might with confidence rely on the justice of Congress, yet measures would be taken to delay it on one pretence or other, in a way that would prove prejudicial if not ruinous to me. Though I could by no means bring myself to think my friend's suspicions well founded at the time, yet they made me more attentive to what was passing, and my observations served to confirm them.

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The many fruitless applications I made for near five months to obtain an audience of Congress, and to have the business I came out upon closed, are well known to Congress, and the inferences I drew from the silent neglects, which my requests met with, may be easily conceived. In this situation I determined to lay my case before my countrymen and fellow citizens, to whom I considered myself ultimately accountable, though immediately so to their representatives in Congress. In consequence of this determination, I published my address in the beginning of December. On the 5th, Congress resolved to hear me; on the 7th I attended, and was ordered to *report in writing my agency of their affairs in Europe, as soon as may be, &c.* In obedience to their commands, I delivered them a brief and faithful narrative of my transactions, from the time of my leaving America, and flattered myself, that, from the time which had elapsed from my recall, which was more than twelve months, and more than five from the time of my return and attendance, the fullest examination must have been made into every part of my conduct, and that I could not fail of obtaining an early decision. Confident in the justice of Congress, I forbore to address the public further, whilst my cause was before Congress, and whilst I daily expected their determination. From these considerations, I silently submitted to the torrent of abuse, misrepresentation, and calumny, which almost daily poured forth against me in the public papers.

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I considered myself as the servant of Congress, and entitled to their protection; to them I constantly appealed, not for favors, I asked none, but for justice. It is now five months since I laid my narrative before Congress, and on my being informed that a committee was appointed to examine and report on Foreign Affairs, and that my narrative was referred to them, I applied repeatedly to several of the honorable members, and requested that, if in the course of their examination they met with anything, in the letters and documents before them, respecting my conduct, which required explanation, they would call upon me and acquaint me therewith. I was not notified to attend them on the subject, and though I am informed their report has been for several weeks before Congress, I am unacquainted with its contents, as well as with the letters and documents on which it has been made.

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Since I had the honor of laying my narrative before Congress, I have repeatedly solicited for the decision of Congress, but am to this hour without the honor of any reply to the many letters I

have written; it would be tedious and perhaps unnecessary to repeat the substance of them; it would take some time to refer to the dates only; they are before Congress, and to them I appeal whether they speak the language of a man conscious of having defrauded and injured the public, or that of an innocent but greatly injured free citizen. I have had the honor of acting in the character of political as well as commercial agent for these States; I have repeatedly observed that every thing relating to the former is already ascertained or ascertainable at this time, and I freely rest my merits in that department on facts, and on the testimony of those great personages, who best know what my conduct was, and who have generously, and without solicitation from me, publicly declared their approbation of it. With respect to my commercial, I have appealed and again appeal to that mode of trial, which will prove to a mathematical certainty whether I have embezzled or misapplied the public monies, or whether, for more than three years' faithful services, I have received anything more than my private expenses. I have for more than ten months past been constantly soliciting to have the accounts of the commissioners settled, on the issue of which I freely put my reputation, and every thing dear in life. My solicitations have been unsuccessful, whilst my enemies, taking the base and disingenuous advantage of the circumstances before mentioned of my leaving France, raise a cry against me and say—where are his accounts? why did he not bring them out? if they were not settled, why did he not stay and settle them? I must confess, that when I reflect that these very men owe their present political, as well as personal, safety, to the measure I then took, I am at a loss which prevails most in my mind, indignation or contempt.

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I trust Congress will indulge me, and the rather as I hope not to be obliged to trouble them again soon, whilst I ask every unprejudiced and disinterested member of that honorable body, coolly to review the scenes I have passed through, and to place himself in the different situations I have been in at different periods, since my engaging in this great and important contest, and consider me, after having at the earliest period adopted and invariably pursued the most decisive and determined part, after having for more than four years devoted my whole time and abilities to the service of my country, more than three of which have been in the immediate service of Congress; after having, under every disadvantage and embarrassment, successfully solicited and procured most essential aid and supplies for these States; after having been the principal actor in concluding an alliance every way honorable and advantageous to these States, and then returning to my native country with honorable testimonials of my character and conduct from His Most Christian Majesty and his ministers, as well as from my friend and colleague, and the French nation in general; and with an armament, which promised, on its sailing, complete and decisive victory over the enemies of these States, and which, notwithstanding its misfortunes, relieved them (this capital in particular) from the deepest distress and the most imminent danger; after this, to be obliged to waste ten months in fruitless attendance and solicitation for justice to my fortune and character, and at last worn out with the most mortifying delays and contemptuous neglect, driven unrewarded and unthanked to collect the little which remains of the scattered wrecks of my fortune, and to retire loaded with the most outrageous and unmerited reproaches into obscurity, poverty, and exile;—I ask every member of that honorable body, even those the most unfavorably disposed towards me, to put themselves for a few moments in my case, which I have by no means colored beyond the real life, and then pass sentence.

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The loss of interest has little weight with me, nor loss of time, infinitely more precious, if by either, the honor, safety, and prosperity of these States is promoted. In the present case I am deprived even of this consolation, having seen, to my inexpressible grief, the essential interests of these States sacrificed by the very measures, which have occasioned the delay of justice to me. I still glory in the character of a free American citizen, and when I fear to speak in the style of one, I shall deservedly forfeit the most honorable of all titles. It was just and proper that my first applications should be made to the representatives of my fellow citizens; I have made them in the most decent and urgent manner, and repeatedly. They have been treated with the most mortifying silent neglect, even whilst every thing dear in life to me, and more than life itself, my reputation, was suffering. I thank God I have sufficient fortitude to part with every thing in life, and life itself, in the service of my country, without repining; but no consideration whatever shall induce me silently to suffer my reputation and character to be abused and vilified, whilst I have the power either to act or speak. For ten months past I have presented myself and my case before Congress, such as could by no means be considered in a neutral point of light, but decidedly meriting their approbation or censure. I have not been able to obtain either. Justice, therefore, to my countrymen and fellow citizens, to myself, and those great and generous personages who protected and patronized me, and the cause I was charged with abroad, requires of me that I justify myself before the world, by laying before them a faithful and exact account of all my public transactions from the first, and of the treatment I have met with.

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In doing this, (if laid under the necessity,) I shall on no occasion transgress against the strictest rules of truth and decency, nor be wanting in that respect, which I have ever paid, and shall ever pay to Congress, as the representative body of my fellow citizens. At the same time, I shall with proper firmness, and the dignity becoming a free but injured citizen, expose to public view those, whether in Congress or out, who, to promote partial, interested, and family views, have from the first systematically labored to prevent Congress from deciding on my conduct as the servant of the public, though the interest of these States called for their decision. I flatter myself I shall not be laid under the necessity of further application, but that Congress will relieve me from the unmerited distress I labor under by closing this long protracted affair, or at least by immediately taking such measures as will, without delay, do justice to my services.

I have the honor to be, with the most respectful esteem and attachment, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 18th August, 1779.

Sir,

I do myself the honor of enclosing a memorial,^[22] which I beg of you to lay before Congress as early as may be, and I flatter myself it will be taken under their consideration as soon as is consistent with the other important affairs before them.

I have the honor to be, &c.

SILAS DEANE.

FOOTNOTES:

[22] All the letters written by Mr Deane, from the 10th of July to the 18th of December, 1779, were on file in the Secretary's office of Congress, and taken thence for the purpose of having them recorded, with his other letters of a prior and subsequent date, which were filed in the office of Foreign Affairs, except the memorial mentioned to be enclosed in his letter of the 18th of August, 1779, which was then and is still missing.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, 4th September, 1779.

Sir,

I take the liberty of addressing you on the subject of a memorial I presented to Congress, and to pray you would inform me what the determination of Congress has been thereon.

I have the honor to be, with the most sincere respect and attachment, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, 23d November, 1779.

Sir,

As I have received no answer to my memorial of the 16th of August last, I conclude none will be given, and, consequently, that I am laid under the necessity of returning to Europe in the best manner I can, and at my own expense.

I must confess, that when I reflect on the part I have acted, and the returns made me for my services, I have nothing but the consciousness of having done my duty to my country with zeal and integrity, and of having been successful in the important affairs I engaged in, to support me. Previous to my embarking, permit me to assure Congress, that my respect for them as the representative body of these States, is not lessened, nor my zeal for the service, prosperity, and happiness of my country abated, by the treatment I have met with. The expense of time and money, which I have suffered by my detention in this city, with the further expense I am now unavoidably forced to make, fall heavy on the small remains of a very moderate fortune; but as I go to vindicate what is dearer to me than either life or fortune, my honor and character, as the faithful servant of these States, and confident that in doing this, I shall render essential services to my country, I cheerfully submit.

On the 26th of August last, I received an order on the continental treasurer, signed by Joseph Nourse, for ten thousand five hundred dollars, said to be *in full consideration of my time and expenses during my attendance on Congress, from the 4th of June, 1778 until the 6th day of August last.*

I mean not the least disrespect to that honorable body, nor do I feel the slightest emotions of

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resentment towards those of them, who opposed the grant even of that sum to me, but the same feelings, which prompt me to further sacrifices, forbid my acceptance of a sum so inadequate to my actual expenses, and confident that the day is not far distant in which I shall demonstrate, not only that the public monies and supplies from abroad have been at first obtained, principally by my agency, but that the disposition of them, so far as depended on me, was made with the utmost possible economy and perfect integrity. I refer to that time the discussion of what recompense is due me for fourteen months' attendance in Philadelphia, in obedience to the orders of Congress, and for the other services I have been so fortunate as to render the United States. I have so often troubled Congress with my letters, and been so particular in them respecting my situation and affairs, that I need only refer to them at this time, particularly to my letter of the 22d of May last, and to submit the whole to their wise and mature consideration.

I have the honor to be, with the utmost respect to your private as well as public character, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Williamsburgh, 18th December, 1779.

Sir,

When I did myself the honor of writing you on the 16th of November last, the order of Congress in my favor on the continental treasurer for ten thousand five hundred dollars being mislaid, was not enclosed. I now take the liberty to enclose it, and have the honor to be, with the most sincere respect and attachment, &c.

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SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Paris, 15th May, 1781.

Sir,

On my arriving in France, I applied to Mr Johnson to appoint a time for examining my accounts and vouchers, which I told him would soon be ready. He informed me, that he had determined not to accept the appointment, and that he had informed Congress of his resolution sometime before. Though this was a severe disappointment to me, yet I flattered myself that Congress would not delay the naming some other to the office, and in this hope I came to Paris in August last, and entered on the adjustment of my accounts, which have been for many months ready for settlement, yet, to my extreme mortification, I cannot get them closed for want of an auditor, or person empowered by Congress to examine them.

I pray Congress would candidly review the circumstances I have been under, from my leaving France in April, 1778, to this time. After having to that time faithfully and successfully served them, I was, in obedience to their orders, obliged to make a voyage to America, and to wait their pleasure in Philadelphia for more than a year, unable to obtain their decision on my conduct, though it was almost daily solicited by me; the only objection made was, that my accounts remained unsettled; as soon as Congress appointed an auditor to examine them, I set out on my voyage to Europe, regardless of danger or expense, fondly hoping that at last I should be able to close my accounts, and to receive the balance due to me, but what was infinitely more important, to vindicate my injured character. The expenses of my voyage were great, and during ten months' attendance here, they have been still greater, and though there is evidently a large balance in my favor, I have been refused money for my support. I have never asked of Congress anything but common justice, in the payment of my just demands, out of which, I have now been kept for three years. My necessities would long since have justified my seizing on the public property here to the amount of the money due to me, but I have been withheld from doing it on account of my regard for the credit of my country, and have rather chosen to be obliged to strangers for money for my support. And to what purpose is it for me to leave France, and return with my accounts and vouchers unaudited? It is equally useless to transmit them in that state. My enemies represented me as a defaulter, grown rich out of the public monies in my hands, and prejudiced the minds of Congress so strongly against me, that all my efforts in America to obtain even a hearing were vain and ineffectual. My present situation, as well as the state of my accounts, give the lie to every assertion or insinuation of the kind, yet I am still left to suffer under the calumny in America, and to be obliged to strangers for money for my support in Europe. I will not trust myself further on the subject, lest something escape me which may offend, without my intending it.

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I hope Congress will impartially review my case in every stage of it, and that they will not force

me to appeal to the laws of a foreign nation, or to the tribunal of the public in Europe, for the recovery of my right, and for justice to my character, which the great and first law of nature will oblige me to do, unless immediately relieved by those who owe me, and more who owe to their own character, and to that of their country, the justice which I demand.

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I have the honor to be,

With great esteem and respect, &c.

SILAS DEANE.

TO THE PRESIDENT OF CONGRESS.

Ghent, 17th March, 1782.

Sir,

I have written repeatedly to Congress, and to Mr Morris, and enclosed my accounts; as I have not been honored with any answer, I fear either that my letters may have been intercepted, or that the multiplicity of business has prevented.

Mr Barclay has been here some days; he has looked into my accounts with the public, and I have given him a copy of them, which he has promised me to send by the most safe conveyance, and does me the favor of enclosing this to you, which is simply to request that you would take, or procure to be taken, such measures as will bring on a final and decisive settlement of my accounts.

Mr Barclay tells me, that he has no orders on the subject, and that it lies in your department. I have, therefore, taken the liberty to address myself to you.

Mr Barclay, after viewing my accounts, proposed that auditors, or arbitrators, should be named at Paris, to audit and settle the accounts. I have not the least objection to this, nor shall I have any against any person, or persons, named by Congress, provided they are such as have a competent knowledge of accounts, and are impartial. I am willing, either to nominate one part of them, or to leave the whole nomination to Dr Franklin, as Congress shall prefer, or to submit my accounts to the examination of Mr Barclay alone, provided that he be empowered to take the opinion of disinterested persons on the spot, as to any dubious or uncertain articles, and to make a final close of the affair.

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You will, by exerting your interest to bring this affair to a settlement, do, as I conceive, material service to the public, and certainly lay the utmost obligations on one, who has the honor to be, with great respect and esteem, &c.^[23]

SILAS DEANE.

FOOTNOTES:

- [23] In addition to articles in the newspapers, Mr Deane wrote a pamphlet, vindicating himself from the charges that were brought against him, chiefly by Mr Arthur Lee, in two publications, and in his letters to Congress. This pamphlet was dated London, August 10th, 1783, and entitled, "*An Address to the United States of North America; to which is added, a Letter to the Honorable Robert Morris, with notes and observations.*" This address was printed in England and the United States.

THE

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CORRESPONDENCE

OF THE

COMMISSIONERS

Commissioners were appointed by Congress, for transacting the business of the United States at the Court of France, on the 26th of September, 1776. The persons chosen were Benjamin Franklin, Silas Deane, and Thomas Jefferson. On the 22d of October, Arthur Lee was elected in the place of Mr Jefferson, who declined accepting the appointment. These three commissioners met in Paris about the middle of December, where they continued to reside, chiefly employed in procuring military supplies and money for the United States, till they signed the treaty of alliance, February 6th, 1778. They were presented to the king, as representatives of an independent State, on the 20th of March. Silas Deane being recalled, John Adams was elected to supply his place, November 28th, 1777. Dr Franklin was appointed Minister Plenipotentiary to the Court of France, September 14th, 1778, at which time the Commission was dissolved.

THE

CORRESPONDENCE

OF THE

COMMISSIONERS

AT THE COURT OF FRANCE.

FROM THE COMMITTEE OF SECRET CORRESPONDENCE TO BENJAMIN FRANKLIN, SILAS DEANE, AND ARTHUR LEE, COMMISSIONERS AT PARIS. [24]

Baltimore, 21st December, 1776.

Gentlemen,

After expressing our hopes, that this will find you all three safely fixed at Paris, we proceed with pleasure to acknowledge the receipt of Mr Deane's letter of the 1st of October. When we reflect on the character and views of the Court of London, it ceases to be a wonder, that the British ambassador, and all other British agents, should employ every means that tended to prevent European powers, and France more especially, from giving America aid in this war. Prospects of accommodation, it is well known, would effectually prevent foreign interference, and, therefore, without one serious design of accommodating on any principles, but the absolute submission of America, the delusive idea of conciliation has been industriously suggested on both sides of the water, that, under cover of this dividing and aid-withholding prospect, the vast British force sent to America, might have the fairest chance of succeeding, and this policy has in fact done considerable injury to the United States, as we shall presently show by a just detail of this campaign, for it is not yet ended.

You know, gentlemen, that, at the moment a potent land and marine force was preparing to be sent hither, an act was passed for appointing commissioners, who, too many expected, were to give peace to America. As, therefore, the war might be soon concluded, so were our military arrangements accommodated, and the troops taken into service the last spring, consisting of regular corps and bodies of militia, were all engaged for short periods. With these the campaign began in various parts of North America. Dr Franklin is so well acquainted with the progress of the war in Canada, previous to his departure, that we need only observe, the campaign has ended as favorably for us in that quarter, as we could reasonably expect. The enemy, having been able to pierce no further than Crown Point, after a short stay, and reconnoitering General Gates' army, at Ticonderoga, thought proper to recross the lake, and leave us in quiet possession of those passes. General Gates, having left a proper force at Ticonderoga, and on the communication, retired with the rest of his troops. New York and its neighborhood not being defensible by an army singly against a strong land and sea force, acting in conjunction, was, of

necessity, yielded to the enemy, after some contest, General Washington retiring, until the situation of the country above Kingsbridge no longer enabled the enemy to receive aid from their ships.

General Howe having stopped here, and General Carleton at Crown Point, effectually disappointed the great object of joining the two armies. The latter, as we have said, returning to Canada, and the former retreating from the White Plains towards New York, gave us a favorable prospect of seeing a happy end put to this dangerous campaign, however many causes have concurred in producing an unlucky reverse of fortune, such as the nature of the country, the uncommon fineness of the weather, even to this day, and, above all, the short enlistments, which gave the soldiery an opportunity of going home, tired as they were with the operations of an active summer.

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When General Howe retreated from the White Plains, he halted his whole army on the North River, between Dobbs' Ferry and Kingsbridge, where he remained for some time. Having effected so little of the great business that brought him here, and the season allowing him time for it, most men were of opinion, that the next attempt would be, to get possession of Philadelphia by a forced march through the Jerseys, whilst a fleet should be sent up the Delaware to facilitate the enterprise. To guard against such a manœuvre, General Washington crossed the North River with all the battalions, that had been raised to the westward of it, leaving General Lee, with the eastern troops, to guard the pass of the Highlands on Hudson River. In this situation of things, General Howe made a sudden attack upon Fort Washington, with the greatest part of his army, and carried it with considerable loss, making nearly three thousand of our men prisoners. By this event, it became unnecessary longer to hold Fort Lee, or Fort Constitution, as it was formerly called, which is on the west side of the North River, nearly opposite Fort Washington. It had therefore been determined to abandon Fort Lee, but before the stores could be all removed, the enemy came suddenly upon it, and the garrison retreated, leaving some of their baggage and stores behind.

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About this time General Howe became possessed of a letter, (by the agency of some wicked person, who contrived to get it from the express) written by General Washington to the Board of War, in which he had given an exact account when the time of service of all our battalions would expire, and his apprehensions, that the men would not re-enlist without first going home to see their families and friends. Possessed of this intelligence, the opportunity was carefully watched, and a vigorous impression actually made at the very crisis, when our army in the Jerseys was reduced to 3000 men by the retiring of numbers, and the sickness of others; and before militia could, in this extensive country, be brought up to supply their places, the enemy marched rapidly on through the Jerseys, whilst our feeble army was obliged to retreat from post to post until it crossed the Delaware at Trenton, where about 2500 militia from the city of Philadelphia joined the General.

Since General Howe's arrival on the borders of the Delaware, various manœuvres and stratagems have been practised to effect a passage over the river, but they have hitherto failed. General Washington's small army is placed along the West side of the Delaware to within fourteen miles of Philadelphia, from above Coryel's Ferry, which, with the gondolas, one frigate of thirtytwo guns, and other armed vessels in the river above the Cheveaux de Frize, cover the passage of it. General Lee (who had crossed the North River with as many of the eastern troops as could be spared from the defence of the Highlands, either to join General Washington, or to act on the enemy's rear, as occasions might point out) was the other day surprised and made prisoner by a party of seventy light horse, who found him in a house a few miles in the rear of his army, with his domestics only. This loss, though great, will in some degree be repaired for the present by General Gates, who, we understand, has joined the army commanded by General Lee, and who, we have reason to think, has by this time effected a junction of his force with that of General Washington.

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As the militia are marching from various quarters to reinforce the General, if the enemy do not quickly accomplish their wishes of possessing Philadelphia, we hope not only to save that city, but to see General Howe retreat as fast as he advanced through the Jerseys. General Clinton, with a fleet, in which it is said he carried 8000 men, has gone from New York through the Sound, some suppose for Rhode Island, but neither his destination, or its consequences are yet certainly known to us.

Thus, gentlemen, we have given you a true detail of the progress and present state of our affairs, which, although not in so good a posture as they were two months ago, are by no means in so bad a way, as the emissaries of the British court will undoubtedly represent them. If the great land and sea force, with which we have been attacked, be compared with the feeble state, in which the commencement of this war found us with respect to military stores of all kinds, soldiers' clothing, navy and regular force; and if the infinite art be considered, with which Great Britain has endeavored to prevent our getting these necessaries from foreign parts, which has in part prevailed, the wonder will rather be, that our enemies have made so little progress, than that they have made so much.

All views of accommodation with Great Britain, except on principles of peace as independent States, and in a manner perfectly consistent with the treaties our commissioners may make with foreign States, being totally at an end, since the declaration of independence and the embassy to the court of France, Congress have directed the raising of ninetyfour battalions of infantry, with

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some cavalry; thirteen frigates from twentyfour to thirtysix guns are already launched and fitting, and two ships of the line, with five more frigates, are ordered to be put on the stocks. We hear the levies are going on well in the different States. Until the new army is collected, the militia must curb the enemy's progress. The very considerable force that Great Britain has already in North America, the possibility of recruiting it here within their own quarters by force and fraud together, added to the reinforcements that may be sent from Europe, and the difficulty of finding funds in the present depressed state of American commerce, all conspire to prove incontestibly, that if France desires to preclude the possibility of North America being ever reunited with Great Britain, now is the favorable moment for establishing the glory, strength, and commercial greatness of the former kingdom, by the ruin of her ancient rival. A decided part now taken by the Court of Versailles, and a vigorous engagement in the war in union with North America, would with ease sacrifice the fleet and army of Great Britain, at this time chiefly collected about New York. The inevitable consequence would be, the quick reduction of the British Islands in the West Indies, already barred of defence by the removal of their troops to this continent.

For reasons here assigned, gentlemen, you will readily discern how all important it is to the security of American independence, that France should enter the war as soon as may be; and how necessary it is, if it be possible, to procure from her the line of battle ships, you were desired, in your instructions, to obtain for us, the speedy arrival of which here, in the present state of things, might decide the contest at one stroke.

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We shall pay proper attention to what Mr Deane writes concerning Dr Williamson and Mr Hopkins, and we think, that the ill treatment this country and Mr Deane have received from these men, strongly suggests the necessity of reserve with persons coming to France as Americans, and friends to America, about whom the most irrefragable proofs have not removed all doubt.^[25]

The British recall of their Mediterranean passes is an object of great consequence, and may require much intercession with the Court of France to prevent the mischiefs, that may be derived to American commerce therefrom, but this subject has been already touched upon in your instructions on the sixth article of the treaty, proposed to be made with France. As all affairs relative to the conduct of commerce and remittance pass through another department, we beg leave to refer you to the Secret Committee and Mr Thomas Morris, their agent in France, for every information on those subjects. The neighborhood of Philadelphia having, by the enemy's movements, become the seat of war, it was judged proper that Congress should adjourn to this town, where the public business may be attended to with the undisturbed deliberation that its importance demands. The Congress was accordingly opened here on the 20th inst.

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As it is more than probable, that the conference with Lord Howe, on Staten Island, may be misrepresented to the injury of these States, we do ourselves the pleasure to enclose you an authenticated account of the whole business, which the possibility of Dr Franklin's not arriving renders proper. This step was taken to unmask his lordship and evince to the world, that he did not possess powers, which, for the purpose of delusion and division, had been suggested.

Mr Deane's proposition of a loan is accepted by Congress, and they have desired two millions sterling to be obtained if possible. The necessity of keeping up the credit of our paper currency, and the variety of important uses that may be made of this money, have induced Congress to go so far as six per cent, but the interest is heavy, and it is hoped, that you may be able to do the business on much easier terms. The resolves of Congress on this subject are enclosed, and your earliest attention to them is desired, that we may know, as soon as possible, the event of this application. Another resolve enclosed will show you, that Congress approve of armed vessels being fitted out by you on Continental account, provided the Court of France dislike not the measure, and blank commissions for this purpose will be sent you by the next opportunity. Private ships of war, or privateers, cannot be admitted where you are, because the securities, necessary in such cases to prevent irregular practices, cannot be given by the owners and commanders of such privateers. Another resolve of Congress, which we have the honor to enclose you, directs the conduct to be pursued with regard to Portugal.^[26]

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We have nothing further to add at present, but to request, that you will omit no good opportunity of informing us, how you succeed in your mission, what events take place in Europe, by which these States may be effected, and that you contrive to send to us in regular succession some of the best London, French, and Dutch newspapers, with any valuable political publications, that may concern North America.

We have the honor to be, with great respect and esteem, Gentlemen, your most obedient and very humble servants,

B. HARRISON,
R. H. LEE,
J. WITHERSPOON,
W. HOOPER.

P. S. The American captures of British vessels at sea have not been less numerous, or less valuable, than before Dr Franklin left us. The value of these captures have been estimated at two millions.

FOOTNOTES:

- [24] For the instructions to the Commissioners, and the plan of a treaty, which they were directed to lay before the French Ministry, see *Secret Journals of Congress*, Vol. II. pp. 7, 27, 38.
- [25] Mr Deane had found Dr Williamson and Mr Hopkins in Paris, and from circumstances, which he does not mention, he suspected them to be in the interest of England. Nothing ever occurred, however, to prove that this suspicion was well founded. On the contrary, Dr Williamson was afterwards a member of Congress, and equally distinguished for his patriotism and ability.
- [26] For the resolves alluded to in this letter, and also for general instructions to the commissioners, on various important topics, see the *Secret Journals of Congress, on Foreign Affairs*, for Oct. 22, Dec. 23d and 29th, Vol. II. pp. 34, 35, 37.

ROBERT MORRIS TO THE COMMISSIONERS.

Philadelphia, 21st December, 1776.

Gentlemen,

I am now the only member of Congress in this city, unless Mr Walton, of Georgia, and Mr Clymer, my colleague, still remain, which I am not sure of. I cannot pretend to give you a regular detail of our manifold misfortunes, because my books and papers are all gone into the country, as is my family. But these unfortunate events commenced with the loss of Fort Washington, by the reduction of which, the enemy made about two thousand seven hundred prisoners, and at this critical time, they, by treachery, bribery, or accident, intercepted some despatches from General Washington to Congress, also some of the General's private letters, particularly one to Mr Rutledge, in which he had fully laid open the unfortunate situation he was then involved in, by the short enlistments of our army; for the times of most of them expired on the 1st of December, and the rest on the 1st of January, when the whole army would leave him, as they had undergone great fatigue during the whole of the campaign; had suffered amazingly by sickness and the approach of winter, added to an appearance of much suffering for want of clothes.

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All these things he stated fully, and the enemy became possessed of a most authentic account of his real situation. They determined to take advantage of it, and before General Washington had time to make any new arrangements at Fort Lee, on the west side of the North River, to which he had crossed, with about eight thousand men, a large body of troops landed above, and another below him, so that he was near being enclosed with a force vastly superior. In this situation, he had nothing left for him, but to retire directly off the neck of land, on which that fort stands, leaving behind him considerable baggage and stores, with most of our large cannon and mortars. He retreated to Hackensack, and was there in hopes of making a stand, until the militia of the country should come to his assistance, but the vigilance of the enemy did not give him time for this. They pursued, and he retreated all the way through the Jerseys to Trenton, and from thence they forced him across the Delaware, where he still remains, to oppose their passage across the river.

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Lord Cornwallis commanded the British forces in the Jerseys, until they reached Brunswick, where General Howe joined them with reinforcements, and determined to make his way to this city, without further loss of time. You may be sure the militia of New Jersey and this State were called upon to turn out, and defend their country in this hour of distress. Alas, our internal enemies had, by various arts and means, frightened many, disaffected others, and caused a general languor to prevail over the minds of almost all men, not before actually engaged in the war. Many are also exceedingly disaffected with the constitutions formed for their respective States, so that from one cause or other, no Jersey militia turned out to oppose the march of an enemy through the heart of their country; and it was with the utmost difficulty, that the associators of this city could be prevailed on to march against them. At length, however, it has been effected; they have been up with the General about two weeks, and the example is likely to produce its effect in the country, as they are now pretty generally on their march towards Trenton.

During General Washington's retreat through the Jerseys, he wrote for General Lee, who was left to command on the east side of the North River, with about ten to eleven thousand men, most of whose enlistments are now expired, or near it. He obeyed the summons, and brought with him about three thousand men; with whom he followed the enemy's rear, but was obliged to make slow marches, as his people were in great want of shoes, stockings, and other necessaries, which he was obliged to collect from the tories in the neighborhood of his route. After he had passed a place called Chatham, near Elizabethtown, he lodged at a farm house. Some treacherous villain gave notice to the enemy, and the General's ill fate, or some other cause I am not acquainted with, delayed him there, until near 10 o'clock on Friday morning, his army having marched, and their rear about three miles from him, when he was surprised by about seventy light horse, who

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made him prisoner, and bore him off in triumph. This is an event much to be lamented. I sincerely pity Lee, and feel for the loss my country sustains; his abilities had frequently been immensely useful; the want of them will be severely felt.

The command of this party devolved on General Sullivan, who continued his route, fell in with General Gates, with five hundred men, returning from the Lakes, and both joined General Washington yesterday. This junction is what we have long impatiently wished for, but still I fear our force is not equal to the task before them, and unless that task is performed, Philadelphia, nay, I may say Pennsylvania, must fall. The task I mean, is to drive the enemy out of New Jersey, for at present they occupy Brunswick, Princeton, Trenton, Pennytown, Bordenton, Burlington, Morristown, Mount Holly, and Haddonfield, having their main body about Princeton, and strong detachments in all the other places, it is supposed with a design of attacking this city, whenever they can cross the Delaware on the ice, for they have only been kept from it, by our sending up the gondolas and bringing off, or destroying, all the boats along the Jersey shore.

You will think the enemy are now in a situation for us to attack their scattered parties, and cut them off. This we think too, and are preparing to do it, but it will be a work of extreme difficulty to get at them; they have excellent intelligence of all our motions; we can hardly come at any certainty about theirs, for Lord Howe and General Howe issued a proclamation on the 30th of November, offering pardon to all, who should submit within sixty days, and subscribe a declaration, that they will not hereafter bear arms against the king's troops, nor encourage others to do it. This has had a wonderful effect, and all Jersey, or far the greater part of it, is supposed to have made their submission, and subscribed the declaration required; those who do so, of course become our most inveterate enemies; they have the means of conveying intelligence, and they avail themselves of it.

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In this perplexing situation of things, the Congress were informed, this day week, that an advanced party of Hessians and Highlanders had taken possession of Burlington, that they were pushing for Cooper's Ferry, opposite the city, and it was thought had the means of crossing the river. There were no troops to oppose them; our whole force, both by land and water, was above; it was therefore deemed unsafe for Congress to remain here, and absolutely necessary that they should be in a place of safety, where they could deliberate coolly and freely without interruption, and last Saturday they adjourned to Baltimore, where they are now sitting. This city was for ten days, the greatest scene of distress that you can conceive; every body but Quakers were removing their families and effects, and now it looks dismal and melancholy. The Quakers and their families pretty generally remain; the other inhabitants are principally sick soldiers, some few effective ones under General Putnam, who is come here to throw up lines, and prepare for the defence of the place, if General Washington should be forced to retreat hither. You may be sure I have my full share of trouble on this occasion, but having got my family and books removed to a place of safety, my mind is more at ease, and my time is now given up to the public, although I have many thousand pounds' worth of effects here, without any prospect of saving them.

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We are told the British troops are kept from plunder, but the Hessians and other foreigners, looking upon that as the right of war, plunder wherever they go, from both whigs and Tories, without distinction, and horrid devastations they have made on Long Island, New York Island, White Plains, and New Jersey, being the only parts they have yet set foot on. Should they get this fine city, they will be satiated, if the ruin of thousands of worthy citizens can satisfy their avarice.

This is not the only part of the continent, that now feels the weight of their resentment; General Clinton, with from three to six thousand men, has invaded Rhode Island, and it is said, has taken possession of it; whether he will make any attempt on the main, during this severe, inclement season, I do not know, but if he does, I hope he may find cause to repent it.

I must add to this gloomy picture one circumstance, more distressing than all the rest, because it threatens instant and total ruin to the American cause, unless some radical cure is applied, and that speedily; I mean the depreciation of the continental currency. The enormous pay of our army, the immense expenses at which they are supplied with provisions, clothing, and other necessaries, and, in short, the extravagance that has prevailed in most departments of the public service, have called forth prodigious emissions of paper money, both continental and colonial. Our internal enemies, who, alas, are numerous and rich, have always been undermining its value by various artifices, and now that our distresses are wrought to a pitch by the success and near approach of the enemy, they speak plainer, and many peremptorily refuse to take it at any rate. Those that do receive it, do it with fear and trembling, and you may judge of its value, even amongst those, when I tell you that £250 continental money, or $666\frac{2}{3}$ dollars is given for a bill of exchange of £100 sterling, sixteen dollars for a half johannes, two paper dollars for one of silver, three dollars for a pair of shoes, twelve dollars for a hat, and so on; a common laborer asks two dollars a day for his work, and idles half his time.

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All this amounts to real depreciation of the money. The war must be carried on at an expense proportioned to this value, which must inevitably call for immense emissions, and, of course, still further depreciations must ensue. This can only be prevented by borrowing in the money now in circulation; the attempt is made, and I hope will succeed by loan of lottery. The present troubles interrupt those measures here, and as yet I am not informed how they go on in other States, but something more is necessary; force must be inevitably employed, and I dread to see that day. We have already calamities sufficient for any country, and the measure will be full, when one part of

the American people is obliged to dragoon another, at the same time that they are opposing a most powerful external foe.

For my part I see but two chances for relief; one is from you. If the Court of France open their eyes to their own interest, and think the commerce of North America will compensate them for the expense and evil of a war with Britain, they may readily create a diversion, and afford us succors that will change the fate of affairs; but they must do it soon; our situation is critical, and does not admit of delay. I do not mean by this, that instant submission must ensue, if they do not directly afford us relief; but there is a great difference between the benefits they will derive from a commercial connexion with this country, in full health and vigor, and what they can possibly expect, after it is exhausted by repeated efforts during the precarious process of a tedious war, during which its cities will be destroyed, the country ravaged, the inhabitants reduced in numbers, plundered of their property, and unable to reap the luxuriant produce of the finest soil in the world. Neither can they, after a tedious delay in negotiation, expect that vigorous assistance from us in prosecuting the war, that they may be assured of, if they join us in its infancy. If they join us generously in the day of our distress, without attempting undue advantages because we are so, they will find a grateful people to promote their future glory and interest with unabating zeal; and from my knowledge of the commerce of this country with Europe, I dare assert, that whatever European power possesses the preemption of it, must of consequence become the richest and most potent in Europe. But should time be lost in tedious negotiations, and succors be withheld, America must sue for peace from her oppressors.

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Our people knew not the hardships and calamities of war, when they so boldly dared Britain to arms; every man was then a bold patriot, felt himself equal to the contest, and seemed to wish for an opportunity of evincing his prowess; but now, when we are fairly engaged, when death and ruin stare us in the face, and when nothing but the most intrepid courage can rescue us from contempt and disgrace, sorry am I to say it, many of those who were foremost in noise, shrink coward-like from the danger, and are begging pardon without striking a blow. This, however, is not general, but dejection of spirits is an epidemical disease, and unless some fortunate event or other gives a turn to the disorder, in time it may prevail throughout the community. No event would give that turn so soon, as a declaration of war on the part of France against Great Britain, and I am sure if they lose this golden opportunity they will never have such another.

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You will doubtless be surprised, that we have not made better progress with our navy, because you are unacquainted with the many difficulties and causes of delay that have encountered us. The want of seacoal for our anchor smiths has been a great bar to our progress, the disappointment in our first attempts to cast cannon has been another, but above all, we have been hindered by the constant calling out of our militia, in a manner that did not admit of the necessary tradesmen being exempted. You will wonder at this; it would be a long story to unfold the reasons, therefore suffice that it is so. Dr Franklin can inform you of many particulars respecting the flying camp; therefore, I shall give you the present state of our navy, according to the best of my knowledge at this time.

The frigate in New Hampshire is a very fine ship, completed in every particular, except the want of cannon, which was to have been cast in Rhode Island, but the spirit of privateering has prevailed so eminently there, that they have sacrificed every other pursuit to it, both public and private, as I am informed; and we have ordered the guns cast in Connecticut for that frigate to be sent to Portsmouth. As soon as they arrive, the Raleigh will be manned, and sail on a cruise.

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At Boston they have also two fine frigates; the Boston of twentyfour guns, I expect is at sea before this time, commanded by Captain McNeil, a very clever officer; the other is nearly ready, commanded by Captain Manly.

In Rhode Island were built the two worst frigates, as I have been informed by those that have seen the whole; these two are completely fitted, and were partly manned when we last heard from them, so that I hope they are now at sea.

In Connecticut the frigate is said to be a fine ship, but she cannot get to sea this winter for want of cordage and other stores. In New York two very fine frigates are blocked up by the enemy, and hauled into Esopus Creek for safety. At this place we have four very fine ships, one of them the Randolph, Captain Biddle, of twentysix twelve pounders, will, I hope, go to sea in company with this letter; another, the Delaware, Captain Alexander, is getting ready, and I hope will get out this winter; the other two want guns, anchors, and men. At Baltimore is a fine frigate, now only waiting for an anchor and men.

Besides these we have in service, the Alfred, Columbus, and Reprisal, ships from sixteen to twentyfour guns, the brigantines Cabot, Camden, Andrew Doria, and Lexington, of twelve to sixteen guns, the sloops Providence, Hornet, Fly, Independence, Sachem, and schooners Wasp, Mosquito, and Georgia Packet, all in actual service, and they have had great success, in taking valuable prizes, as indeed have numbers of privateers from all parts of America. We have besides two very fine low galleys, built here, of ninety feet keel, but they are not yet rigged; and it has lately been determined by Congress to build some line of battle ships, and at all events to push forward, and pay the utmost attention to an American navy. The greatest encouragement is given to seamen, which ought to be made known throughout Europe. Their pay in our navy is eight dollars per month, with the best chance for prize money, that men ever had, and liberty of discharges after every cruise if they choose it. In the merchant service they now get from thirty

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to forty dollars per month; and this leads me to the state of our commerce.

In the Eastern States, they are so intent on privateering, that they mind little else; however, there is some exportation of produce from thence, and as to imports, they are the best supplied of any part of America, having been surprisingly successful in captures. New York being in the hands of the enemy, we have nothing to say to it, and the produce of New Jersey will be totally consumed by their army and ours. In this State, (Pennsylvania,) we had last season the worst crop of wheat ever known, both as to quantity and quality; this being our staple commodity, and stores prohibited, our merchants have been led to purchase much tobacco in Maryland and Virginia, and their ships are employed in the export of this article, with some flour, boards, beeswax, &c. We have a good many imports, but as fast as goods arrive, they are bought up for the army, or for the use of neighboring States, and therefore continue to bear high prices.

The value of ships has risen in the same enormous proportion with every thing else, and ships, that were deemed worth £1000, twelve months ago, now sell for £3000, or upwards. Every article belonging to them is also excessively dear, and hard to be got, and the insolence and difficulty of seamen is beyond bearing. In Maryland, Virginia, South Carolina, and Georgia, they have plenty of valuable produce on hand, but no ships to carry it away, and constant cruisers all along the coast make it very dangerous to send ships from one port to another; so that look which way you will, you find us surrounded with difficulties, in the land service, in the sea service, and in our commerce.

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Agriculture and mechanics have their impediments, by the enlisting of soldiers, and frequent calls on the militia. In short nothing but the most arduous exertions, and virtuous conduct in the leaders, seconded by a spirited behavior in the army, and a patient endurance of hardships by the people in general, can long support the contest; therefore the Court of France should strike at once, as they will reap an immediate harvest; they may sell their manufactures for any price they please to ask, they will get in payment tobacco, rice, indigo, deerskins, furs, wheat, flour, iron, beeswax, lumber, fish, oil, whalebone, pot and pearl ashes, and various other articles, and, if they please, here is an ample field to employ their shipping, and raise seamen for their navy.

I will not enter into any detail of our conduct in Congress, but you may depend on this, that so long as that respectable body persist in the attempt to execute, as well as to deliberate on their business, it never will be done as it ought, and this has been urged many and many a time, by myself and others, but some of them do not like to part with power, or to pay others for doing what they cannot do themselves.

I have Mr Deane's favor of the 30th of September,^[27] to myself, now before me; the letter by the same conveyance from Martinico, under cover of Mr Bingham's, I sent down to the committee at Baltimore, and wrote them my mind on the justice of your complaints, for want of intelligence. I had often told it to them before; you know well I was not put in that committee to carry on the correspondence, but to find out the conveyances; however, I have been obliged to write all the letters, that have been written for some time past; but as Colonel Lee, Mr Hooper, and the Rev. Dr Witherspoon are now added to the committee, I shall excuse myself from that task, although I have thought it proper to give you a just state of our affairs at this time, because I do not suppose the committee will be got fairly together in Baltimore yet, and when they do, it is probable they may not be fond of laying things before you so fully as I have done. Some of us are of very sanguine complexions, and are too apt to flatter ourselves, that things are not so bad as they appear to be, or that they will soon mend, &c. Now my notion is, that you, gentlemen commissioners, should be fairly and fully informed of the true state of affairs, that you may make a proper use of that knowledge, keeping secret what ought to be so, and promulgating what should be known.

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Doctor Franklin will see this letter, for whose safe arrival my best wishes have often gone forth, and I embrace this opportunity of assuring him of the high respect and esteem I entertain for him. I also beg my compliments to Mr Lee, if he is with you; tell him I have the commission, in which he is nominated, ready to send, but it is gone into the country with my papers, or I would send it by this conveyance. My own affairs necessarily detained me here after the departure of Congress, and it is well I staid, as I am obliged to set many things right, that would otherwise be in the greatest confusion. Indeed, I find my presence so very necessary, that I shall remain here until the enemy drive me away.

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I have the honor to be, &c.

ROBERT MORRIS.

FOOTNOTES:

[27] See [page 41](#), of this volume.

COMMISSIONERS.

Baltimore, 30th December, 1776.

Gentlemen,

You will be pleased to receive herewith copies of our letter of the 21st inst., and of its enclosures, which we recommend to your attention. Since that letter was written, General Washington having been reinforced by the troops lately commanded by General Lee, and by some corps of militia, crossed the Delaware with 2500 men, and attacked a body of the enemy posted at Trenton, with the success that you will see related in the enclosed handbill. We hope this blow will be followed by others, that may leave the enemy not so much to boast of, as they some days ago expected, and we had reason to apprehend.

Upon mature deliberation of all circumstances, Congress deem the speedy declaration of France and European assistance so indispensably necessary to secure the independence of these States, that they have authorised you to make such tenders to France and Spain, as, they hope, will prevent any longer delay of an event, that is judged so essential to the well being of North America. Your wisdom, we know, will direct you to make such tenders to France and Spain, as they hope will procure the thing desired, on terms as much short of the concessions now offered as possible; but no advantages of this kind are proposed at the risk of a delay, that may prove dangerous to the end in view. It must be very obvious to the Court of France, that if Great Britain should succeed in her design of subjugating these States, their inhabitants, now well trained to arms, might be compelled to become instruments for making conquest of the French possessions in the West Indies, which would be a sad contrast to that security and commercial benefit, that would result to France from the independence of North America.

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By some accident in removing the papers from Philadelphia to this place, the Secretary of Congress has mislaid the additional instructions formerly given you, by which you were empowered to negotiate with other Courts besides France. We think it necessary to mention this to you, lest the paper should have got into wrong hands, and because we wish to have a copy sent us by the first good opportunity.

We observe, that Mr Deane sent his despatches for this committee open to Mr Bingham. Though we have a good opinion of that gentleman, yet we think him rather too young to be made acquainted with the business passing between you and us, and therefore wish this may not be done in cases of much importance.

The next opportunity will bring you the determination of Congress concerning the persons, that are to be sent to the Courts of Vienna, Russia, Spain, and the Grand Duke of Tuscany. In the mean time, it is hoped, that, through the medium of the ambassadors from those Courts to that of France, you may be so fortunate as to procure their friendly mediation for the purposes proposed by Congress.

Our Andrew Doria, of 14 guns, has taken a king's sloop of war, of 12 guns, after a smart engagement.

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In our last we say, the enemy made near 3000 prisoners at Fort Washington, but the number is fixed at 2634. The *West Indiamen* taken by our cruisers amount to 250 sail.

The scarcity of ships here is so great, that we shall find much difficulty in making the extensive remittances to France, that we ought, in due season; therefore, it will in our opinion be an object of great importance, to obtain the consent of the Farmers-General to send to Virginia and Maryland for any quantity of tobacco they may choose, or to the State of North Carolina for any quantity of naval stores, which may be wanted for public use, or to supply the demands of private merchants.

The terms, both as to quantity and price, you will endeavor to learn, and let it be made known to us with all possible expedition, that you may receive an answer thereon.

The Captain of the armed vessel, that carries these despatches, has orders to deliver them himself to you in Paris, and his vessel will expect his return in a different port from the one he arrives at; he will take your directions about his return, and receive your letters, but the anxiety prevailing here to know your success, renders it proper, that he should return with all possible despatch.

Wishing you health, success, and many happy years, we remain, gentlemen, yours, &c.

B. HARRISON,
R. H. LEE,
J. WITHERSPOON,
W. HOOPER.

HAMMOND.

Baltimore, 2d January, 1777.

Sir,

You are to proceed with all the despatch in your power, with the schooner Jenifer, under your command, to Nantes, in France; on your arrival there, you are to apply to Mr Thomas Morris, if he should be at that port, if he should not, your application must be to Messrs Pliarne, Penet & Co., who will furnish you with necessary cash for your journey to Paris, for which place you must set out immediately, and deliver your despatches to Messrs Franklin, Deane, and Lee, and wait their orders; when they discharge you, you are to return with the utmost diligence to America, and put into the most convenient port to the southward of the Delaware; we think Chincoteague or some other on the back of the Eastern shore the most likely for avoiding men of war, and would therefore have you attempt getting into one of those ports; when arrived, you must leave the schooner under the command of your mate, and bring the despatches yourself to Congress, wherever it may be sitting.

You are, before you set out for Paris, to consult with Mr Morris or the above gentlemen, whether your vessel will not be most likely to escape the enemy by sending her to some other port to meet you on your return; if this should be their opinion, you are to give orders to your mate accordingly; you are also to deliver your pig iron to the orders of those gentlemen, and take from them such a quantity of military stores, as will ballast your vessel. The safe delivery of the despatches, with which you are intrusted, and the obtaining answers to them, are matters of such immense consequence to the Continent, that we cannot too strongly recommend to you the avoiding all vessels that you may see, either outward bound, or on your return. You are also to avoid as much as possible, falling in with headlands and islands, as it is most usual for men of war to cruise off such places.

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The despatches will be delivered to you in a box, which you must put into a bag with two shots, that, in case of falling in with an enemy, from which you cannot escape, you may be prepared to sink them, which, on such an event happening, we earnestly insist on your doing.

We wish you a good voyage, and safe return, and are your most humble servants,

B. HARRISON,
R. H. LEE.

P. S. When you arrive at Nantes, inquire and get directions from the gentlemen there, to whom you are recommended for cash to carry you to Paris, where Dr Franklin, Mr Deane, or Mr Arthur Lee lodge in Paris; and above all things take care not to let it be known at Nantes, from whence you come, your business, or where you are going, except to the above gentlemen.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 17th January, 1777.

Gentlemen,

We joined each other at this place on the 22d of December, and, on the 28th, *had an audience of his Excellency the Count de Vergennes, one of His Most Christian Majesty's principal Secretaries of State, and Minister for Foreign Affairs.* We laid before him our commission, with the articles of the proposed treaty of commerce.^[28] He assured us of the protection of his Court, and that due consideration should be given to what we offered. Soon after we presented a memoir of the present situation of our States, drawn up at the minister's request, together with the articles of general confederation, and the demands for ships of war, agreeable to our instructions. Copies of all these papers were given by us to the Count d'Aranda, His Catholic Majesty's Ambassador here, to be communicated to his Court. We are promised an answer from this Court, as soon as they can know the determination of Spain, with which they mean to act in perfect unanimity.

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In the mean time, we are endeavoring to expedite several vessels laden with artillery, arms, ammunition, and clothing, which we hope will reach you in time for the campaign, though unfortunately one vessel, which Mr Deane had sent so laden, has just put back, after having been three weeks at sea. She is, however, now sailed again. The ports of France, Spain, and Florence, (that is Leghorn, in the Mediterranean,) are open to the American cruisers, upon the usual terms of neutrality.

We find it essential to the establishment and maintenance of your commercial credit in Europe, that your concerns of that kind should be in the hands of the most respectable men, in the different countries. From the observations we have made, Mr Myrtle is not of that description, and we are sorry to say, that the irregularities of Mr Thomas Morris render it absolutely necessary, that some other person should be immediately appointed in his place. We also think it advisable, that you should be so far on your guard, with respect to Mons. Penet, as not to deviate

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from the original contract made with him, as we cannot learn that he is known to be a person of substance, at the same time it is but justice to say, that he appears to be active, industrious, and attentive to your interests. He is indeed connected with a very good house in Nantes, M. Gruel, but we know not the terms of that connexion, or how far M. Gruel is answerable. It seems to us, that those houses, which are connected in Great Britain, are to be avoided.

It would be useful if we had some blank commissions for privateers, and we therefore wish some may be sent us, by the first opportunity. As vessels are almost daily arriving from America, at the ports here, we conceive advices of the proceedings in the campaign might be frequently sent to us, so as to enable us to contradict the exaggerated representations made by the English of their successes; which, standing uncontroverted, have a considerable influence upon our credit and upon our cause.

Great efforts are now making by the British government, to procure more troops from Germany. The Princes in alliance with France have refused to lend any, or to enter into any guarantee of Hanover, which England has been mean enough to ask, being apprehensive for that Electorate, if she should draw from it more of its troops. Four more regiments, two of them to be light horse, are raising in Hesse, where there has been an insurrection, on account of drafting the people; and now great sums of money are distributed for procuring men. They talk of ten thousand men in all to be sent over this spring. These things do not look as if England was very confident of success in the next campaign, without more aid.

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The hearts of the French are universally for us, and the cry is strong for immediate war with Britain. Indeed every thing tends that way, but the Court has its reasons for postponing it a little longer. In the mean time preparations are making for it. They have already a fleet of twentysix sail of the line, manned and fit for sea. Spain has seventeen sail in the same state, and more are fitting with such diligence, that they reckon to have thirty sail in each kingdom, by the month of April. This must have an immediate good effect in our favor, as it keeps the English fleet at bay, coops up their seamen, of whom they will scarce find enough to man their next set of transports, and probably keep Lord Howe's fleet more together, for fear of a visit, and leave us more sea room to prey upon their commerce, and a freer coast to bring in our prizes; and also the supplies we shall be able to send you, in consequence of our agreement with the Farmers-General, which is, that the Congress shall provide, purchasing bona fide at the lowest price possible, twenty thousand hogsheads of tobacco, in Virginia and Maryland, at the public warehouses in those States, for the ships which they, the Farmers-General, shall send; and that those tobaccos shall be brought to France, at their risk and in their ships. They understand the price is not likely to exceed three or four French sous in America, but we do not warrant that it shall cost no more, though we hope it will not. Upon these conditions we are to have half the supposed price advanced, immediately, and the opportunity of shipping warlike stores on board their ships, at your risk, and paying reasonable freights; the rest to be paid as soon as advice is received that the tobacco is shipped.

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The desire of getting money immediately to command the preparations for the ensuing campaign, and of interesting so powerful a body as the Farmers-General, who in fact make the most efficient part of government here, and the absolute part in all commercial or monied concerns, induced us to concede to these terms, which may possibly in the estimate of the price of tobacco be low, but which upon the whole we judged necessary, and we hope will be advantageous. So strong is the inclination of the wealthy here to assist us, that since this agreement we are offered a loan of two million of livres, without interest, and to be repaid when the United States are settled in peace and prosperity. No conditions or securities are required, not even an engagement from us. We have accepted this generous and noble benefaction; five hundred thousand livres, or one quarter, is to be paid into the hands of our banker this day, and five hundred thousand more every three months.

As the ships we were ordered to hire, or buy from this Court, cannot be obtained, it being judged absolutely necessary to keep their whole naval force at home, ready in case of a rupture, we think of purchasing some elsewhere, or of building, in order as far as possible to answer the views of Congress. Of this we shall write more fully in our next. In the mean time we cannot but hint, that this seems to us a fair opportunity of supporting the credit of the paper money you borrow, as you may promise payment in specie of the interests, and may draw upon us for the same with all confidence. We cannot for several weighty reasons be more explicit at present, but shall hereafter. Present our dutiful respects to the Congress, and assure them of our most faithful services.

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We are, gentlemen, &c.

BENJAMIN FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

P. S. 22d January. Our agreement with the Farmers-General is not yet signed, and perhaps some small changes may be made in it, but as these will probably not be very material, we wish measures may be taken immediately for the purchase of the tobacco. We shall send by the next opportunity, a copy of the contract. We have received the five hundred thousand livres mentioned above; it is now at our disposal in the hands of our banker, who has orders to advance us the second payment if we desire it, and he is ready to do it. We are, on the strength of this, in treaty

for some strong ships. Ten thousand French troops are on their march to Brest. But America should exert herself, as if she had no aid to expect, but from God and her own valor.

FOOTNOTES:

[28] This commission and plan of a Treaty may be found in the *Secret Journals of Congress*, Vol. II. pp. 7, 32.

THE COMMITTEE OF SECRET CORRESPONDENCE TO WILLIAM BINGHAM AT MARTINIQUE.

Baltimore, 1st February, 1777.

Sir,

As we shall write you shortly again, our attention at present will be confined chiefly to your favor of December 6th, 1776, in which you mention the conduct of Captain Patterson. We have laid your letter before Congress, and they have appointed a committee to consider of the most proper steps to be taken in this business, that speedy and condign punishment may be applied to Captain Patterson, when his crime shall be duly inquired into and established. The Congress having an utter abhorrence of all irregular and culpable violation of the law of nations, and of that respect and friendship, which they entertain for the French nation, we wish you would communicate this to their Excellencies the Governor and General of Martinique.

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Congress has referred the matter of remittance for discharge of the obligation, which you and Mr Harrison have entered into, to the State of Maryland, from whence you will no doubt receive remittance, as soon as the British ships of war now in the Chesapeake Bay will permit. It is a singular misfortune to us, and very injurious to the commerce of France, that we have not two or three line of battle ships, which, with our frigates and armed vessels, would keep open our navigation in despite of Great Britain, but at present one heavy ship affords protection to two or three frigates, that would otherwise be easily removed, and they place themselves so as to shut up the entrance into our principal trading States.

Prior to the Declaration of Independence, as it was not certain how soon our quarrel with Great Britain might be at an end, our armies were enlisted for short periods, and General Howe, having received information of the time, when the troops would have it in their power to go home, seized that opportunity for marching through the Jerseys; but his career was stopped at the Delaware, and he has since paid severely for that visit.

Since the 24th of December, the enemy have lost more than two thousand men in killed and made prisoners, they have been glad to recall their troops from Rhode Island to defend New York from the attack of an army under General Heath, and their whole force in the Jerseys is now collected on the Brunswick Heights, where they are nearly surrounded by General Washington's army, and greatly distressed for forage, fuel, and other necessaries.

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We enclose you the late newspapers for your perusal, and remain, sir, your most obedient humble servants.

B. HARRISON,
R. H. LEE.

THE COMMITTEE OF SECRET CORRESPONDENCE TO THE COMMISSIONERS.

Baltimore, 2d February, 1777.

Gentlemen,

You will receive enclosed copies of our letters of the 21st and 30th of December, and of the resolves of Congress accompanying them. It concerns us not less than we are sure it will you, that you should have heard so seldom from us, but the vigilance of the British cruisers has prevented our most earnest solicitude for this purpose. The manner, in which they now conduct their business, proves the necessity of the request made by Congress for the loan or sale of a few capital ships. The entrance into the Delaware and Chesapeake being narrow, by placing one forty or fifty gun ship for the protection of their frigates, they stop both our commerce and correspondence.

Formerly their frigates protected their tenders, but now that we have frigates, their larger ships protect their frigates, and this winter has been so uncommonly favorable, that they have been

able to keep the sea, undisturbed by those severe gales of wind so usual off this coast in the winter season; if we had a few line of battle ships to aid our frigates, the commerce of North America, so beneficial to ourselves and so advantageous to France, would be carried on in spite of the opposition of Great Britain. As we have not received any of those military stores and clothing promised by Mr Deane, we have much reason to fear, they have fallen into the enemy's hands, and will render a fresh supply quite necessary. Except Mr Deane's favor of September 17th, which is but just now received, and that of October 1st, we have been as destitute of European, as, we fear, you have been of true American intelligence.

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The enclosed papers will furnish you with authentic accounts of our successes against the enemy since the 24th of December. They have paid severely for their visit of parade through the Jerseys, and these events are an abundant proof of British folly in attempting to subdue North America by force of arms. Although the short enlistments had dispersed our army directly in the face of a hostile force, and thereby induced a proud enemy to suppose their work was done, yet they suddenly found themselves attacked on all sides by a hardy active militia, who have been constantly beating up their quarters, and captivating and destroying their troops; so that in the six or seven last weeks, they have not lost fewer than three thousand men, about two thousand of whom, with many officers, are now our prisoners. Instead of remaining cantoned in the pleasant villages of Jersey, as the enclosed authentic copy of Mr Howe's order to Colonel Donop (the original of which fell into our hands by the Colonel's flight from Bordenton) will show you that General vainly expected would be the case, they are now collected upon the Brunswick Heights, where they suffer every kind of distress from want of forage, fuel, and other necessaries, whilst General Washington's army of militia so environs them, that they never show their faces beyond their lines, but they get beaten back with loss and disgrace. Being thus situated we have reason to hope, that this part of their army (and which is the most considerable part) will, by the end of winter, be reduced very low by deaths, desertion, and captivity. General Heath, with a body of eastern troops, is making an impression on New York by Kingsbridge, which, we understand, has obliged the enemy to recall their troops from Rhode Island, for the defence of that city.

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The regular corps, that are to compose the new army, are making up in the different States as fast as possible; but arms, artillery, tent cloth and clothing will be greatly wanted. For these our reliance is on the favor and friendship of his Most Christian Majesty. If you are so fortunate as to obtain them, the propriety of sending them in a strong ship of war must be very evident to you, Gentlemen, when you know our coasts are so covered with cruisers, from twenty to fifty guns, though but few of the latter. We believe, they have not more than two ships of forty, and two or three of fifty guns, in their whole fleet on the North American station; and these are employed, one of them to cover a frigate or two at the capes of each bay, whilst the rest remain at New York.

We beg leave to direct your attention to the enclosed propositions of Congress, and we doubt not, you will urge their success with that zeal and careful assiduity, that objects so necessary to the liberty and safety of your country demand.

We are exceedingly anxious to hear from you, and remain, with particular sentiments of esteem and friendship, Gentlemen, your most obedient humble servants,

B. HARRISON,
R. H. LEE,
W. HOOPER.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 6th February, 1777.

Gentlemen,

Since our last, a copy of which is enclosed, Mr Hodge arrived here, from Martinique, and has brought safely the papers he was charged with. He had a long passage, and was near being starved. We are about to employ him in a service pointed out by you, at Dunkirk, or Flushing. He has delivered us three sets of the papers we wanted; but we shall want more, and *beg you will not fail* to send them by several opportunities.

A private company has just been formed here for the importation of tobacco, who have made such proposals to the Farmers-General, as induced them to suspend the signing of their agreement with us, though the terms had been settled, and the writings drawn. It seems now uncertain whether it will be revived or not. The company have offered to export such goods as we should advise, and we have given them a list of those most wanted. But so changeable are minds here, on occasion of news, good or bad, that one cannot be sure that even this company will proceed. With a universal good will to our cause and country, apparent in all companies, there is mixed a universal apprehension, that we shall be reduced to submission, which often chills the purposes of serving us. The want of intelligence from America, and the impossibility of contradicting by that means the false news spread here, and all over Europe, by the enemy, has a bad effect on the minds of many, who would adventure in trade to our ports, as well as on the

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conduct of the several governments of Europe. It is now more than three months, since Doctor Franklin left Philadelphia, and we have not received a single letter of later date, Mr Hodge having left that place before him.

We are about purchasing some cutters, to be employed as packets. In the first we despatch, we shall write more particularly concerning our proceedings here, than by these merchant ships we can venture to do, for the orders given to sink letters are not well executed; one of our vessels was lately carried into Gibraltar, being taken by an English man of war, and we hear there were letters for us, which the captain, just as he was boarded, threw out of the cabin windows, which floating on the water, were taken up, and a sloop despatched with them to London. We also just now hear from London, (through the ministry here) that another of our ships is carried into Bristol by the crew, who, consisting of eight American seamen, with eight English, and four of the Americans being sick, the other four were overpowered by the eight English, and carried in as aforesaid. The letters were despatched to Court.

From London, they write to us, that a body of ten thousand men, chiefly Germans, are to go out this spring, under the command of General Burgoyne, for the invasion of Virginia and Maryland. The opinion of this Court, founded on their advices from Germany, is, that such a number can by no means be obtained, but you will be on your guard. The Amphitrite, and the Seine, from Havre, and the Mercury, from Nantes, are all now at sea, laden with arms, ammunition, brass field pieces, stores, clothing, canvass, &c. which, if they arrive safely, will put you in a much better condition for the next campaign, than you were for the last.

Some excellent engineers, and officers of the artillery, will also be with you pretty early, also some few for the cavalry. Officers of infantry, of all ranks, have offered themselves without number. It is quite a business to receive the applications and refuse them. Many have gone over at their own expense, contrary to our advice. To some few of those, who were well recommended, we have given letters of introduction. [Pg 262]

The conduct of our General, in avoiding a decisive action, is much applauded by the military people here, particularly Marshals Maillebois, Broglio, and D'Arcy. M. Maillebois, has taken the pains to write his sentiments of some particulars useful in carrying on our war, which we send enclosed. But that, which makes the greatest impression in our favor here, is the prodigious success of our armed ships and privateers. The damage we have done their West India trade, has been estimated, in a representation to Lord Sandwich, by the merchants of London, at one million eight hundred thousand pounds sterling, which has raised insurance to twentyeight per cent, being higher than at any time, in the last war with France and Spain. This mode of exerting our force against them should be pushed with vigor. It is that in which we can most sensibly hurt them, and to secure a continuance of it, we think one or two of the engineers we send over, may be usefully employed in making some of our ports impregnable. As we are well informed, that a number of cutters are building, to cruise in the West Indies against our small privateers, it may not be amiss, we think, to send your larger vessels thither, and ply in other quarters with the small ones.

A fresh misunderstanding between the Turks and Russia, is likely to give so much employment to the troops of the latter, as that England can hardly expect to obtain any of them. Her malice against us, however, is so high at present, that she would stick at no expense to gratify it. The New England Colonies are, according to our best information, destined to destruction, and the rest to slavery, under a military government. But the Governor of the world sets bounds to the rage of man, as well as to that of the ocean. [Pg 263]

Finding that our residence here together, is nearly as expensive as if we were separate, and *having reason to believe, that one of us might be useful at Madrid, and another in Holland, and some Courts further northward*, we have agreed that Mr Lee go to Spain, and either Mr Deane or myself (Dr Franklin) to the Hague. Mr Lee sets out tomorrow, having obtained passports, and a letter from the Spanish Ambassador here, to the Minister there. The journey to Holland will not take place so soon. The particular purposes of these journeys we cannot prudently now explain.

It is proper we should acquaint you with the behavior of one Nicholas Davis, who came to us here, pretending to have served as an officer in India, to be originally from Boston, and desirous of returning, to act in defence of his country, but through the loss of some effects coming to him from Jamaica, and taken by our privateers, unable to defray the expense of his passage. We furnished him with thirty louis, which was fully sufficient; but at Havre, just before he sailed, he took the liberty of drawing on us, for near forty more, which we have been obliged to pay. As in order to obtain that credit, he was guilty of several falsities, we now doubt his ever having been an officer at all. We send his note and draft, and hope you will take proper care of him. He says, his father was a clergyman in Jamaica. He went in the Seine, and took charge of two blankets for Mr Morris. [Pg 264]

We hope your union continues firm, and the courage of our countrymen unabated. England begins to be very jealous of this Court, and we think, with some reason.

We have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,

TO THE PRESIDENT OF CONGRESS.

Paris, 6th February, 1777.

Sir,

This will be delivered to you by M. de Coudray, an officer of great reputation here, for his talents in general, and particularly for skill and abilities in his profession. Some accidental circumstance, we understand, prevented his going in the Amphitrite; but his zeal for our cause, and earnest desire of promoting it, have engaged him to overcome all obstacles, and render himself in America by the first possible opportunity. If he arrives there, you will, we are persuaded, find him of great service, not only in the operations of the next campaign, but in forming officers for those that may follow. We, therefore, recommend him warmly to the Congress, and to your countenance and protection.

Wishing you every kind of felicity, we have the honor to be, with the highest esteem, &c.

B. FRANKLIN,
SILAS DEANE.

AGREEMENT

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Between the Commissioners and certain French Officers.

1st. It is agreed that the Congress of the United States of America shall grant to the Chevalier du Portail, now Lieutenant Colonel in the Royal Corps of Engineers of France, the rank of Colonel in their service.

2dly. The Congress of the United States of America will grant to Mons. de Laumoy, now Major in the Royal Corps of Engineers of France, the rank of Lieutenant Colonel in their service.

3dly. The Congress of the United States of America, will grant to Mons. de Gouvion, now Captain in the Royal Corps of Engineers of France, the rank of Major in their service.

4thly. Messrs Le Chevalier du Portail, de Laumoy, and de Gouvion, shall be at liberty to quit the service of the United States, provided it is not during a campaign, or during any particular service, unless ordered so to do, by the king of France; and the Congress may dismiss them, or any of them, whenever they may judge it proper.

5thly. If all or either of these gentlemen should be made prisoners by the king of Great Britain, the Congress shall use all due means to obtain their liberty.

6thly. These gentlemen shall use all possible diligence in preparing for their embarkation, in order to reach Philadelphia, or wherever else the Congress of the United States may be, to obey their orders.

7thly. The pay of these gentlemen shall be such; as is given to officers of their rank in the service of the States of America, and shall commence from the date of this agreement.

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8thly. These gentlemen shall procure and provide for their own passages, in such ships, and in such manner, as they shall think proper.

The above agreement is entered into and concluded by us, this 13th day of February, 1777.

B. FRANKLIN,
SILAS DEANE,
DU PORTAIL,
GOUVION,
LAUMOY.

COMMITTEE OF SECRET CORRESPONDENCE TO THE COMMISSIONERS.

Baltimore, 19th February, 1777.

Gentlemen,

The events of war have not since our last furnished anything decisive. The enemy's army still remains encamped upon the hills near Brunswick, and our troops still continue to beat back their convoys, insomuch, that we understand their horses die in numbers, and we have reason to believe, that the difficulty of removing their stores, cannon, &c., will be insuperably great, until the opening of the Rariton furnishes a passage by water for their return to New York. The American army is not numerous at present, but the new levies are collecting as fast as possible, and we hope to have a sufficient force early in the field.

We hear by the speech of the king of Great Britain to his Parliament, that much money will be called for, no doubt to prosecute the war with unrelenting vigor. That we shall oppose with all our power, will be certain, but the event must be doubtful, until France takes a decisive part in the war. When that happens our liberties will be secured, and the glory and greatness of France be placed on the most solid ground. What may be the consequence of her delay, must be a painful consideration to every friend of liberty and mankind. Thus viewing our situation, we are sure it will occasion your strongest exertions to procure an event of such momentous concern to your country. It is in vain for us to have on hand a great abundance of tobacco, rice, indigo, flour, and other valuable articles of merchandise, if prevented from exporting them by having the whole naval force of Great Britain to contend against. It is not only for the interest of these States, but clearly for the benefit of Europe in general, that we should not be hindered from freely transporting our products that abound here, and are much wanted there. Why should the avarice and ambition of Great Britain be gratified to the great injury of other nations?

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Mr Deane recommends sending frigates to France, to convoy our merchandise, but it should be considered, that we have an extensive coast to defend, that we are young in the business of fitting out ships of war, that founderies for cannon are to be erected, that there is great difficulty of getting seamen quickly, when privateers abound as they do in the States, where sailors are chiefly to be met with, and lastly, that our frigates are much restrained by the heavy ships of the enemy, which are placed at the entrance of our bays. In short, the attention of Great Britain, must be drawn in part from hence, before France can benefit largely by our commerce. We sensibly feel the disagreeable situation Mr Deane must have been in, between his receipt of the committee's letter in June, and the date of his own letter in October, but this was occasioned by accident, not neglect, since letters were sent to him in all the intervening months, which have either fallen into the enemy's hands, or have been destroyed. From the time of Dr Franklin's sailing, until we arrived at this place, the ships of war at the mouth of the Delaware, and the interruption given the post, added to the barrenness of events, prevented us from writing when we had no particular commands from Congress for you.

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Mr Bingham informs us from Martinique, that he learned from a Spanish General there, on his way to South America, that the king of Spain was well disposed to do the United States offices of friendship, and that a loan of money might be obtained from that Court. As the power sent you for borrowing is not confined to place, we mention this intelligence, that you may avail yourselves of His Catholic Majesty's friendly designs. Perhaps a loan may be obtained there on better terms than elsewhere. We expect it will not be long before Congress will appoint commissioners to the Courts formerly mentioned, and in the mean time, you will serve the cause of your country in the best manner, with the ministers from those Courts to that of Versailles.

Earnestly wishing for good news, and quickly from you, we remain, with friendship and esteem, gentlemen, &c.

B. HARRISON,
R. H. LEE.

P. S. Congress adjourns this week back to Philadelphia.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

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Paris, 4th March, 1777.

Gentlemen,

We send you herewith the draft of a frigate by a very ingenious officer in this service, which appears to us peculiarly suitable for our purpose, and we are in hopes of being able to ship cordage, sailcloth, and anchors, &c. sufficient for five or six such frigates, by the time you can have them built.

Deprived of any intelligence from you, since the first of last November, and without remittances, we are left in a situation easier to be conceived than described. The want of intelligence affects the cause of the United States in every department; such accounts of our affairs, as arrive in Europe at all, come through the hands of our enemies, and whether defeated or victorious we are the last, who are acquainted with events, which ought first to be announced by us. We are really unable to account for this silence, and, while we are affected with the unhappy consequences of it, we must entreat the honorable Congress to devise some method for giving us the earliest and most certain intelligence of what passes in America.

The ship, by which this is sent, is loaded with clothing, cordage, and duck; not having a full cargo of the former, we ordered Mr Williams, who acts for us at Nantes, to complete it with the latter, for which we have obtained a short credit. Mr Williams will write you by this opportunity. He has been of great service to us at Nantes, and, it is but justice to say, that his knowledge of business, probity, activity, and zeal, for the interests of his country, with the good opinion justly entertained of him by gentlemen in business at Nantes, render him very serviceable in our affairs there, and proper to be employed in commercial transactions.

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We apprehend that letters to Mons. Schweighauser have not had fair play, and therefore advise you to write to him, charging the captain, who carries your letters, to deliver them with his own hand, if he arrives at Nantes, and if at any other port, that he send them under cover to us. We are filling a packet, by which we shall write more particularly in a few days. Mr Lee wrote us last week from Bordeaux, on his way to Spain.

We present our most respectful compliments to the honorable Congress, and are, gentlemen,

Your most obedient and very humble servants,

B. FRANKLIN,
SILAS DEANE.

TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, 12th March, 1777.

Gentlemen,

It is now more than four months since Mr Franklin's departure from Philadelphia, and not a line from thence written since that time has hitherto reached either of your commissioners in Europe. We have had no information of what passes in America but through England, and the advices are, for the most part, such only as the ministry choose to publish. Our total ignorance of the truth or falsehood of facts, when questions are asked of us concerning them, makes us appear small in the eyes of the people here, and is prejudicial to our negotiations.

In ours of the 6th of February, of which a copy is enclosed, we acquainted you that we were about purchasing some cutters to be employed as packet boats. We have succeeded in getting one from Dover, in which we purpose to send our present despatches. Mr Hodge, who went to Dunkirk and Flushing, where he thought another might be easily found, has not yet acquainted us with his success. We promised that when we had a conveyance, which, by its swiftness, is more likely to carry safely our letters, we would be more explicit in accounts of our proceedings here, which promise we shall now fulfil as follows.

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In our first conversation with the minister, after the arrival of Mr Franklin, it was evident that this Court, while it treated us privately with all civility, was cautious of giving umbrage to England, and was therefore desirous of avoiding an open reception and acknowledgment of us, or entering into any formal negotiation with us, as ministers from the Congress. To make us easy, however, we were told that the ports of France were open to our ships as friends, that our people might freely purchase and export, as merchandise, whatever our States had occasion for; vending, at the same time, our own commodities; that in doing this, we should experience all the facilities that a government disposed to favor us could, consistent with treaties, afford to the enemies of a friend. But though it was at that time no secret that two hundred field pieces of brass, and thirty thousand fusils, with other munitions of war, in great abundance, had been taken out of the king's magazines, for the purpose of exportation to America; the minister, in our presence, affected to know nothing of that operation, and claimed no merit to his Court on that account. But he intimated to us that it would be well taken, if we communicated with no other person about the Court, concerning our affairs but himself, who would be ready at all convenient times to confer with us.

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We soon after presented several memorials, representing the state of the Colonies, the necessity of some naval aid, and the utility to France, that must result from our success in establishing the independence of America, with the freedom of its commerce. In answer, we received a positive refusal of the ships of the line, (which we had been instructed to ask,) on this principle, that if a war with England should take place, the whole fleet of France would be necessary at home for her defence; that if such a war did not take place, yet, while England apprehended a war, it was equally serviceable to our States, that the fleet of France should remain entire in her ports, since that must retain an equal force of English at home, who might otherwise go to America, and who certainly would follow thither any French squadron. During these conferences, every step was taken to gratify England publicly, by attending to the remonstrances of her ambassador, forbidding the departure of ships which had military stores on board,^[29] recalling officers who had leave of absence, and were going to join us, and giving strict orders, that our prizes should not be sold in French ports; yet that we might not be discouraged, it was intimated to us by persons about the Court, that these measures were necessary at present, France not being yet

quite ready for a war, and that we might be assured of her good will to us and our cause.

Means were proposed of our obtaining a large sum of money for present use, by an advance from the Farmers-General, to be repaid in tobacco, of which they wanted twenty thousand hogsheads. We entered accordingly into a treaty with that company, but, meeting with difficulty in settling the terms, we were informed that a grant was made us of two millions of livres from the crown, of which five hundred thousand was ready to be paid us down, and an equal sum should be paid at the beginning of April, July, and October; that such was the king's generosity, he exacted no conditions or promise of repayment, he only required that we should not speak to any one of our having received this aid. We have accordingly observed strictly this injunction, deviating only in this information to you, which we think necessary for your satisfaction, but earnestly requesting that you would not suffer it to be made public. This is the money, which, in our letter, we mentioned as raised for us by subscription.

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One of the ablest sea officers of France, skilled in all the arts relating to the marine, having offered his services to the States, with the permission of the minister, we (enabled by the above grant) engaged him to superintend the building of two ships of war, of a particular construction, which, though not of half the cost, shall be superior in force and utility to ships of sixtyfour guns. He has built one here for the king, which, we are told, exceeds every thing in swift sailing. He has furnished us with drafts,^[30] which we send you, that if the Congress thinks fit, others of the same construction may be set up in America, in which case we have given him expectations of being their Commodore. We have seen his large and curious collection of memoirs, containing every, the minutest particular relating to the construction and management of a fleet, with a variety of proposed improvements, and we are persuaded that he will be found a valuable acquisition to our country.

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April 9th. Since writing the above, we received despatches from the Congress, by Captain Hammond, others from Mr Morris, by Captain Bell, and some copies by Captain Adams, via Boston, which, on many accounts, were very satisfactory. We directly drew up and presented memorials on the subject of those despatches; we were promised immediate consideration, and speedy answers; for which, we detained Captain Hammond, but we have not yet obtained them. We receive, however, continual assurances, of the good will of this Court and of Spain. We are given to understand, that it is by their operations, the raising of German troops for England has been obstructed. We are paid punctually the second five hundred thousand livres, and having convinced the ministry of the great importance of keeping up the credit, and fixing the value of our currency, which might be done, by paying in specie the interest of what we borrow, or in bills upon France, for the amount. We are now assured, that the abovementioned quarterly payments shall be continued, (after the two millions) for the purpose of paying the interest of the five million dollars, you are supposed to have borrowed, which we believe will be punctually complied with; and the effect must be, restoring to its original value the principal for which such interest is paid, and with that the rest of the emission.

We have turned our thoughts earnestly to what is recommended to us by Congress, the borrowing two millions sterling, in Europe. We just proposed to borrow it of this Court, upon interest, but were told by the minister, that it was impossible to spare such a sum, as they were now arming, at a great expense, which kept their treasury bare, but there was no objection to our borrowing it of private capitalists here, provided we did not offer so high an interest as might raise it upon government. We are advised to try Holland; and we have caused the pulse to be felt there; but though Holland at present is a little disgusted with England, and our credit is considerably mended in Europe by our late successes, it does not yet appear sufficient to procure such a loan. Spain, it seems, has by its punctual payments of interest, acquired high credit there, and we are told, that by her publicly borrowing, as for herself, and privately allowing us to draw on her banker, we might there obtain what money we pleased.

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Mr Lee was gone to Spain, before the commission and orders came to Doctor Franklin, for that station; he will give you a particular account of his negotiations; we here only mention that he received the same general assurances, of the good will of that Court, that we have here of this; he was informed, that three thousand barrels of powder, and some clothing were lodged for our use at New Orleans; that some merchants at Bilboa had orders to ship for us such necessaries as we might want, that orders would be given to allow us admission into the Havanna, as a favored nation, and that we should have a credit on Holland, (the sum not then settled) which might be expected at Paris, the beginning of this month. The Spanish Ambassador here, a grave and wise man, to whom Mr Lee communicated the above, tells us, that his Court piques itself on a religious observance of its word, and that we may rely on a punctual performance of its promises.

On these grounds, we are of opinion, that though we should not be able to borrow the two millions sterling, recommended to us, yet if the Congress are obliged to borrow the whole twenty millions of dollars they have issued, we hope to find sufficient here, by way of subsidy, to pay the interest in full value, whereby the credit of their currency will be established, and on great and urgent occasions they may venture to make an addition to it, which we conceive will be better than paying the interest of two millions sterling to foreigners. On the whole, we would advise Congress to draw on us for sums equal to the interest of what they have borrowed, as that interest becomes due, allowing the lenders, in the drafts, five livres, money of France, for every dollar of interest. And we think they may venture to promise it for future loans, without, however, mentioning the grounds we here give for making such a promise; for these Courts have

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particularly strong reasons for keeping out of the war, as long as they can, besides this general one, that on both sides the nation attacking loses the claim, which when attacked, it has for aid from its allies. And we have these advantages in their keeping out of the war, that they are better able to afford us private assistance, that by holding themselves in readiness to invade Britain, they keep more of her force at home, and that they leave to our armed vessels, the whole harvest of prizes made upon her commerce, and of course the whole encouragement to increase our force in privateers, which will breed seamen for our navy.

The desire that military officers here, of all ranks, have of going into the service of the United States, is so general, and so strong, as to be quite amazing. We are hourly fatigued with their applications, and offers, which we are obliged to refuse, and with hundreds of letters, which we cannot possibly answer to their satisfaction, having had no orders to engage any but engineers, who are accordingly gone. If the Congress think fit to encourage some of distinguished merit, to enter their service, they will please to signify it.

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Captain Wickes made a cruise this winter, and returned with five prizes, of the produce of which we suppose Mr Morris will acquaint you; for they are sold, though the bringing them into France has given some trouble and uneasiness to the Court, and must not be too frequently practised. We have ordered him to make another cruise before he returns to America, and have given him for a consort, the armed cutter, Captain Nicholson; they will sail in a few days. Mr Hodge writes us, that he has provided another cutter; we intended to have employed one of them as a packet, but several of yours being now here, and having lately made a contract for sending one every month, a copy of which we enclose, we shall make use of this new purchase as a cruiser.

We have at length finished a contract with the Farmers-General, for five thousand hogsheads of tobacco, a copy of which is enclosed. We shall receive the first advance of two millions of livres, next month, and we entreat you to use your best endeavors to enable us to comply with our part of the agreement. We found it a measure of government to furnish us by that means with large advances, as well as to obtain the ground of some of their own taxes; and finding the minister anxious to have such a treaty concluded, we complied with the terms, though we apprehend them not to be otherwise very advantageous. We have expectations, however, that in case it appears, that the tobacco cannot be afforded so cheap, through captures, &c. government will not suffer us to be losers.

We have purchased eighty thousand fusils, a number of pistols, &c. of which the enclosed is an account, for two hundred and twenty thousand livres. They were king's arms and second hand, but so many of them are unused and unexceptionably good, that we esteem it a great bargain if only half of them should arrive. We applied for the large brass cannon, to be borrowed out of the king's stores till we could replace them, but have not yet obtained an answer. You will soon have the arms and accoutrements for the horse, except the saddles, if not intercepted by the enemy.

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All Europe is for us. Our articles of confederation, being by our means translated, and published here, have given an appearance of consistence and firmness to the American States and government, that begins to make them considerable. The separate constitutions of the several States are also translating and publishing here, which afford abundance of speculation to the politicians of Europe, and it is a very general opinion, that if we succeed in establishing our liberties, we shall, as soon as peace is restored, receive an immense addition of numbers and wealth from Europe, by the families who will come over to participate in our privileges, and bring their estates with them. Tyranny is so generally established in the rest of the world, that the prospect of an asylum in America, for those who love liberty, gives general joy, and our cause is esteemed the cause of all mankind. Slaves naturally become base, as well as wretched. We are fighting for the dignity and happiness of human nature. Glorious is it for the Americans, to be called by providence to this post of honor. Cursed and detested will every one be that deserts or betrays it.

We are glad to learn the intention of Congress to send ministers to the empires of Prussia and Tuscany. With submission, we think Holland, Denmark, Sweden, and Russia, (if the expense is no objection,) should not be neglected. It would be of great service, if among them we could get a free port or two for the sale of prizes, as well as for commerce. A commencement of intercourse has been made with Prussia, as you will see by the enclosed copies of letters,^[31] between his minister and us. We suppose, as the Congress has appointed one of us to Spain, they will order another of us to some of the other Courts, as we see no utility equal to the charge, and yet some inconveniency, in a joint commission here, where one, when freed from commercial cares and action, is sufficient for the business. As soon as the Court of Spain shall be willing to receive a minister, (which from Mr Lee's information, seems not to be at present the case,) Mr Franklin intends to go thither in obedience to the orders he has received. Mr Lee has expressed his readiness to go to Prussia or Tuscany, before the intention of Congress to send to those Courts was known; and he waits here awhile, by the advice of his colleagues, expecting that perhaps the next ship may bring his future destination.

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For the procuring and sending more certain and speedy intelligence, we have, as before mentioned, entered into a contract here, whereby we are to have a packet boat despatched every month; the first will sail in about a fortnight. As we are yet without an explicit answer from Court on several important points, and we shall have that speedy opportunity, we do not now enlarge in answer to the several letters received by Hammond, Bell, Adams, and Johnston. We only now

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assure the Congress, that we shall be attentive to execute all the resolutions and orders they have sent us for our government, and we have good hopes of success, in most of them.

For news, we refer in general to the papers, and to some letters^[32] enclosed, which we have received from London. We shall only add, that though the English begin again to threaten us with twenty thousand Russians, it is the opinion of the wisest men here, and particularly among the foreign ministers, that they will never be sent. The Anspachers, who were to be embarked in Holland, mutined, and refused to proceed, so that the Prince was obliged to go with his guards and force them on. A gentleman of Rotterdam writes us, that he saw a number of them brought, bound hands and feet, to that place in boats. This does not seem as if much service can be expected from such unwilling soldiers. The British fleet is not yet half manned; the difficulty in that respect was never before found so great, and is ascribed to several causes, viz. a dislike to the war, the subtraction of American sailors, the number our privateers have taken out of British ships, and the enormous transport service.

The French are free from this difficulty, their seamen being all registered, and serving in their turns. Their fleet is nearly ready, and will be much superior to the English, when joined with that of Spain, which is preparing with all diligence. The tone of the Court accordingly rises, and it is said, that a few days since, when the British Ambassador intimated to the Minister, that if the Americans were permitted to continue drawing supplies of arms, &c. from this kingdom, the peace could not last much longer; he was firmly answered—*Nous ne desirons pas le guerre, mais nous ne la craignons pas.* "We neither desire war, nor fear it." When all are ready for it, a small matter may suddenly bring it on; and it is the universal opinion, that the peace cannot continue another year. Every nation in Europe wishes to see Britain humbled, having all in their turns been offended by her insolence, which, in prosperity, she is apt to discover on all occasions. A late instance manifested it towards Holland, when being elate with the news of some success in America, and fancying all that business ended, Sir Joseph Yorke delivered a memorial to the States, expressing his master's *indignation* against them, on account of the commerce their subjects carried on with the rebels, and the governor of St Eustatia's returning the salute of one of the American ships, remarking that "*if that commerce was not stopped, and the governor punished,*" the King knew what appertained to the dignity of his crown, and should take proper measures to vindicate it. The States were much offended, but answered coolly that they should inquire into the conduct of their governor, and, in the mean time, would prepare to secure themselves against the vengeance with which Britain seemed to threaten them. Accordingly, they immediately ordered twentysix men of war to be put upon the stocks.

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We transmit you some affidavits,^[33] relating to the treatment of our prisoners, with a copy of our letter^[34] to Lord Stormont, communicating them, and his insolent answer. We request you to present our duty to the Congress, and assure them of our most faithful services.

With great respect we have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE.

FOOTNOTES:

- [29] These were afterwards privately permitted to go, or went without permission. *Note by the Commissioners.*
- [30] Missing.
- [31] Missing.—A letter from the Commissioners to Baron Schulenburg, will be seen in Arthur Lee's correspondence, under the date of April 19th, 1777.
- [32] Missing.
- [33] Missing.
- [34] Missing.

AGREEMENT

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***Between Messrs Franklin and Deane, and the Farmers-General of France,
for the sale of a quantity of Tobacco.***

Translation.

ARTICLE I.

We the undersigned, as well in our own name, as by virtue of powers derived from the Congress

of the United States of North America, promise and oblige ourselves to deliver, in the course of the present year, 1777, five thousand hogsheads, or five million weight of York and James River tobacco, to the Farmers-General of France, in the ports of France.

ARTICLE II.

The price of the tobacco, thus delivered, is fixed at eight sols per pound, net tobacco, mark weight, or forty livres tournois per cwt, and delivered into stores of the Farmers-General.

ARTICLE III.

All average, rotten, or spoiled tobacco, shall be cut off and deducted from the weight to be paid for, agreeably to the estimate, which shall be impartially made by experienced persons, by which a general average shall be fixed instead thereof.

ARTICLE IV.

There shall be a deduction, moreover, of four per cent, under the title of allowance for good weight, eight pounds weight per hogshead for samples, and two per cent discount on the amount of the invoice for prompt payment.

ARTICLE V.

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The Farmers-General oblige themselves for the discharge of the amount of five thousand hogsheads, to remit at the disposal of Congress, and to pay into the hands of the banker, who shall be appointed by Messrs Franklin and Deane, or to direct their Receiver-General at Paris, to accept the bills, which shall be drawn upon him by Messrs Franklin and Deane, as far as a million of livres tournois, in the course of the ensuing month, and another million the instant of the arrival of the first ships loaded with tobacco, which shall be delivered to them; the said two millions making the balance and entire payment for the five thousand hogsheads, or five million weight of tobacco, mark weight, sold by Congress at the price of eight sols per pound, before agreed upon.

ARTICLE VI.

Should Congress be able to send to France a greater quantity of tobacco, whatever shall exceed the value of the two millions advanced by the Farmers-General, shall be remitted to them by Messrs Franklin and Deane, at the same price, and upon the same terms, and the Farmers-General oblige themselves to pay the value thereof in cash, or bills on their Receiver General, at three usances as customary.

ARTICLE VII.

And I, the undersigned Farmer-General, by virtue of a power vested in me by my company, subject and oblige myself in its name, to the full and entire execution of the six foregoing stipulated articles, and for the execution of the present, the parties have chosen their dwellings, that is to say, for Messrs Franklin and Deane, the Hamburgh hotel, University street, Parish of St Sulpice; and for the Farmers-General, at the hotel of the King's Farms, Grenelle street, Parish of St Eustache.

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Done and concluded in duplicates, at Paris, this 24th of March, 1777.

B. FRANKLIN,
SILAS DEANE,
PAULZE.

AGREEMENT FOR PACKETS

Between M. Ray de Chaumont, on the one part, and Benjamin Franklin and Silas Deane, on the other, viz.

The said Ray de Chaumont engages to equip, in some port of France, agreed to by the said Benjamin Franklin and Silas Deane, in each month, for the space of one year, counting from the month of May next, a packet boat, or vessel, suitable for the carrying of despatches between France and the United States of North America, which vessel, or packet boat, shall be capable of carrying thirty tons of goods, without impeding her sailing to the best advantage; and the said Ray de Chaumont shall be at the whole expense of equipping, victualling, &c. each of the said packet boats, and shall furnish in each of them a passage for one person, sent by the said Franklin and Deane, to take charge of their despatches and goods shipped. Each packet boat or vessel shall attend the orders of the said Franklin and Deane, in pursuing her voyage, for the

safest and most certain delivery of the said despatches and merchandise.

The said Franklin and Deane shall have liberty to load a quantity of goods on board each packet boat, to and from America, to the amount of thirty tons consigned to their orders; and they, the said Franklin and Deane, shall pay to the said Ray de Chaumont, the sum of eight thousand livres for each voyage of each packet boat, which sum of eight thousand livres shall be paid the said Ray de Chaumont, in three months after the entering on each voyage successively, whether the packet boat arrive in safety or not.

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The packet boat shall not be delayed after her being ready to receive the goods, either in France or America. The said packet boats, with all their equipments, shall be solely at the risk and expense of the said Ray de Chaumont; but the goods to be shipped as aforesaid, with the freight stipulated therefor, as above mentioned, shall be at the risk of the said Franklin and Deane; and the said Ray de Chaumont shall not, in case either of said packet boats will carry more than the said thirty tons of goods, load them, or either of them, beyond the said quantity, so as in any manner to impede their or her sailing to the best advantage.

In witness of which, the parties have subscribed three agreements, each of this tenor and date, at Paris, April, 1777.

RAY DE CHAUMONT,
B. FRANKLIN,
SILAS DEANE.

TO JONATHAN WILLIAMS.

Paris, 1st May, 1777.

Sir,

M. Cornic, of Morlaix, will order to your care a small vessel, designed as a packet for America; you will see by the contract copy enclosed, that we are to load goods to a certain amount, as she is instantly to be despatched; we desire you will put the quantity of goods to be sent in her, out of the bales on hand. We have ordered that future packets coming from America, or elsewhere, to Nantes, for us, shall be under your direction, of which you have informed M. Penet and Mr Morris; you will, therefore, on the arrival of any vessel from America, with despatches for us, inform the captains, or persons charged with them, of your appointment, receive the letters, and send them to us in the most safe and expeditious manner. We advise you to charge the person bringing despatches, to say not a word of his errand to any one, and we confide in your prudence to conduct the receiving, as well as the expedition of the packets with all possible secrecy.

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We are, Sir, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Philadelphia, 2d May, 1777.

Gentlemen,

Your despatches, dated February the 6th and 8th, were safely received by us about the middle of April. We observe your remarks on the timorousness of the French merchants, respecting the formation of trading companies, which, you say, is occasioned by the change and fluctuation of news. That the spirit for trade will always be governed by the rise and fall of military strength, is a maxim always to be admitted in the first attempts to establish a commerce between any two nations, because success in war is supposed to give security or protection to it. But this timidity ceases naturally, as soon as a trade is opened, for losing or gaining after that equally produces a spirit of adventuring further. Therefore we wish to enter into a trade with them as soon as possible, because as nothing can abridge or prevent their profits, but the enemy's making prizes of their ships, the consequence will be, that they will either be encouraged by the gain, or aggravated by the loss to come to a serious understanding with the Court of Britain. We advise you to be constantly holding up the great advantages, which the crown and commerce would receive by their possessing themselves of the West Indies, and we trust to your wisdom in making all the use possible of the English newspapers, as a channel through which to counteract the tide of folly and falsehood, of which you complain, and rest assured that every material circumstance, either for or against, will be despatched to you, with the utmost expedition.

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By information from New York, it appears that the more discerning part of the English Generals begin to give up the thought of conquest, and of consequence the fear of totally losing the trade of America must accompany the despair of arms; therefore, we conceive that the English newspapers are now calculated to deter the French from beginning to taste the sweets of our trade. Their falsehoods, rightly understood, are the barometers of their fears, and in proportion as the political atmosphere presses downward, the spirit of faction is obliged to rise. We wish it to be understood, that we pay too much respect to the wisdom of the French Cabinet, to suppose that they can be influenced by such efforts of visible despair, and that we have too much reverence for the honor of the American Congress to prostitute its authority, by filling our own newspapers with the same kind of invented tales, which characterise the London Gazette.

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We observe that General Howe, in his letter to the administration, printed in the London Gazette of December 30th, apologizes for not having written to them since his taking possession of New York, nearly three months. Here is the proper field to speculate on silence, because this business is conquest, ours defence and repulse; and because, likewise, he has the sea more open to him than we have, had he any thing to send that would please. Therefore, silence on his part is always to be considered as a species of good news on ours.

The Congress highly approve your dividing yourselves to foreign Courts, and have sent commissions for that purpose, and likewise, commissions for fitting out privateers in France.

The Mercury, from Nantes, is safely arrived in New Hampshire. The Amphitrite and Seine, we are yet in hopes of. We shall notice the conduct of Nicholas Davis. We have presented Marshal Maillebois' sentiments on the mode of war, to Congress, who are greatly pleased therewith, and entertain a high respect for the author.

Our last account gave you a state of news down to March, since which nothing material has happened. The enemy, wearied and disappointed in their last winter's campaign, still continue in a state of inactivity at New York and Brunswick. The Congress is returned to Philadelphia. General Washington remains at Morristown, and occupies the same posts as when the last despatches were sent you. The principal object now is, the recruiting service, which has been greatly promoted by some late resolves of Congress. Our troops have been under inoculation for the smallpox with good success, which, we hope, will be a means of preserving them from fevers in summer, however it will frustrate one cannibal scheme of our enemies, who have constantly fought us with that disease by introducing it among our troops.

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When we look back to the beginning of last December, and see our army reduced to between two and three thousand men, occasioned by the expiration of the time for which they were enlisted, we feel exceedingly happy in contemplating the agreeable condition and prospect our affairs are now in. We have, since that period, reduced the enemy more than our whole army, at that time, amounted to, and scarce a day passes, in which they do not suffer either by skirmishes or desertions.

The Congress have it in contemplation to remove the garrison from the present fort, in the District of Ticonderoga, to fort Independence, in the same District, which they judge will command that pass with greater advantage, and is a much healthier situation. We mention this, as the enemy will probably give an air of triumph to the evacuation, should it be done. The distance between the two is about a quarter of a mile.

As General Howe is preparing a bridge of boats, we think it possible that he might, by a sudden and forced march, reach this city; but we are clearly of opinion, that he would be ruined by the event; and though we are not under much apprehension of such a movement, yet we think it proper to give you the case, with our opinion thereon.

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We are, gentlemen, your obedient humble servants,

BENJAMIN HARRISON,
ROBERT MORRIS,
THOMAS HAYWARD,
JAMES LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Philadelphia, 9th May, 1777.

Gentlemen,

This letter is intended to be delivered to you by John Paul Jones, an active and brave commander in our navy, who has already performed signal services in vessels of little force, and, in reward for his zeal, we have directed him to go on board the Amphitrite, a French ship of twenty guns, that brought in a valuable cargo of stores from Messrs Hortalez & Co. and with her to repair to France. He takes with him his commission, some officers and men, so that we hope he will, under

that sanction, make some good prizes with the Amphitrite; but our design of sending him is, (with the approbation of Congress) that you may purchase one of those fine frigates, that Mr Deane writes us you can get, and invest him with the command thereof as soon as possible. We hope you may not delay this business one moment, but purchase in such port or place in Europe, as it can be done with most convenience and despatch, a fine, fast sailing frigate, or larger ship. Direct Captain Jones where he must repair to, and he will take with him his officers and men towards manning her. You will assign him some good house, or agent, to supply him with every thing necessary to get the ship speedily and well equipped and manned, somebody that will bestir himself vigorously in the business, and never quit until it is accomplished.

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If you have any plan or service to be performed in Europe by such a ship, that you think will be more for the interest and honor of these States, than sending her out directly, Captain Jones is instructed to obey your orders, and, to save repetition, let him lay before you the instructions we have given him, and furnish you with a copy thereof; you can then judge what will be necessary for you to direct him in; and whatsoever you do will be approved, as it will undoubtedly tend to promote the public service of this country.

You see by this step how much dependence Congress places in your advices, and you must make it a point not to disappoint Captain Jones's wishes, and our expectations on this occasion.

We are, gentlemen, your obedient humble servants,

ROBERT MORRIS,
RICHARD HENRY LEE,
WILLIAM WHIPPLE,
PHILIP LIVINGSTON.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, 25th May, 1777.

Gentlemen,

Agreeable to what we mentioned in ours of March 14th and April 9th,^[35] (a third copy of which we send herewith) Mr Lee tarried here some time after his return from Spain. No news arriving, (though we received letters from you,) of any commissioner being actually appointed for Prussia, and the necessity of a good understanding with that Court, in order to obtain speedily a port in the northern seas, appearing more and more, every day, on various occasions, he concluded with our approbation to set out for Berlin, which he did about a week since, and we have reason to hope good effects from that journey.

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The points principally in view are (besides the acknowledgment of American Independency) an open port for German commerce, and the permission of fitting out armed vessels, to annoy the enemy's northern trade, and of bringing in and selling our prizes. If these points can be obtained, we are assured we might soon have a formidable squadron there, and accumulate seamen to a great amount. The want of such a free port appears, in the late instance of Captain Cunningham's arrest at Dunkirk, with the prizes he brought in. For though the fitting out may be covered and concealed, by various pretences, so as at least to be winked at by government here, because those pretences afford a good excuse for not preventing it; yet the bringing in of prizes by a vessel so fitted out, is so notorious an act, and so contrary to treaties, that if suffered, must occasion an immediate war. Cunningham will, however, through favor, be discharged with his vessel, as we are given to understand, but we must put up with the loss of the prizes, which being reclaimed will be restored.^[36] This is an occasion of triumph to our enemies, which we must suffer them to enjoy for the present, assured as we are by the most substantial proofs of the friendship of this Court and of Spain, which we are persuaded will soon manifest itself to the whole world. The latter has already remitted to us a large sum of money, as you will see by Mr Lee's letters,^[37] and continues to send cargoes of supplies, of which you have, herewith, sundry accounts. Many of these transactions are by some means or other known in England, which dares not resent them at present, but the opinion of an approaching war gains ground every day.

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We are preparing the accoutrements you ordered for the horse, but they will take time. Had there been such in the magazines here, we might have possibly borrowed on condition of replacing them. Pistols, (four hundred and fifty pair) are already sent; the whole number will be forwarded as fast as they can be got ready. Colonel Forrester, an experienced officer of horse, has given us a specimen of complete accoutrements, which have been found best; the saddle is of a singular contrivance, very cheap, and easily made or repaired; and the buff belts so broad, that crossing on the breasts, they are good armor against the point of a sword, or a pistol bullet. We propose to have as many sets made with these saddles, as will mount a squadron, but shall omit saddles for the rest, as they will take up too much room in the vessels, and can soon be made with you. Colonel Forrester is highly recommended to us, and we believe will go over. Clothing for ten thousand men is now in hand, making for us by contract, and other proposed contracts are under consideration for the rest of the eighty thousand men ordered. We hope to have them with you before next winter, or that if all cannot be got, the cloth we have sent and are sending,

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will make up the deficiency.

The large brass cannon are not to be had here; we have been treating with a Swedish merchant about them, but find too many difficulties in getting them from that country; so that finally, understanding you have some founders with you, and that we can have others to go from hence, we conclude to send two artists in that way, with the metal, to cast the number wanted, omitting only the field pieces, of which we suppose you have by this time a number sufficient. Some large iron cannon are offered to us cheap, from Holland, of which we think to send a quantity, for though too heavy for the army, they may be of use for the navy, gallies, gondolas, &c.

We cannot omit repeating, as we think it a matter of the greatest importance, towards supporting the credit of your paper money, that you may rely on a punctual payment here of Congress bills, drawn on us for the discharge of the interest of the sums borrowed, that is to say, in the proportion of six Spanish dollars, or the value in French money, for every hundred borrowed in your paper. But as the offer of six per cent was made before you could know of this advantage to the borrower, perhaps you may on the knowledge and experience of it, be able to reduce the interest in future loans, to four per cent, and find some means by taxes, to pay off the six per cents.

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Our treaty of commerce is not yet proceeded on, the plan of this Court appearing to be, not to have any transaction with us, that implies an acknowledgment of American Independency, while their peace continues with England. To make us more easy with this, they tell us, we enjoy all the advantages already, which we propose to obtain by such a treaty, and that we may depend on continuing to receive every indulgence in our trade, that is allowed to the most favored nations. Feeling ourselves assisted in other respects, cordially and essentially, we are the more readily induced to let them take their own time, and to avoid making ourselves troublesome by an unreasonable importunity. The interest of France and Spain, however, in securing our friendship and commerce, seems daily more and more generally understood here, and we have no doubt of finally obtaining the establishment of that commerce with all the formalities necessary.

We submit it to your consideration, whether it might not be well to employ some of your frigates in bringing your produce hither, ordering them after refreshing and refitting, to make a cruise in the northern seas, upon the Baltic and Hamburg trade, send their prizes home, north about, then return to France, and take in a loading of stores for America.

The Marquis de la Fayette, a young nobleman of great family connexions here, and great wealth, is gone to America in a ship of his own, accompanied by some officers of distinction, in order to serve in our armies. He is exceedingly beloved, and every body's good wishes attend him; we cannot but hope he may meet with such a reception as will make the country and his expedition agreeable to him. Those who censure it as imprudent in him do nevertheless applaud his spirit, and we are satisfied, that the civilities and respect, that may be shown him, will be serviceable to our affairs here, as pleasing not only to his powerful relations, and to the Court, but to the whole French nation. He has left a beautiful young wife, and for her sake particularly, we hope that his bravery and ardent desire to distinguish himself, will be a little restrained by the General's prudence, so as not to permit his being hazarded much, but on some important occasion.

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We are very respectfully, &c.

B. FRANKLIN,
SILAS DEANE.

P. S. We enclose a copy of Messrs Gardoqui's last letter.^[38] We have received Mr Morris's of March 7th, 25th, and 28th, and are much obliged by the intelligence contained. We send a quantity of papers.

FOOTNOTES:

[35] Missing.

[36] Cunningham was the commander of an American privateer, with which he went into Dunkirk. He there took his arms out of his ship, and said he should load it with merchandise for one of the ports in Norway. As this declaration was suspected, security was demanded. Two persons, Hodge & Allen, became responsible for him. Cunningham actually left the port of Dunkirk, without arms, but he caused sailors, cannon, and munitions, to be sent out to him in the night, while he was in the ship's road, off Dunkirk; and he shortly after took the English packet boat, *Prince of Orange*. As soon as this manœuvre of Cunningham's came to the knowledge of the French government, they caused Hodge, one of the securities, to be arrested and conducted to the Bastile. The packet boat was restored to the British government, without the form of a process. After six weeks' confinement, Hodge was released.

[37] See Mr Arthur Lee's letter of May 13th, 1777.

[38] Missing.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, 26th May, 1777.

Gentlemen,

The navy of the United States, increasing in the number of its ships and force, it is of the utmost importance to direct the cruises of the ships of war, which belong either to the States or individuals, so as to annoy and alarm the enemy the most effectually, and at the same time, to encourage our brave officers and seamen, by the value of prizes. The West-India trade was so intercepted last season, that, besides endangering the credit of every West India house in England, and absolutely ruining many, it greatly helped towards sinking the revenues of Great Britain, which it was confidently asserted the other day in the House of Commons, and was not contradicted by the minister, had sunk the last year nearly one million below the usual incomes. This trade cannot be attacked the coming season to equal advantage, as it will not be by any degree so large, and will be armed and under convoy. But as the commerce of Great Britain is very extensive, good policy dictates, that we attack it in more than one sea, and on different coasts. The navy of Great Britain is not sufficiently numerous, to infest the whole coast of North America, and at the same time guard their own, much less protect and convoy their trade in different seas.

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We have not the least doubt, but that two or three of the continental frigates, sent into the German ocean, with some less swift sailing cruisers, might intercept and seize great part of the Baltic and Northern trade, could they be in those seas by the middle of August at farthest, and the prizes will consist of articles of the utmost consequence to the States. One frigate would be sufficient to destroy the whole of the Greenland whale fishery, or take the Hudson Bay ships returning. In a word, they are unsuspecting and unguarded on that quarter, and the alarm, such an expedition would give, would raise the insurance in England at least twenty per cent; since Captain Cunningham's adventure occasioned ten per cent to be given on the packet boats, from Dover to Calais. Captain Cunningham being put in prison, and the prizes restored, they are again lulled into security; the whole western coast of England and Scotland, and indeed almost the whole of Ireland, is at this moment unguarded either by ships of war, or troops, except a few sloops or cutters, to watch smugglers.

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We submit to the Congress the following plan; to send three frigates, loaded with tobacco, for Nantes or Bourdeaux, and that they be manned and commanded in the best possible manner. That on their arrival in either of the above rivers, they make but little appearance of strength, and endeavor to pass for common cruisers; while they are refitting, which should be in different ports, near each other, intelligence might be had of the position of the British fleet, and the circumstances of the different towns on the sea coast, and of the merchant ships in them; in consequence of which a blow might be struck that would alarm and shake Great Britain, and its credit, to the centre. The thought may appear bold and extravagant, yet we have seen as extraordinary events within these two years past, as that of carrying the war to our enemy's doors. As it appears extravagant, it will be in consequence unexpected by them, and the more easily executed. The burning or plundering of Liverpool, or Glasgow, would do us more essential service than a million of treasure, and much blood spent on the continent. It would raise our reputation to the highest pitch, and lessen in the same degree that of our enemy's. We are confident it is practicable, and with very little danger, but times may alter with the arrival of the frigates, yet in that case their cruise on this coast bids fairer to be profitable than any other, and they may at least carry back in safety many of the stores wanted, which is a most capital object, should the other be laid aside.

Every day's experience confirms to us, what is pointed out indeed by nature itself, the necessity of rendering America independent, in every sense of the word. The present glorious, though trying contest, will do more to render this independence fixed and certain, if circumstances are seasonably improved, than would otherwise have been effected in an age. The manufacturing of any one necessary article among ourselves, is like breaking one link of the chains, which have heretofore bound the two worlds together, and which our artful enemies had, under the mask of friendship, been long winding round and round us, and binding fast. Thus, as founderies for cannon, iron as well as brass, are erecting, if they are at once erected large enough to cast of any size, we may in future be easy on that important article, and independent on the caprice, or interest, of our pretended friends for a supply; and to forward this we shall take the liberty of sending over some of the most skilful founders we can meet with.

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The jealousy which reigns among the maritime powers of Europe, with their narrow, weak, and contemptible system of politics, prevents our being able to procure ships of war; to remedy which, you have with you timber, iron, and workmen, and we must send you over sailcloth and cordage, as fast as we can. The importance of having a considerable naval force, is too obvious, to need our saying more than, that we conceive no apparent difficulty or obstruction ought to deter us from pushing it forward to the utmost of our power. We have sent you by a former conveyance a plan of a frigate on a new construction, and now send you the duplicate, which we submit to the judgment of those better skilled than we pretend to be in naval affairs, but imagine that on our coast, and perhaps anywhere, ships constructed in some such manner may be as formidable as those of seventyfour guns, and it is certain they will cost us less. The vessel building in Amsterdam is on this plan, which we hope will be in readiness for service this fall or

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autumn.

We are, with the utmost respect, &c.

B. FRANKLIN,
S. DEANE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Philadelphia, May 30th, 1777.

Gentlemen,

We have delayed sending this packet, from a daily expectation of hearing from you, as some letters from France make mention of a quick sailing vessel, by which we were to receive despatches. Though it must be agreeable to you to hear frequently from us, yet as our letters by being taken might be of worse consequence than being delayed, we are desirous of waiting for the safest opportunity, and when you hear not so often as you wish, remember our silence means our safety. Acquainted as we are, with the situation and condition of the enemy, we well know, that the pompous paragraphs in the London papers are not the news, which the Ministry *hear from* their army; but the news they make for them.

The Amphitrite has arrived in Portsmouth, New Hampshire; and the Seine at Martinique, but she is made a prize of, in her passage from thence. We request you to expedite the loan of two millions, (which we have already sent you a commission for, and now send you a duplicate of the same) for though we conceive the credit of America to be as well founded at least as any in the world, having neither debt nor taxes when she began the war, yet she is like a man who, with a large capital all in property, is unable to make any new purchases, till he can either convert some of it into specie, or borrow in the mean time. Britain is now fighting us, and the greatest part of Europe negatively, by endeavoring to stop that trade from us to France, Spain, &c. which she has most effectually lost to herself, and we wish those Courts saw their interest in the same clear point of view in which it appears to us. We have little or no doubt of being able to reduce the enemy by land, and we likewise believe that the united powers of France, Spain, and America would be able to expel the British fleet from the western seas, by which the communication for trade would be opened, the number of interests reduced which have hitherto distracted the West Indies, and consequently the peace of all this side of the globe put on a better foundation than it has hitherto been; a mutual advantage, as we conceive, to France, Spain, and these States.

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That Britain was formidable last war, in the West Indies, is true, but when it is considered that her power there arose from her possessions here, or that she was formidable chiefly through us, it is impossible to suppose that she can again arrive at the same pitch of power. Here she was assisted by numberless privateers. Here she supplied and partly manned her fleet; recruited, and almost raised her army, for that service; in short, America in the last war represented Britain removed to this side of the Atlantic. The scene is changed, and America now is that to France and Spain in point of advantages, which she was the last war to Britain. Therefore, putting the convenience, which we might receive, out of the question, by their making an attack on the West Indies, we are somewhat surprised, that such politic Courts as France and Spain, should hesitate on a measure so alluring and practicable. We do not mention these remarks, because we suppose they do not occur to you, but to let you know our thoughts on the matter, and to give you every advantage, by conveying our minds to you, as well as our instructions and informations.

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This packet takes complete sets of our public paper, filed in order, for seventeen weeks past.

B. HARRISON,
R. MORRIS,
T. HAYWARD,
JAMES LOVELL.

TO JOHN JAY.

Dunkirk,^[39] 2d June, 1777.

Dear Sir,

We refer the committee to ours to you of the 26th ult. of which we sent duplicates, should either arrive, but apprehensive of the contrary, we send you the substance in this. The British commerce in Europe, especially in the north, is unguarded, the Greenland whale fishery and the Hudson Bay ships in particular. Could two or three of our frigates, accompanied by less swift sailing cruisers, get into those seas in the months of August, or September, a valuable part of the

commerce of our enemies might be interrupted.

As tobacco, rice, &c. are in great demand in France, and remittances wanted, we submit to the Congress the sending out some of their frigates loaded with these articles for Nantes, or Bourdeaux, and whilst their cargoes were disposed of, they might refresh themselves, and make a cruise against the enemy. The coast of England to the west is unguarded, either by land or sea. The frigates, capable of landing five hundred men, might destroy several of their towns, which would alarm and shake the nation to the centre, whilst the ships might fly and take refuge in the ports of France or Spain; but suppose the worst, that they are intercepted in their retreat, the inevitable consequences of so bold an attempt will be sufficiently injurious to justify the measure. But this must be done by a *coup de main*, and there can be no great apprehension of any difficulty in retreating, since, by means of the daily intercourse between the two kingdoms, we might know the exact situations of the British fleet and commerce in the different ports, and never attempt until we had a fixed object in view, and were masters of every circumstance.

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The ship, building at Amsterdam, will be near as strong as a seventyfour, and may join the squadron in the months of February or March. The East India fleet will be returning to St Helens, and there waiting for a convoy, which is a single man of war. Three frigates on that station might effect a prodigious affair, and if they first come to Europe, as in the course of trade, it would be much less suspected, as they might set out from a harbor here, and not be supposed for any other route, but that of going directly for America. We have no more to add, than that four thousand Hanoverians are on their march for Stade to embark for America.

We are, &c.

B. FRANKLIN,
SILAS DEANE.

FOOTNOTES:

[39] This letter is perhaps erroneously dated at *Dunkirk*. It is thus copied into the letter books, but should probably be *Passy*, or *Paris*.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

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Philadelphia, June 13th, 1777.

Gentlemen,

Though the despatches prepared some time since are not gone, we think it best to write you again, and give you an exact account of the situation of our army and military affairs to this time. You were formerly made acquainted, that, immediately after the important victory at Trenton, on the 3rd of January, General Washington took post at Morristown, which appears to have been a well chosen situation.

From thence, sending out detachments of his army, he speedily drove the enemy from Hackensack, Chatham, Springfield, Westfield, and Elizabethtown, all which places we have possessed ever since that time, as well as Millstone and Princeton to the west, and Cranbury to the south; the enemy being confined to a narrow communication on Rariton River, from Brunswick to Amboy, twelve miles. About ten days ago General Washington moved his head quarters towards the enemy, to a place called Middlebrook, about eight miles from Brunswick. He has now called in most of his outposts, and the enemy has done the same, being chiefly collected about Brunswick, and just upon the eve of some movement, which is generally supposed to be intended against this place. We are taking every measure to disappoint them, and have good hopes, in dependence on divine Providence, as our army has been augmenting daily for these three months past. It is given out, that the enemy intend to come up the Delaware Bay with their ships, as well as by land, through the Jerseys. It is probable, that before the vessel sails we shall have something to add on this subject.

In the northern department, things are yet entirely quiet. We have a pretty strong body at Ticonderoga. Small parties of the enemy were up the lake lately, a considerable way, but are gone again, and there is no appearance of any important motion soon. Whether this is owing to their not being ready, or to a change in their plans, and the army in Canada being ordered round to reinforce General Howe, as some late reports would make us believe, it is impossible to say with certainty.

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A third body of our forces is at Peekskill, upon Hudson River, to defend the passes towards Albany, and be ready to fall down upon New York, in case the greater part of the enemy's army should be drawn from that place. The convention of that State has issued an act of indemnity, to encourage those who had been seduced to join the enemy to return, which has had a very happy

effect. Upon the whole, our affairs wear as favorable an aspect as at any time, since the beginning of the war. And the unanimity of all ranks, in the different States, in support of our independence, is greater than at any preceding period. The arbitrary conduct, and the barbarity and cruelty of the enemy, for the twentysix days that they possessed a considerable part of New Jersey, have been of service to our cause. See, upon this subject, the report of a committee of Congress, with the proofs in the newspapers, which you may safely assure any person is a just and true, but very imperfect, sample of their proceedings.

BENJAMIN HARRISON,
ROBERT MORRIS,
THOMAS HAYWARD,
JAMES LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

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Philadelphia, June 18th, 1777.

Gentlemen,

In this we send you an account of the most material matters, which have happened in the military department.

The enemy, about ten weeks ago, sent a large party, and destroyed some continental stores at Peekskill, the value not great, and retreated immediately after. They afterwards made an attempt to surprise Major General Lincoln, at Bound Brook, which he vigilantly escaped, with the loss of about sixty men. Mr Tryon, who is made a Major General, was sent with about 2200 men to destroy the stores at Danbury, in Connecticut. Notice was received time enough to remove the most valuable part, while Generals Arnold and Wooster raised the militia, and attacked the enemy on their retreat with good success. The New York paper, which may be considered as General Howe's Gazette, makes their loss in killed and wounded 104. We may give them credit for twice the number. The loss we sustained in stores was chiefly in salt provisions and rum, and we had the satisfaction of learning, that the cargoes of the prizes brought in the same week amounted to double the quantity lost. General Wooster, who behaved gallantly, was mortally wounded, and is since dead.

Scarce a week has passed without skirmishing, in which we have been very fortunate. General Washington has removed from Morristown, to some advantageous ground near Bound Brook and Middle Brook, within eight miles of Brunswick, and the following is a regular state of the intelligence received here since the 11th inst.

June 11th.—At a meeting in the State House yard, General Mifflin, despatched for that purpose from General Washington, informed the inhabitants, that from the late preparations of the enemy, he had reason to believe their design was, by a forced march, to endeavor to possess themselves of Philadelphia; it was then proposed and unanimously assented to, to turn out agreeably to the militia law.

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12th.—A letter from General Sullivan, at Princeton, received about nine this evening, informed that the enemy at Brunswick had begun to move the preceding night, but was prevented by the heavy rain.

13th.—The alarm gun in this city fired at three this morning, answering the alarm guns up the river. Several letters, by express from Bristol, mention the hearing alarm guns towards Trenton and Princeton, but that no express has arrived there from General Sullivan at Princeton.

14th.—An express from General Arnold, at Trenton, informed that the enemy had moved on the 13th, in the night from Brunswick, that General Sullivan had likewise moved from Princeton to some part of Rocky Hill, with an intention to harrass the march of the enemy, and thereby favor the approach of General Washington on their rear, and that of the troops from Philadelphia.

15th.—An express from General Arnold, dated Trenton 14th, at six o'clock, received here at half past five this morning, says, that he had waited six hours, hoping to hear from General Sullivan, but had not; that he should immediately set off for Coryel's Ferry; that the reports of the country were, that the enemy were marching rapidly towards that place, and, that General Sullivan was about two miles ahead of them, on the same road.

Coryel's Ferry is the place where our boats were stationed sufficient to transport 3000 men at a time.

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Another letter from General Arnold, dated *Coryel's Ferry*, 14th, 9 o'clock, P. M. received here at 9 this morning, says, that General Sullivan, arrived at that place about 4 o'clock, and had with him 1600 continental troops, and about the same number of Jersey militia making up the number already there about 4000; that the Jersey militia were turning out very spiritedly, and that he expected to be 5000 strong by the next day, when he should march towards the enemy, who had

encamped at Somerset Court House, eight miles from Brunswick; that General Washington continued at his quarters near Middle Brook, eight miles in the rear of the enemy, who were about 7000.

16th.—The above makes up the chain of intelligence, to General Arnold's fourth letter, which was received here this morning, and is printed in the papers of the 17th and 18th inst., to which we refer you.

From various quarters lately we have reports, but none sufficient to depend on, that the enemy will receive no reinforcement from Europe, and likewise that a war with France is inevitable.

General Burgoyne is said to be arrived at Quebec with troops.

We have seen a memorial, presented to the States-General by Sir Joseph Yorke, and two answers thereto, the one, "that they had no account to render to him of their conduct," the other, that "there are no gates to the Hague."

We are, gentlemen, yours, &c.

B. HARRISON,
R. MORRIS,
T. HAYWARD,
J. LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

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Philadelphia, June 26th, 1777.

Gentlemen,

Since our last, of the 8th inst., in which you were informed of the enemy being encamped at Somerset Court House, eight miles from Brunswick, we have the pleasure of acquainting you, that on the 19th, at night, they made a precipitate retreat therefrom to the last mentioned place, and on the 22d decamped again, and wholly evacuated Brunswick, and retreated to Amboy. For particulars, we refer you to General Washington's letter to Congress, printed in the newspapers of the 25th inst.

We are unable to account for those movements of General Howe, on any other grounds than the following; viz. that his march from Brunswick to Somerset afforded him an opportunity of trying the disposition of the States of New Jersey and Pennsylvania, and finding that the militia of both States were turning vigorously out to support our army, he might reasonably conclude from thence, that his situation in the Jerseys was too dangerous to be continued, and therefore decamped to Amboy, from whence he might, by his bridge of boats, intended for the Delaware, throw himself into a safe retreat on Staten Island. We give you circumstances as they are, with such natural inferences therefrom as our situation and knowledge of things enable us to draw.

The memorial, presented by Sir Joseph Yorke to the States-General, mentioned in ours, of June 18th, you will find in the newspapers of the 11th inst. The said memorial does not come sufficiently authenticated to us, to give you any particular instructions respecting your conduct thereon, but as the progress of friendship depends much on the improvement of accidents and little circumstances, we doubt not you will be attentive to the conduct of the States-General at all times, and let us know whenever it appears to you that a commissioner from Congress would be favorably received there.

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B. HARRISON,
R. MORRIS,
T. HAYWARD,
J. LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Philadelphia, July 2d, 1777.

Gentlemen,

Since our last of the 26th ult. which mentions the enemy being retreated to Amboy, we have to inform you, that General Washington dismissed the Jersey militia, except about 2000, and likewise countermanded the reinforcement of 3000 men from General Putman's Division, at Peekskill. We suppose General Howe to be apprized of these circumstances, as he immediately

after returned with his whole force from Amboy, and made an attempt to cut off a Division of our army under General Sterling, but without success. For particulars we refer you to General Washington's letters, in the newspapers of the 3d inst.

A letter from General Washington, just received, informs us, that the enemy have totally evacuated the Jerseys, and are retreated to their last year's quarters on Staten Island.

We enclose to you commissions and instructions for Ralph Izard and William Lee; the first, appointed commissioner to the Court of Tuscany, and the latter to the Courts of Vienna and Berlin. Their instructions are so intimately connected with your own, that we have thought proper to send them open to your confidential care, that you may give information to the gentlemen, and take every due step to forward the execution of the intention of Congress.

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B. HARRISON,
R. MORRIS,
T. HAYWARD,
J. LOVELL.

COUNT DE VERGENNES TO THE COMMISSIONERS.

Translation.

Versailles, 16th July, 1777.

Gentlemen,

You cannot forget, that at the first conversation I had with both of you, I assured you, that you should enjoy in France, with respect to your persons, every security and comfort, which we showed to foreigners; and as to your commerce and navigation, we would grant every facility compatible with the exact observation of our treaties with England, which the king's principles would induce him religiously to fulfil. In order to prevent every doubt, with respect to the vessels that may participate in the favors, which we grant in our ports to nations in amity, I pointed out to you the article of the treaty, which forbids the power of allowing privateers free access into our ports, unless through pressing necessity, as also with respect to the deposit and sale of their prizes. You promised, gentlemen, to conform thereto.

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After so particular an explanation, we did not press the departure of the ship Reprisal, which brought Mr Franklin to France, because we were assured it was destined to return with merchandise. We had quite lost sight of this vessel, and imagined she was in the American seas, when, with great surprise, we understood that she had entered L'Orient, after taking several prizes. Orders were immediately given, that she should depart in twentyfour hours, and to conduct her prizes to the only admiralties, that were authorised to judge of their validity. Captain Wickes complained of a leak. Being visited by proper officers, his allegation was found to be legal, and admissible, the necessary repairs were permitted, and he was enjoined to put to sea again.

After such repeated advertisements, the motives of which you have been informed of, we had no reason to expect, gentlemen, that the said Mr Wickes would prosecute his cruising in the European seas, and we could not be otherwise than greatly surprised, that, after having associated with the privateers, the Lexington and Dolphin, to infest the English coasts, they should all three of them come for refuge into our ports. You are too well informed, gentlemen, and too penetrating, not to see how this conduct affects the dignity of the king, my master, at the same time it offends the neutrality, which His Majesty professes. I expect, therefore, from your equity, that you will be the first to condemn a conduct so opposite to the duties of hospitality and decency. The king cannot dissemble it, and it is by his express order, gentlemen, that I acquaint you, that orders have been sent to the ports, in which the said privateers have entered, to sequester, and detain them, until sufficient security can be obtained, that they shall return directly to their country, and not expose themselves, by new acts of hostility, to the necessity of seeking an asylum in our ports.

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As to the prizes they may have taken, if they have brought them into our ports, they have orders to go out immediately, and the same conduct shall be observed towards any capture of any nation whatever. Such are the obligations of our treaties, conformable to our marine ordinances, which the king cannot by any means evade. It will be highly proper for you to make these intentions known, wherever you may think it most expedient, so that new privateers, from the example of the misconduct of those against whom we are obliged to be rigorous, may not expose themselves to the like embarrassments.

What I have the honor to inform you, gentlemen, of the king's disposition, by no means changes the assurances which I have been authorised to make you, at the time of your arrival, and which I again renew, for the security of your residence, and of all such of your nation whom it may suit to reside among us, as well as with respect to the commerce allowed of, which will meet with every facility on our part, that our laws and usages will permit.

I have the honor to be, &c.

DE VERGENNES.

TO COUNT DE VERGENNES.

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Paris, 17th July, 1777.

Sir,

We are very sensible of the protection afforded to us, and to our commerce, since our residence in this kingdom, agreeable to the goodness of the king's gracious intentions, and to the law of nations; and it gives us real and great concern, when any vessels of war appertaining to America, either through ignorance or inattention, do any thing that may offend His Majesty, in the smallest degree. The Captains Wickes, Nicholson, and Johnson, have excused to us their returning to France, being chased into the channel, and close to your ports, by English men of war, of the truth of which we have no doubt, the Reprisal, particularly, having been obliged to throw her guns overboard, to facilitate her escape.

We had, some days before we were honored by your Excellency's letter, despatched by an express the most positive orders to them, to depart directly to America, which they are accordingly preparing to do, as your Excellency will see by the letter enclosed, which we have just received by the return of that express. We shall communicate His Majesty's orders to our friends residing in your ports, and acquaint the Congress with the same, to the end, that our armed vessels may be warned of the consequence that must attend an infringement of them. We doubt not but they will be henceforth strictly attended to; and we are willing and ready to give any security your Excellency may judge sufficient and reasonable, that, after being fitted and provisioned for so long a voyage, these vessels shall proceed directly to America, without making any other cruise on the coasts of England. We are thankful for the repeated assurances of His Majesty's protection continued to us, and such of our nation as may reside in France, and for the facilities indulged to our commerce, at this critical conjuncture, which will always be remembered in our country, with gratitude and affection.

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We have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Philadelphia, August 7th, 1777.

Gentlemen,

Enclosed are duplicates of commissions and instructions for William Lee and Ralph Izard, and triplicates of our former despatches.

Since our last, of July 3d, various circumstances have happened in the military department, many of which are so intricate and unfinished, as not to enable us to draw any just conclusions from them.

Immediately after the unsuccessful attempt made by General Howe, June 26th, to cut off a detachment of our army, under General Sterling, as mentioned in our last, the whole body of the enemy retreated to Staten Island, embarked on board their fleet, and on the 23d of July put to sea; on the 27th, they appeared off the Capes of Delaware. General Washington, with the army, arrived at Germantown on the 29th. On the 31st, the enemy's fleet stood out to sea. They made a second appearance at the Capes, since which we have had no account of them. As this packet goes from the eastward, you will probably be furnished with something further from that quarter.

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Our worst news is, that we have lost Ticonderoga, whether by neglect or necessity, cowardice or good conduct, will appear hereafter. Congress have ordered General Gates to that department, and have directed Generals Schuyler and St Clair to appear at head quarters, that an inquiry may be made into their conduct, and the circumstances of this mysterious affair. In the papers of July 16th, 23d, August 5th and 6th, you have Generals Schuyler's and St Clair's letters, and the resolves of Congress. We have been fortunate enough to take, and so unfortunate as to lose again, the Fox frigate. She was taken by the Captains Manly and McNeil, but two heavy English ships being in sight when she struck, she was afterwards retaken by them.

Major General Prescott, who commanded the enemy's forces at Rhode Island, was seized and made prisoner by a small party under Lieutenant Colonel Barton, as you may see by General

Washington's letter to Congress, printed July 23d. The Congress have presented Colonel Barton with a sword, and likewise Lieutenant Colonel Meigs with another; this officer having performed a gallant exploit on Long Island, bringing off nearly a hundred prisoners, and destroying a large quantity of forage.

Were it not for the Ticonderoga affair, we should have nothing but good news to communicate; and even that may turn out in the end a lucky circumstance to the general cause, as did the attempt of the enemy to march through the Jerseys last winter. We have a fine healthy army, anxious for nothing so much as to meet their foes. Surely it must appear very ridiculous in Europe that General Howe should be thus shunning the army he came out to conquer, and wasting his time in cruising upon the coast with his whole fleet, at this hot season of the year, when the ministry in England, and perhaps Lord Stormont at Paris, have given out that he has penetrated a hundred miles or more into the country.

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We are, with great regard, gentlemen,

Your most humble servants,

BENJAMIN HARRISON,
ROBERT MORRIS,
JAMES LOVELL.

TO COUNT DE VERGENNES.

Versailles, August 12th, 1777.

Sir,

We understand, with great surprise, that one of our countrymen, Mr Hodge, a merchant of Philadelphia, is apprehended at Paris, with all his papers, and carried away by the officers of police.

As Mr Hodge is a person of character, connected with the best houses in our country, and employed here by a committee of Congress to purchase goods, we cannot conceive him capable of any wilful offence against the laws of this nation. Our personal regard for him, as well as the duty of our station, obliges us to interest ourselves in his behalf, and to request, as we do most earnestly, that he may be immediately restored to us.

We have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

Messrs Franklin and Deane's Contract with M. Holker.

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We the undersigned acknowledge that we have authorised M. Holker to treat with Messrs Sabatier & Despres, for five thousand coats, waistcoats, and breeches, of which, two thousand five hundred coats are to be blue, and two thousand five hundred brown, with facings, linings, and collars of red, the waistcoats and breeches to be white, agreeably to the present treaty, and to the same clauses and conditions therein stipulated. Done at Paris, the 15th of August, 1777.

B. FRANKLIN,
SILAS DEANE.

The present contract done and signed in duplicates to be faithfully executed on both sides, agreeably to its tenor and form. Paris, 6th of August, 1777.

MONTIEU.
SILAS DEANE, *for B. Franklin
and self.*

Amount of sundry Articles of Merchandise mentioned in the above Contracts;

6000	coats, complete,	at 37 livres ea.	222,000
12000	pair woollen stockings,	30 pr. doz.	30,000
100,000	lbs. of copper,	27 pr. lb.	135,000
22,000	" sheet copper and nails,	33 pr. lb.	36,300
20,000	" English tin,	17 the c't w't	17,000
4	million flints,	4 pr. 100	<u>16,000</u>

Sum total, four hundred fifty six thousand three hundred livres, errors and omissions excepted.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

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Passy, 8th September, 1777.

Gentlemen,

It is long since we had a line from you, the last received being of the date of —, we suppose from the same causes which have occasioned your hearing so seldom from us, the difficulty of finding safe conveyances, and sometimes the loss of the despatches by the way. Mr Lee informs you, we suppose, of his negotiations in Prussia, and his safe return hither. There appears in that, as well as in every other country in Europe, a disposition to share in our commerce, and to oblige us as far as may be done without offending England. We have numbers of letters from eminent houses there, proposing to furnish us with a variety of commodities, at reasonable rates, to be received by us in Europe, and paid for here. We advise them to send their goods in their own ships, and protect their own trade to and from our coasts.

We enclose you a copy of the memorial^[40] we sent to Portugal, to which we have yet received no answer. That Court has been lately much employed in adjusting its differences with Spain, which it is said are now nearly all accommodated, and that they will accede to the family compact.

This Court continues the same conduct that it has held ever since our arrival. It professes to England a resolution to observe all treaties, and proves it by restoring prizes too openly brought into their ports, imprisoning such persons as are found to be concerned in fitting out armed vessels against England from France, warning frequently those from America to depart, and repeating orders against the exportation of warlike stores. To us it privately professes a real friendship, wishes success to our cause, winks at the supplies we obtain here, as much as it can without giving open grounds of complaint to England, privately affords us very essential aids, and goes on preparing for war. How long these two parts will continue to be acted at the same time, and which will finally predominate, may be a question. As it is the true interest of France to prevent our being annexed to Britain, that so the British power may be diminished, and the French commerce augmented, we are inclined to believe the sincerity is towards us, more especially as the united bent of the nation is manifestly in our favor; their not having yet commenced a war is accounted for by various reasons. The treaties subsisting among the powers of Europe, by which they are obliged to aid those attacked more than those attacking, which it is supposed will make some difference, the not being fully prepared, the absence of their seamen in their fishery and West Indies, and the treasure expected from New Spain, with the sugars from the Islands, have all, it is said, contributed to restrain the national desire of a breach with England, in which her troublesome power may be reduced, the wealth and strength of France increased, and some satisfaction obtained for the injuries received, in the unfair commencement of the last war.

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England too is extremely exasperated at the sight of her lost commerce enjoyed by France, the favor our armed vessels have met with here, and the distress of their remaining trade, by our cruisers, even on their own coasts; and yet she seems afraid of beginning a war with this country and Spain together, while she has our war upon her hands. In such a situation, some accident may probably bring on a war, sooner than is desired by either party. In the mean time, perhaps the delay may have this good effect for us, that enjoying the whole harvest of plunder upon the British commerce, which otherwise France and Spain would divide with us, our infant naval power finds such plentiful nourishment, as has increased, and must increase its growth and strength most marvellously.

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It gave us great joy to hear of the arrival of the Mercury, Amphitrite, and other vessels carrying supplies. Another ship, with a similar cargo, which had long been detained at Marseilles, we hope will soon arrive with you. We hope, also, that you will receive between twenty and thirty thousand suits of clothes, before winter, and from time to time quantities of new and good arms, which we are purchasing in different parts of Europe. But we must desire you to remember, that we are hitherto disappointed in your promises of remittance, either by the difficulties you find in shipping, or by captures, and that though far short of completing your orders, we are in danger of being greatly embarrassed by debts, in failing in performance of our contracts, and losing our credit with that of the Congress; for though we have received three quarterly payments of the two millions of livres, formerly mentioned to you, and expect the last next month, our contracts go beyond, and we must reserve the continuance of that aid, for the purpose it was promised, to answer your drafts for interest, if that proposal of ours has been adopted. Particularly we beg you will attend to the affair of tobacco for the Farmers-General, with whom we have contracted to supply five thousand hogsheads of tobacco, for which they have advanced us one million of livres, in ready money, and are to pay the rest on delivery, as we formerly advised you. Your vigorous exertions in these matters are the more necessary, as during the apparent, or supposed uncertainty of our affairs, the loan we were directed to obtain of two millions sterling has hitherto been judged impracticable.

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But if the present campaign should end favorably for us, perhaps we may be able to accomplish it another year, as some jealousy begins to be entertained of the English funds by the Dutch, and other monied people of Europe, to the increase of which jealousy, we hope a paper^[41] we have drawn up, (a copy whereof we enclose) may in some degree contribute when made public.

Mr Deane has written fully to you on the effect our cruisers have had on the coast and commerce of Britain, which makes our saying much on that head unnecessary.^[42] We cannot, however, omit this opportunity of expressing our satisfaction in the conduct of the Captains, and of recommending them warmly to Congress. The ostensible letter and answer from and to the Minister of Foreign Affairs, copies of which we enclose,^[43] will show the conduct which the Court has thought, and thinks itself at present obliged to hold with regard to our cruisers and their prizes, of which it seems fit some notice should be given to the several States. As the English goods cannot in foreign markets face those of the French or Dutch, loaded as they are with the high insurance from which their competitors are exempted, it is certain the trade of Britain must diminish while she is at war with us, and the rest of Europe in peace. To evade this mischief, she now begins to make use of French bottoms; but as we have yet no treaty with France, or any other power that gives to free ships the privilege of making free goods, we may weaken that project, by taking the goods of the enemy wherever we find them, paying the freight. And it is imagined that the Captains of the vessels so freighted may, by a little encouragement, be prevailed on to facilitate the necessary discovery.

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Spain not having yet resolved to receive a minister from the Congress, Mr Franklin still remains here. She has, however, afforded the aids we formerly mentioned, and supplies of various articles have continued till lately to be sent consigned to Mr Gerry, much of which we hear has safely arrived. We shall use our best endeavors to obtain a continuance and increase of those aids.

You will excuse our mentioning to you, that our expenses here are necessarily very great, though we live with as much frugality as our public character will permit. Americans, who escape from English prisons, destitute of every thing, and others who need assistance, are continually calling upon us for it, and our funds are very uncertain, having yet received but about 64,571 livres, of what was allotted for our support by Congress.

With the greatest respect, we have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

FOOTNOTES:

[40] Missing.

[41] Missing.

[42] See Mr Deane's letter above, [p. 105](#), dated August 23d, 1777.

[43] See the two preceding letters of [July 16th](#) and [17th](#).

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE COMMISSIONERS.

Yorktown, 6th October, 1777.

Gentlemen,

Since ours to you, by return of the packet from New Hampshire, and duplicates by Mr McCreary, from Maryland, we have not written, nor have we received any of your favors during the last two months, except a letter of old date, (April 19th) signed by Messrs Deane and Lee. Captain Hammond being not yet arrived, although he sailed in April, it is too probable that he has fallen into the enemy's hands, or miscarried at sea.

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Two reasons have prevented us from writing hitherto; because from your assurances we had cause to expect a monthly packet, and because the progressive state of the war gave us reason to look for some more decisive event daily, than had happened, and which might warrant the expense of sending a particular packet, as the casual conveyance by merchant vessels is almost entirely stopped by the number and vigilance of the enemy's cruisers.

We shall now give you an accurate detail of the war in the northern and middle departments, where alone it has raged since our last. You were before apprized of the evacuation of Ticonderoga, and of the retreat of our army from thence towards Albany. General Burgoyne was rapid in pursuit of his successes, and pressed quickly on towards fort Edward, upon Hudson's river, about twenty miles above Albany. Here his progress was interrupted by the American

army, being halted and reinforced a little below him. This circumstance, with the following events, have continued that interruption, and bid fair to render abortive, at least, the great advantages expected by our enemies from their first successes on the lakes.

The better to effect his purpose, General Burgoyne had detached General St Leger with a body of regular troops, Canadians and Indians, by the Oneida Lake and Wood Creek, to take fort Schuyler, (formerly Stanwix) and to make an impression along the Mohawk river. This part of his plan has been totally defeated by the bravery of General Herkimer, with the Tryon county militia, and by the gallant defence of fort Schuyler, by Colonel Gansevoort and Lieutenant Colonel Willet. The former of these met the enemy in the field, defeated them, and killed a great number of their Indian allies. This defeat being obtained by militia, they dispersed as usual, and left the enemy to collect and lay siege to fort Schuyler, which was defended with great gallantry by the two officers above mentioned, until the approach of General Arnold, with a body of troops, occasioned the enemy to raise the siege of that fortress and retreat with great precipitation, leaving their baggage, ammunition, provisions, and some of their artillery, which fell into our hands. Another body of troops was detached by General Burgoyne, under command of Lieutenant Colonel Baum, to the eastward, for the purpose of collecting horses to mount the troopers, provisions, and teams, for the use of the army. This detachment was met, attacked, and defeated by the brave General Stark, and the New Hampshire militia, at a place called Bennington, and now rendered famous by the total overthrow of fifteen hundred regular troops, (posted behind works fortified with cannon,) by two thousand militia.

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The two wings of General Burgoyne being thus cut off, his body remained inactive until the 19th of last month, when he moved on to attack General Gates, who commands the northern army, and who was well posted at Behmus's Heights. The consequence of this attack, you will see related by General Gates himself, among the enclosed papers, as well as the account of our successes in the rear of the enemy, on the lakes George and Champlain, by Colonel Brown, who had been detached by General Lincoln, who is also in General Burgoyne's rear, with a strong body of troops. Surrounded, as it is on all sides, with little prospect of safe retreat, and a strong army in front, growing stronger every day by reinforcements, we hope, ere long, to give you information of definitive success over the British army in that quarter. An Aid of General Gates, who brought us these last accounts, says, that by the concurring testimony of prisoners, deserters, and some of our own people, who escaped from the enemy, their loss could not be less than one thousand, or twelve hundred men, in killed, wounded, and missing; and that General Burgoyne himself was wounded in the shoulder by a rifle ball.

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In the middle department, the war has been less favorable to us, as you will see by what follows. About the middle of August, the British fleet appeared in the Chesapeake Bay, and landed General Howe's army at the head of Elk, about fifty miles from Philadelphia. General Washington's army, which had crossed the Delaware on the embarkation of the British troops, and the appearance of the fleet off the Capes of that river, now proceeded to meet the enemy, and came up with them near Wilmington. After various skirmishes and manœuvres, a general engagement took place at Chad's Ford, over the Brandywine, on the 11th of September last. This battle terminated in our leaving the enemy in possession of the field, with nine pieces of our artillery. Our loss in killed, wounded, and missing, did not exceed six hundred; that of the enemy, as far as we have been able to get information, was near two thousand. An orderly, taken from them since the battle, makes it nineteen hundred.^[44]

General Washington retreated across the Schuylkill, and, having refreshed his army, recrossed that river in two days after the former battle, with design to attack the enemy, who remained close by the field of action until he came up with them again. To be the better prepared for battle, and to be guarded against the consequences of defeat, our army marched without baggage, and left their tents behind. In this situation, and just in the moment of beginning an attack upon the enemy, a heavy, long continued, and cold rain, with high wind, came on and prevented it. The ammunition in the cartridge boxes was all rendered unfit for use, the arms injured, and the troops a good deal hurt and dispirited.

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In this state of things, it became necessary to retire from before the enemy to a place of safety, in order to clean the arms, replace the cartridges, and refresh the men. The enemy were also without tents; but they have good blankets, are better clothed, and have tin receptacles for keeping dry their cartridges. General Howe, judging of our situation, put his army in motion, and endeavored to harrass and distress us, by marches, countermarches, and frequent shows of designing to give battle. After a variety of manœuvres, the enemy crossed the Schuylkill below our army, and marching to Philadelphia, have possessed themselves of that city. General Washington, having refreshed his men, and being reinforced, is moving now towards the enemy. This unfortunate rain has injured our affairs considerably, by having thrown a number of our men into hospitals, and by the distress and harrassment of the army, consequent thereupon. However, they are recovering again, and we hope before long will give General Howe reason to repent his possession of Philadelphia. The real injury to America, from the enemy's possession of that city, is not so great as some are apt at first view to imagine, unless the report and misconceptions of this matter in Europe, should too much dispirit our friends and inspirit our enemies. But we rely on your careful and just representation of this matter, to prevent the ill impressions which it may otherwise make. When this contest first began, we foresaw the probability of losing our great towns on the water, and so expressly told our enemies, in the address of the first Congress; but we are blessed with an extensive sea coast, by which we can convey and receive benefits

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independent of any particular spot. But it is very far from being a clear point to us, that the enemy will be able to hold Philadelphia, as we are yet masters of the Delaware below, and have hopes of keeping it, so as to prevent the British fleet from getting up to the city. Should this be the case, General Howe's visit cannot be of long duration.

You say that the vessels of the United States will be received at the Havanna, as those of France, the most favored nation. We wish to be exactly informed whether North American products may be carried thither, or prizes be taken to, and disposed of, in that port, or any other ports of his Catholic Majesty in America. You likewise mention a late draught of the Mississippi, taken for the government of Great Britain; we are desirous of being furnished with a copy. It is with pleasure we read your assurance of sending the soldiers' clothing, and other materials for the army, in time to meet the approaching cold season; they will be greatly wanted.

As the small successes the enemy have met with this year will probably support the hopes of a vindictive Court, and occasion the straining of every nerve for the accomplishment of its tyrannic views, we doubt not your most strenuous exertions to prevent Great Britain from obtaining Russian or German auxiliaries for the next campaign; and we think, with you, that it is an object of the greatest importance to cultivate and secure the friendship of his Prussian Majesty, as well for the preventing this evil, as for obtaining his public recognition of our independence, and leave of his ports for the purposes of commerce, and disposal of prizes.

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The original papers, which you mention, in a triplicate, to have sent, never came to hand; so that we can only make conjectures as to the disposition of that monarch. The marine force of the enemy is so considerable in these seas, and so over proportionate to our infant navy, that it seems quite necessary and wise to send our ships to distress the commerce of our enemies in other parts of the world. For this purpose, the Marine Committee have already ordered some vessels to France, under your direction as to their future operations, and more, we expect, will be sent. But our frigates are not capable of carrying much bulky commodity for commercial purposes, without unfitting them for war; besides, there is the consideration of our being obliged to get them away, how, and when we can, or endanger their being taken, which prevents our sending them to those staple Colonies, where the commodities wanted are to be obtained. The reciprocal benefits of commerce cannot flow from, or to North America, until some maritime power in Europe will aid our cause with marine strength. And this circumstance gives us pain, lest it should be construed as unwillingness on our part to pay our debts, when the truth is, that we have the greatest desire of doing so, have materials in abundance, but not the means of conveying them.

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This leads us to reflect on the great advantages, which must unavoidably accrue to all parties, if France, or Spain, were to afford effectual aid on the sea, by the loan or sale of ships of war, according to the former propositions of Congress; or if the Farmers-General could be prevailed upon to receive in America the tobacco, or other products of this northern Continent, which France may want.

We are, &c. &c.

B. HARRISON,
R. H. LEE,
R. NORRIS,
J. LOVELL.

P. S. On the 4th, an engagement between the two armies took place near Germantown, the circumstances of which may be known by the enclosed papers.

FOOTNOTES:

- [44] The numbers here mentioned are greatly exaggerated. No accurate returns seem to have been made, but the loss was afterwards estimated to have been, on the part of the Americans, 300 killed, 600 wounded, and 400 prisoners, chiefly of the wounded. The British loss was about 100 killed, and 400 wounded. *Holmes's Annals*, 2d Ed. Vol. II. p. 265.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Yorktown, 6th October, 1777.

Gentlemen,

We shall follow your example in confining this letter entirely to yours of May 26th, respecting the loan, and the mode of raising it by appropriation of vacant land. It remains doubtful yet, whether there is any vacant land not included within the charter limits of some one of the thirteen States; and it is an undetermined question of great magnitude, whether such land is to be considered as

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common stock, or the exclusive property of the State within whose charter-bounds it may be found.

Until this business has been determined in Congress, and approved by the States, you will readily discover the difficulty of doing anything in the way of raising money by appropriation of vacant land. We consider your proposal on this subject as of very great importance; and we shall not fail to solicit the attention of Congress thereto, whenever the pressing business of the campaign will permit.

In the mean time, we see no reason that should prevent the young nobleman, of Irish extract, from coming to America, because the suspension of the question concerning vacant lands will not obstruct his views of getting the quantity he may want either by original entry, or by purchase on the most reasonable terms, upon the frontiers of those States, where vacant lands are in abundance to be met with. We are warranted to say that such rank, as that nobleman may have when he leaves service in Europe, will be granted to him here. Congress clearly discern, with you, gentlemen, the all important concern of supporting the credit of the continental money, and with this view have proposed, as you will see by the enclosed resolves, to pay the interest of twenty millions of dollars by bills drawn on you.

This we hope will in time replenish the loan offices so effectually as, with the aid of taxation now generally taking place, to prevent the necessity of future emissions. By your letters of the 25th of May we have no doubt, but these interest bills will be paid with all due punctuality. About five millions only of the twenty voted are yet borrowed, and the interest on those five will not be drawn for in bills till near a twelvemonth.

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We are, &c.

B. HARRISON,
R. H. LEE,
J. WITHERSPOON,
J. LOVELL.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Passy, 7th October, 1777.

Gentlemen,

We received duly your despatches by Mr McCreary, and Captain Young, dated May 2d and 30th, June 13th, 18th, 26th, and July 2d. The intelligence they contain is very particular and satisfactory. It rejoices us to be informed, that unanimity continues to reign among the States, and that you have so good an opinion of your affairs, in which we join with you. We understand that you have also written to us of later dates by Captain Holmes. He is arrived at Port L'Orient, but being chased, and nearly taken, he sunk his despatches.

We are also of your sentiments, with regard to the interests of France, and Spain, respecting our Independence, which interests we are persuaded they see as well as we, though particular present circumstances induce them to postpone the measures, that are proper to secure those interests. They continue to hold the same conduct described in our last, which went by Wickes and Johnson, a copy whereof we send herewith, as Johnson is unfortunately taken. We have lately presented an earnest memorial to both Courts, stating the difficulties of our situation, and requesting that if they cannot immediately make a diversion in our favor, they would give a subsidy sufficient to enable us to continue the war without them, or afford the States their advice and influence in making a good peace.

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Our present demand, to enable us to fulfil your orders, is for about eight millions of livres. Couriers, we understand, are despatched with this memorial to Madrid by both the ambassador of Spain and the minister here; and we are desired to wait with patience the answer, as the two Courts must act together. In the meantime, they give us fresh assurances of their good will to our cause, and we have just received a fourth sum of five hundred thousand livres. But we are continually charged to keep the aids, that are, or may be afforded us, a dead secret, even from the Congress, where they suppose England has some intelligence; and they wish she may have no certain proofs to produce against them, with the other powers of Europe. The apparent necessity of your being informed of the true state of your affairs, obliges us to dispense with this injunction; but we entreat that the greatest care may be taken that no part of it shall transpire; nor of the assurances we have received, that no repayment will ever be required from us, of what has been already given us, either in money or military stores. The great desire here seems to be, that England should strike first, and not be able to give her allies a good reason.

The total failure of remittances from you, for a long time past, has embarrassed us exceedingly; the contracts we entered into for clothing and arms, in expectation of those remittances, and which are now beginning to call for payment, distress us much, and we are in imminent danger of bankruptcy; for all your agents are in the same situation, and they all recur to us to save their

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and your credit. We were obliged to discharge a debt of Myrtle's, at Bordeaux, amounting to about five thousand livres, to get that vessel away, and he now duns us at every post for between four and five thousand pounds sterling, to disengage him in Holland, where he has purchased arms for you. With the same view of saving your credit, Mr Ross was furnished with twenty thousand pounds sterling, to disentangle him. All the captains of your armed vessels come to us for their supplies, and we have not received a farthing of the produce of their prizes, as they are ordered into other hands. Mr Hodge has had large sums of us.

But to give you some idea for the present, till a more perfect account can be rendered of the demands upon us, of what we have paid, we enclose a sketch for your perusal; and shall only observe, that we have refused no application, in which your credit appeared to be concerned, except one from the creditors of a Mr Ceronio, said to be your agent in Hispaniola, but of whom we had no knowledge; and we had reason to hope, that you would have been equally ready to support our credit, as we have been yours, and from the same motives, the good of the public, for whom we are all acting, the success of our business depending considerably upon it.

We are sorry, therefore, to find all the world acquainted here, that the Commissioners from Congress have not so much of your regard as to obtain the change of a single agent, who disgraces us all. We say no more of this at present, contenting ourselves with the consciousness, that we recommended that change from the purest motives, and that the necessity of it, and our uprightness in proposing it, will soon fully appear.

Messrs Gardoqui, at Bilboa, have sent several cargoes of naval stores, cordage, sailcloth, anchors, &c. for the public use, consigned to Elbridge Gerry. They complain, that they have no acknowledgment from that gentleman of the goods being received, though they know that the vessels arrived. We have excused it to them, on the supposition of his being absent at Congress. We wish such acknowledgments may be made, accompanied with some expressions of gratitude towards those from whom the supplies come, without mentioning who they are supposed to be. You mention the arrival of the Amphitrite and Mercury, but say nothing of the cargoes.

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Mr Hodge is discharged from his imprisonment, on our solicitation, and his papers restored to him; he was well treated while in the Bastille. The charge against him was, deceiving the government in fitting out Cunningham from Dunkirk, who was represented as going on some trading voyage; but, as soon as he was out, began a cruise on the British coast, and took six sail. He is got safe into Ferrol.

We have received and delivered the commissions to Mr William Lee, and Mr Izard. No letters came with them for these gentlemen, with information how they are to be supported on their stations. We suppose they write to you, and will acquaint you with their intentions.

Some propositions are privately communicated to us, said to be on the part of Russia, for forming a commercial company at Emden. We shall put them into the hands of Mr Lee.

We do not see a probability of our obtaining a loan of two millions sterling, from any of the money holders in Europe, till our affairs are, in their opinion, more firmly established. What may be obtained from the two crowns, either as loan or subsidy, we shall probably know on the return of the couriers, and we hope we shall be able to write more satisfactory on those heads by Captain Young, who will, by that time, be ready to return.

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With the greatest respect, we have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

Yorktown, 18th October, 1777.

Gentlemen,

We have the pleasure of enclosing to you the copy of a letter from General Gates, containing the circumstances of a victory gained over General Burgoyne, on the 7th. This event must defeat the main views of General Clinton, in proceeding up Hudson's river. He has, it is true, got possession of fort Montgomery, but with much loss, as we hear. Though the enemy should boast much of this acquisition, yet we are persuaded the consequences will be very little profitable to them, as Governor Clinton, of New York, and his brother General James Clinton, are acting vigorously in concert with General Putnam, who commands in that quarter.

Our army under General Washington is numerous and in high spirits, while General Howe is busied in forming obstructions in the roads leading to the city of Philadelphia, by which he supports the hopes of keeping our troops from routing him out of his stolen quarters. The enclosed resolves need no comment from us, being sufficient of themselves to determine your

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conduct in the points to which they relate. It is with concern we find, that British property has lately been covered by conveyance in French bottoms, which practice pursued, and American search disliked by France, it is obvious, that the most vulnerable part of Great Britain, her commerce, will be secured against us, and that by the intervention of our professed friends. We desire, therefore, gentlemen, that you will confer with the ministers of France on this subject, and satisfy them of the propriety, and even the necessity which there is, that either this commerce should be prohibited, or that the United States be at liberty to search into, and make distinctions between the bottom and the enemy's property conveyed in that bottom.

To prevent ill impressions being made, by a number of officers who are returning to France, we think it proper to observe, that without totally deranging and risking even the annihilation of the American armies, it was not possible to provide for many of those gentlemen in the manner they wished, and which some of them had stipulated for, previous to their leaving France. We have done all in our power to prevent discontent, but no doubt there will be some, whose dissatisfactions will produce complaints, and perhaps misrepresentations. You will be guarded on this head, and represent our conduct as founded solely on the necessity of our situation.

We have the honor to be, &c.

B. HARRISON,
R. H. LEE,
R. MORRIS,
J. LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

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York, 31st October, 1777.

Gentlemen,

We have the pleasure to enclose to you the capitulation by which General Burgoyne and his whole army surrendered themselves prisoners of war. This great event might have been still greater, had not the operations on the Hudson river, below Albany, rendered it probable, that Sir Henry Clinton might come to the relief of General Burgoyne, as he had urged his way up to within fortyfour miles of Albany, at which place were lodged the principal magazines of war and provisions for our northern army. General Gates is now moving down the north river, having sent General Stark with two thousand brave men, to reduce Ticonderoga and the passes yet occupied by the enemy on lake George.

General Howe is yet at Philadelphia, but whether he will be able to continue there, may be judged from a consideration of General Burgoyne's surrender, from the hitherto unavailing efforts of the enemy to get their fleet up to the city, from General Washington's being with a good army now near Germantown, and closing upon the enemy's lines, which run across the commons by Philadelphia, as we are informed, from Delaware to Schuylkill.

After many smaller attempts had been made in vain, upon fort Island and the chevaux de frize, a general and very powerful attack was made upon the 22d and 23d of this month, on Red Bank, by twelve hundred Hessians, and on Fort Island, by several ships of war, which approached as near as the chevaux de frize would admit, and by fire from batteries erected on Province Island. The Hessians were led on by Count Donop, Colonel Commandant. They attempted the place by storm, and were repulsed with the loss of seventy dead on the spot, and seventyeight prisoners wounded; among the latter, are Colonel Donop, and his aid major. Among the former, are a Lieutenant Colonel, and some inferior officers. From the ships and Province Island batteries, a furious cannonade was long continued, and warmly returned by fort Mifflin and the gallies. At length the ships were obliged to retire with the loss of two, which the enemy set on fire themselves, and which were thus blown up. These two are said to be the Augusta, of sixtyfour guns, and the Liverpool frigate. The names of the ships we cannot be sure of yet, but, that two men of war were destroyed is certain, and being desirous of giving you the most early information of the great events at the northward, we shall be more particular about the Delaware business hereafter. We rely on your wisdom and care to make the best and most immediate use of this intelligence, to depress our enemies, and produce essential aid to our cause in Europe.

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The public acknowledgment of the independence of these United States, would be attended with beneficial consequences, and whilst we proceed with diligence and care to profit from our advantages, we are sensible how essential European aid must be to the final establishment and security of American freedom and independence. We are in daily expectation of hearing from you, which we have not done since May last.

As some of our frigates are ordered to France, under your after direction, we hope to hear in due time, that more effectual distress has been conveyed to the commerce of our enemies. It is a pity that some of their towns should not be made to suffer for the licentious conflagrations, which have been kindled by them in America.

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We have the honor to be, &c.

R. H. LEE,
J. LOVELL.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 8th November, 1777.

Gentlemen,

At the time this will be delivered to you, bills of exchange will also be presented for your acceptance, drawn by Henry Laurens, of Charleston, South Carolina, who was elected President of the Continental Congress, on the first day of this month, of which we thought proper to give you thus early information, that you may duly honor his draughts, the particulars of which we shall forward speedily by another opportunity, concluding with much regard, &c.

R. H. LEE,
J. LOVELL.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Passy, 30th November, 1777.

Gentlemen,

In a former letter we acquainted you that we had engaged an officer, one of the most skilful in naval affairs this country possessed, to build us a frigate in Holland, on a new construction (drafts of which we sent you) and to go over in her to America, and enter your service. The frigate is almost finished. She is very large, is to carry thirty 24 pounders, on one deck, and is supposed equal to a ship of the line. But the infinite difficulties we find in equipping and manning such a ship in any neutral port, under the restrictions of treaties, together with the want of supplies from you, have induced us to sell her to the king, who, by a large pension offered to our officer, has engaged him to remain in his service, and pays us what we have expended on her.

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We have built a small frigate at Nantes, which we hope to get away soon, laden with supplies of various sorts. We meet with difficulties too in shipping arms and ammunition in her, but hope they will be surmounted. Several other vessels, some under the direction of Mr Ross, others belonging to French merchants, are almost ready to sail for America, and we had thoughts of sending them in a little fleet, under convoy of the Raleigh, and Alfred, but on consultation, considering the spies maintained by England in all the ports, and thence the impossibility of making up such a fleet, without its being known, so as to give time for a superior force to be in wait for it, we concluded the chance better of their going off singly, as they should be ready. In these vessels are clothes, ready made, for thirty thousand men, besides arms, cloths, linens, and naval stores to a great amount, bought up by us and Mr Ross. The private adventures will also be very considerable. And as we shall continue our endeavor to complete your orders, we hope that if the ships have common success in passing, you will be better provided for the next campaign, than you have been for any of the preceding.

How we are enabled to make these supplies, must be a matter of some surprise to you, when you reflect that little or nothing from you has been received by us, since what came by Captain Wickes, till now by the arrival of the Amphitrite, and that the seeming uncertainty of your public affairs has prevented hitherto our obtaining the loan proposed. We have however found, or made some friends, who have helped, and will, we are confident, continue to help us.

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Being anxious for supporting the credit of Congress' paper money, we procured a fund for payment of the interest of all the Congress had proposed to borrow. And we mentioned in several of our letters, that we should be ready to pay all bills drawn for the discharge of such interest, to the full value in money of France, that is, five livres for every dollar of interest due. We were persuaded, that thus fixing the value of the interest would fix the value of the principal, and consequently of the whole mass. We hope this will be approved, though we have yet no answer. We cannot apply that fund to any other purpose, and therefore wish to know as soon as may be, the resolution of Congress upon it. Possibly none of those letters had reached you, or your answers have miscarried; for the interruptions of our correspondence have been very considerable. Adams, by whom we wrote early this summer, was taken on this coast, having sunk his despatches. We hear that Hammond shared the same fate on your coast. Johnson, by whom we wrote in September, was taken, going out of the channel, and poor Captain Wickes, who sailed at the same time, and had duplicates, we just now hear foundered near Newfoundland, every man perishing but the cook. This loss is extremely to be lamented, as he was a gallant

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officer, and a very worthy man. Your despatches also, which were coming by a small sloop from Morris's River, and by the *Mere Bobie* packet, were both sunk, on those vessels being boarded by English men of war.

The *Amphitrite's* arrival, with a cargo of rice and indigo, near one thousand barrels of the one, and twenty of the other, is a seasonable supply to us for our support; we not having for some time past, (as you will see by our former letters) any expectations of further supplies from Mr Morris; and though we live here with as much frugality as possible, the unavoidable expenses, and the continual demands upon us for assistance to Americans, who escape from English prisons, &c. &c. endangered our being brought to great difficulties for subsistence. The freight of that ship too calls for an enormous sum, on account of her long demurrage.

We begin to be much troubled with complaints of our armed vessels taking the ships and merchandise of neutral nations. From Holland, they complain of the taking of the sloop *Chester*, Captain Bray, belonging to Rotterdam, by two privateers of Charleston, called the *Fair American* and the *Experiment*; from Cadiz, of the taking the French ship *Fortune*, Captain Kenguen, by the *Civil Usage* privateer, having on board Spanish property; and here, of the taking the *Emperor* of Germany, from Cork, with beef, belonging to the marine of France, just off the mouth of Bordeaux river. We send herewith the papers we have received, and answers given, relating to those captures, and we earnestly request, that if upon fair trials it shall appear that the allegations are true, speedy justice may be done, and restitution made to the reclaimants, it being of the utmost consequence to our affairs in Europe, that we should wipe off the aspersions of our enemies, who proclaim us every where as pirates, and endeavor to excite all the world against us.

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The Spanish affair has already had very ill effects at that Court, as we learn by the return of the courier mentioned in our last. We have, by letters to our correspondents at the several ports, done all in our power to prevent such mischiefs for the future, a copy of which we herewith send you. The European maritime powers embarrass themselves, as well as us, by the double part their politics oblige them to act; being in their hearts our friends, and wishing us success, they would allow us every use of their ports consistent with their treaties, or that we can make of them without giving open cause of complaint to England; and it being so difficult to keep our privateers within those bounds, we submit it to consideration, whether it would not be better to forbear cruising on their coasts, and bringing prizes in here, till an open war takes place, which, though by no means certain, seems every now and then to be apprehended on both sides; witness among other circumstances, the recall of their fishing ships by France, and the king of England's late speech. In consequence of this embarrassed conduct, our prizes cannot be sold publicly, of which the purchasers take advantage in beating down the price, and sometimes the Admiralty Courts are obliged to lay hold of them in consequence of orders from Court, obtained by the English Ambassador. Our people, of course, complain of this as unfriendly treatment; and as we must not counteract the Court in the appearances they seem inclined to put on towards England, we cannot set our folks right by acquainting them with the essential services our cause is continually receiving from this nation, and we are apprehensive, that resentment of that supposed unkind usage may induce some of them to make reprisals, and thereby occasion a deal of mischief. You will see some reason for this apprehension, in the letter^[45] from Captain Babson, which we send you herewith, relating to their two prizes confiscated here for false entries, and afterwards delivered up to the British, for which, however, we have hopes of obtaining full satisfaction, having already a promise of part.

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The king of England's Speech blusters towards these kingdoms, as well as towards us. He pretends to great resolution, both of continuing this war, and of making two others, if they give him occasion. It is conceived he will, with difficulty, find men and money for another campaign of that already on his hands; and all the world sees it is not for want of will, that he puts up with the daily known advantages afforded us by his neighbors. They, however, we have reason to believe, will not begin the quarrel as long as they can avoid it, nor give us any open assistance of ships or troops. Indeed, we are scarce allowed to know that they give us any aids at all, but are left to imagine, if we please, that the cannon, arms, &c. which we have received and sent, are the effects of private benevolence and generosity. We have, nevertheless, the strongest reasons to confide, that the same generosity will continue; and it leaves America the glory of working out her deliverance by her own virtue and bravery, on which, with God's blessing, we advise you chiefly to depend.

You will see by the papers, and a letter of intelligence from London, that the continuance of the war is warmly condemned in Parliament, by their wisest and best men in the debates on the Speech; but the old corrupt majority continues to vote, as usual, with the Ministers. In order to lessen their credit for the new loans, we have caused the paper, which we formerly mentioned, to be translated and printed in French and Dutch, by our agent in Holland. When it began to have a run there, the Government forbid the further publication, but the prohibition occasions it to be more sought after, read, and talked of.

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The monument for General Montgomery is finished, and gone to Havre, in nine cases, to lie for a conveyance. It is plain, but elegant, being done by one of the best artists here, who complains that the three hundred guineas allowed him is too little; and we are obliged to pay the additional charges of package, &c. We see, in the papers, that you have voted other monuments, but we have received no orders relating to them.

The Raleigh and Alfred will be well fitted and furnished with every thing they wanted, the Congress' part of the produce of their prizes being nearly equal to their demands. Be pleased to present our dutiful respects to the Congress, and assure them of our most faithful services.

We have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

FOOTNOTES:

[45] Missing.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 1st December, 1777.

Gentlemen,

As we wish the subject of this letter to be well attended to and understood, we shall confine ourselves entirely to the business of such French gentlemen as have returned without getting employment in North America, and particularly those of Mons. Du Coudray's corps. Whatever may be the clamor excited by discontent, we think that a candid consideration of our circumstances, and what Congress have really done, will fully justify them in the eyes of reasonable men. We will observe, in the first place, that of all those who have returned, not one came here at the request of Congress; that they have cost the States a very large sum of money, and that the circumstances of affairs would not permit any benefit to be drawn from them here.

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It was necessary, previous to the opening of the campaign, that the affairs of the army should be arranged, officers appointed, and every thing systematically made ready for the serious business that was approaching. At this time, it was not known by Congress or the Commander in Chief, that such a character as Mons. Coudray (under such agreements as he brought over with him) was to visit us. The best that could be done was therefore undertaken, and General Knox, the father of the American artillery, was appointed to that command, and all the other divisions of the army were filled with Major Generals. In this state of things arrived General Du Coudray, with an agreement by which he was to command the artillery, and the greatest part of the Major Generals of the army, by being of older commission. A plentiful crop of resignations began presently to sprout up, and the whole army must have been deranged and thrown into confusion, just in the opening of a campaign, or this agreement not accorded to in the whole.

But Mons. Du Coudray would have every thing or nothing. An inflexible ambition, that paid no regard to the situation and circumstances of the army, would be gratified. This produced a scene of contention, which was not ended when the unfortunate General was drowned in the Schuylkill, going to join the army. Immediately on his death, the rest of his corps would return to France, and in this disposition Congress endeavored to render things as agreeable to them as possible, having some regard to the interest of the public which they serve. It is very true, that a concurrence of causes, such as the removal from Philadelphia, the time that elapsed before business was gone regularly into again, and the multiplicity of public affairs, did occasion some delay in settling with these gentlemen; but this was a loss to the community more than to them, because their pay was continued to the last. And you will see by the papers enclosed, that ample allowances have been made for their expenses to the shipping port, for passage to France, and travel to Paris.

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It has been already observed, that Mons. Du Coudray's desire could not be complied with, without producing very injurious consequences. All the other officers were offered admittance into the army, according to the ranks stipulated for with Mr S. Deane; but to avoid certain murmurs and discontent, by difference of pay in the army, they were offered the pay and rations of continental officers of similar rank. This they rejected; and when the mischief of a difference of pay was removed by their determination to return to France, they were paid their livres complete, with all their gratifications as agreed for, their expenses and passages being also fully satisfied. Upon the whole, we beg leave to refer you to the enclosed papers for more minute information in this business, where we think you will find documents sufficient to convince unprejudiced and reasonable men, that Congress have done all they could, or ought in duty to the public to have done, for the entire satisfaction of these gentlemen. And we hope you will be enabled thereby to obviate any ill impressions, which may be attempted to be made by some of these officers; we say by some, because we believe the more reasonable among them are satisfied.

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We have the honor to be, &c.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 2d December, 1777.

Gentlemen,

Since ours, of October the 31st, the enemy have by repeated efforts at last overcome our defences on the Delaware below Philadelphia, and we hear they have got up some vessels to the city. But we incline to think they will yet be interrupted much in their operations on the river, by the chevaux de frize and the cold weather. We are just informed by General Gates, that the garrisons of Ticonderoga and Mount Independence have destroyed the works and the buildings, and precipitately retreated across Lake Champlain to Isle aux Noix and St Johns, taking with them only the brass artillery, powder, and provisions. The heavy stores they threw into the lake.

If the campaign should close at this period, (and if it does, it will be for want of clothes and blankets, for both of which we are in great distress, having received very few) the enemy will have little to boast of. They began it with two armies, one of which has been repeatedly beaten, and at length compelled to lay down its arms and surrender on terms. The other, after various chances, in which fortune more than any thing else has been its protection, has at length possessed itself of Philadelphia. We say fortune has protected the army of General Howe, and we have good reason for saying so, when the fact is, that at the battle of Germantown the enemy were actually defeated,^[46] and accident alone prevented a total and irreparable overthrow. It would have been otherwise had our young troops possessed that calmness of discipline and self recollection, which is habitual to veteran armies. The acquisition of Philadelphia, which Mr Howe holds at present by a very precarious tenure, cannot have cost him in the whole fewer than four thousand men, since they landed at the head of Elk; and we know they have lost two ships of war before Fort Mifflin, one a sixtyfour gun ship, the other a frigate.

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General Washington's army, about eighteen thousand strong, is now about fourteen miles from Philadelphia, and the enemy have fortified themselves in the best manner they can, in and near the city, by double lines from Delaware to Schuylkill, across the common. The manœuvres about New York exhibit proofs of apprehension for the safety of that place, because the enemy have evacuated and destroyed their post at Fort Independence above King's Bridge, and have drawn in all their outposts to concentrate their strength, and secure, if they can, their hold of the city of New York. We hope before the opening of the next campaign, to put Hudson's River into a state inaccessible to the enemy's ships of war, and thereby to render their enterprises on that quarter extremely difficult and dangerous to them.

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We have now given you an exact account of our military situation. With respect to our civil state, we would acquaint you that Congress have passed the confederation, and sent it to the different States, with strong recommendations to give it speedy consideration and return. Extensive taxation is also recommended, and seems to be universally adopting. You will readily imagine, gentlemen, that our extensive operations have produced great expense, as our inexperience in war has not furnished us with that systematic economy, which is so necessary and so well understood by European nations. We shall have emitted twenty eight millions of dollars by the close of this year, exclusive of Provincial currency. The quantity is too great, and of course the quality is injured. The slow operations of taxes will not afford adequate remedy, and the offer of sterling interest does not fill the loan offices so quickly, as the necessary expenses call for supply. If a loan of two millions sterling could be obtained, the high exchange would enable Congress, by drawing on that fund, to call so large a quantity of paper presently out of circulation, as to appreciate the rest, and give time for taxation to work a radical cure. Without this remedy of the evil, very pernicious consequences may follow ere long.

Our situation is rendered still worse by the impossibility of supplying such products as America has largely in store, and which are now greatly wanted in Europe, viz. tobacco, naval stores, rice, indigo, &c. The great superiority of the enemy's naval fleet makes it impossible to send those products in any quantity to sea, with a tolerable prospect of safety. Thus we are prevented from sending you the five thousand hogsheads of tobacco, which you have contracted for, and which Congress has directed to be sent; although several thousands have, for some time past, been purchased for payment of our debts in France. The good intentions of our friends in that country are almost entirely frustrated, by the exertions of the whole power of our enemies by sea, to prevent our sending to, or receiving from Europe, any thing whatever. A war in Europe would greatly and immediately change the scene. The maritime force of France and Spain, with the American cruisers, would quickly lessen the power of Great Britain in the Western ocean, and make room for the reciprocal benefits of commerce between us and our friends.

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We have not been favored with a line from you since the 25th of May, which we lament exceedingly, but of which we cannot complain, since we doubt not but you have written, although we have not been so fortunate as to receive your letters. We had reason from your promise to

expect a monthly packet, and this expectation prevented us from looking out so early as we should have done for a vessel or two from ——. We have heard, with pleasure, by means of Mr Carmichael, through Mr Bingham, that Mr Lee had successfully accomplished his business at the Court of Prussia.^[47]

We remember that you informed us, the object which carried him to Berlin was, besides procuring that Prince's acknowledgment of our independence, obtaining open ports for our commerce, and the liberty of selling our prizes therein. We hope the interference of that powerful Prince will effectually prevent Russian or German auxiliaries, from being sent hither by Great Britain.

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As the Marine Committee have already sent some, and will order more, of the continental ships of war to France under your directions, permit us to suggest an expedition, which appears likely to benefit us and distress the enemy. We are informed, that two or three well manned frigates, despatched early in February, so as to arrive at the Island of Mauritius in June, being provided with letters of credence, and for such refreshments, or aid of stores, &c. as may be necessary from the minister to the French Governor of that Island, may go thence to cruise on the coast of Coromandel, twenty days sail from the Island of Mauritius, where they will be in the way to intercept the China ships, besides distressing the internal trade of India. The prizes may be sold at Mauritius, and bills of exchange be remitted to you in Paris. We would observe, that in passing to Mauritius our vessels had better call at Goree, than at the Cape, to avoid the vigilance and the apprehensions of the British cruisers. Another beneficial attempt may be conducted along the coast of Africa. The French and Dutch settlements, and perhaps the Portuguese, will purchase the prizes and give bills on Europe.

We think your plan of getting one of the new constructed ships of war, equal to one of sixty four guns, built for the use of these States in Europe, is a very good one, and it may be employed to very beneficial purposes. The heavy iron cannon, which you propose to send, will be welcome for fortifications and for vessels; and here they cost abundantly more than you can furnish them for from Europe, besides the delay in getting them, which frequently distresses us greatly. And surely your determination to supply us with materials wanted here for shipbuilding, is very wise, since it is by marine force, that the most destructive wound may be given to our enemies.

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We are directed to point out proper ports into which the stores mentioned in the resolve of Congress, of November tenth, may be imported.^[48] We are obliged to own, that the port of Charleston South Carolina, and those to the eastward of Rhode Island, are the only safe ones. We wish the number of manufacturers in lead and sulphur, had been limited in that same resolve; but we place full confidence in your discretion. We shall be glad to receive from you by the first opportunity, a plan of the militia of Switzerland.

We close with a desire, that you will be pleased to attend to the several matters contained in our former letters, copies of which do not happen to be at hand.

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We are, with much esteem, &c.

R. H. LEE,
J. LOVELL.

FOOTNOTES:

[46] This language is too strong. As the British kept possession of the ground, they could hardly be said to have been defeated. They were attacked with spirit, and for a time gave way to General Washington's army.

[47] This was a mistake.

[48] The following resolve was passed in Congress, November 10th, 1777.

"Resolved, That the Committee of Foreign Affairs be directed to write to the commissioners of the United States, in France and Spain, to purchase and ship on continental account, in armed vessels, in addition to what has heretofore been ordered by Congress, 500 tons of lead, 400 tons of powder, one million of gun flints, tents for 50,000 men, and 10,000 yards of flannel for cartridges, to be sent to such ports and places as the said committee shall direct; and that the former orders of Congress, and of the commercial committee for clothing, fire-arms, equipage, brass field-pieces, salt, and other articles, and for 130,000 blankets, be completed as soon as may be;

"That the committee be also directed to write to the commissioners, and instruct them to contract with, and send over, by different conveyances, two or three persons, well acquainted with the making of gun-flints, in order to instruct persons in that business, and introduce into these States so useful a manufacture; likewise, three or more proper persons, skilful in working lead mines and refining lead ore, and three or more persons skilful in the discovery of sulphur mines, and manufacturing and refining sulphur."

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, 18th December, 1777.

Gentlemen,

Since our last, of November 30th, a copy of which is herewith sent you, we received your despatches of October 6th, from Yorktown. They came to us by a packet from Boston, which brought the great news of Burgoyne's defeat and surrender; news that apparently occasioned as much general joy in France, as if it had been a victory of their own troops over their own enemies, such is the universal, warm, and sincere good will and attachment to us and our cause in this nation.

We took the opportunity of pressing the ministry, by a short memorial, to the conclusion of our proposed treaty, which had so long been under their consideration, and been from time to time postponed. A meeting was had accordingly, on Friday the 12th instant, in which some difficulties were mentioned and removed, some explications asked and given, to satisfaction. As the concurrence of Spain is necessary, we were told that a courier should be despatched the next day to obtain it, which we are since assured was done, and in three weeks from the time the answer was expected.

On signifying to the ministry the importance it might be of, at this juncture, when probably Britain would be making some propositions of accommodation, that the Congress should be informed explicitly what might be expected from France and Spain, M. Gerard, one of the secretaries, came yesterday to inform us, by order of the king, that after long and full consideration of our affairs and propositions, in council, it was decided, and his majesty was determined to acknowledge our independence, and make a treaty with us of amity and commerce; that in this treaty no advantage would be taken of our present situation, to obtain terms from us, which otherwise would not be convenient for us to agree to; his majesty desiring that the treaty, once made, should be durable, and our amity subsist forever; which could not be expected, if each nation did not find its interest in the continuance, as well as in the commencement of it. It was therefore his intention, that the terms of the treaty should be such as we might be willing to agree to, if our State had been long since established, and in the fulness of strength and power, and such as we shall approve of when that time shall come. That his majesty was fixed in his determination, not only to acknowledge, but to support, our independence, by every means in his power. That in doing this, he might, probably, soon be engaged in a war, with all the expenses, risks, and damages, usually attending it, yet he should not expect any compensation from us on that account, nor pretend that he acted wholly for our sakes; since, besides his real good will to us and our cause, it was manifestly the interest of France, that the power of England should be diminished by our separation from it. He should, moreover, not so much as insist, that if he engaged in a war with England on our account, we should not make a separate peace; he would have us be at full liberty to make a peace for ourselves, whenever good and advantageous terms were offered to us. The only condition he should require and rely on would be this, that we, in no peace to be made with England, should give up our independence, and return to the obedience of that government. That as soon as the courier returned from Spain, with the concurrence expected, the affair would be proceeded in and concluded; and of this we might give the Congress the strongest assurances in our despatches, only cautioning them to keep the whole, for the present, a dead secret, as Spain had three reasons for not immediately declaring; her money fleet not yet come home; her Brazil army and fleet the same; and her peace with Portugal not yet quite completed; but these obstacles would, probably, soon be removed.

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We answered, that in what had been communicated to us we perceived, and admired equally the king's magnanimity and his wisdom; that he would find us faithful and firm allies, and we wished, with his majesty, that the amity between the two nations might be eternal. And, mentioning that republics were usually steady in their engagements, for instance, the Swiss cantons, the Secretary remarked, that France had been as steady with regard to them, two hundred years having passed since their first alliance for fifty years had commenced, which had been renewed from time to time; and such had been her uniform good faith toward them, that, as it appeared in the last renewal, the Protestant cantons were free from their ancient prejudices and suspicions, and joined readily with the rest in the league of which we herewith send you a copy.

It is sometime since we obtained a promise of an additional aid of three million of livres, which we shall receive in January. Spain, we are told, will give an equal sum; but finding it inconvenient to remit it here, she purposes sending it from the Havanna, in specie, to the Congress. What we receive here will help to get us out of debt. Our vessels laden with supplies have, by various means, been delayed, particularly by fear of falling into the hands of the British cruising ships, which swarm in the bay and channel. At length, it is resolved that they shall sail together, as they are all provided for defence, and we have obtained a king's ship to convoy them out of the channel, and we hope quite to America. They will carry, we think, to the amount of seventy thousand pounds sterling, and sail in a few days.

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Also, in consideration of the late frequent losses of our despatches, and the importance of the present, we have applied for, and obtained a frigate to carry them.

These extraordinary favors, of a nature provoking to Great Britain, are marks of the sincerity of this Court, and seem to demand the thanks of the Congress. We have accepted five bills, drawn

on us by the President, in favor of some returned officers, and shall pay them punctually. But, as we receive no remittances for our support, and the cargo in the Amphitrite is claimed from us by M. Beaumarchais, and we are not certain that we can keep it, we hope Congress will be sparing in their drafts, except for the interest mentioned in our former letters, of which we now repeat the assurances of payment; otherwise, we may be much embarrassed, and our situation rendered very uncomfortable.

It is said, the French Ambassador at London has desired to be recalled, being affronted there, where the late news from America has created a violent ferment. There is also a talk here of Lord Stormont's recall. The stocks in England fall fast, and, on both sides, there is every appearance of an approaching war. Being informed, by the concurring reports of many who had escaped, that our people, prisoners in England, are treated with great inhumanity, we have written a letter of expostulation on that subject to Lord North, which is sent over by a person express, whom we have instructed to visit the prisoners, and, (under the directions of Mr Hartley) to relieve as much as may be the most necessitous. We shall hereafter acquaint you with the result.

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The expenses we are put to by those who get to us are very considerable. The supplies now going out from hence, and what we have sent, and are sending from Spain, though far short of your orders, (which we have executed as far as we are able) will, we hope, with private adventures encouraged by us and others, put you into pretty good circumstances as to clothing, arms, &c. if they arrive, and we shall continue to send, as ability and opportunity may permit.

Please to present our duty to the Congress, and believe us, with sincere esteem, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 12th January, 1778.

Gentlemen,

Not having received any letters from you since the 26th of May, we were severely chagrined yesterday, upon the arrival of Captain John Folger, who, under the name of despatches from the Commissioners at Paris, delivered only an enclosure of clean paper, with some familiar letters, none of which contained any political intelligence. You will see, by the within examination of Folger, that he was by no means a discreet person, fit to have the charge of what you trusted to him; but we cannot yet prove that he was wilfully connected with the robbers of the packet. The paper referred to by the letter A, in the examination, was a plain cover to plain paper, which had been put in the place of an enclosure, probably very interesting, sent with the public ledgers to R. H. Lee.

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We shall endeavor to find whether the roguery was committed after Folger left France; but we must depend upon you to trace the circumstances from the time of your sealing, till that of his embarking.

Congress have sent to Governor Caswell to explain the part he is said to have taken in the affair, and to examine the Ship-Captain and the two passengers. Should the Governor confirm Folger's narrative, so as to make his veracity less problematical than at present, his confinement may be rendered easier to him, but he must not be quite discharged till we hear from you. There ought to be the greatest caution used with regard to the characters of all those persons, who are confidentially employed by you. The connexion which Folger has had since he left America with persons in England, and on the voyage to Falkland's Isles, cannot be thought favorable to our interest, if his own family and native place are so. We shall only add on this subject, that Folger, upon recollection, asserts, that the largest packet delivered to him at Havre de Grace was directed, "Despatches for Captain Folger," and he laments that he did not himself open it before he sailed. If this circumstance is true, it accounts for Governor Caswell's opening the packet.

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We are, with much regard, &c.

J. WITHERSPOON,
J. LOVELL.

TO JOHN PAUL JONES.

Paris, 16th January, 1778.

Sir,

As it is not in our power to procure you such a ship as you expected, we advise you, after equipping the Ranger in the best manner for the cruise you propose, that you proceed with her in the manner you shall judge best for distressing the enemies of the United States by sea, or otherwise, consistent with the laws of war and the terms of your Commission. If you take prizes on the coast of France or Spain, send them into Bilboa, or Corogne, unless you should apprehend the danger too great, in which case we advise you to send them either into L'Orient or Bordeaux, directing the officers, who may have them in charge, to apply at L'Orient to M. Moylan, or M. Goulade, and at Bordeaux to Messrs Samuel & T. H. Delap, and inform us immediately of their arrival and situation. If you send to Spain, or should put into the ports of that kingdom, apply at Bilboa to Messrs Gardoqui & Sons; at Corogne to Messrs Leagonere & Co.

If you make an attempt on the coast of Great Britain, we advise you not to return immediately into the ports of France, unless forced by stress of weather, or the pursuit of the enemy, and in such case you must make the proper representation to the officers of the port, and acquaint us with your situation. We rely on your ability, as well as your zeal to serve the United States, and therefore do not give particular instructions as to your operations. We must caution you against giving any cause of complaint to the subjects of France, or Spain, or of other neutral powers, and recommend it to you to show them every mark of respect and real civility, which may be in your power.

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You will communicate to your officers and seamen the encouragement we have given them, and explain to them, that though it was not in our power to be particular as to the rewards they should be entitled to, yet they may safely rely on the justice of the Congress. Before you sail, it will be proper to settle with Mr Williams the account of your disbursements, and send the account up to us.

We most sincerely wish you success, and are, with much esteem, Sir, your most obedient and very humble servants.

B. FRANKLIN,
SILAS DEANE.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 21st January, 1778.

Gentlemen,

We mean in this letter to give you a succinct view of the state of our military affairs. You must, long before this reaches you, have been made acquainted with the signal success of the American arms in the northern department, particularly the several engagements in that quarter previous to the surrender of General Burgoyne and his whole army to General Gates. Since that time, Ticonderoga and Mount Independence have been evacuated by the enemy, so that the whole of that department is now in our possession. The Indians are perfectly quiet, and we have lately received intelligence, that those formerly in the interest of our enemies incline to our side, as also, that the inhabitants of Canada, where the enemy have but small force, are in general much disposed to favor us. General Burgoyne and his troops are now near Boston; and on account of several very exceptionable parts of his conduct, Congress have resolved, that he shall not be suffered to depart, till the convention of Saratoga is ratified by the Court of London.

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A part of the enemy's army is still in possession of Newport, in Rhode Island. An expedition intended to dispossess them of that place, on account of some mistakes and neglect of those who were to make the proper preparations for it, was obliged to be laid aside, but we expect it will sometime hence be resumed.

As to the armies in this State, General Howe is still in Philadelphia, but possesses no part of the country round it. General Washington's army is in huts to the westward of Schuylkill, refreshing and recruiting during the winter; and it is in contemplation to call in a number of militia to attempt to expel Howe before he can be reinforced in the spring. A part of our army is stationed at Wilmington, and they, with the militia on both sides of the river, have been very successful in taking several of the enemy's vessels since the winter set in. A committee of Congress is just going off to the army, to assist in regulating it for the next campaign, and to concert measures for the most early and vigorous operations.

Copies of newspapers, and the proceedings of Congress relating to the convention of Saratoga, are sent to you by this conveyance, besides which, we hope you will have the advantage of information from Mr Adams in person.

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We are, with much regard, &c.

J. WITHERSPOON,
J. LOVELL.

TO THE PRESIDENT OF CONGRESS.

Passy, 8th February, 1778.

Sir,

We have now the great satisfaction of acquainting you and the Congress, that the treaties with France are at length completed and signed. The first is a treaty of amity and commerce, much on the plan of that projected in Congress;^[49] the other is a treaty of alliance, in which it is stipulated, that in case England declares war against France, or occasions a war by attempts to hinder her commerce with us, we should then make common cause of it, and join our forces, and councils, &c. The great aim of this treaty is declared to be to "establish the liberty, sovereignty, and independency, absolute and unlimited, of the United States, as well in matters of government as commerce;" and this is guarantied to us by France, together with all the countries we possess, or shall possess at the conclusion of the war; in return for which the States guaranty to France, all its possessions in America. We do not now add more particulars, as you will soon have the whole by a safer conveyance, a frigate being appointed to carry our despatches. We only observe to you, and with pleasure, that we have found throughout this business, the greatest cordiality in this Court; and that no advantage has been taken, or attempted to be taken of our present difficulties, to obtain hard terms from us; but such has been the King's magnanimity and goodness, that he has proposed none which we might not readily have agreed to in a state of full prosperity and established power. The principle laid down as the basis of the treaty, being as declared in the preamble, "the most perfect equality and reciprocity," the privileges in trade, &c. are mutual, and none are given to France, but what we are at liberty to grant to any other nation.

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On the whole, we have abundant reason to be satisfied with the good will of this Court, and of the nation in general, which we therefore hope will be cultivated by the Congress, by every means which may establish the Union, and render it permanent. Spain being slow, there is a separate and secret clause, by which she is to be received into the alliance, upon requisition, and there is no doubt of the event. When we mention the good will of this nation to our cause, we may add that of all Europe, which having been offended by the pride and insolence of Britain, wishes to see its power diminished; and all who have received injuries from her, are, by one of the articles, to be invited into our alliance. The preparations for war are carried on with immense activity, and it is soon expected.

With our hearty congratulations, and our duty to the Congress, we have the honor to be very respectfully, &c.

B. FRANKLIN,
SILAS DEANE.

FOOTNOTES:

- [49] This *plan of a treaty* is contained at length in the *Secret Journals of Congress*, Vol. II. p. 7. It is accompanied with a draft of instructions to the commissioners, who were to propose it, in which modifications are suggested.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

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Passy, February 16th, 1778.

Gentlemen,

We have now the pleasure of sending you the treaties of amity and alliance, which France completed after long deliberation, and signed the 6th instant. This is an event, which will give our States such an appearance of stability, as must strengthen our credit, encourage other powers in Europe to ally themselves with us, weaken the hopes of our internal as well as our external enemies, fortify our friends, and be in many other respects so advantageous to us, that we congratulate you upon it most heartily. And we flatter ourselves, that the Congress will approve of the terms, and despatch the ratifications as soon as possible.

It is understood that Spain is shortly to accede to the same treaties. We have in ours of December 18th, mentioned the reasons of her delay, which still subsist, but will probably not subsist much longer. These treaties continue a secret here, and may do so till the commencement of the war, which is daily expected. Our little fleet formerly mentioned, which has been long watched and detained in Nantes' river, by the English cruising off Belisle, is now on the point of sailing under the convoy of a French squadron. As the English are pretty strong in the Bay, it is probable that their attack, and the French defence of our ships, may be the prelude of a Declaration on both sides.

Having received part of the 3,000,000 livres we formerly mentioned to you, we have furnished Mr W. Lee, and Mr Izard with 2,000 guineas each for the expenses of the missions to Germany and Italy. And as we have received intimations from Holland, that the appearance of one of us there might at this juncture have good effects, we have resumed the purpose formerly communicated to you, and as soon as our treaty with France is known, and the winter over, probably either Mr Deane or Mr Franklin will make a journey thither.

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But as we apprehend it may be known here, by some means or other, should we furnish the expense of these embassies out of the aids received from this Court, which we think not reputable to the Congress, we must again press you to make us the necessary remittances to replace what we have borrowed from the fund destined for your supplies. And particularly we pray more earnestly, that you would forward as soon as possible the 5,000 hhds of tobacco for the Farmers-General, who will soon be in want of it, and who long since advanced us a million for your use. Our honor is concerned in the fulfilment of this contract.

The seizing and delivering up to the English two prizes taken by Captain Babson, on account of their being illegally entered under a false declaration, made a good deal of noise among our people in the ports, and gave unfavorable impressions of the friendship of this Court, which possibly may extend to America. We think it therefore necessary to inform you, that though the confiscation of these prizes on the above account, is *said to be* agreeable to the laws here, yet the king, after a condemnation, had the power of disposing of the produce, for what purpose, political or otherwise, he might think proper, and accordingly restored it at this juncture, perhaps usefully, to the English claimants. Yet as it is thought a hard case with respect to the captors, a beginning is made of indemnification, and we hope on the same principle on which we are to receive soon a part, 50,000, we shall be able in time to recover the whole.

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We have, to avoid disputes at a particular time, delivered up the cargo brought by the Amphitrite to M. Beaumarchais. We hear he has sent over a person to demand a great sum of you on account of arms, ammunition, &c. We think it will be best for you to leave the demand to be settled by us here, as there is a mixture in it of public and private concern, which you cannot so well develop.

We send you herewith a great many newspapers; you will see Lord North's only answer to our application about the prisoners; as also the success of a subscription set on foot in England by our friends for their relief. They are at present pretty comfortably provided for.

By our late advices from England, the ministers began to be alarmed for their country and perhaps for themselves. Some of their emissaries have been here to sound us, and endeavor to get from some of us propositions on which to found a treaty; which we evaded generally, as not being empowered to make any; and apprehending withal, that even reasonable ones, proposed by us, might be used improperly by the ministry to exasperate, instead of conciliating the pride of the nation, choosing still to consider us as subjects. Many of the speakers in parliament of both Houses seem to look upon a French war at this juncture, when so much of their force is abroad, and their public credit so shaken, as immediate ruin. And we are assured by the last post, from good authority, that even Lord Mansfield, who in the beginning of this business was so valiant, spoke lately in private to Lord Camden of the absolute necessity of an immediate coalition of parties, to prevent the great impending danger to the nation, from an alliance between the House of Bourbon and the Americans, which he said he had good information was on the point of being concluded.

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We have the honor of being, with the highest esteem, Gentlemen, your most obedient humble servants.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Passy, 28th February, 1778.

Gentlemen,

Our despatches of December 18th, which would have acquainted you with the state of our affairs here, and our expectations of a speedy conclusion of the treaties with this Court, are unfortunately returned; the French man of war, which went on purpose to carry them, having met with some disasters at sea, which obliged her to put back, after a long struggle of six weeks against contrary winds. We now have obtained another ship to sail with them immediately, and with our fresh despatches, containing the treaties themselves, which were happily concluded and signed the 6th instant, though hitherto, for some political reasons, kept a secret from the public.

The English Parliament adjourned in December for six weeks. During that time, their ministers strained every nerve to raise men for their armies, intending to continue the war with vigor. Subscriptions were set on foot to aid Government in the expense, and they flattered themselves

with being able to enlist ten thousand volunteers; but whether they found this impracticable, or were discouraged by later accounts from America, or had some intimations of our treaties here, their vaunts and threats are suddenly abated, and on the 17th Lord North made a long discourse, acknowledging the errors of their former conduct in the war with America, and proposing to obtain peace, by the means of two bills, of which we enclose copies.

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We make no remarks on these bills. The judgment of the Congress can be at no loss in determining on the conduct necessary to be held with regard to them. And we are confident, that they will not answer the purpose of *dividing* in order to *subjugate*, for which they are evidently intended. Our States have now a solid support for their liberty and independence in their alliance with France, which will be certainly followed by that of Spain, and the whole House of Bourbon, and probably by that of Holland, and the other powers of Europe, who are interested in the freedom of commerce, and in keeping down the power of Britain. Our people are happy in the enjoyment of their new constitutions of Government, and will be so in their extended trade and navigation, unfettered by English arts and Custom-house officers. They will now never relish the Egyptian bondage, from which they have so happily escaped. A long peace will probably be the consequence of their separation from England, as they have no cause of quarrel with other nations; an immediate war with France and Spain, if they join again with England, and a share in all her future wars, her debts, and her crimes. We are, therefore, persuaded that their commissioners will be soon dismissed, if at all received; for the sooner the decided part taken by Congress is known in Europe, the more extended and stable will be their credit, and their conventions with other powers more easy to make, and more advantageous.

Americans are every where in France treated with respect and every appearance of affection. We think it would be well to advise our people in all parts of America, to imitate this conduct with regard to the French, who may happen to be among us. Every means should be used to remove ancient prejudices, and cultivate a friendship that must be so useful to both nations. Some transactions here, during the last four or five months, in the rigorous observance of treaties, with regard to the equipments of our armed vessels in the ports, and the selling of our prizes, have no doubt made ill impressions on the minds of our seamen and traders, relative to the friendship of this Court. We were then obliged to observe a secrecy, which prevented our removing those prejudices, by acquainting our people with the substantial aids France was privately affording us; and we must continue in the same situation, till it is thought fit to publish the treaties. But we can, with pleasure, now acquaint you that we have obtained full satisfaction, viz. 400,000 livres for the owners of the prizes confiscated here, for a breach of the laws by a false declaration, (they being entered as coming from Eustatia) and the payment will be made to the owners in America. We mean the prizes taken by Captains Babson and Hendricks, in the Boston and Hancock privateers, which prizes, after confiscation, were, from reasons of state, restored to the English. This is a fresh proof of the good will and generosity of this Court, and their determination to cultivate the friendship of America.

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The preparations for war continue in the ports with the utmost industry; and troops are marching daily to the sea-coasts, where three camps are to be formed. As France is determined to protect her commerce with us, a war is deemed inevitable.

Mr William Lee, we suppose, acquaints you with the decease of Mr Morris, his colleague in the commercial agency. On our application to the ministry, an order was obtained to put Mr Lee in possession of his papers. If that department has been found useful, and likely to continue so, you will no doubt appoint one or more persons to take care of the business, as Mr Lee has now another destination. Perhaps the general commerce, likely to be soon opened between Europe and America, may render such an appointment unnecessary.

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We would just add, for the consideration of Congress, whether considering the mention of Bermudas in one of the articles, it may not be well to take possession, with the consent of the inhabitants of that island, and fortify the same as soon as possible, and also to reduce some, or all of the English fishing posts in or near Newfoundland.

We have the honor to be, &c.

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.

York, 2d March, 1778.

Sir,

The Committee of Secret Correspondence, which almost a year ago was denominated the "Committee for Foreign Affairs," stands indebted to you for many letters, both of interesting advice and ingenious speculation. Happening to be the only member of that Committee at this time present in Yorktown, I now take up my pen, not to form apologies for their long past silence,

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so much as to make a beginning of the act of justice due to you. I really fear that the collected ingenuity of the members will be put to it to offer, for a main excuse, any thing better than that they relied upon your getting frequent intelligence of the state of our affairs from the Commercial Committee. In short, sir, I am so deeply concerned with the gentlemen in this affair, that I know what they ought to do; and I am so well acquainted with their just manner of thinking, that I will venture to confess in their name, that their past omission of corresponding with you, is, in a considerable measure, unaccountable. It is certainly better to step forward towards a man of candor, in the straight line of honest confession, than in the zigzag track of awkward apology.

Your letters, exclusive of their intrinsic merit, have been more peculiarly acceptable to Congress, from the circumstance of our having been deprived of the satisfaction of receiving intelligence from the hands of our Commissioners in Paris since May of last year. Besides those of their despatches, which have been lost at sea, we know one has been examined and culled by some perfidious villain, who substituted plain sheets of paper for the real letters of our friends. This was probably done in Europe, before the bearer of it, a Captain John Folger, embarked with it for America.

Your ideas of the policy of the Court of Versailles appear quite just, from the corroborating testimony of whatever information we can collect in any way.

The course of Gazettes, which accompany this, will so well communicate our home affairs, that I shall not enlarge upon them. I will only say, in brief, that you may rest assured, independence is so absolutely adopted by America, as to leave no hope for Britain that we shall ever relinquish our claim. It must, therefore, be only to delude her own islanders and neighbors, that she pretends to expect the contrary.

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In addition to the misfortune which you mention respecting the Lexington, we are told of a greater, and one which will more intimately affect you, respecting the Reprisal, which is said to have foundered on the 1st of October. Your acquaintance with Captain Wickes will lead you to lament greatly the loss of so valuable an officer and so worthy a man. I enclose you a list of your letters as they came to hand, both for your own satisfaction and to command your belief of my regard for you, as a faithful corresponding agent, and of my professions of being, Sir, &c.

JAMES LOVELL,
*For the Committee of Foreign
Affairs.*

M. GERARD TO THE COMMISSIONERS.

Translation.

Versailles, March 17th, 1778.

Gentlemen,

I am charged to acquaint you, that you will be presented to the King next Friday, if you will have the goodness to render yourselves here at ten o'clock in the morning. Count de Vergennes hopes you will do him the honor to dine with him on the same day.

I have the honor to be, with high consideration, &c.

GERARD.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE COMMISSIONERS.

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York, 24th March, 1778.

Gentlemen,

I cannot consent to omit this opportunity of addressing a few lines to you, though the state of our military operations affords nothing material.

The manners of the continent are too much affected by the depreciation of our currency; scarce an officer, civil or military, but feels something of a desire to be concerned in mercantile speculation, from finding that his salary is inadequate to the harpy demands, which are made upon him for the necessaries of life, and from observing, that but little skill is necessary to constitute one of the merchants of these days. We are almost a continental tribe of Jews; but I hope heaven has not yet discovered such a settled profligacy in us as to cast us off, even for a year. Backward as we may be at this moment in our preparations, the enemy is not in a condition

to expect more success in the coming, than in former campaigns. We have the debates of the British Parliament to December 5th, and perceive that the old game is playing, called Reconciliation. Depend upon it, they are duping themselves only.

Yesterday a private letter from Doctor Franklin, dated October 7th, was presented, containing the only political intelligence which Folger brought safe with him, viz. "Our affairs, so far as relates to this country, are every day more promising." This, with a letter from Mr Barnabus Deane, who tells us his brother apologized for his brevity, by saying he was "sending an important packet to Congress," is all the explanation we have of the nature of your despatches, of which we were robbed. I enclose a list, by which you will see the breaks in our correspondence. I send a pamphlet which contains, I hope, the general ideas of America in regard to what Britain may be tempted, foolishly, to call her successes.

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We think it strange, that the Commissioners did not jointly write by M. de Francy, considering the very important designs of his coming over, to settle the mode of payment for the past cargoes sent by *Roderique Hortalez & Co.* and to make contracts for the future. It is certain that much eclaircissement is at this late moment wanting. But I dare not enlarge, for fear of losing this sudden good opportunity.

I therefore close, with assurances of the most affectionate respect, gentlemen, your very humble servant,

JAMES LOVELL,
*For the Committee of Foreign
Affairs.*

TO M. DUMAS.

Paris, April 10th, 1778.

Sir,

The within letter to you is so written, that you may show it on occasion. We send enclosed a proposed draught of a letter to the Grand Pentionary, but as we are unacquainted with forms, and may not exactly have hit your idea with regard to the matter and expression, we wish you would consult with our friends upon it, and return it with the necessary corrections.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

**DRAFT OF A PROPOSED LETTER FROM THE COMMISSIONERS TO THE
GRAND PENTIONARY.**

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Sir,

We have the honor of acquainting your Excellency, that the United States of North America, being now an independent power, and acknowledged as such by this Court, a treaty of amity and commerce is completed between France and the said United States, of which we shall speedily send your Excellency a copy, to be communicated, if you think proper, to their High Mightinesses, for whom the United States have the greatest respect, and the strongest desire that a good understanding may be cultivated, and a mutually beneficial commerce established between the people of the two nations, which, as will be seen, there is nothing in the above mentioned treaty to prevent or impede.

We have the honor to be, with great respect, your Excellency's, &c.

TO M. DUMAS.

Passy, April 10th, 1778.

Sir,

We received your despatch of the 3d instant, and approve very much the care and pains you constantly take in sending us the best intelligence of foreign affairs. We have now the pleasure of acquainting you, that Mr John Adams, a member of Congress, appointed to succeed Mr Deane in this commission, is safely arrived here. He came over in the Boston, a frigate of 30 guns, belonging to the United States. In the passage they met and made prize of a large English letter

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of marque ship of 14 guns, the Martha, bound to New York, on whose cargo £70,000 sterling were insured in London. It contains abundance of necessaries for America, whither she is despatched, and we hope she will get well into one of our ports.

Mr Adams acquaints us, that it had been moved in Congress to send a minister to Holland, but that although there was the best disposition towards that country, and desire to have and maintain a good understanding with their High Mightinesses, and a free commerce with their subjects, the measure was respectfully postponed for the present, till their sentiments on it could be known, from an apprehension, that possibly their connexions with England might make the receiving an American minister as yet inconvenient, and (if Holland should have the same good will towards us) a little embarrassing. Perhaps, as our independency begins to wear the appearance of greater stability, since our acknowledged alliance with France, that difficulty may be lessened. Of this, we wish you to take the most prudent methods privately to inform yourself. It seems clearly to be the interest of Holland to share in the rapidly growing commerce of their young sister republic, and as, in the love of liberty, and bravery in defence of it, she has been our great example, we hope circumstances and constitutions, in many respects so similar, may produce mutual benevolence, and that the unfavorable impressions made on the minds of some in America, by the rigor with which supplies of arms and ammunition were refused them in their distress, may soon be worn off and obliterated by a friendly intercourse and reciprocal good offices.

When Mr Adams left America, which was about the middle of February, our affairs were daily improving, our troops well supplied with arms and provisions, and in good order, and the army of General Burgoyne being detained for breaches of the capitulation, we had in our hands above 10,000 prisoners of the enemy.

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We are, Sir, your most obedient humble servants,

B. FRANKLIN,
ARTHUR LEE.

TO MR. JOHN ROSS.

Passy, April 13th, 1778.

Sir,

The papers you mention are in the disposition of Mr William Lee, who is gone to Germany. It is therefore not in our power to comply with what you desire. Neither are we able to make you any further advances. We wish you would send us, with all convenient expedition, copies of the invoices and bills of lading for those goods, which were paid for with the money we formerly furnished you. We do not think it within our province to make an entire settlement with you. The money in Mr Schweighauser's hands, which you say is under the direction and order of Mr R. Morris, ought to be disposed of according to those orders. The trade being now free from this country, it seems improper to us to give the passports you ask.

We are, Sir, your most obedient servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

P. S. Mr William Lee is at Frankfort, where a letter from you may possibly find him, but his stay there is very uncertain.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM,
AT MARTINIQUE.**

[Pg 380]

York, 16th April, 1778.

Sir,

Herewith you have a copy of what I did myself the pleasure of writing to you, on the 2d of last month; since which time we have received your favors of January 14th and 26th, February 8th and 21st. Your draft of £23,554. 9s. 9d. in favor of the Secret (now Commercial) Committee, has been duly paid. The four first charges in your account current, like many other sums on similar occasions here, have been expended to no sort of profit to the Continent; but I hope we have seen the last of such expenses. Your situation must have been very disagreeable indeed, in consequence of the failure of remittances from hence. Large quantities of tobacco have been long stored; but our bays and coasts are so infested by the enemy's ships of war, that it is impossible for us to conduct agreeably to our earnest wishes, of maintaining the best credit in our

commercial concerns abroad. It is probable, that a commercial board, not members of Congress, will be very soon established; so that the whole time of the conductors may be spent in exertions for the public benefit, in that branch of Continental business.

The want of intelligence from our Commissioners at Paris, makes it improper for us to draw largely on them at present; therefore, you must content yourself with the economical bounds of the power, which is given to you by the within resolve of Congress of this day. Be assured, that all possible attempts will be made for your relief, by remittances of our produce.

I find it impossible to convey to you anything of a plan of operations for this campaign. The enemy, having the sea open to them, must have the lead in military matters; we must oppose, or follow them, just as they think fit, either to attempt an advance or to retire. It is hardly probable they will again attack New England without large reinforcements.

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Our correspondent at the Hague is very regular, but his intelligence is never in season to form the ground of any of our proceedings. We have packets from him in continuance to the letter Y, December 16th, though our Commissioners have not been able to convey one safely since May last. It is strange that they cannot succeed through you. But, indeed, you appear also to know but little of them.

Mr Deane being wanted here, Mr John Adams sailed the 17th of February, to take his place at the Court of Versailles. It is probable you will hear of his arrival before this reaches you. It seems needless to desire you to give us early notice of that, and other foreign intelligence. Your usual punctuality needed not the spur of the information, which I have given you of our present great ignorance of the situation and transactions of the gentlemen at Paris.

I am, with much regard, your friend and humble servant,

JAMES LOVELL,
*For the Committee of Foreign
Affairs.*

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

[Pg 382]

York, 16th April, 1778.

Gentlemen,

This, with my affectionate wishes for your prosperity, may serve to acquaint you, that Congress has this day resolved, "That William Bingham, agent for the United States of America, now resident in Martinique, be authorised to draw Bills of Exchange, at double usance, on the Commissioners of the United States at Paris, for any sums not exceeding in the whole one hundred thousand livres tournois, to enable him to discharge debts by him contracted on account of the said States, for which draft he is to be accountable." Mr Bingham will forward the American Gazettes, with this billet of advice, and tell you why we have enabled him to draw upon you, when we have stores of produce in magazines for exportation. He will also inform you of our anxiety to know something of your proceedings and prospects, an uncommon fatality having attended your despatches ever since the month of May last.

I am, with much esteem, &c.

JAMES LOVELL,
For the Committee.

M. DE SARTINE TO COUNT DE VERGENNES.

Translation.

Versailles, April 26th, 1778.

Sir,

I have received your letter of the 20th instant, accompanied by the translation of the representations addressed to you by the American Commissioners, relative to the fears of the merchants of Bordeaux and Nantes, who have hitherto transacted business with America, and by the request of the Commissioners, with regard to the protection of that commerce. For nearly a month, the French coast along the Bay of Biscay, and a part of that on the channel, have been guarded by twenty frigates and corvettes distributed in the open sea, as well as along the entrances of harbors and rivers. Those stationed at the latter places, take under their protection the French and American ships which sail from those points, and convoy them beyond the Capes.

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If they meet any vessels inward bound, they convoy them to the entrance of the harbors.

The frigates stationed further out at sea, are employed in chasing away the Guernsey and Jersey privateers, which are a great interruption to commerce. The same orders have been issued in the Colonies, where the frigates there stationed convoy the French and American vessels from the coasts. The reports made to me assure me, that these orders are promptly executed, and that the protection is extended as fully to American as to French vessels. You will agree with me, that this kind of protection is for the present the only one, which it is possible to give to commerce; and that convoys to America would be impracticable under present circumstances, and are always insecure, and subject to great inconveniences. To protect the coasts, to assure a free access to the harbors, to remove the privateers, and afford a convoy beyond the Capes; these aids commerce requires, and has a right to expect, and they have long since been provided by the orders of his Majesty. The Commissioners cannot reasonably complain when in this respect the American vessels are on an equal footing with those of his Majesty's subjects.

I have the honor to be, &c.

DE SARTINE.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.

[Pg 384]

York, 26th April, 1778.

Sir,

Herewith you have in triplicate and copy of my former letters. I now send you the proceedings of Congress upon an appearance of the draughts of two bills, said to have been read to the British Parliament. Since Congress took notice of them, Governor Tryon has sent out from New York copies of them, with greater marks of authenticity than those bore which first came to hand. He certifies, that he "has his Majesty's command to cause them to be printed and dispersed, that the people at large may be acquainted with the contents, and of the favorable disposition of Great Britain towards the American Colonies." I will not attempt to lead your judgment upon these proceedings of our enemies. I will only add one anecdote of their late conduct, nearly allied to that of counterfeiting our Continental currency. They have published, in all our forms, a forged Resolve of Congress, purporting a consignment of power to General Washington, to detain in his army, *during the war*, all militia men who have enlisted or been draughted for nine months or a year; and to treat as deserters such as attempt to leave him at the expiration of their present agreement. Perhaps you will see this properly stigmatized in some of our eastern papers conveyed in the vessel, which may carry this assurance of my being, with much regard, sir, your friend and humble servant,

JAMES LOVELL,
For the Committee.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

[Pg 385]

York, 30th April, 1778.

Gentlemen,

By the Gazettes, which accompany this letter, you will see, that the enemy are entering upon a plan, which must shortly perplex us much, unless we receive despatches from you, to enlighten us as to your situation and transactions, of which we have had no information since the latter end of May. As we have heard of the loss of Captain Johnston and Captain Wickes, and know that John Folger was robbed, we cannot charge our present want of letters to negligence in you; but we think you should not rest satisfied without sending triplicates of all your despatches. The Commercial Committee will transmit to you the contract, which they have entered into with the agent of the house of *Roderique Hortalez & Co.* the heads of which contract happening to be at hand are enclosed.

We have read a letter written by a friend, dated House of Commons, February 13th, in which we are told, that you had concluded a treaty with France and Spain, which was on the water towards us. Imagine how solicitous we are to know the truth of this, before we receive any proposals from Britain, in consequence of the scheme in Lord North's speech, and the two draughts of bills now sent to you. The state of our foreign connexions is a subject now before Congress; and, dubious as we are about your transactions, some resolutions will probably be formed to be transmitted to you by a special conveyance shortly, when a general account of our affairs will also be sent. We have little uneasiness about the strength of our enemy. Our currency must be supported in due credit, after which we may bid defiance to Britain, and all her German hirelings. We wish every

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advice and assistance from you for the support of such credit.

I am, with great regard, &c.

JAMES LOVELL,
*For the Committee of Foreign
Affairs.*

TO M. DUMAS.

Yorktown, 14th May, 1778.

Sir,

Your several favors, down to the letter Y, had come to our hand before the 2d instant, on which day we received despatches from our Commissioners in France, after an interruption of eleven months. Judge, therefore, sir, how very agreeable your letters must have been to us, though you wrote but briefly, always supposing that we received more full accounts of European politics from our friends at Paris.

We observe, with great pleasure, that the States of Holland are discovering a proper spirit in the conduct of their commerce, by granting convoys, in consequence of the insolent behavior of their British neighbors. The magnanimous conduct of His Most Christian Majesty must have great influence upon all around him. We doubt not of your hearty congratulations upon the success of our cause, which you so early and warmly espoused, and which you have aided with such judgment and resolution by your pen. We shall write particularly to the gentlemen at Paris, respecting the injuries you have received from our enemies, and shall instruct them to pay the strictest attention to our engagements made to you at the commencement of our correspondence.

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We must refer you to the prints now sent and to our Commissioners, for the general state of our affairs, only remarking here, that we were actuated in our proceedings on the 22d of April entirely by the uniform spirit, which we have maintained ever since the 4th of July, 1776, being not then acquainted with the favorable state of our cause in France, as an uncommon fatality had attended the letters of our friends for nearly a whole year, before the arrival of their present important packet.

We are, with much esteem, &c.

RICHARD MORRIS,
RICHARD H. LEE,
JAMES LOVELL.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.

York, 14th May, 1778.

Sir,

At length, on the 2d instant, we received despatches from our Commissioners at Paris, with treaties of alliance and commerce, concluded on the 6th of February between France and these United States. They were ratified here on the 4th of this month, and the prints herewith sent to you will show the principles upon which they are founded. We are persuaded you will greatly partake of the satisfaction, which we feel on this occasion.

We do not find by the letters, which we have received, that Congress may venture to enlarge the power that was given to you by the resolve of April 16th.^[50] But it becomes less necessary that you should be furnished in that way, as commerce will, in all human probability, be more easily carried on between this continent and your islands now, than for some time past.

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Great hurry of business must be an excuse for our brevity at this time, though it would not warrant an omission of sending you our congratulations and the Gazettes.

We are, with much regard, &c.

ROBERT MORRIS,
RICHARD HENRY LEE,
JAMES LOVELL.

FOOTNOTES:

[50] "Resolved, that Mr William Bingham, agent of the United States of America, now resident in Martinique, be authorised to draw bills of exchange at double usance, on the commissioners of the United States in Paris, for any sums not exceeding in the whole 100,000 livres turnoys, to enable him to discharge debts by him contracted on account of the said States; for which drafts he is to be accountable."—*Journals of Congress*.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE COMMISSIONERS.

York, 14th May, 1778.

Gentlemen,

Our affairs have now a universally good appearance. Every thing at home and abroad seems verging towards a happy and permanent period. We are preparing for either war or peace. For although we are fully persuaded, that our enemies are wearied, beaten, and in despair, yet we shall not presume too much on that persuasion, and the rather, because it is our fixed determination to admit no terms of peace, but such as are fully in character with the dignity of independent States, and consistent with the spirit and intention of our alliances on the continent of Europe. We believe, and with great reason too, that the honor and fortitude of America have been rendered *suspicious* in Europe, by the arts, intrigue, and specious misrepresentations of our enemies there. Every proceeding and policy of ours have been tortured, to give some possible coloring to their assertions of a *doubtful disposition* in America, as to her perseverance in maintaining her independency, and perhaps the speeches of many of the minority of both Houses in the English Parliament, who seem to persist in the probability of a reconciliation, may have contributed towards a continuance of that suspicion. But we, at this particular time, feel ourselves exceedingly happy in a proof, from the accidental arrangement of circumstances, such as we could neither foresee nor alter, that the disposition of America on that head was fixed and final. For this proof we desire your attention to what follows.

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The English Ministry appear to have been very industrious in getting over to America, as soon as possible, their two conciliatory bills, even before they had been once read; the reason of which haste we did not then see; but the arrival of your despatches since, with the treaties, has unriddled that affair. General Howe was equally industrious, in circulating them by his emissaries through the country, and likewise sent them under a flag to General Washington, who immediately despatched them to Congress on the — of April. They were in themselves truly unworthy of the attention of that public body; but lest the silence of Congress should be misunderstood, or furnish the enemy with new ground for false insinuation, they were referred to a committee, whose judicious and spirited report thereon was unanimously approved in the House on the 22d, then published and circulated through the several States with all possible expedition. The despatches, in charge of Mr Simeon Deane, did not arrive till the 2d of May, ten days after the said reports were published; and his expedition in bringing his papers to Congress prevented any intelligence from arriving before him. Enclosed are the reports referred to, which we recommend to your attention to make as public as possible in Europe, prefacing them with such an explanatory detail of the before mentioned circumstances, as shall have a tendency to place the politics of America on the firm basis of national honor, integrity, and fortitude.

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We admire the wisdom and true dignity of the Court of France, on their part of the construction and ratification of the treaties between us. They have a powerful tendency to dissolve effectually that narrowness of mind, which mankind have been too unhappily bred up in. Those treaties discover the politician founded on the philosopher, and a harmony of affections made the groundwork of mutual interest. France has *won* us more powerfully than any reserved treaties could possibly *bind* us, and by one generous and noble act has sown the seeds of an eternal friendship.

It is from an anxiety to preserve inviolate this cordial union, so happily begun, that we desire your particular attention to the 11th and 12th articles of the treaty of amity and commerce. The unreserved confidence of Congress in the good disposition of the Court of France, will sufficiently appear, from their having unanimously first ratified those treaties, and then trusted any alteration, which may be proper to be made, to after mutual negotiations. We are apprehensive, that the general and undefined line of the 12th article may in future be misunderstood, or rendered inconvenient or impracticable, and so become detrimental to that good friendship, which we wish ever to subsist. To prevent this, you will herewith receive instruction and authority for giving up, on our part, the whole of the 11th article, proposing to the Court of France the rescinding, on their part, of the whole of the 12th article, those two being intended as reciprocal balances to each other.

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It is exceedingly disagreeable to Congress, to find there has been misconduct in any of the commanders of armed vessels under the American flag. Every authentic information of that kind will be strictly attended to, and every means be taken to punish the offenders and make reparation to the sufferers. The chief consolation we find in this unpleasing business is, that the most experienced States have not been able to restrain the vices and irregularities of individuals

altogether. Congress has published a proclamation for the more effectually suppressing and punishing such malpractices. But we are rather inclined to hope, that as the line of connexion and friendship is now clearly marked, and the minds of the seamen thereby relieved from that inexplicable mystery respecting their real prizes, which before embarrassed them, such irregularities will be less frequent, or totally cease, to which end the magnificent generosity of the King of France to the owners of the prizes, which for reasons of State had been given up, will happily contribute.

We are, Gentlemen, your very humble servants,

R. H. LEE,
JAMES LOVELL.

TO M. DE SARTINE.

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Passy, May 14th, 1778.

Sir,

In the several cruises made by Captains Wickes, Johnston, Cunningham, and others of our armed vessels, on the coast of Great Britain, it is computed that between four and five hundred prisoners have been made and set at liberty, either on their landing in France, or at sea, because it was understood, that we could not keep them confined in France. When Captain Wickes brought in at one time near a hundred, we proposed to Lord Stormont an exchange for as many of ours confined in England; but all treaty on the subject was rudely refused, and our people are still detained there, notwithstanding the liberal discharges made of theirs, as above mentioned. We hear that Captain Jones has now brought into Brest near two hundred, whom we should be glad to exchange for our seamen, who might be of use in expeditions from hence; but as an opinion prevails, that prisoners of a nation with which France is not at war, and brought into France by another power, cannot be retained by the captors, but are free as soon as they arrive, we are apprehensive, that these prisoners may also be set at liberty, return to England, and serve to man a frigate against us, while our brave seamen, with a number of our friends of this nation, whom we are anxious to set free, continue useless and languishing in their gaols.

In a treatise of one of your law writers, entitled *Traité des Prises qui se font sur Mer*, printed 1763, we find the above opinion controverted, p. 129, § 30, in the following words; "Hence it seems, that it is not true, as some pretend, that from the time a prisoner escapes, or otherwise reaches the shore of a neutral power, he is absolutely free. It is true, he cannot be retaken without the consent of that power, but such a power would violate the laws of neutrality if it should refuse its consent. This is a consequence of the asylum of the ship in which the prisoner or hostage was contained."

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We know not of what authority this writer may be, and therefore pray a moment of your Excellency's attention to this matter, requesting your advice upon it, that if it be possible, some means may be devised to retain these prisoners, till as many of ours can be obtained in exchange for them.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 15th of May, 1778.

Gentlemen,

Your pressing request for five thousand hogsheads of tobacco, is a matter as embarrassing to Congress as to yourselves. Their anxiety to get it to you is as great as yours to receive it. We have already lost vast quantities in the attempt, and thereby have furnished our enemies gratis with what was designed for the discharging of your contracts, and for promoting the interest and commerce of our friends. We request your particular attention to this information, as it is a matter of as high moment to our allies as well as to ourselves. In the present state of things it is very probable, that England will be unwilling to interrupt the trade of France in their own bottoms; and our desire is, as well for her benefit as ours, that France would open the trade from her own ports, so that the intentional advantages of the treaties may fully operate for both countries. We need not enlarge on this head, as your discernment will furnish you with all the reasons to be alleged in support of what we desire.

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In addition to what is mentioned in our letter, respecting the 11th and 12th articles of the treaty, we observe, that the 12th is capable of an interpretation and misuse, which were probably not thought of at the time of constructing it; we mean, that it opens a door for all, or a great part of the trade of America, to be earned through the French Islands to Europe, and puts all future regulations out of our power, either by impost or prohibition, which, though we might never find it to our interest to use, yet by keeping it in our *power*, will enable us to preserve equality with, and regulate the imposts of the countries we trade with.

The general trade of France is not under like restriction, every article on our part being stated against the single article of molasses on theirs; therefore, Congress think it more liberal and consistent that both articles should be expunged.

We have no material military transactions to acquaint you with. The enemy yet remain in Philadelphia, but some late appearances make it probable they will not stay long. Our army is yet at the Valley Forge. The enemy, through the course of the winter, have carried on a low, pitiful, and disgraceful kind of war against individuals, whom they pushed at by sending out little parties and revengefully burning several of their houses; yet all this militated against themselves, by raising an unquenchable indignation in the country against them; and on the whole, we know not which most to wonder at, their folly in making us hate them after their inability for conquest and their desires of peace are confessed, or their scandalous barbarity in executing their resentments.

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You will see, gentlemen, by the contract which the Commercial Committee have signed with the agent of M. Beaumarchais, that Congress was desirous of keeping a middle course, so as not to appear to slight any determined generosity of the French Court, and, at the same time, to show a promptness to discharge honorably the debts, which may be *justly* charged against these States by any persons. We depend upon you to explain the affair fully, as you seem to make a distinction between the military stores and the other invoices, while no such distinction appears in the letters of Mr Deane or M. Beaumarchais. In short, we are rather more undetermined by your late despatches, than we were during your long silence. Congress being at this time deeply engaged in a variety of business, and the Foreign Committee thin of members, you will be pleased to excuse us from being more particular in our answer to your several despatches, as well as in our information of the state of our affairs.

We are, gentlemen, &c.

R. H. LEE,
JAMES LOVELL.

P. S. You will see what we have written to M. Dumas, and you will point out what will be our line of honor to him and justice to these States.

TO COUNT DE VERGENNES.

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Passy, May 16th, 1778.

Sir,

We had this morning the honor of receiving your Excellency's letter of the 13th instant, relative to the Boston frigate. We beg leave to assure your Excellency, that the frigate, called the Boston, now at Bordeaux, is a ship of war belonging to the thirteen United States of North America, built and maintained at their expense by the honorable Congress. We, therefore, humbly presume, that his Majesty's royal determination, on the representation of the Farmers-General, will be according to the usage of nations in such cases, and your Excellency may be assured that Captain Tucker will conform to that determination with the utmost respect.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, May 16th, 1778.

Sir,

Messrs Basmarine, Rainbeau, & Co. having represented to us, that they have applied to Government for a frigate, to be employed in defence of their commerce to and from America, and in making reprisals for the losses they have lately sustained by our enemies, we, the

Commissioners of the United States of North America, hereby request that such a frigate may be granted; and in that case, we are ready to give a commission and letter of marque to such frigate, upon Messrs Basmarine & Co. giving bonds to us for the regular behavior of such frigate, according to the law of nations and the usage of the United States.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO MR JONATHAN WILLIAMS, AT NANTES.

Passy, May 25th, 1778.

Sir,

Your favors of May 11th and 18th are now before us. We shall this day acquaint Captain Jones how far it is in our power to comply with his desires, and in what manner. Your letter of the 18th informs us of a dispute between Mr Schweighauser and you, concerning the disposal of the Ranger's prizes; and you are still of opinion, that you have authority to interfere in the disposal of prizes, and that you should be chargeable with neglect of duty if you did not. The necessities of our country demand the utmost frugality, which can never be obtained, without the utmost simplicity in the management of her affairs; and as Congress have authorised Mr W. Lee to superintend the commercial affairs in general, and he has appointed Mr Schweighauser, and as your authority is under the Commissioners at Paris only, we think it prudent and necessary for the public service to revoke, and we do hereby revoke, all the powers and authorities heretofore granted to you by the Commissioners plenipotentiary of the United States of America, or any of them at Paris; to the end, that hereafter the management of the affairs, commercial and maritime, of America, may be under one sole direction, that of Mr Schweighauser within his district.

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As to the merchandise and stores of every kind, which you have on hand at present, we leave it to your choice, either to ship them to America yourself, or to deliver them over to Mr Schweighauser to be shipped by him. It is not from any prejudice to you, for whom we have a great respect and esteem, but merely from a desire to save the public money, and prevent the clashing of claims and interests, and to avoid confusion and delays, that we have taken this step.

We have further to repeat our earnest request, that you would lay your accounts before us as soon as possible, because, until we have them we can never know either the state of our finances, or how far the orders of Congress for stores and merchandise to be shipped to America have been fulfilled.

We are, Sir, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, June 3d, 1778.

Sir,

We have the honor of enclosing to your Excellency, an account of duties paid by the agent for necessary supplies to the ship of war the Boston, in the port of Bordeaux. As these duties are very heavy, and the payment of any duties on mere supplies to ships of war, as on merchandise exported, appears to us uncommon, we beg the favor of your Excellency to give such orders relative to it in all his Majesty's ports, as may regulate this for the future.

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The Captain of the ship of war the Ranger, belonging to the United States, has, we understand, put his prizes into the hands of the intendant or Commandant at Brest; and no account has been rendered of them to the public agent, or to us. We are also given to understand, that, in consequence of this proceeding, very heavy fees are to be paid upon the sale of them. As the transaction is altogether improper, we must trouble your Excellency for an order to the commandant, to deliver them, without delay or extraordinary charges, to the public agent, Mr Schweighauser at Nantes, or to his order.

It would give us satisfaction to annoy our enemies, by granting a letter of marque, as is desired, for a vessel fitting out at Dunkirk, and, as it is supposed by us, containing a mixed crew of

French, Americans, and English. But, if this should seem improper to your Excellency, we will not do it.

We have the honor, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

JOHN PAUL JONES TO THE COMMISSIONERS.

Passy, June 16th, 1778.

Gentlemen,

At the time when I took Lieutenant Simpson's parole, I did not expect to have been so long absent from America; but as circumstances have now rendered the time of my return less certain, I am willing to let the dispute between us drop forever, by giving up that parole, which will entitle him to command the Ranger. I bear no malice, and, if I have done him an injury, this will be making him all the present satisfaction in my power. If, on the contrary, he has injured me, I will trust to himself for an acknowledgment.

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I have the honor to be, with sentiments of esteem and respect,

Your obliged, &c.

JOHN PAUL JONES.

TO DAVID HARTLEY.

Passy, June 16th, 1778.

Sir,

I received yours of the 5th instant, acquainting us that the ministry have at length agreed to an exchange of prisoners. We shall write to Captain Jones for the list required, which will be sent you as soon as received. We understand there are at least two hundred. We desire and expect, that the number of ours shall be taken from Tortune and Plymouth, in proportion to the number in each place, and to consist of those who have been longest in confinement, it being not only equitable that they should be first, but this method will prevent all suspicions, that you pick out the worst and weakest of our people to give in exchange for your good ones. If you think proper to clear your prisoners at once, and give us all our people, we give you our solemn engagement, which we are sure will be punctually executed, to deliver to Lord Howe, in America, or to his order, a number of your sailors, equal to the surplus, as soon as the agreement arrives there.

There is one thing more which we desire may be observed. We shall note in our lists the names and numbers of those taken in the service of the King, distinguishing them from those taken in the merchants' service; that, in the exchange to be made, you may give adequate numbers of those taken in the service of the States, and of our merchants. This will prevent any uneasiness among your navymen and ours, if the seamen of merchantmen are exchanged before them. As it will be very troublesome and expensive, as well as fatiguing to them, to march our people from Brest to Calais, we may endeavor to get leave for your ship to come to the road of Brest, to receive them there; or, if that cannot be, we must desire from your Admiralty a passport for the ship, that is to convey them from Brest to Calais. If you have any of our people still prisoners on board your ships of war, we request they may be put into the prisons, to take their chance of exchange with the rest.

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B. FRANKLIN.

TO JOHN PAUL JONES.

Passy, June 16th, 1778.

Sir,

Upon the receipt of this letter, you will forthwith make preparations, with all possible despatch, for a voyage to America. Your own prudence will naturally induce you to keep this your destination secret, lest measures should be taken by the enemy to intercept you. If, in the course of your passage home, opportunities should present of making prizes, or of doing any material

annoyance to the enemy, you are to embrace them; and you are at liberty to go out of your way for so desirable a purpose.

The fishery, at the banks of Newfoundland, is an important object, and possibly the enemy's men of war may have other business than the protection of it. Transports are constantly passing and repassing from Rhode Island, New York and Philadelphia to Halifax, and from all these places to England. You will naturally search for some of these as prizes.

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If the French government should send any despatches to you, or if you should receive any from us, to carry to America, you will take the best care of them, and especially that they may not fall into improper hands. You are not, however, to wait for any despatches, but to proceed upon your voyage as soon as you can get ready. If there is any room on board your ship, where you could stow away a number of chests of arms, or of clothing, for the use of the United States, you will inform M. Schweighauser of it, that he may send them to you before your departure. We do not mean to encumber you with a cargo, which will obstruct the sailing of your ship, or will impede her fighting; but if, consistent with her sailing and fighting, she can take any quantity of arms or clothing, it will be a desirable object for the public.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

**FROM THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS.**

York, 21st June, 1778.

Gentlemen,

The British Commissioners have arrived and transmitted their powers and propositions to Congress, which have received the answer you will find in the Pennsylvania Gazette of the 20th instant.

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On the 18th of this month, General Clinton, with the British army, (now under his command) abandoned Philadelphia, and the city is in possession of our troops. The enemy crossed into Jersey, but whether with design to push for South Amboy, or to embark below Billingsport, on the Delaware, is yet uncertain. General Washington has put his army in motion, and is following the enemy into Jersey.

There has arrived here a M. Holker, from France, who has presented a paper to Congress, declaring that he comes with a verbal message to Congress from the minister of France, touching our treating with Great Britain, and some other particulars which, for want of his paper, we cannot at present enumerate. The style of his paper is as if from the representative of the Court, but he has no authentic voucher of his mission for the delivery of this verbal message. We desire of you, gentlemen, to give us the most exact information in your power concerning the authenticity of M. Holker's mission for this purpose.

We are, gentlemen, with esteem and regard, &c.

RICHARD H. LEE,
THOMAS HAYWARD, JR.
JAMES LOVELL.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, 14th July, 1778.

Gentlemen,

Notwithstanding the precautions, which I have taken to supply the inhabitants of the islands of St Pierre and Miquelon with provisions for their subsistence, who, in their present circumstances, can receive very small or no succors from the commerce with France, it may happen that the intervention of one or more of the vessels sent to those islands with provisions, may reduce the people to great distress, and it will be too late to apply a remedy after the knowledge of the event shall reach us. I have thought, that in case of pressing necessity, we might count on supplies from the United States of America, and have indicated the same to the administrators of the islands of St Pierre and Miquelon. It will be highly agreeable to his Majesty if you should concur

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in this opinion, and do what may be in your power to procure such succors, by recommending to the United States, and particularly to the government of Boston, to induce the fitting out of expeditions to those isles, for the purpose of taking provisions to the inhabitants, and supplying their wants.

I have the honor to be, &c.

DE SARTINE.

TO M. DE SARTINE.

Passy, July 16th, 1778.

Sir,

We have the honor of your Excellency's letter of the 14th instant. We shall embrace the first opportunity of writing to Congress, and to the government of the Massachusetts Bay, and enclosing copies of your Excellency's letter to us, which we are persuaded will have the most powerful influence with them to exert themselves, and to recommend to their fellow citizens to engage in expeditions for the relief of the inhabitants of St Pierre and Miquelon. There is not the smallest doubt of their ability to supply the wants of their friends at those places, provided the British men of war should be withdrawn from the Halifax and Newfoundland station. But if there should remain as many ships of war on those stations as there have been for the last two years, the difficulty will be very great.

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We have the honor to enclose to your Excellency a copy of a letter just received from Mr Schweighauser, whereby your Excellency will see the difficulties that still embarrass our frigates in relation to their prizes. We entreat your Excellency's further attention to the subject, that orders may be given for the relief of our officers and men from these embarrassments.

We have the honor to request your Excellency's attention to another subject, that of the British prisoners made by our frigates, the Providence, the Boston, and the Ranger, and all others in future. As it is necessary for these frigates, forthwith to proceed to sea, and as we have some hopes of an exchange of prisoners in Europe, we request your Excellency that we may have leave to confine them in your prisons, to be maintained there at our expense, until exchanged or sent by us to America, and that your Excellency would give the necessary directions accordingly.

We have the honor to be, with respect, your Excellency's, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE COUNCIL OF THE MASSACHUSETTS BAY.

Passy, July 16, 1778.

May it please your Honors,

We have the honor to enclose a copy of a letter just received from M. de Sartine, the minister of state for the marine of this kingdom, in answer to which we have had the honor to assure his Excellency, that we would embrace the first opportunity of communicating it to your honors. We have not the smallest doubts of the good inclinations of the people in America, to supply the necessities of their friends in St Pierre and Miquelon, nor of the abilities of those in the northern States to do it effectually, provided the British men of war are withdrawn from the Halifax and Newfoundland stations, and perhaps it may be done, notwithstanding the dangers of men of war. We hope, however, it will be attempted. There is no doubt but a good price may be obtained, at the same time that an acceptable act of friendship and of humanity will be performed.

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We have the honor to request, that this letter and its enclosure may be laid before the General Court, and that such measures may be taken as their wisdom shall dictate to the accomplishment of so desirable a purpose.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO COUNT DE VERGENNES.

Passy, July 17th, 1778.

Sir,

We herewith communicate to your Excellency a resolution of Congress, relative to the treaties, which we request may be laid before the King. Thereby his Majesty will perceive the unfeigned sentiments of that body, as well as the whole American people, whose hearts the King has gained, by his great benevolence towards them, manifested in these treaties, which has made so deep an impression on their minds, that no time will efface it.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE PRESIDENT OF CONGRESS.

Passy, 20th July, 1778.

Sir,

We have the honor to inform Congress, that the Spy, Captain Nyles, has arrived at Brest, and brought us a ratification of the treaties with His Most Christian Majesty, which has given much satisfaction to this Court and nation. On the 17th instant we had the honor of exchanging ratifications with his Excellency the Count de Vergennes. The treaties ratified, signed by his Majesty, and under the great seal of France, are now in our possession, where, perhaps, considering the dangers of enemies at sea, it will be safest to let them remain at present. Copies of them we shall have the honor to transmit to Congress by this opportunity.

War is not yet declared between France and England, by either nation, but hostilities at sea have been already commenced by both, and as the French fleet from Brest, under the command of the Count d'Orvilliers, and the British fleet, under Admiral Keppel, are both at sea, we are in hourly expectation of a rencontre between them. The Jamaica fleet, the Windward Island fleet, and a small fleet from the Mediterranean, have arrived at London, which has enabled them to obtain by means of a violent impress, perhaps a thousand or fifteen hundred seamen, who will man two or three ships more, in the whole making Admiral Keppel's fleet somewhat nearer to an equality with the French. In the mean time, the Spanish flotilla has arrived, but the councils of that Court are kept in a secrecy so profound, that we presume not to say with confidence what are her real intentions. We continue, however, to receive from various quarters encouraging assurances, and from the situation of the powers of Europe it seems highly probable, that Spain will join France in case of war.

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A war in Germany, between the Emperor and King of Prussia, seems to be inevitable, and it is affirmed that the latter has marched his army into Bohemia, so that we apprehend that America has at present nothing to fear from Germany. We are doing all in our power to obtain a loan of money, and have a prospect of procuring some in Amsterdam, but not in such quantities as will be wanted. We are constrained to request Congress to be as sparing as possible in their drafts upon us. The drafts already made, together with the great expense arising from the frigates which have been sent here, and the expenses of the commissioners, the maintenance of your ministers for Vienna and Tuscany, and of prisoners who have made their escape, and the amount of clothes and munitions of war already sent to America, are such, that we are under great apprehensions that our funds will not be sufficient to answer the drafts, which we daily expect, for the interest of loan office certificates, as well as those from Mr Bingham.

We have the honor to enclose a copy of a letter from M. de Sartine, the Minister of Marine, and to request the attention of Congress to the subject of it.

We are told in several letters from the honorable Committee for Foreign Affairs, that we shall receive instructions and authority for giving up, on our part, the whole of the 11th article of the treaty, proposing it as a condition to the Court of France, that they on their part should give up the whole of the 12th. But unfortunately, these instructions, and authority were omitted to be sent with the letters, and we have not yet received them. At the time of the exchange of the ratifications, we mentioned this subject to the Count de Vergennes, and gave him an extract of the Committee's letter. His answer to us was, that the alteration would be readily agreed to, and he ordered his secretary not to register the ratification till it was done. We therefore request that we may be honored with the instructions and authority of Congress to set aside the two articles as soon as possible, and while the subject is fresh in memory.

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The letter to M. Dumas^[51] is forwarded, and in answer to the Committee's inquiry, what is proper for Congress to do for that gentleman, we beg leave to say, that his extreme activity and

diligence in negotiating our affairs, and his punctuality in his correspondence with Congress as well as with us, and his usefulness to our cause in several other ways, not at present proper to be explained, give him, in our opinion, a good title to two hundred pounds sterling a year at least.

The other things mentioned in the Committee's letter to us shall be attended to as soon as possible. We have received also the resolution of Congress of the 9th of February, and the letter of the Committee of the same date, empowering us to appoint one or more suitable persons as commercial agents, for conducting the commercial business of the United States in France, and other parts of Europe. But as this power was given us before Congress received the treaty, and we have never received it but with the ratification of the treaty, and as by the treaty Congress is empowered to appoint consuls in the ports of France, perhaps it may be expected from us, that we should wait for consuls. At present, Mr John Bonfield of Bordeaux, and Mr J. D. Schweighauser at Nantes, both by the appointment of Mr William Lee, are the only persons authorised as commercial agents. If we should find it expedient to give appointments to any other persons, before we hear from Congress, we will send information of it by the first opportunity. If Congress should think proper to appoint consuls, we are humbly of opinion, that the choice will fall most justly as well as naturally on Americans, who are, in our opinion, better qualified for this business than any others, and the reputation of such an office, together with a moderate commission on the business they may transact, and the advantages to be derived from trade, will be a sufficient inducement to undertake it, and a sufficient reward for discharging the duties of it.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

FOOTNOTES:

[51] Private Agent for American Affairs in Holland.

The Functions of Consuls,

Are to maintain in their department the privileges of their nation according to treaties.

To have inspection and jurisdiction, as well civil as criminal, over all the subjects of their States who happen to be in their department, and particularly over commerce and merchants.

This sort of commission is not given, but to persons above thirty years of age.

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Those appointed should cause their powers to be registered in the nearest Court of Admiralty, and in the Chamber of Commerce, if there is one, near the place of their residence.

On his arrival there, the Consul should publish his powers in the assembly of merchants of his country happening to be there at the time, and put them on the records of the Consulate.

When there is any question that affects the general affairs of the commerce of his nation, he ought to convoke all the merchants and masters of vessels of his nation then in the place, who are obliged to attend, under penalty, according to the resolutions taken in these assemblies; the Consul issues orders which ought to be executed, and of which he should send copies every three months to the Lieutenant General of the nearest Admiralty and Chamber of Commerce.

The jurisdiction of Consuls extends to several objects, for he not only supplies the place of a Court of Admiralty, but also of a common court of justice.

In civil matters the judgments are to be executed, provisional security being given for the sum adjudged; in criminal matters definitively and without appeal, if given with two of the principal merchants of his country assisting, except where corporal punishment appertains to the crime, in which case the process and proofs are to be drawn up by the Consul, and sent with the criminal by the first vessel of the nation, to be judged by the proper authority in the first port thereof where he arrives.

The Consul may also oblige any of his nation to depart, if they behave scandalously, and captains are obliged to take them, under a penalty.

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If the Consul has any difference with the merchants of the place, the parties are to appear in the next Court of Admiralty, and the cause is to be there adjudged.

The Consul has a clerk, who keeps an office, in which all the acts of the Consulate are registered. He names also the officers who execute his precepts, and takes their oaths. If war happens, the Consuls retire.

TO THE PRESIDENT OF CONGRESS.

Passy, 23d July, 1778.

Sir,

We have just received a message from the Count de Vergennes, by his secretary, acquainting us that information is received from England, of the intention of the cabinet there to offer, (by additional instructions to their commissioners) independence to the United States, on condition of their making a separate peace, relying on their majority in both Houses for approbation of the measure. M. de Vergennes upon this intelligence requests, that we would write expressly to acquaint the Congress, that though no formal declaration of war has yet been published, the war between France and England is considered as actually existing, from the time of the return of the Ambassadors; and that if England should propose a peace with France, the immediate answer to the proposition would be, "our eventual treaty with the United States is now in full force, and we will make no peace but in concurrence with them." And we have given it as our firm opinion, that such an answer will be given by you without the least hesitation or difficulty, though you may not have been informed before, as you now are, that war being actually begun, the eventual treaty is become fully and completely binding.

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We are, with great respect, &c.

B. FRANKLIN,
JOHN ADAMS.

TO THE PRESIDENT OF CONGRESS.

Passy, 29th July, 1778.

Sir,

Mr Livingston received a commission from us, as Lieutenant of the Boston, and made a cruise in her, in which he had the good fortune to take four prizes. He is now obliged to leave the ship, but we have the pleasure of a letter from Captain Tucker, in which he gives us a handsome character of Mr Livingston, and of his conduct during the cruise. We have also a good opinion of him, and recommend him to the favor of Congress.

We are, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Passy, 29th July, 1778.

Gentlemen,

We have the honor of your letters of May 14th and 15th. We congratulate you on the general good appearance of our affairs, and we are happy in your assurances, that it is your fixed determination to admit no terms of peace, but such as are consistent with the spirit and intention of our alliance with France, especially as the present politics of the British cabinet aim at seducing you from that alliance, by an offer of independence, upon condition you will renounce it, a measure that will injure the reputation of our States with all the world, and destroy their confidence in our honor.

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No authenticity from Congress to make an alteration in the treaty, by withdrawing the 11th and 12th articles, has yet reached us. But we gave an extract of your letter to the Count de Vergennes, when we exchanged ratifications, who expressed an entire willingness to agree to it. We wish for the powers by the first opportunity. We have not yet seen M. Beaumarchais, but the important concern with him shall be attended to as soon as may be.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, 29th July, 1778.

Gentlemen,

I have received the letter, which you did me the honor to transmit on the 16th instant. His Majesty relies greatly on the succors of provisions, which the government of Massachusetts Bay may furnish the islands of St Pierre and Miquelon.

The difficulties which the privateers of the United States have experienced till now in the ports of France, either as to the sale of their prizes, or to secure their prisoners, must cease, from the change of circumstances. I make no doubt on the other hand, but that the United States will grant the same facilities to French privateers. To accomplish this double object, I have drafted a plan of regulations, which I earnestly request you to examine, and to note what you think of it; or even to point out such other means as may answer the same purpose, so that I may receive his Majesty's orders. I have the honor to be, &c.

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DE SARTINE.

TO M. DE SARTINE.

Passy, August 13th, 1778.

Sir,

Your Excellency's letter of the 29th of July, enclosing a plan for a system of regulations for prizes and prisoners, we had the honor of receiving in due time, and are very sorry it has remained so long unanswered.

In general, we are of opinion, that the regulations are very good; but we beg leave to lay before your Excellency the following observations.

Upon the 2d article we observe, that the extensive jurisdiction of the Judges of Admiralty in America, which, considering the local and other circumstances of that country, cannot easily be contracted, will probably render this regulation impracticable in America. In France it will, as far as we are able to judge of it, be very practicable, and consequently beneficial. But we submit to your Excellency's consideration, whether it would not be better in America after the words "*les dites Juges*" to add,—or the Register of the Court of Admiralty, or some other person authorized by the Judge. The jurisdiction of the Court of Admiralty in America extending for some hundred miles, this regulation would be subject to great delays, and other inconveniences, if it was confined to the Judge. The 4th article seems to be subject to the same inconveniencies, and therefore to require the same amendment.

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Upon the 14th article, we beg leave to submit to your Excellency's consideration, whether the heavy duties upon British merchandise and manufactures, if these are to be paid upon prize goods, will not operate as a great discouragement to the sale of prizes made by American cruisers; and whether it would be consistent with his Majesty's interest to permit merchandise and manufactures, taken in prizes made by Americans, to be stored in his Majesty's warehouses, if you please, until they can be exported to America, and without being subject to duties.

We know not the expense, that will attend these regulations and proceedings in the courts of this kingdom; but as the fees of office in America are very moderate, and our people have been accustomed to such only, we submit to your Excellency whether it will not be necessary to state and establish the fees here, and make the establishments so far public, that Americans may be able to inform themselves.

As we are not well instructed in the laws of this kingdom, or in the course of the courts of Admiralty here, it is very possible that some inconveniencies may arise in the practice upon these regulations, which we do not at present foresee; if they should, we shall beg leave to represent them to your Excellency, and to request his Majesty to make the necessary alterations.

We submit these observations to your Excellency's superior wisdom, and have the honor to be, with sentiments of the most perfect respect, your Excellency's most obedient and most humble servants,

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ARTHUR LEE,
JOHN ADAMS.

P. S. Dr Franklin concurs with us in these sentiments, but as he is absent, we are obliged to send

the letter without his subscribing.

JOHN PAUL JONES TO THE COMMISSIONERS.

Brest, August 15th, 1778.

Gentlemen,

I have now been five days in this place since my arrival from Passy, during which time I have neither seen or heard from Lieutenant Simpson. But Mr Hill, who was last winter at Passy, and sailed with me from Nantes, informs me truly, that it is generally reported in the Ranger, and of course through the French fleet and on shore, that I am turned out of the service, and that you, gentlemen, gave Mr Simpson my place with a Captain's commission; that my letter of the 16th of July to you was involuntary on my part, and in obedience only to your orders to avert dreadful consequences to myself. These, gentlemen, are not idle, ill-grounded conjectures, but melancholy facts; therefore, I beseech you, I conjure you, I demand of you, to afford me redress—redress by a Court Martial, to form which we have now a sufficient number of officers in France, with the assistance of Captain Hinman, exclusive of myself. The Providence and the Boston are expected here very soon from Nantes, and I am certain that they neither can nor will depart again, before my friend, Captain Hinman, can come down here, and it is his unquestioned right to succeed me in the command of the Ranger.

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I have faithfully and personally supported and fought for the dignified cause of human nature, ever since the American banner first waved on the Delaware, and on the ocean. This I did when that man did not call himself a Republican, but left the Continent, and served its enemies; and this I did, when that man appeared dastardly backward, and did not support me as he ought.

I conclude, by requesting you to call before you, and examine for your own satisfaction, Mr Edward Meyers, who is now at the house of the Swedish Ambassador, and who, having been with me as a volunteer, can and will, I am persuaded, represent to you the conduct of the officers and men towards me, both before I left Brest, and afterwards in the Irish channel, as well as my conduct towards them.

I have the honor to be, with sentiments of due respect and esteem, your very obliged and very humble servant,

JOHN PAUL JONES.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, 16th August, 1778.

Gentlemen,

I take the earliest opportunity to answer the observations addressed to me in the letter, which you did me the honor to write me the 13th instant, on the project of a regulation for the prizes and prisoners of the respective United States. I conceive that I have fulfilled the object by digesting anew the 2d and 14th articles, of which I annex another text, with copies of the different laws that have been lately published respecting prizes. Moreover, I will at all times receive with pleasure your representations of the inconveniences which may attend, in your opinion, the execution of the regulation, and you may be assured that his Majesty will be always disposed to grant the inhabitants of the United States every facility, compatible with the interests of his finances and the commerce of his subjects.

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I have the honor to be, &c.

DE SARTINE.

Regulations for Prizes and Prisoners.

By the King.

His Majesty, desirous of making known his intentions, as well with respect to the prizes, which his subjects may carry into the ports of the United States of America, as also respecting admitting into his own ports the prizes made by American privateers, and calculating on the

perfect equality which constitutes the basis of his engagements with the said United States, he has ordained and does ordain as follows.

ARTICLE I. French privateers shall be permitted to conduct and cause to be conducted, the prizes made from his Majesty's enemies, into the ports of the United States of America, to repair them so as to proceed again to sea, or to sell them definitively.

ARTICLE II. In the case of simple anchoring, the conductors of prizes shall be bound to make before the Judges of the place, a summary declaration containing the circumstances of the capture and motives of anchoring, and to request the said Judges to go on board the captured prizes and seal up such places as may admit of it, and make out a short description of what cannot be contained under the said seals, the state of which shall be verified in France by the officers of the admiralty, on the copy which the officer conducting the prize shall be obliged to report.

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ARTICLE II., *amended*. In case of simple anchoring, the Captains conducting the prizes shall be bound to make before the Judges of the place, their secretaries, or other persons authorised by them, a summary declaration containing the circumstances of the capture and motives of anchoring, and to request the said Judges, their secretaries, and other persons authorised by them, to go on board the captured vessels, and seal up such places as may admit of it, and make out a short description of what cannot be contained under such seals, the state of which shall be verified in France by the officers of the admiralty, on the copy of which the officer conducting his prize shall be bound to report.

ARTICLE III. His Majesty, nevertheless, permits captains conducting prizes to sell in the ports of the United States, either perishable merchandise, or such other as may supply the wants of the vessels during the time of their stay, the said conductors of prizes shall be bound to ask permission from the Judges of the place for this purpose in the ordinary form, and proceed to the sale by the public officers appointed for that purpose, and to report copies, as well of the proceedings as of the verbal process of the sale.

ARTICLE IV. The prize-masters, who shall be authorised by the owners or captains of the capturing privateer to sell the said prizes in the ports of the United States, shall be obliged to make before the Judges a detailed report, which shall afterwards be verified in the hearing of at least two of their crew, and to request the said Judges to go directly on board of the prizes to make out a verbal process, seal up the hatches and cabin, take an inventory of what cannot be sealed, and appoint sequestrators. Which Judges shall proceed afterwards to interrogate the captain, officers, and other persons of the crew of the captured vessel to the number of two or three, or more if it is judged necessary, and shall translate the useful papers on board if there are interpreters, and annex compared copies of the said useful papers to the minutes of the proceedings, to have recourse to them in case of necessity, as is prescribed for prizes conducted into the ports of the Kingdom by the 42d article of the declaration of the 24th of June last.

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ARTICLE V. AS soon as the copies of the said proceedings, and the original papers and translations shall have been addressed to the Secretary-General of the Marine at Paris, for process in judgment by the Council of Prizes, the captain or his agent may require the provisional sale of the merchandise and effects subject to perishing, and even the definitive sale of the prizes and all the merchandise of their cargoes, whenever they shall evidently appear the enemy's property, from the papers on board and the interrogatories of the prisoners, in the manner that shall be ordered by the Judges of the places, and as is prescribed for prizes conducted into the ports of the kingdom by the 45th article of the said declaration of the 24th of June last.

ARTICLE VI. The discharge, inventory, sale, and delivery of the said prizes and merchandise shall be made agreeable to the formalities practised in the ports of the United States. The captains, conductors of prizes, shall be bound to report the particular liquidations or summary statements of the proceeds of the said prizes and expenses incurred on their account, that the said particular liquidations or summary statements may be deposited by the owner or the secretary of the Admiralty, at the place of outfit, agreeable to the 57th article of the declaration of the 24th of June last, to which secretary the judgments and prize papers shall be sent, in order to be registered.

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ARTICLE VII. All the prisoners that shall be found on board either of the French privateers, that shall come to anchor in the ports of the United States, or on board the prizes which shall be brought there, shall be immediately delivered to the governor or magistrate of the place, to be secured in the name of the King, and maintained at his expense, as shall likewise be done in the French ports, with respect to the prisoners made by the American privateers. The captains who carry back their prizes, to be sold in the ports of the kingdom, shall nevertheless be bound to carry with them two or three principal prisoners, in order to be interrogated by the officers of the Admiralty who shall make the inquiry.

ARTICLE VIII. The privateers of the United States may conduct, or cause to be conducted, their prizes into the ports belonging to his Majesty, whether for the purpose of anchoring and remaining there, until they are in a condition to proceed again to sea, or for the purpose of selling them definitively.

ARTICLE IX. In case of simple anchoring, the prize-masters shall be bound to make, within twentyfour hours after arrival, their declaration before the officers of the Admiralty, who shall go

on board of the vessels, in order to seal up such places as may admit of it, and to make a brief description of what cannot be comprehended under the said seals, without allowing any thing to be landed from on board of the said prizes, under the penalties contained in his Majesty's arrets and regulations.

ARTICLE X. His Majesty nevertheless permits the said American privateers to sell in his ports, either the perishable merchandise, or such other, in order to defray the expenses of the vessels during the time of their being in port, charging them to request permission from the officers of the Admiralty, in presence of whom the said sale shall be made. [Pg 423]

ARTICLE XI. When the subjects of the United States would wish to sell their prizes in the ports of the kingdom, the captain who shall have made the prize, or the officer intrusted with bringing it in, shall be bound to make before the officers of the Admiralty a detailed report, which shall be verified in the hearing of at least two of their crew; the officers of the Admiralty shall go immediately on board of the prize to make out a verbal process, seal the hatches and cabins, make an inventory of what cannot be sealed, and appoint keepers; they shall afterwards proceed to interrogate the captains, officers, and other people belonging to the crew of the prize; shall cause the useful papers on board to be translated, of which they shall annex compared copies to the minutes of the proceedings; and the original and translated pieces, as also the copies of the said proceedings, shall be sent to the deputies of the United States at Paris.

ARTICLE XII. The captains, conductors of prizes, or their agents, may request the officers of the Admiralty to proceed to the provisional sale of such merchandise and effects as are subject to perish, and even to the definitive sale of the prizes and of all their merchandise on board, when they shall appear to have belonged to the enemy, from the papers on board and the information of the prisoners, in the same manner as is prescribed for the prizes taken by French privateers, by the 45th article of the declaration of the 24th of June last. [Pg 424]

ARTICLE XIII. The discharge, inventory, sale, and delivery of the said prizes shall be made in presence of the officers of the Admiralty, whose fees, either for discharging, inventory, or sale, shall be reduced one half, agreeable to the terms of the 52d article of the declaration of the 24th of June last. The said officers shall not proceed to a particular liquidation of the proceeds of the prizes until they shall be required by the parties concerned, and in every case where the delivery of several copies is required, no more shall be paid to the register for the second and third, than the price of the stamped paper and the expense of writing.

ARTICLE XIV. It is his Majesty's pleasure, that the arret of his Council, by which, agreeable to the second article of the 24th of June last, it shall be determined what kind and quality of merchandise, proceeding from prizes, shall be consumed in the kingdom, as also what duties they shall be subject to, shall likewise extend to the merchandise proceeding from prizes taken by American privateers, who are charged to fulfil the formalities prescribed by the arrets and regulations.

ARTICLE XIV., *amended*. It is his Majesty's pleasure that the arret of his Council, by which, agreeable to the second article of the 24th of June last, it shall be determined what kind and quality of merchandise, proceeding from prizes, shall be consumed in the kingdom, as also what duties they shall be subject to, shall likewise extend to the merchandise proceeding from prizes taken by American privateers, who are charged to fulfil the formalities prescribed by the arrets and regulations, especially with respect to the merchandise which they would export, whether to the ports of the United States, or to all other foreign countries, and that they shall be permitted for this purpose to keep them during a year, in the magazines of deposit, free from all duty. [Pg 425]

ARTICLE XV. The American privateers may deliver in the ports, to the commissioners of the ports and arsenals of the marine, the prisoners they may have on board; his Majesty will give orders that the said prisoners shall be conducted, guarded, and maintained in the name and at the expense of the United States.

TO M. DE SARTINE.

Passy, August 18th, 1778.

Sir,

We embrace this first opportunity to answer the letter, which your Excellency did us the honor to address to us, the 16th of this month.

We have examined with some attention the alterations, which your Excellency has made in the 2d and 14th articles of the projected regulations, and are of opinion, that they will remove the difficulties we apprehended from the first draught.

We thank your Excellency for the obliging expressions of your readiness to receive any representations, which we may hereafter have occasion to make, of inconveniencies arising in the execution of these regulations; which, however, we hope will not occur. We submit the whole to your Excellency's deliberation and decision, and are, with sentiments of the sincerest respect,

your Excellency's most obedient humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

JOHN PAUL JONES TO ABRAHAM WHIPPLE.

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Brest, August 18th, 1778.

Sir,

I request that you will summon a court martial for the trial of Lieutenant Thomas Simpson, with whose conduct I have been and am unsatisfied, and who is now under suspension for disobedience of my written orders.

I am, Sir, with due regard, your most humble servant,

JOHN PAUL JONES.

ABRAHAM WHIPPLE TO JOHN PAUL JONES.

Brest, August 19, 1778.

Sir,

I am honored with your letter of this day, requesting that I will summon a Court Martial for the trial of Lieutenant Thomas Simpson, with whose conduct you have been and are unsatisfied, and who, you say, is under suspension for disobedience to your written orders. Having maturely considered the contents of your letter, and with as much accuracy as possible attended to every particular, I return for answer the subjoined reasons, which will at once explain the impossibility of calling a Court Martial, and fully acquaint you with my sentiments on that subject.

You are sensible that the Continental regulations have expressly ordered, that a Court Martial shall consist of at least three Captains, which is impossible, as Captain Hinman declines to sit, he expecting a Court of Inquiry upon his own conduct on his arrival in America, and having assigned a reason of so forcible a nature, I think he is acting a part at once prudent and becoming.

You will permit the remark, that by Lieutenant Simpson's parole, taken by yourself June 10th, 1778, Lieutenant Simpson engaged on his parole of honor to consider himself as under suspension till he shall be called upon to meet you face to face before a Court Martial, unless you should, in the meantime, release him from his parole, which I conceive that you have done by your letter of the 16th of July to the honorable Commissioners, where you mention that you are willing to let the dispute drop forever, by giving up that parole, which would entitle Lieutenant Simpson to the command of the Ranger; that this, as you bore no malice, would be making him all the present satisfaction in your power, provided that you had injured him, and that you will trust to himself to make an acknowledgment, if, on the contrary, he has injured you. In my opinion, this is giving up his parole in the most ample manner, as it does not appear to me that you made, by letter or otherwise, any compact or agreement with Lieutenant Simpson, that he should make any concessions on his part, or any thing of that nature, neither that he was to be answerable to a Court Martial when the supposed crime was blotted out, for which he was at first responsible.

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I believe that the honorable Commissioners accepted it in the same light, as by their letter of the same date it would seem you gave them the greatest satisfaction in affording them an opportunity to reinstate Lieutenant Simpson on board the Ranger. The Commissioners further order him to take the command of the Ranger, as her first Lieutenant, and to join me and to obey my orders, all which sufficiently evinces that Lieutenant Simpson is no longer considered as under suspension, and consequently cannot be responsible to a Court Martial for disobedience to written orders from you, from which he is amply released by your voluntary surrender of his parole. However, if this explanation, attempted to be made in the most candid manner, should not prove agreeable, I beg leave to refer you to the absolute impossibility of calling a Court Martial, agreeable to the resolves of Congress, and flatter myself that you will believe me to be, with due respect, Sir, your most obedient and most humble servant,

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ABRAHAM WHIPPLE.

TO JOHN PAUL JONES.

Sir,

We have received your letter of the 15th, and have written to Captain Whipple to appoint a Court Martial for the trial of Lieutenant Simpson, provided there is a sufficient number of officers to constitute one. This, however, is not to make any change in his command of the Ranger until the trial is over; nor then, unless the judgment of that Court is against him.

We are, sir, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO COUNT DE VERGENNES.

Passy, August 28th, 1778.

Sir,

There are several subjects which we find it necessary to lay before your Excellency, and to which we have the honor to request your attention.

At a time when the circumstances of the war may demand the attention of government, and, without doubt, call for so great expense, we are sorry to be obliged to request your Excellency's advice respecting the subject of money; but the nature of the war in America, the vast extent of country to defend, and this defence having been made chiefly by militia engaged for short periods, which often obliged us to pay more men than could be brought into actual service; and above all, this war having been conducted in the midst of thirteen revolutions of civil government, against a nation very powerful both by sea and land, has occasioned a very great expense to a country so young, and to a government so unsettled. This has made emissions of paper money indispensable, in much larger sums than in the ordinary course of business is necessary, or than in any other circumstances would have been politic. In order to avoid the necessity of further emissions as much as possible, the Congress have borrowed large sums of this paper money of the possessors upon interest, and have promised the lenders payment of that interest in Europe, and we therefore expect, that vessels from America will bring bills of exchange upon us for that interest, a large sum of which is now due.

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It is very, true that our country is already under obligations to his Majesty's goodness, for considerable sums of money; the necessities of the United States have been such, that the sums, heretofore generously furnished, are nearly if not quite expended, and when your Excellency considers, that the American trade has been almost entirely interrupted by the British power at sea, they having taken as many of our vessels as to render this trade more advantageous to our enemy than to ourselves; that our frigates and other vessels, which have arrived in this Kingdom, have cost us a great sum; that the provision of clothing and all the necessaries of war for our army, except such as we could make in that country, have been shipped from hence at our expense; that the expense we have been obliged to incur for our unfortunate countrymen, who have been prisoners in England, as well as the maintenance of those taken from the enemy has been very considerable; your Excellency will not be surprised when you are informed, that our resources are exhausted.

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We, therefore, hope for the continuance of his Majesty's generosity, and that the quarterly payment of seven hundred and fifty thousand livres may be continued. And we assure your Excellency, that the moment we are furnished with any other means of answering this demand, we will no longer trespass on his Majesty's goodness.

We have further to inform your Excellency, that we are empowered and instructed by Congress, to borrow in Europe a sum of money to the amount of two millions sterling; which is to be appropriated to the express purpose of redeeming so many of the bills of credit in America, as will be sufficient, it is apprehended, to restore the remainder to their original value. We, therefore, request his Majesty's permission to borrow such part of that sum in his Majesty's kingdom, as we may find opportunity. Although we are empowered to offer a larger interest than is usually given, by his Majesty, yet that we may not be any interruption to his Majesty's service, we are willing and desirous of limiting the interest which we may offer, to the same that is given by his Majesty. And in this way, although most persons will choose to lend their money to his Majesty, yet there may be others desirous of forming connexions of trade with the people in America, who will be willing to serve them in this way. And perhaps nothing will have a greater tendency to cement the connexion between the two nations, so happily begun, or to insure to the French nation the benefits of the American trade, than something of this kind.

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By the 8th article of the treaty of commerce, his Majesty has engaged to employ his good offices and interpositions with the Emperor of Morocco, and with the regencies of Algiers, Tunis, Tripoli, and the other powers on the coast of Barbary, in order to provide as fully as possible for the

convenience and safety of the inhabitants of the United States, and their vessels and effects, against all violence, insults, attacks, or depredations on the part of the said princes.

We have received information, that there are already American vessels in Italy desirous of returning thence, and that there are merchants in Italy desirous of entering into the American trade, but that an apprehension of danger from the Corsairs of Barbary is a discouragement. We therefore request your Excellency's attention to this case, and such assistance from his Majesty's good offices, as was intended by the treaty.

There is another thing that has occurred of late, on which we have the honor to request your Excellency's advice. There are many Americans in England, and in other parts of Europe, some of whom are excellent citizens, and who wish for nothing so much as to return to their native country, and to take their share in her fortune, whatever that may be, but are apprehensive of many difficulties in recovering their property.

Whether it will be practicable and consistent with his Majesty's interest to prescribe any mode by which Americans of the above description may be permitted to pass through this Kingdom with their apparel, furniture, plate, and other effects, not merchandise for sale here, without paying duties, we submit to his wisdom.

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We likewise request of your Excellency a passport for such cartel ship as shall be employed by the English in sending our people, who are their prisoners, to France to be exchanged. They propose Calais as the port at which the exchange may be made, but as the prisoners we have are at Brest, and the expense of removing them to Calais would be considerable, we should be glad that the passport would permit the landing of our people as near Brest as may be, without danger of inconveniency to the State.

We have the honor to be, with respect, your Excellency's, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

DECLARATION

Of Count de Vergennes, annulling the Eleventh and Twelfth Articles of the Commercial Treaty with France.

Translation.

The General Congress of the United States of North America having represented to the king, that the execution of the 11th article of the treaty of amity and commerce, signed the 6th of February last, might be productive of inconveniencies, and having, therefore, desired the suppression of this article, consenting in return that the 12th article shall likewise be of no effect; his Majesty, in order to give a new proof of his affection, as also of his desire to consolidate the union and good correspondence established between the two States, has been pleased to consider their representations. His Majesty has consequently declared, and does declare by these presents, that he consents to the suppression of the 11th and 12th articles aforementioned, and that it is his intention, that they be considered as having never been comprehended in the treaty signed the 6th of February last.

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Done at Versailles, this 1st day of September, 1778.

GRAVIER DE VERGENNES.

DECLARATION

Of the American Commissioners, annulling the Eleventh and Twelfth Articles of the same Treaty.

Translation.

The Most Christian King having been pleased to regard the representations made to him by the General Congress of North America, relating to the 11th article of the Treaty of Commerce, signed the 6th of February in the present year, and his Majesty having therefore consented that the said article should be suppressed, on condition that the 12th article of the same treaty be equally regarded as of none effect; the above said General Congress hath declared on their part, and do declare, that they consent to the suppression of the 11th and 12th articles of the above mentioned treaty, and that their intention is, that these articles be regarded as having never

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been comprised in the treaty signed the 6th of February. In faith whereof, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE BEAUMARCHAIS.

Passy, September 10th, 1778.

Sir,

In a letter we have received from the Committee of Commerce of the 16th of May, we are informed, that they had ordered several vessels lately to South Carolina for rice, and directed the continental agents in that State to consign them to our address.

In the letter from Mr Livingston to us, dated Charleston South Carolina, 10th June, 1778, he has subjected the cargo of the Therese to our orders.

In your letter to us, dated Passy, 8th September, 1778, you demand, that the cargo received in your own vessel should be sold, and the money remitted to you in part for a discharge of what is due to you by the Congress.

We are at a loss to know how you claim the Therese as your proper vessel, because M. Monthieu claims her as his, produces a written contract for the hire of her, part of which we have paid, and, the remainder he now demands of us. However, Sir, we beg leave to state to you the powers and instructions we have received from Congress, and to request your attention to them as soon as possible, and to inform you, that we are ready to enter upon the discussion of these matters, at any time and place you please.

But until the accounts of the company of Roderique Hortalez & Co. are settled for what is passed, and the contracts proposed either ratified by you and us, or rejected by one party, we cannot think we should be justified in remitting you the proceeds of the cargo of the Therese.

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We will, however, give orders to our agents for the sale of the cargo, and that the proceeds of the sale be reserved to be paid to the house of Roderique Hortalez & Co. or their representative, as soon as the accounts shall be settled, or the contract ratified. By a copy of a contract between a committee of Congress and M. Francy, dated the 16th of April last, we perceive that the 17th article, respecting the annual supply of 24,000,000 of livres, shall not be binding upon either of the parties, unless the same shall be ratified by Roderique Hortalez & Co. and the Commissioners of the United States at Paris.

We take this opportunity to inform you, Sir, that we are ready to confer with Roderique Hortalez & Co. or any person by them authorised for this purpose, at any time and place, that they or you shall appoint.

We have the honor to be, Sir, your most obedient humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, 10th September, 1778.

Sir,

Captain Daniel M'Neil of Boston, in the State of Massachusetts Bay, Commander of the American privateer, which has been so successful against the common enemy in the North Seas and White Seas, had the fortune to retake a French vessel from a Guernsey privateer, after she had been in the enemy's possession three days, which prize he has brought into Port Louis.

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He represents to us, that he has met with some difficulties in disposing of her and her cargo, which cannot be removed until your Excellency's sentiments shall be known upon the matter.

We have the honor to recommend his case to your Excellency's consideration, and to request that such relief may be afforded him, as may consist with the laws of the State, and the treaties in force between the two nations.

We have the honor to be, &c.

TO COUNT DE VERGENNES.

Passy, September 10th, 1778.

Sir,

By some of the last ships from America, we received from Congress certain powers and instructions, which we think it necessary to lay before your Excellency, and which we have the honor to do in this letter.

On the 13th of April last Congress resolved, "that the Commissioners of the United States in France be authorised to determine and settle with the house of Roderique Hortalez & Co. the compensation, if any, which should be allowed them on all merchandise and warlike stores, shipped by them for the use of the United States, previous to the 14th day of April, 1778, over and above the commission allowed them, in the 6th article of the proposed contract between the Committee of Commerce and John Baptiste Lazarus Theveneau de Francy."

In the letter of the Committee of Commerce to us, in which the foregoing resolution was enclosed, the Committee express themselves thus; "this will be accompanied by a contract entered into between John Baptiste Lazarus de Theveneau de Francy, agent of Peter Augustine Caron de Beaumarchais, representative of the house of Roderique Hortalez & Co. and the Committee of Commerce. You will observe, that their accounts are to be fairly settled, and what is justly due paid for, as on the one hand, Congress would be unwilling to evidence a disregard for, and contemptuous refusal of, the spontaneous friendship of His Most Christian Majesty, so on the other, they are unwilling to put into the private pockets of individuals, what was graciously designed for the public benefit. You will be pleased to have their accounts liquidated, and direct in the liquidation thereof, that particular care be taken to distinguish the property of the crown of France, from the private property of Hortalez & Co. and transmit to us the accounts so stated and distinguished. This will also be accompanied by an invoice of articles to be imported from France, and resolves of Congress relative thereto. You will appoint, if you should judge proper, an agent or agents to inspect the quality of such goods as you may apply for to the house of Roderique Hortalez & Co. before they are shipped, to prevent any impositions."

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On the 16th of May last, Congress resolved, "that the invoice of articles to be imported from France, together with the list of medicines approved by Congress, be signed by the Committee of Commerce and transmitted to the Commissioners of the United States at Paris, who are authorised and directed to apply to the house of Roderique Hortalez & Co. for such of the said articles, as they shall have previously purchased or contracted for; that copies of the invoices be delivered to Mons. de Francy, agent for Roderique Hortalez & Co., together with a copy of the foregoing resolution; and that the articles to be shipped by the house of Roderique Hortalez & Co. be not insured, but that notice be given to the Commissioners in France, that they may endeavor to obtain convoy for the protection thereof."

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We have the honor to enclose to your Excellency a copy of the contract made between the Committee and Mons. Francy, a copy of Mons. Francy's powers, and a copy of the list of articles to be furnished according to that contract, that your Excellency may have before you all the papers relative to this subject.

We are under the necessity of applying to your Excellency upon this occasion, and of requesting your advice. With regard to what is passed, we know not who the persons are who constitute the house of Roderique Hortalez & Co., but we have understood, and Congress has ever understood, and so have the people in America in general, that they were under obligations to his Majesty's good will for the greatest part of the merchandise and warlike stores heretofore furnished under the firm of Roderique Hortalez & Co. We cannot discover that any written contract was ever made between Congress or any agent of theirs, and the house of Roderique Hortalez & Co., nor do we know of any living witness, or any other evidence, whose testimony can ascertain to us, who the persons are that constitute the house of Roderique Hortalez & Co., or what were the terms upon which the merchandise and munitions of war were supplied, neither as to the price, nor the time, or conditions of payment. As we said before, we apprehend that the United States hold themselves under obligations to his Majesty for all those supplies, and we are sure it is their wish and their determination to discharge the obligation to his Majesty, as soon as Providence shall put it in their power. In the mean time, we are ready to settle and liquidate the accounts according to our instructions at any time, and in any manner which his Majesty and your Excellency shall point out to us.

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As the contract for future supplies is to be ratified, or not ratified by us, as we shall judge expedient, we must request your Excellency's advice as a favor upon this head, and whether it would be safe or prudent in us to ratify it, and in Congress to depend upon supplies from this quarter. Because, if we should depend upon this resource for supplies and be disappointed, the

consequences would be fatal to our country.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, 16th September, 1778.

Gentlemen,

I have received the letter, which you did me the honor to write to me on the subject of the French ship *Isabella*, which the American privateer General Mifflin recaptured from a Guernsey privateer.

In the *General Thesis*, you may see the disposition of the ordinance of the Marine of 1681, which adjudges to captains, captors of recaptured vessels, when they have been during twentyfour hours in the enemy's hands, a third for the charges of rescue, when they are retaken before the twentyfour hours. The American privateers shall enjoy in France, without difficulty, the benefit of this law, if it has been adopted by the United States in such a manner, as that the French privateers may be assured of experiencing the same treatment, with respect to the recaptures they may conduct into the ports of North America.

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The English laws, on the contrary, grant a privateer only one eighth of the value of the vessels retaken within the first twentyfour hours, a fifth within the second day, a third within the third and fourth, and afterwards one half, which leaves at least, in every case, the other half to the losing proprietors. It is possible, that the United States, as these laws are less advantageous to the privateers and more favorable to the original proprietors of recaptured vessels, would give the preference to those of France.

In these circumstances, the rules of reciprocity observed between the two powers require that arrangements be taken to adopt the law of one of the two nations, which shall be observed by the respective privateers, and in the meantime I am persuaded, that you will think with me, that the American privateer, General Mifflin, ought not to exact in France other advantages than what, in a similar case, a French privateer would meet with in North America.

This discussion, moreover, should not take place perhaps in the particular affair in question. I am just informed, that the French proprietor claims his vessel as retaken from pirates, offering to pay a third of its value to the American privateer, which delivered it. This is agreeable to the 10th article, under the title of *Prizes*, of the ordinance of 1681, which appears justly applicable to this particular case. If it should be found, that the Guernsey privateer falls under the description of those pirates, whose depredations have obliged his Majesty to order general reprisals, and that she has not been furnished with new letters of marque, which the Court of London did not grant before the month of August, to cruise against French vessels, as appears from the declaration of the Captain of the *Isabella*, this question will be necessarily submitted to the decision of the tribunals; and I cannot do otherwise than see, that the most prompt justice be rendered to the American privateer. I request, at any rate, that you will be pleased to give me your opinion on the principal question, taking for granted the different laws of the two nations with respect to reprisals or rescues.

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I have the honor to be, &c.

DE SARTINE.

TO M. DE SARTINE.

Passy, 17th September, 1778.

Sir,

We have this morning the honor of receiving your Excellency's letter of the 16th, relative to the French brigantine, the *Isabella*, retaken by the American privateer, the General Mifflin, from a Guernsey privateer, after having been eight hours in his hands.

We have the honor to agree perfectly with your Excellency, in your sentiments of the justice and policy of the principle of reciprocity between the two nations, and that this principle requires that

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French ships of war, or privateers, should have the same advantage in case of prizes and recaptures, that the American privateers enjoy in France.

We are so unfortunate, at present, as to have no copy of any of the laws of the United States relative to such cases, and are not able to recollect, with precision, the regulations in any of them. But we are informed by Captain M'Neil, that by the law of Massachusetts Bay, if a vessel is taken within twentyfour hours, one third goes to the recaptors; after twentyfour hours until seventytwo hours, one half; after seventytwo hours and before ninety six hours, three quarters; and after ninety six hours, the whole.

All that we have power to do in this case is, to convey to Congress a copy of your Excellency's letter, and of our answer, and we have no doubt but Congress will readily recommend to the several States to make laws, giving to French privateers either the same advantages that their own privateers have in such cases, in their own ports, or the same advantages that the French privateers enjoy in the ports of this kingdom in such cases, by the ordinance of the King. And we wish your Excellency would signify to us, which would probably be most agreeable to his Majesty. If the case of this vessel must come before the public tribunal, upon the simple question, whether she was taken from a pirate or not, that tribunal we doubt not will decide with impartiality; but we cannot refrain from expressing to your Excellency, that we think the original owner will be ill advised if he should put himself to this trouble and expense.

We presume not to dispute the wisdom of the ordinance of the King, which gives to the recaptor from a pirate only one third; because we know not the species of pirates which was then in contemplation, nor the motives of that regulation. But your Excellency will permit us to observe, that this regulation is so different from the general practice, and from the spirit of the laws of nations, that there is no doubt it ought to receive a strict interpretation, and that it is incumbent on the original proprietor to make it very evident, that the first captor was a pirate.

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In the case in question, the Guernsey privateer certainly had a commission from the King of Great Britain, against American vessels at least. But admitting, for argument's sake, that he had no commission at all, the question arises, whether the two nations of France and England are at war or not. And, although there has been no formal declaration of war on either side, yet there seems to be little doubt that the two nations have been at actual war, at least from the time of the mutual recall of their Ambassadors, if not from the moment of the British King's most warlike speech to his Parliament.

Now, if it is admitted that the two nations are at war, we believe it would be without a precedent in the history of jurisprudence to adjudge the subject of any nation to be guilty of piracy for an act of hostility, committed at sea against the subject of another nation at war. Such a principle, for what we see, would conclude all the admirals and other officers of both nations guilty of the same offence.

It is not the want of a commission, as we humbly conceive, that makes a man guilty of piracy; but committing hostilities against human kind, at least against a nation not at war.

Commissions are but one species of evidence that nations are at war. But there are many other ways of proving the same thing.

Subjects and citizens, it is true, are forbidden by most civilized nations to arm vessels for cruising against their enemies, without a commission from the sovereign; but it is upon penalty, of confiscation or some other, perhaps, milder punishment, not on the penalties of piracy.

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Moreover, perhaps, prizes made upon enemies by subjects or citizens, without commission from their sovereigns, may belong to the sovereigns, not to the captors, by the laws of most nations; but, perhaps, no nation ever punished as pirates their own subjects or citizens, for making a prize from an enemy without a commission.

We beg your Excellency's pardon for detaining you so long from objects of more importance, and have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE PRESIDENT OF CONGRESS.

Passy, 17th September, 1778.

Sir,

The last letter which we have had the honor to write jointly to Congress, was of the 20th of July, [52] and as we have sent several copies of it by different opportunities, we hope one of them, at least, will get safe to hand. Since our last, there has been an important action at sea, between two very powerful fleets, in which, in our opinion, the French had a manifest and great

advantage. But as all the newspapers in Europe are full of this transaction, and we have taken, in our separate capacities, every opportunity to transmit these papers to Congress, we think it needless to be more particular concerning that event in this letter.

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The French fleet, on the 11th of last month, again put to sea, and on the 22d Admiral Keppel sailed. By the best intelligence from London the populace are amused, and the public funds are supported by hopes given out, by administration of peace, by an acknowledgment of American independency. But as the credulity of that nation has no bounds, we can draw no inference from this general opinion, that such is the intention of government. We suppose that rumor to be a consequence of the mischievous determination of the Cabinet, to propose independence on condition of a separate peace.

We are here, at this moment, in a state of the most anxious and critical suspense, having heard nothing from Count d'Estaing, nor from America, since the 11th of July.

Congress will be informed by Mr Arthur Lee, respecting the Court of Spain.

We have taken measures in Amsterdam for borrowing money of the Dutch, but what success we shall have we cannot yet say. We have also asked leave of this government to borrow money in this kingdom, but having no answer we cannot say whether we shall get permission or not. We have yesterday applied for a continuation of the quarterly payment of seven hundred and fifty thousand livres; what the answer will be we know not; if it is in the negative, the consequence must be plain to Congress and to us. It is at all times wisest and safest, both for the representative and his constituent, to be candid, and we should think ourselves criminal if we should disguise our just apprehensions.

Congress then will be pleased to be informed, that all the powers of Europe are now armed or arming themselves by land or sea, or both, as there seems to be a universal apprehension of a general war. Such is the situation of European nations at least, that no one can arm itself without borrowing money. Besides this, the Emperor and king of Prussia are at actual war. All this together has produced this effect, that France, England, the Emperor, Spain, Russia at least, are borrowing money, and there is not one of them that we can learn, but offers better interest than the United States have offered. There can be no motive then but simple benevolence to lend to us.

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Applications have been frequently made to us by Americans, who have been some time abroad, to administer the oath of allegiance to the United States, and to give them certificates that they have taken such oaths. In three instances we have yielded to their importunity; in the case of Mr Moore, of New Jersey, who has large property in the East Indies, which he designs to transfer immediately to America,—in the case of Mr Woodford, of Virginia, a brother of General Woodford, who has been sometime in Italy, and means to return to America with his property,—and yesterday, in the case of Mr Montgomery, of Philadelphia, who is settled at Alicant, in Spain, but wishes to send vessels and cargoes of his own property to America. We have given our opinions to these gentlemen frankly, that such certificates are in strictness legally void, because there is no act of Congress that expressly gives us power to administer oaths. We have also given two or three commissions by means of the blanks with which Congress intrusted us, one to Mr Livingston, and one to Mr Amiel, to be Lieutenants in the navy, and in these cases we have ventured to administer the oaths of allegiance. We have also, in one instance, administered the oath of secrecy to one of our Secretaries, and perhaps it is necessary to administer such an oath, as well as that of allegiance, to all persons whom we may be obliged in the extensive correspondence we maintain to employ. We hope we shall not have the disapprobation of Congress for what in this way has been done, but we wish for explicit powers and instructions upon this head.

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There are, among the multitude of Americans who are scattered about the various parts of Europe, some, we hope many, who wish to take the oath of allegiance, and to have some mode prescribed by which they may be enabled to send their vessels and cargoes to America with safety from their own friends, American men of war, and privateers. Will it not be practicable for Congress to prescribe some mode of giving registers of ships, some mode of evidence to ascertain the property of cargoes, by which it might be made to appear to the cruisers and Court of Admiralty, that the property belonged to Americans abroad? If Congress should appoint Consuls, could not such power be given to them, or would Congress empower their Commissioners or any others? Several persons from England have applied to us to go to America; they profess to be friends to liberty, to republics, to America; they wish to take their lot with her, to take the oath of allegiance to the States, and to go over with their property. We hope to have instructions upon this head, and a mode pointed out for us to proceed in.

In observance of our instructions to inquire into M. Holker's authority, we waited on his Excellency, the Count de Vergennes, presented him with an extract of the letter concerning him, and requested to know what authority M. Holker had. His Excellency's answer to us was, that he was surprised, for that M. Holker had no verbal commission from the ministry; but that M. de Vergennes, being informed that M. Holker was going to America, desired him to write to him, from time to time, the state of things and the temper of the people.

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We have given orders to M. Bonfield, at Bordeaux, to ship to America twentyeight 24 pounders, and twentyeight 18 pounders, according to our instructions. By his answer to us it will take some

little time, perhaps two or three months, to get those cannon at a good rate, and in good condition.

Our distance from Congress obliges us very often to act without express instructions, upon points in which we should be very glad to have their orders. One example of which is, the case of the American prisoners in England. Numbers have been taken and confined in gaols; others, especially masters of vessels, are set at liberty. We are told there are five hundred yet in England. Many have escaped from their prisons, who make their way to Paris, some by the way of Holland, others by Dunkirk, and others by means of smuggling vessels in other ports in this kingdom. They somehow get money to give gaolers in order to escape, then they take up money in England, in Holland, in Dunkirk, and elsewhere, to bear their expenses to Paris, then they apply to us to pay their other expenses, and expenses to Nantes, Brest, and other seaport towns. When arrived there, they apply to the American agent for more money; besides this, bills of their drawing are brought to us from Holland, and other places; all this makes a large branch of expense. We have no orders to advance money in these cases, yet we have ventured to advance considerable sums; but the demands that are coming upon us from all quarters are likely to exceed so vastly all our resources, that we must request positive directions whether we are to advance money to any prisoners whatever. If to any, whether to merchants, and seamen of private vessels, and to officers and crews of privateers, as well as to officers and men in the Continental service. We have taken unwearied pains, and have put the United States to very considerable expense, in order to give satisfaction to these people, but all we have done has not the effect; we are perpetually told of discontented speeches, and we often receive peevish letters from these persons in one place and another, that they are not treated with so much respect as they expected, nor furnished with so much money as they wanted. We should not regard these reflections if we had the orders of Congress.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

FOOTNOTES:

[52] It is thus in the original, but it will have been seen, that there are three short letters to Congress between July 20th and September 17th.

M. NECKER TO THE COUNT DE VERGENNES.

Translation.

Paris, September 18th, 1778.

Sir,

I conclude from your note of the 5th instant, that the Commissioners of the North American Congress have informed you, that there are many Americans in England, and other parts of Europe, who, desirous of returning to their country, have requested permission to transport their effects through France, without being subjected to the payment of duties.

Such an exemption would be contrary to all rule, and could only be granted by means of passports, which would indemnify the public chest; you will doubtless see that such is not the case here.

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This favor, however, can be shown them. The transit regularly gives occasion for a duty on the importation, and a second on the exportation; only one of these shall be imposed; it shall be paid at the office of entry; the effects shall be estimated at a very moderate rate if they are not new; they shall then be transported with free permits, and under seal, to secure them from new examinations on the route, until they leave the kingdom. I think you will agree, that it would not be possible to grant them more favorable terms. I beg you to request the Commissioners to make known to us those Americans, for whom this favor is requested, that I may give the necessary orders, and prevent all abuses in this respect.

I have the honor to be, &c.

NECKER.

TO THE AMERICAN PRISONERS IN PLYMOUTH, OR ELSEWHERE IN

Passy, September 20th, 1778.

Gentlemen,

Although we have not written to you directly for some time, you may be assured we have not been unmindful of your interests, your comfort, or your liberty. We have been engaged a long time in negotiating a cartel of exchange. This work we found attended with many difficulties, but at last have obtained assurances from England, that an exchange shall take place. We have also obtained from the government of this kingdom, a passport for a vessel to come from England to Nantes, or L'Orient, with American prisoners, there to take in British prisoners in exchange. We now sincerely hope that you will obtain your liberty. We cannot certainly say, however, that all will be immediately exchanged, because we fear we have not an equal number to be sent to England. Those that remain, if any, will be those who have been the latest in captivity, and consequently have suffered the least.

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While the British government refused to make any agreement of exchange, the Commissioners here never discouraged their countrymen from escaping from the prisons in England, but on the contrary have lent several sums of money, sufficient with great economy to bear their expenses to some seaport, to such as have made their way hither. But, if the British government should honorably keep their agreement to make a regular exchange, we shall not think it consistent with the honor of the United States to encourage such escapes, or to give any assistance to such as shall escape. Such escapes, hereafter would have a tendency to excite the British administration to depart from the cartel, to treat the prisoners remaining with more rigor, and to punish those that escape, if retaken, with more severity.

On the other hand, we have now obtained permission of this government to put all British prisoners, whether taken by continental frigates or by privateers, into the King's prisons, and we are determined to treat such prisoners precisely as our countrymen are treated in England, to give them the same allowance of provisions and accommodations and no other. We, therefore, request you to inform us with exactness what your allowance is from the government, that we may govern ourselves accordingly.

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We have the honor to be, with much respect and affection, your countrymen and humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, September 21st, 1778.

Gentlemen,

I have had the honor of receiving your note of the 17th instant. I have no doubt that my observations on the necessity of a perfect reciprocity between the two nations, in regard to recaptures at sea, appear to you just. I am sorry that you have not at hand a copy of the laws of the United States relative to this subject. Many difficulties, which the distance of the two countries may render very frequent, might thus have been prevented. The laws of Massachusetts Bay, referred to by Captain M'Neil, are different from those of England, and somewhat resemble the French. The English regulations seem to be more favorable to the interests of commerce, (which should never be lost sight of even in war,) by allowing half of the vessel in all cases to the original owner. But it is particularly important, that the different States should adopt some uniform and permanent system in regard to this subject, so that there may not be different regulations for each State, which the ignorance of the commanders of privateers will prevent them from applying to different circumstances, thus giving rise to difficulties, which might be avoided by uniform legislation.

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With regard to the recapture of the Isabella by Captain M'Neil, I have merely indicated to you the grounds on which the owners rested their claims in their letter to me. It is not the province of the government to examine them; that matter comes under the jurisdiction of the courts; if their sentence should be unfavorable to the original owners, you will certainly agree that a third, or even a half, of the value of the vessel ought to be deposited in the hands of a public officer appointed for that purpose, until the two nations shall agree upon some reciprocal regulations concerning vessels recaptured from the common enemy.

I have the honor to be, &c.

M. DE SARTINE TO COUNT DE VERGENNES.
Translation.

Versailles, September 21st, 1778.

Sir,

I have had the honor to receive your note of the 5th instant, informing me of the wish of the Commissioners of the United States of North America to engage your good offices with the king, that the necessary measures may be taken to fulfil his Majesty's engagements, under the 8th article of the treaty of February 6th of the present year, in reference to the Barbary Powers. I have examined the article, and find that the king promised to employ his mediation, with the Emperor of Morocco, and the other Barbary Powers, in order to provide as fully as possible for the interest and security of the citizens of the United States, and the protection of their vessels and effects against all violence, insult, attacks, or depredations by the said Barbary Powers or their subjects.

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From the nature of this engagement, it appears to me proper to use all means to comply with it, notwithstanding any difficulties which seem to lie in the way; but before presenting any plan to his Majesty, it seems to me necessary to inform him of the actual dispositions of the United States, and of the measures they may deem desirable on the part of France.

Do the United States wish to conclude treaties with the Barbary Powers, or do they wish merely that our influence should be exerted to make their flag respected by those powers? In the latter case we should never succeed, or if we should obtain liberty of commerce for the United States from some of them, it would be an illusory, temporary, and precarious permission, and would infallibly expose us, without being of the least benefit to the citizens of the United States. The Algerines, in particular, would never acknowledge the flag of the United States, unless it were made for their interests to do so.

You know too well, Sir, the character of the Barbary States, and their policy, to be ignorant of the inefficacy and dangers of such a measure. It would probably be less difficult to induce them to acknowledge the independence of the United States, and to conclude treaties with this new power. It is necessary to know beforehand, what are the instructions of the Commissioners, and whether they are authorised to negotiate with the Barbary Powers, under the mediation of France. If Congress has this intention, then I could receive the orders of the king to give the Commissioners the information necessary for entering upon a negotiation with the Barbary Powers, and we should be able to concert effectual measures for succeeding in this object, without exposing our own interests for those of the United States. This negotiation will be long and arduous, but I will neglect nothing to assure its success, if the Congress determine to prosecute it, and you consider the king pledged to forward it. I shall wait for your reply before making any overtures.

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I have the honor to be, &c.

DE SARTINE.

TO THE PRESIDENT OF CONGRESS.

Passy, 22d September, 1778.

Sir,

This will be delivered to you by Mr Jonathan Loring Austin, who was sent the last year express to France, with the news of the convention of Saratoga. He has resided chiefly in this kingdom from that time, and has been employed in the service of the public a part of the time, and his behavior from first to last has given entire satisfaction to us. We think it our duty, therefore, to recommend him to Congress as a gentleman of merit, of ability and diligence in business, zealously attached to the cause of his country, and of exemplary prudence and decency.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

Translation.

Amsterdam, September 23d, 1778.

Sir,

I have the honor to transmit to you herewith the declaration, which I am authorised to make, in order to prevent any mistake as to the intentions of the burgomasters of the city of Amsterdam; since it will be made evident by the above mentioned declaration, that they have not the absurd design of concluding a convention independently of their High Mightinesses, but only to make such preparations as are possible to accelerate the conclusion of a treaty of commerce, when the opportunity shall present. It is plain, that a treaty of commerce cannot be concluded, unless the principal commercial city of the republic gives its consent thereto, and that it cannot give its consent without having examined the terms. This examination may as well precede, as follow the acknowledgment of the independence of America by the English, in which case we should gain much time.

With regard to the terms, I will explain my own views, Sir, in a very few words, viz. that, in general, we should grant each other mutually all the facilities necessary to render commerce as free as possible, and that for this purpose we should take the treaty between France and America as the basis, changing nothing except those provisions, which cannot be applicable in the republic.

If this principle accord with the views of Congress on this subject, I will have the above mentioned treaty examined by experienced merchants, and communicate to you their opinion with regard to the additions, or omissions, necessary to negotiate a treaty of commerce between the republic and the United States of America on that basis.

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If you wish for any further explanations, I beg you, Sir, to give me information, but I think the views I have proposed so simple, that nothing further will be necessary.

I have the honor to be, Sir, &c.

E. T. VAN BERCKEL.

Declaration of E. T. Van Berckel.**Translation.**

Amsterdam, September 23d, 1778.

The undersigned, Pensionary of the city of Amsterdam has the honor to make known to those who are duly authorised by the Congress of the United States of America, that he is empowered by the Burgomasters of the aforementioned city, to declare in their names, that, provided the said Congress do not enter into any engagements with the English Commissioners, which may be hurtful or prejudicial to the commerce of the republic of the United Provinces, directly or indirectly, the aforesaid Burgomasters on their side will be entirely disposed, as far as depends on them, so to direct the course of affairs, that whenever the independence of the said United States of America shall be recognised by the English, a perpetual treaty of amity shall be concluded between this republic and the aforesaid United States, containing the most extensive reciprocal advantages in relation to the commerce of the subjects of the two powers.

The undersigned has the honor further to declare, that it is the will of said Burgomasters, that this declaration may be employed, as shall be thought expedient, with the necessary precaution that it shall not come to the knowledge of those interested, to prevent, if possible, or at least to obstruct the execution of a plan, which has no other object than to promote mutual happiness and the true interests of the two republics.

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E. T. VAN BERCKEL.

COUNT DE VERGENNES TO THE COMMISSIONERS.**Translation.**

Versailles, September 24th, 1778.

Gentlemen,

By your note of the 28th of August, you requested free entry, with exemption from all duties, of the effects of many Americans in Europe, desirous of returning to their country. I have communicated your request to M. Necker, and send you herewith his reply. You will see in it the reasons which render it impossible to comply with your wishes, and the arrangements which can be made to favor the Americans, who wish to send their effects to America by the way of France.

I have the honor to be, Gentlemen, &c.

DE VERGENNES.

TO WILLIAM LEE.

Passy, September 26th, 1778.

Sir,

We have considered, with some attention, the papers which you have laid before us, containing a project of a treaty to be made between the republic of the United Provinces, and that of the United States of America.

As Congress have intrusted to us the authority of treating with all the States of Europe, excepting such as have a particular commission designed by Congress to treat with them; and as no particular Commissioner has been appointed to treat with their High Mightinesses, we have already taken such measures as appeared to us suitable to accomplish so desirable a purpose, as a friendship between nations so circumstanced as to have it in their power to be extremely beneficial to each other in promoting their mutual prosperity. And we propose to continue our endeavors in every way consistent with the honor and interest of both.

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But we do not think it prudent, for many reasons, to express at present any decided opinion concerning the project of a treaty, which you have done us the honor to communicate to us.

We cannot, however, conclude without expressing our real disposition to treat upon an object, which, besides laying the foundation of an extensive commerce between the two countries, would have a very forcible tendency to stop the effusion of human blood, and prevent the further progress of the flames of war.

We have the honor to be, with the utmost respect, Sir, your most obedient humble servant,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO RALPH IZARD.

Passy, 26th September, 1778.

Sir,

Last evening we had the honor of an answer from the Count de Vergennes to our letter respecting your goods. We enclose a copy of it to you, and believe it will be advisable for you to wait on M. de Sartine; perhaps he may, at first, recollect the article of the treaty, as M. de Vergennes appears not to have done.

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We have the honor to be, with great respect, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO COUNT DE VERGENNES.

Passy, September 26th, 1778.

Sir,

We had last evening the honor of your Excellency's letter of the 24th of this month, in answer to ours of the 28th ult. relative to the liberty for Americans to pass through this kingdom with their effects in their way home, duty free, enclosing a copy of a letter from M. Necker to your

Excellency upon the same subject. We shall take the liberty to pursue the rules prescribed by M. Necker, as there may be occasion.

At the same time we had the honor of your Excellency's letter of the 25th, relative to Mr Izard's goods.

The question your Excellency mentions, we apprehend cannot arise in this case, whether an enemy's ship makes merchandise the enemy's, because by the 16th article of the treaty of commerce, your Excellency will recollect, "that an exception is made of such goods and merchandise as were put on board such ships before the declaration of war, or after such declaration, if it were done without the knowledge of such declaration. Ignorance of the declaration of war not to be pleaded after two months."

Mr Izard's goods were shipped before any declaration of war, or at least, two months had not passed away after the first appearance of war, and before they were shipped.

We have referred Mr Izard to his Excellency M. de Sartine, and shall have the honor to apply to him ourselves, according to your Excellency's advice, as early as possible.

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We have the honor to be, with the most perfect consideration, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, September 26th, 1778.

Sir,

The honorable Ralph Izard, Minister from the United States to the Grand Duke of Tuscany, having ordered his baggage to Italy from London, has had the luck to have it taken in an English vessel, and carried into Marseilles. We have written to the Count de Vergennes on the subject, who referred us to your Excellency.

We apprehend, that by the 16th article of the treaty of commerce, Mr Izard has a clear right to a restitution of his goods. But perhaps it will be necessary for your Excellency to transmit to Marseilles a copy of the treaty, or some order relative to this property of Mr Izard, which we have the honor to request.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

COUNT DE VERGENNES TO THE COMMISSIONERS.

[Pg 462]

Translation.

Versailles, September 27th, 1778.

Gentlemen,

In your letter of the 28th ult. you remind me of the promise of the king, by the 8th article of the treaty of amity and commerce, signed the 6th of February last, to use his exertions with the Barbary Powers to provide for the security of the commerce and navigation of the citizens of the United States in the Mediterranean. I have communicated your request to M. de Sartine, to whose department it belongs, and you will see by the reply of that minister, of which I send you a copy, that he considers it reasonable, but requires further explanations before he can receive the orders of the king on this matter. I beg you gentlemen, to have the goodness to communicate them to me, and to be assured that the king will cheerfully do all in his power to satisfy the wishes of the United States, and promote their views with the different Barbary powers.

I have the honor to be, Gentlemen, &c.

DE VERGENNES.

TO M. DE SARTINE.

Passy, September 27th, 1773.

Sir,

We have received the letter, which your Excellency did us the honor to write to us on the 21st inst. relative to the Isabella, retaken from a Guernsey privateer, by Captain M'Neil, in the General Mifflin.

It is extremely probable, that Count d'Estaing has retaken several American vessels from the English; we shall no doubt soon have intelligence what has been done in those cases.

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We have advised Captain M'Neil to leave one third of the produce of the Isabella in the hands of such public officer, as your Excellency shall point out, to be repaid to him, or restored to the original proprietor of the Isabella hereafter, according to the rule which, shall be adopted by the two nations, and to this Captain M'Neil has agreed. Captain M'Neil will have the honor of delivering this letter to your Excellency, and is ready to give your Excellency any assurance you may require of him, and to take the charge of your despatches respecting this affair; if your Excellency is disposed to do him the honor to trust them to his care.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DUMAS.

Passy, September 27th, 1778.

Sir,

We received yours in which you hint, that it is wished by some of our friends, that the Commissioners would propose a treaty to your government. It would really be a great pleasure to them to be instrumental in cementing a union between the two republics of Holland and the United States, by a treaty of amity and commerce, similar to that lately concluded with France, or varying where circumstances might require it. But having received no answer from the Grand Pensionary to a letter they respectfully wrote to his Excellency some months since, expressing their disposition to such a good work, they apprehend that any further motion of that kind, on their part, would not at present be agreeable; though they still hold themselves ready to enter upon such a treaty, when it shall seem good to their High Mightinesses.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

FROM THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.

Philadelphia, September 28th, 1778.

Sir,

Your several favors up to the 28th of July came duly to our hands, and, having been communicated to Congress, were received as agreeable proofs of your regular correspondence. The papers which you enclosed are with the Marine Committee, who will doubtless take occasion soon to report upon the contents. This will be conveyed to you in a small schooner, which, perhaps is not fit for a winter's return to this coast. You will determine in conjunction with the Captain, whether to send her back immediately, or to make the best use of her for the public in your neighborhood, till a proper month for her return. She is confided thus to your discretion.

No absolute judgment can at this instant be formed of the intended movements of the enemy. A course of Dunlap's papers will convey to you a general insight into the posture of our military affairs. It is not probable that any considerable decision in the field will take place this fall; and the councils in Britain appear to be for relinquishing the mad project of subjugating us by arms.

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It was to give conveyance to the letters of the French Minister, that the bearer was at this season despatched to Martinique; so that you will get further information of our affairs through the General, with whose confidence you are so much honored. You will herewith receive the second

volume of the Journals of Congress, but lately published. And as it was uncertain whether you had ever received the first, that also is sent; the index at least will be new to you, and serviceable.

We are, Sir, &c.

R. H. LEE,
JAMES LOVELL.

TO COUNT DE VERGENNES.

Passy, 1st October, 1778.

Sir,

We have received the letter, which your Excellency did us the honor to write to us on the 27th of last month, together with a copy of a letter from the Minister of the Marine to your Excellency, of the 21st of the same month.

Convinced of the propriety of those eclairsissements which his Excellency demands, we had recourse to our various instructions from Congress, and although we have power and instructions to treat and conclude treaties with all the European Powers, to whom no particular Minister has been sent by Congress, yet we cannot find that our powers extend to conclude treaties with the Barbary States.

We are, nevertheless, instructed to endeavor to obtain passes for vessels of the United States and their subjects from those powers, through the mediation and influence of His Most Christian Majesty, which we therefore request his Excellency to endeavor to procure, provided he sees no danger in the attempt, or material objections to it.

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We have, however, the honor to agree with his Excellency in opinion, that an acknowledgment of the independence of the United States, on the part of these powers, and a treaty of commerce between them and us, would be beneficial to both, and a negotiation to that end not unlikely to succeed; because there has been heretofore some trade between them and us, in the course of which our people and vessels were well received.

We therefore submit to his Excellency's judgment, either to commence a negotiation for passes for American vessels immediately, or to wait until we can write to Congress, and obtain power to treat with those States, and conclude treaties of commerce with them, when we shall request to commence and conclude the negotiation through the mediation and under the auspices of his Majesty. We have the honor to request his Excellency's advice hereupon.

We address this to your Excellency, as we have done many other things, which we suppose may be referred to other departments, because your Excellency being the Minister for Foreign Affairs, we have understood that we have no right to apply in the first instance to any other. But if we have been misinformed and ill-advised in this, and there is no impropriety in our making immediate application to other Ministers, upon subjects we know to be in their departments, we request your Excellency to give us an intimation of it; and for the future we will avoid giving unnecessary trouble to your Excellency.

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We have the honor to be, with sentiments of most entire respect,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, October 2d, 1778.

Sir,

We have the honor of your Excellency's letter of yesterday's date, requiring us to give to the Sieur Fagan all the security in our power for these vessels to transport the merchandise of France to England.

We have the honor to acquaint your Excellency, that we have accordingly given the Sieur Fagan three different requests in writing, to all commanders of American armed vessels to let the said vessels and cargoes pass without molestation, which was all the security that the laws of our country have empowered us to give.

We have the honor to be, with most entire consideration, your Excellency's most obedient

servant,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE, TO THE COMMISSIONERS.

Translation.

Versailles, October 7th, 1778.

Gentlemen,

I have had the honor, to receive your letter of the 26th ult., in which you support the pretensions of Mr Izard, Minister of the United States for Tuscany, who claims the effects captured in the English ship, the Nile, by the Cesar privateer from Marseilles. You have made a mistake in citing the 16th article of the treaty between his Majesty and the United States; the 14th article relates particularly to the subject. It contains, however, only the usual provisions of commercial treaties, founded on the law of nations, and I cannot see that it applies rigorously to the present case. Mr Izard is not named in the account of the goods of which he demands the restoration. There are no papers, which prove that those articles, shipped by an Englishman, addressed to Senior Martinelli for the Abbe Niccoli, are not on account of English subjects. If the government had the decision of the question without the interference of the Court, certainly, Gentlemen, your assertion and that of Mr Izard would be of very great weight. But his Majesty has granted to the captors the whole of the property captured; the Board of Prizes has adjudged the ship Nile a lawful capture, by their decree of the 20th ult.

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Placed between the Prize Court, the captors, and the claimant, the government cannot undertake to decide on this subject; it could pursue that course only in case the laws were not applicable to the point in question; but here the laws are known, they decide on claims for goods shipped before the commencement of hostilities; and in having recourse to the tribunals, Mr Izard may expect from them all the justice and favor, which the citizens of the United States will always experience in France.

I have the honor, &c.

DE SARTINE.

THE AMBASSADOR OF NAPLES TO THE COMMISSIONERS.

[Pg 469]

Translation.

Paris, 8th October, 1778.

Gentlemen,

I am persuaded that you already know that the king of the Two Sicilies, my master, has ordered the ports of all his dominions to be kept open to the flag of the United States of America, for which reason, to avoid every possible mistake at this time, when the seas are covered with the privateers of different nations, and likewise with pirates, I request you to inform me of the colors of the flag of the United States of America, and likewise of the form of the clearances, the better to know the legality of the papers which it is customary to present in ports, to gain free admission.

I have the honor to be, &c.

THE AMBASSADOR OF NAPLES.

TO THE AMBASSADOR OF NAPLES.

Passy, 9th October, 1778.

Sir,

We are this moment honored with your Excellency's letter of the 8th of this month, and we thank your Excellency for the information, that his Majesty the king of the Two Sicilies, has ordered the ports of his dominions to be open to the flag of the United States of America. We should be glad

to have a copy of his Majesty's edict for that purpose, in order to communicate it to Congress, who we are confident will be much pleased with this mark of his Majesty's benevolence.

It is with pleasure that we acquaint your Excellency, that the flag of the United States of America consists of thirteen stripes, alternately red, white, and blue; a small square in the upper angle, next the flag-staff, is a blue field with thirteen white stars, denoting a new constellation.

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Some of the States have vessels of war distinct from those of the United States; for example, the vessels of war of the State of Massachusetts Bay have sometimes a pine tree, and those of South Carolina, a rattlesnake, in the middle of the thirteen stripes. Merchant ships have often only thirteen stripes, but the flag of the United States ordained by Congress, is the thirteen stripes and thirteen stars above described.

The commissions of ships of war belonging to the United States, as well as those of privateers, are all signed by the President of Congress, and countersigned by the Secretary. Each State may have a different method of clearing vessels, outward bound, and a different form in the papers given, therefore we are not able to give your Excellency certain information respecting all of them. The Massachusetts Bay has only a naval officer in each port, who subscribes a register, a clearance, and a pass for the Castle in Boston harbor.

We have the honor to be, &c.

B. FRANKLIN,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, 12th October, 1778.

Sir,

The letter your Excellency did us the honor to write to us the 7th of this month we duly received.

In our letter of the 26th of last month, respecting the goods of Mr Izard, on board the Nile, we cited the 16th article of the treaty of commerce, in support of Mr Izard's claim, which your Excellency thinks an error, and that it is the 14th article which most nearly relates to his case. We cited the article as it stood in the original treaty, where it is the 16th. Your Excellency cites it as it stands in the treaty now agreed to be amended, leaving out two articles, the 11th and 12th. But your Excellency and we mean all the same article, which appears to us to apply to Mr Izard's case, as clearly, strictly and fully, as it could have been contrived to do, if his case had been in contemplation at the time when the treaty was made, and specially meant to be provided for. The words of the article are, "that such goods as were put on board any ship belonging to an enemy before the war, or after the declaration of the same, without the knowledge of it, shall no ways be liable to confiscation, but shall well and truly be restored, without delay, to the proprietor, demanding the same. Ignorance of the declaration of war, not to be pleaded more than two months after the declaration."

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Now by the bill of lading, which we had the honor to enclose to your Excellency, it appears, that the goods were shipped in the month of April last; at a time when certainly two months had not elapsed from and after the declaration of war. But if other evidence of this fact, viz. the time when these goods were shipped, is necessary, Mr Izard can certainly obtain it from England, although it would be attended with a good deal of trouble and expense.

As to the question, whether the goods are Mr Izard's property or not, Mr Izard, in a letter to us dated the 10th of this month, assures us, that his name is in many of the boxes, and that one of the boxes contains a great number of his papers with his name upon them. That the testimony of his merchant in London, who shipped the things, shall be procured, if necessary, and likewise that of the merchant in Leghorn, and the Abbe Niccoli, to whom they are addressed.

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We are only desirous of what is right, and as we hold ourselves bound to do all in our power to assist our fellow citizens in maintaining their rights, and of omitting no advantage that they are entitled to by the treaty, and as the treaty is so express that goods so circumstanced shall be restored without delay, and upon demand; and as Mr Izard apprehends he ought not to be put to the trouble, delay, and expense of a lawsuit on this occasion, we have thought it our duty to write again to your Excellency on the subject.

We are sensible, that his Majesty has granted the whole of the property, which shall be taken from the enemy and shall be lawful prize, to the captors, and the encouragement of adventurers in this way is of so much importance to our country, as well as to this, that we wish them to enjoy all the profits and advantages of their prizes. But the captors in this case must be sensible, that the goods belonged to a friend, not an enemy, and therefore not included in his Majesty's grant.

We beg leave to lay another subject before your Excellency. There are, we are informed, on board the Fox and the Lively, as there are in almost every ship in Admiral Keppel's and Lord Howe's

fleets, numbers of American seamen, who abhor the service into which, by one of the most extravagant flights of tyranny and cruelty that ever was heard of among men, they have been forced and compelled to fight against their country and their friends. These seamen we should be glad to deliver from the prisons in this kingdom, and from a misery and captivity infinitely more detestable on board of British men of war. We, therefore, beg leave to propose to your Excellency, that an inquiry be made, and a list taken of the natives of America among the crews of the Fox and Lively, and the men delivered to us. This would be attended with many happy consequences. It would relieve many of our countrymen from present confinement, and the most dismal prospects, and would furnish our vessels with a number of excellent sailors. It may be proper to inform your Excellency, that before this war began, one third part of the seamen, belonging to the then whole British empire, belonged to America. If we were able to command the services of all the sailors, it would be of great importance to the common cause; it would take away one third of the whole; those employed in the American service would be able to fight another third remaining to Great Britain, and consequently would leave to France no more than one third of the seamen, belonging to the British empire before the war, for France to contend with. But alas, this is not the case. Various causes, too many to be here explained, have concurred to prevent this. But we are very desirous of alluring back to their country as many as possible of those we have lost, and the plan we have now proposed to your Excellency appears to be one probable means of doing it. We shall suggest others hereafter, as opportunity occurs.

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October 15th, 1778. Since the foregoing was written, we have received letters from Robert Harrison, John Lemon, Edward Driver, and John Nicols, prisoners in Denant Castle, representing that they were taken by English frigates, in American privateers, forced into the service on board the Fox, and now taken by the French, and praying that we would intercede for their liberty, that they may return, if possible, to their country.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

FROM JAMES LOVELL TO THE COMMISSIONERS.

Philadelphia, October 12th, 1778.

Gentlemen,

Congress having foreign affairs now under consideration, I shall not write to you on that subject, more especially as it is quite uncertain how the present papers will be conveyed. Nor shall I pretend to unravel to you the designs of the enemy. They are very inscrutable. The printers know as much as I do about them; therefore I send a few of the last prints of Dunlap, which, with the Boston papers, must decide you in opinion.

Your affectionate friend, &c.

JAMES LOVELL.

TO RALPH IZARD.

Passy, October 13th, 1778.

Sir,

We have the honor of enclosing to you a copy of M. de Sartine's answer to our application in support of your demand of your baggage, taken on board the Nile. We have, agreeably to your last letter, written again to M. de Sartine requesting him to stop the sale of the things, till you can make your objections to their being lawful prize.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, October 13th, 1778.

Sir,

We had the honor of receiving your Excellency's letter of the 7th instant, to which we shall take the liberty of answering fully by another opportunity. As you mention that the prize was condemned on the 20th, Mr Izard is apprehensive, that the goods in question may be sold before the ordinary course of law can prevent it. He therefore desires us to request your Excellency to prevent that if possible. And we accordingly beg the favor of your Excellency to do so. We hope there is no impropriety in this; and that if there should be, you will impute it to our want of information on the manner of such proceedings here.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE AMERICANS TAKEN ON BOARD THE ENGLISH FRIGATES.

Passy, October 15th, 1778.

Gentlemen,

We have received a letter from Robert Harrison of the 7th of October, and another from John Lemon, Edward Driver, and John Nicols of the 12th, all prisoners in Denant Castle, all professing to be Americans, who have first been compelled into the service of their enemies, and then taken prisoners by the French.

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You are not known to us, but your account of yourselves, considering the general conduct of the English of late, is not improbable. We cannot but feel a concern for all prisoners in such a situation, of whom, to the lasting dishonor of the British government and nation, there are too many on board almost every man of war in their service.

We have written to his Excellency the Minister of the Marine of this kingdom upon the subject, and sincerely hope that something may be done for your relief, and that of all other prisoners in your situation.

But great care must be taken that neither we, nor more especially the government of this kingdom, be imposed upon by attempts to set at liberty English, Irish, Scotch, or other sailors, disaffected to the American cause, or unprincipled in it. We, therefore, desire you to send us a list and a short account of all the sailors, prisoners with you, who were born in America, or have been in her service, and are willing to subscribe the declaration, and take the oath of allegiance to the United States of America, and to live and die by her cause. We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DUMAS.

Passy, October 16th, 1778.

Sir,

We have received yours of the 2d instant, with the declaration signed by M. Van Berckel, and his explanatory letter to you; which gave us much pleasure, as they show the good disposition of that respectable body, the Burgomasters of Amsterdam, towards the United States of America, and their willingness, as far as may depend on them, to promote between the republic of the United Low Countries in Europe, and the said States, "A treaty of perpetual amity, containing reciprocal advantages with respect to commerce between the subjects of the two nations." As that body must be better acquainted than we, with the method of doing public business in their country, and appear to be of the opinion, that some previous steps can be taken by them, which may facilitate and expedite so good a work, when circumstances shall permit its coming under the consideration of their High Mightinesses, we rely on their judgment, and hereby request they would take those steps, as explained in M. Van Berckel's letter.

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And they may be assured, that such a treaty *as is described* would, at this time, meet with no obstacles on the part of the United States of America, who have great esteem and respect for your nation; and that nothing will be wanting on our part to accomplish the end proposed. We would only remark, that the mentioning it in the declaration as a thing necessary to precede the conclusion of such a treaty, "*that the American Independence should be acknowledged by the English,*" is not understood by us, who conceive there is no more occasion for such an

acknowledgment before a treaty with Holland, than there was before our treaty with France. And we apprehend, that if that acknowledgment were really necessary, *or waited for*, England *might* endeavor to make an advantage of it in the future treaty of pacification, to obtain for it some privileges in commerce, perhaps, exclusive of Holland. We wish, therefore, that idea to be laid aside, and that no further mention may be made to us of England in this business.

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We are, Sir, your most obedient humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Marly, October 19th, 1778.

Gentlemen,

I have received the two letters, with which you have honored me on the subject of the claims of Mr Izard to goods captured in the Nile. I observed to you, in my letter of the 17th inst. that the government could only interfere when the laws were insufficient; and that its interposition would be misplaced, when they were plain and precise. You must feel all the justice of this principle better than any person whatever, and I do not doubt that cases may occur in which you may yourselves appeal to it.

The capture of the Nile, and of her cargo, has been declared good. To order a particular restitution, and deprive the captors of property, which they have acquired provisionally at least, would be an interference of the government with the laws, and would introduce a dangerous precedent in the proceedings established by his Majesty relative to prizes. The more firmly you are convinced that the claims of Mr Izard are conformable to the treaty, the more ready you should be to believe, that they will be favorably received, and the expenses of a suit are inconsiderable. It is true, that they might have been avoided, if Mr Izard's property had been shown before the first sentence, because then it would only have been necessary to prove the property, which seems to me indisputable; but in the present state of things I am sorry that it is impossible for him to avoid the necessary forms, to which his Majesty has subjected his allies, as well as his own subjects.

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I have the honor to be, &c.

DE SARTINE.

TO RALPH IZARD.

Passy, October 22d, 1778.

Sir,

We have just now the honor of a letter from M. de Sartine, dated the 19th, which we suppose is his Excellency's ultimatum concerning your effects taken in the Nile, and we therefore take the earliest opportunity to enclose you a copy of it, that you may be able to take your measures in consequence of it, in which we suppose there is no time to be lost.

We have the honor to be, with great respect, Sir, yours, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Marly, October 20th, 1778.

Gentlemen,

I have replied only to the first part of your letter of the 12th inst.; the second also contains important matter. It would, doubtless, be desirable to restore to their country the American seamen, who have been retained by the force of habit or by compulsion in the English service, and to gain the double advantage of increasing the strength of the Americans, while we destroy that of the enemy. But the means appear to me as difficult as to yourselves, and in the present state of things, we cannot flatter ourselves that we shall succeed in the attempt.

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You request, at the least, that the citizens of the United States, taken since the commencement of hostilities in the English service, should be surrendered to you. This general demand requires a serious attention, and I shall lay it before his Majesty. With respect to the four prisoners, whose liberation you more particularly request, it is with great pleasure, that I transmit orders to Denant, to place them at your disposal.

I have the honor to be, &c.

DE SARTINE.

M. DUMAS TO THE COMMISSIONERS.

Translation.

Hague, October 27th, 1778.

Gentlemen,

I received your favor of the 16th last Saturday. It is precisely what I should have desired. The Grand Pentonary is highly pleased with it. I went the same day to read it to our friend, and gave him a copy attested by my signature. It gave him much pleasure, and he has repeatedly assured me that it would be extremely agreeable to the Burgomasters of the city, whom he was eager to inform how you would answer to the measure he had engaged them to adopt, in procuring from them authority to make the declaration^[53] and write me the letter, of which you have copies, and the duplicates of which are lodged in the city-house. He urged me to assure you, that the mention of England was not introduced with the design of making any thing depend on the pleasure of that power, but merely to show the situation of the city, which, for the present, can only wish that the English may be prevented from making any further opposition to our mutual connexion. In fine, he is now prepared to act on his return, at a convenient opportunity.

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The memorial of the merchants has been presented to their High Mightinesses. Herewith I transmit that presented to the Prince last Saturday. Our friend remitted it to me the same day, and I have thought it deserving of a translation for your inspection. He inquired anxiously for good news from America, and I replied, that the situation of America was by no means critical, and that I was less anxious about it than about this republic.

M. de Welderen has sent the reply of Lord Suffolk to the representations of their High Mightinesses. "The Court of London," he says, "is willing to restore all the vessels seized, with costs and charges, and to pay for the naval stores which it shall retain; but its ambassador will submit to their High Mightinesses a proposition to alter the treaties on this point, and to consent to declare these articles contraband in future."

Fortunately, unanimity is necessary to grant this consent, and Amsterdam will not allow even the entering upon such a negotiation. Suffolk adds, as a proof of his king's moderation, "that he has not yet called for the aid which the republic is obliged by treaties to furnish him;" as if the republic had guarantied to England the monopoly of America. This is extraordinary. Three of us here believe, that this letter was not written in England, and has only returned hither.

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The Secretary of their High Mightinesses is very much piqued, on account of the freedom with which the Committee of merchants addressed him, who, by reason of his equivocal answer, accused him of being in the English interest, like the majority of the chief men here. It is said, that it is truth only which is offensive.

I have finished the translation of the opinion of the city of Amsterdam, inserted in the Acts of the Republic, September 8th. I am preparing copies of it for you, Gentlemen, and for Congress. When yours is finished, I shall forward it with the request, that you will have two copies of it made by a skilful and exact French copyist, and send them to Congress as duplicates and triplicates of that, which I shall transmit to it from this place; for on the one hand, I consider this paper important and useful to the United States, both for the precise and authentic information which it affords relative to the present condition, political, military, &c. of this republic, and as an example of the evils it has drawn upon itself for the last century, by interfering too much with the imaginary balance of power, and with the wars of the European States, thus imposing upon itself the burden of a standing army, which has swallowed up its navy and subjected it to an imperious rival, &c. &c.; and on the other hand, this long paper occupies my time, which is valuable to me, and fatigues my hand, which unfortunately is not steady. My translation has been approved by our friend. It would be well to have it translated into English also, and if you had a translator who

understood Dutch, I could transmit you the original.

I am, Gentlemen, &c.

DUMAS.

FOOTNOTES:

[53] See Van Berckel's Declaration, above, [p. 457](#), dated Sept 23d.

TO E. T. VAN BERCKEL, BURGOMASTER OF AMSTERDAM.

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Passy, October 29th, 1778.

Sir,

Upon maturely considering the letter and declaration, which we have had the honor of receiving from you, we are of opinion, that there are some propositions relative to that business, which can only be properly discussed in a personal interview. We therefore wish that you, or a person authorised by you, would meet one of us at Aix-la-Chapelle, or any other place, which you may judge more convenient, for conducting this business with the most perfect secrecy.

Should this proposal meet with your approbation, you will have the goodness to apprise us of the time and place you think proper for the interview. It may be proper, that we should inquire for one another, whenever we meet, under fictitious names; the fixing upon which we also wish to leave to you.

We shall be glad of an answer as soon as is convenient to you; and have the honor to be, with great respect, Sir, your most obedient, and most humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO COUNT DE VERGENNES.

Passy, October 29th, 1778.

Sir,

We have the honor to inform your Excellency, that we are ready to execute and exchange the declarations, concerning the omission of the 11th and 12th articles of the treaty of commerce, and to request your Excellency to appoint a day to wait on your Excellency for that purpose.

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We have the honor to be, with the greatest respect, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

COUNT DE VERGENNES TO THE COMMISSIONERS.

Translation.

Versailles, October 30th, 1778.

Gentlemen,

I have received the reply, with which you honored me, regarding the arrangements to be made with the Barbary powers, for the protection of the American flag in the Mediterranean. Before the king can make any efforts to forward your views in this respect, I think it proper, that you should be provided with full powers from Congress, and that you should be not only authorised to propose the presents, which you may be expected to bestow, but also supplied with the necessary funds to satisfy these expectations. When all these preliminaries shall be complied with, you may rest assured, Gentlemen, that the king will hasten to forward, as far as he is able, the wishes and views of Congress. I have the honor to be, &c.

TO M. DE SARTINE.

Passy, October 30th, 1778.

Sir,

We have been honored with your letter of the 26th of October, and we thank your Excellency for the prompt and generous manner in which you have given liberty to four of our countrymen, who were among the prisoners at Denant. Such examples of benevolence cannot fail to make a lasting impression on the American mind.

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Since the receipt of your Excellency's letter, we have received another from the American prisoners at Brest, by which it appears, that there are ten of them, from four of whom only we had received letters when we wrote before, the other six having written to us, but their letters miscarried. We enclose a copy of this last letter, and have the honor to request a similar indulgence to all the ten.

By a letter we received last night from L'Orient, we have the pleasure to learn, that three vessels bound to the coast of Brazil have been taken by his Majesty's frigates, or by French cruisers, and sent into that port. It is very probable that the three masters of these vessels and every one of their sailors are Americans.

We are happy in this opportunity of communicating to your Excellency some intelligence, which we have been at some pains to collect, and have good reason to believe exactly true. The English last year carried on a very valuable whale fishery on the coasts of Brazil, off the River Plate in South America, in the latitude 35 south, from thence to 40, just on the edge of soundings, off and on, about the longitude 65 from London. They have this year about seventeen vessels in the fishery, which have all sailed in the months of September and October. All the officers and almost all the men belonging to those seventeen vessels are Americans, from Nantucket and Cape Cod in Massachusetts, excepting two or three from Rhode Island, and perhaps one from Long Island. The names of the Captains are Aaron Sheffield of Newport; Goldsmith and Richard Holmes from Long Island; John Chadwick, Francis May, Reuben May, John Meader, Jonathan Meader, Elisha Clark, Benjamin Clark, William Ray, Paul Pease, Reuben Fitch, Zebedee Coffin, and another Coffin, all of Nantucket; John Lock, Cape Cod; Delano, Nantucket; Andrew Swain, Nantucket; William Ray, Nantucket. Four or five of these vessels go to Greenland; the fleet sails to Greenland the last of February or beginning of March.

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There was published last year in the English newspapers, and the same imposture has been repeated this year, a letter from the Lords of the Admiralty to Dennis de Berdt, in Coleman street, informing him that a convoy should be appointed to the Brazil fleet. But this, we have certain information, was a forgery, calculated merely to deceive American privateers, and that no convoy was appointed or did go with that fleet, either last year or this.

For the captivity of a fishery so entirely defenceless, (for not one of the vessels has any arms) a single frigate or privateer of twentyfour or even twenty guns would be quite sufficient. The beginning of December would be the best time to proceed from hence, because they would then find the whale vessels nearly loaded. The cargoes of these vessels, consisting of bone and oil, will be very valuable, and at least 450 of the best kind of seamen would be taken out of the hands of the English, and might be gained into the American service to act against the enemy. Most of the officers and men wish well to their country, and would gladly be in its service if they could be delivered from that they are engaged in. But whenever the English men of war or privateers have taken an American vessel, they have given to the whalers among their crews their choice, either to go on board a man of war and fight against their country, or to go into the whale fishery. So many have chosen the latter, as to make up most of the crews of seventeen vessels.

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We thought it proper to communicate this intelligence to your Excellency, that if you found it compatible with his Majesty's service to order a frigate from hence, or from the West Indies, to take from the English at once so profitable a branch of commerce, and so valuable a nursery of seamen, you may have an opportunity of doing it; if not, no inconvenience will ensue.

We have the honor to be, &c.

B. FRANKLIN,
JOHN ADAMS.

[Mr Lee did not sign, but objected to the acknowledgment of giving up the American subjects, captured in the enemy's vessels, as being a favor.]

Translation.

Versailles, October 31st, 1778.

Gentlemen,

You request that a day be fixed for the interchange of declarations relative to the omission of the eleventh and twelfth articles of the treaty of commerce. If next Monday, November 2d, is convenient to you, I should be glad to have the honor to receive you, and I flatter myself you will do me the honor to dine with me on that day.

I have the honor to be, &c.

DE VERGENNES.

M. DUMAS TO THE COMMISSIONERS.

[Pg 488]

Translation.

Hague, November 4th, 1778.

Gentlemen,

The gentlemen from Amsterdam have returned with more strict instructions from their constituents. They will be followed, perhaps, by a third memorial, more forcible than the preceding. If the same evasions continue to be practised, Amsterdam will display other resources, which have not yet been communicated to me. The subject of the convoy will be discussed next week. Sir J. Yorke presented a memorial the day before yesterday, more moderate in its tone, but equally insidious in reality, on behalf of his Court. 1. It demands the appointment of Commissioners, with whom he may consult to settle the intent of the treaties relative to the articles, which it is desired to prohibit. 2. It declares that his Court is desirous, that the republic would not grant the convoys in question, as it cannot consent to allow the above mentioned articles to pass. He will find formidable adversaries from Amsterdam, who are firmly resolved on an absolute negative on these two points. A certain great personage, and the Grand Pensionary, are already prepossessed on the subject. The irritation against the English gains also in some of the nobility.

The project, with which you are acquainted, is prepared with some changes and additions on the basis already known to you. It is in the hands of the Burgomasters, who will examine the whole; after which a copy will be delivered to me, that I may also transmit one to you, to be examined by you in the same manner, and that your observations thereon may be communicated to them through me.

I have been assured on behalf of the Burgomasters, that it is not their intention to leave our future connexions dependent on Great Britain; on the contrary, it is their wish, that in course of time, their High Mightinesses may adopt a better system of measures, than is at present possible; this circumstance they have thought ought not to be concealed from you any more than their present situation, their wishes, and their expectation that you will be ready to concur in the steps, which it shall be in their power to take towards realising them.

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On the whole, Gentlemen, I cannot give you a more clear idea of the whole matter, than the following; we correspond with a minority, which has this advantage over that of England, that if this republic will not declare itself our friend, it cannot be our enemy, on account of the unanimity required by the constitution; this circumstance alone is of high importance, and ought to persuade us to assist and confirm that minority.

Every time I see our friend, he begs me not to fail to communicate to him immediately any good news I may receive from America. He makes too good a use of such information to allow any delay on my part.

The two letters, for which I am indebted to Mr A. Lee, have been inserted in the Leyden Gazette. The Courier of the Lower Rhine contains a fine eulogy on Mr Joseph Reed, member of Congress; it is deserving of your notice. I wish I could send you the paper, but I have only one copy, which I am about to forward to Congress.

I am, &c.

DUMAS.

TO M. DE SARTINE.

[Pg 490]

Passy, November 16th, 1778.

Sir,

We have the honor of your Excellency's letter of the 6th of this month, but as the memoir of the French surgeon, which your Excellency proposed to transmit to us, was by some accident omitted to be enclosed in your letter, we are ignorant of his case, and consequently unable to inform your Excellency whether it is in our power to afford him any relief. If your Excellency will have the goodness to send us the memoir, we will answer your letter without delay.

In the meantime we may acquaint your Excellency, that the United States have not adopted any precautions for sending succors to their subjects imprisoned in England. We have ventured, without orders or permission from the United States, to lend small sums of money to persons who have escaped from irons and dungeons in Great Britain, to bear their expenses to Nantes, L'Orient and Bordeaux. But we have sent no succor to them while in England, except a small sum of money, put into the hands of Mr Hartley, to be disposed of by him for the relief of such as should most want it.

We shall consider every Frenchman, taken by the English on board of American vessels, in the same light as if he was an American by birth, and entitled to the same assistance from us as Americans are in the same situation.

We have the honor to be, &c. &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO THE PRESIDENT OF CONGRESS.

[Pg 491]

Passy, November 7th, 1778.

Sir,

We have the honor to enclose a copy of the declaration concerning the 11th and 12th articles of the treaty of commerce, which we have received from his Excellency the Secretary of State for Foreign Affairs, in exchange for a similar one signed by us, in pursuance of the instructions of Congress.

We have also the honor to enclose copies of a correspondence with his Excellency M. de Sartine, the Secretary of State for the Marine, concerning cases of recaptures, that Congress may, if they judge proper, take some resolution on this head; it seems to be equitable, that the same rule should be observed by both nations.

We also enclose copies of a correspondence on the subject of negotiation with the Barbary States. We do not find ourselves authorised to treat with those powers, as they are not in Europe, and indeed we are not furnished with funds for making them presents.

We have had the honor of a copy from the Auditor General, enclosing the form of bills of exchange to be drawn upon us, for the interest due upon loan office certificates, and acquainting us that this interest will amount to two millions and a half of livres annually. When it was proposed to pay the interest here, we had no idea of so much being borrowed. We shall pay the most punctual obedience to these and all other orders of Congress, as long as our funds shall last. But we are obliged to inform Congress, that expenses on prisoners being great, and being drawn upon by the order of Congress from various quarters, and receiving no funds from America, we suffer the utmost anxiety, lest we should be obliged to protest bills. We have exerted ourselves to the utmost of our power to procure money, but hitherto with little success. And we beg that some supplies may be sent us as soon as possible. We are very sorry that we are not able to send to Congress those supplies of arms, ammunition, and clothing, which they have ordered; but it is absolutely impossible, for the want of funds, and M. Beaumarchais has not yet informed us, whether he will execute the agreement made for him with you or not.

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We have the pleasure to inform Congress, that Mr Matthew Ridley of Maryland has made a present to the United States of a valuable manuscript upon naval affairs, which he has left with us. We shall take the first opportunity of a frigate to send it to Congress.

We enclose to Congress copies of a correspondence between the Ambassador of the king of the two Sicilies and us, which, as his Majesty is the eldest son of the king of Spain, is considered as an event indicative of the good will of a greater power, although, this is respectable.

It is of great importance to penetrate the councils of an enemy, in order to be prepared beforehand against his designs; we shall therefore be happy to advise Congress of the intentions of Great Britain as far as we conjecture.

We have every reason to believe, that the hostility of the disposition of the British Court has no other bounds but those of their power. Their threats, however, of large reinforcements and of Russian auxiliaries, are without foundation. The interest of the king of Prussia, and of the Empress Queen (who both choose at present to pursue decent terms with Great Britain) to prevent a close alliance between England and Russia, we apprehend, will prevent it. In short, we see no probability of England's forming any alliance against America in all Europe; or indeed against France; whereas, on the other side, from the astonishing preparations of Spain, the family compact, and other circumstances, and from the insolent tyranny of the English over the Dutch, and their consequent resentment, which has shown itself in formidable remonstrances as well as advances towards a treaty with us, there is reason to believe, that if Great Britain perseveres in the war, both of these powers will at length be involved in it.

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We had the honor to write to Congress on the 20th of July and the 17th of September, of which we have sent duplicates and triplicates, and to which we beg leave to refer. By this opportunity we shall send the newspapers, which contain all the public intelligence.

We enclose a number of notes of hand, which have been taken from our unhappy countrymen, who have escaped from England, to whom we have lent money, as they had no other way of subsistence.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DUMAS TO THE COMMISSIONERS.

Translation.

Hague, November 10th, 1778.

Gentlemen,

My last of the 4th was despatched the 6th. Tomorrow will be an important day, and will have serious consequences if Amsterdam yields. You are already acquainted with the opinion, which will be pronounced by the Admiralty. The committee appointed to confer with the Admiralty on this point have made a report as follows.

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1st. The conference desired by Sir J. Yorke, concerning the meaning of the treaties relative to naval stores, shall be refused. 2dly. The restitution of the vessels seized shall be strongly insisted on. The Admiralty shall make certain arrangements with the merchants of the country during these difficulties, that is, in plain English, shall suspend the convoys, in so far as relates to the abovementioned materials. This addition spoils all the rest.

Your friend appeared to me rather embarrassed. He has sent for the most prudential persons on change to ask their advice concerning this addition, which he considers arrant folly. Another person, very much displeased with this addition, says, that if Amsterdam persists firmly in demanding the strict observance of the treaties, and a perfect neutrality, she can counteract this manœuvre. Otherwise the servile submission of the nation to the lash of the English, will expose it to that of the French also, who will deprive it of the privileges it has heretofore enjoyed in their country, and will seize its vessels, after the example of the English.

You may therefore expect in my next to hear of a vigorous and successful opposition on the part of the city, or of a dreadful blow to the commerce and navigation of this country. It may then be said, *quidquid delirant Britanni, plectuntur Belgae*. It will be their own fault.

All this will probably be delayed somewhat; for our friend has told me, that the Provincial Assembly will not rise this week. As I cannot see him today, because he dines out, I have sent him a letter, of which a copy is enclosed.

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I am, Gentlemen, &c.

DUMAS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, November 12th, 1778.

Gentlemen,

M. de Fleury has represented to me, that his only son embarked for America in 1778, where he served the United States in the army of General Washington, with sufficient distinction to be raised to the rank of Lieutenant Colonel, but having been made prisoner, and conducted to fort St Augustine, he has not yet been able to procure his exchange, and is in the most deplorable condition. The distinction which this young officer obtained in the service of the United States speaks in his favor, and I am persuaded, Gentlemen, that you will attend to the request of M. de Fleury. I should be obliged to you, if you would include him in the first exchange of prisoners.

I have the honor to be, &c.

DE SARTINE.

TO M. DE SARTINE.

Passy, November 12th, 1778.

Sir,

Last night we had a letter from Nantes, a copy of which we have the honor to enclose to your Excellency.

The subject of it appears to us of great importance to the United States, as well as to the individuals, Frenchmen and Americans, who are interested in the vessels destined to America; also to a considerable number of gentlemen and others, who are going passengers in this fleet, and ultimately to the common cause. [Pg 496]

It gives us great pleasure to find so large a number of vessels going out upon this occasion. Their cargoes are much wanted to enable our countrymen to sustain the war. We therefore most cheerfully join with the subscribers to the letter, who have also petitioned your Excellency, in requesting a large convoy to protect those ships quite home to America.

Upon this occasion we cannot refrain from submitting to your Excellency our opinion, that the more of the king's ships are sent to America, the more certainly France maintains a superiority of naval power in the American seas, the more likely it will be that she will have the advantage in the conduct of the war. Because the French having the ports and the country, the provisions, the materials, and the artificers of America open to them, and the English being obliged to derive all these things from Europe, the former have a vast advantage over the latter, in the conduct of the war in that quarter of the world; not to mention that the French ships being newer and in better condition than the English, are better able to sustain the American seas.

Your Excellency will excuse our suggesting one reflection, that whatever vessels of war are sent to America, they should be plentifully furnished with marine woollen cloths, especially blankets and gloves, or mittens, without which it is extremely difficult for the men to do their duty in the cold season upon that coast.

We are, &c. &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DUMAS TO THE COMMISSIONERS.

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Translation.

Hague, November 13th, 1778.

Gentlemen,

The situation of affairs here is becoming extremely critical. The resolution mentioned in my letter of the 10th, to deny convoy for naval stores, has not yet been formally adopted. It has been decided to determine this point next Wednesday, by the majority of voices. The members from Amsterdam have protested against this, as contrary to the constitution, which requires in such cases unanimity, and have entered their protest in the books. They were, however, abandoned by all the other cities. M. Van Berckel sustained the attacks of the whole assembly with firmness; one might say, that he had to encounter the whole province, and consequently the whole republic except his own city. If the council upholds the regency, and the merchants continue to oppose this measure, as in all probability they will, they must succeed in their righteous cause. If the council, contrary to all appearances, should yield, M. Van Berckel declares, that he will never

return, but will leave room for any one who wishes it to occupy his place.

The French ambassador, on his side, declared several days ago to the principal officers of government, and through them to the Pentionaries of the cities, that the king expects that the republic will cause the Dutch flag to be respected, and will protect efficiently and promptly her commerce, in conformity with the treaties of 1674, &c. between this country and England, on the faith of which reposes the confidence in this flag; and if the republic does not answer to such reasonable expectations, and undertakes to modify any part of those treaties to the prejudice of commerce, the king is immovably fixed in his determination, to deprive the nation of those advantages, which his Majesty, out of pure kindness and without any obligation by treaty, has hitherto permitted it to enjoy in the ports of France.

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I have communicated this today to the friends of Amsterdam, to be made known on change.

I shall set out in an hour for a place where my presence is considered necessary. In the meanwhile,

I am, &c.

DUMAS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, November 14th, 1778.

Gentlemen,

I have submitted to the king the reasons, which might determine his Majesty to set at liberty citizens of the United States, prisoners in France. But he has wisely decided, that this favor ought to be granted only to those, who have been taken from American vessels, and compelled to serve against their country; it will, therefore be necessary for you, Gentlemen, to cause a list to be made, certified by yourselves, which you will have the goodness to forward to me, that only the good and faithful subjects of the United States may enjoy the benefit of his Majesty's favor.

I have the honor to be, &c.

DE SARTINE.

M. DUMAS TO THE COMMISSIONERS.

Translation.

Hague, November 20th, 1778.

Gentlemen,

I returned here last Wednesday morning, and in the afternoon was informed by our friend, that the despotic act, which I announced to you in my last of the 13th of November, was passed in the Assembly of the Province, after a session of three hours; and that the preamble with the addition, of which I gave you an account in my letter of the 10th, was adopted by a majority. The city of Amsterdam has in consequence entered a protest against this resolution, declaring it null, as having been adopted contrary to the forms required by the constitution of the State, which prescribes unanimity in such cases. The injurious consequences which may result to the city are also exposed.

Sir J. Yorke despatched a messenger with all haste to England, with the news of the triumph of his party. His Court will not fail to boast of this success in Parliament and in the journals; it appears to have been desired for this purpose. No mention will be made of the protest, which in reality converts this success into smoke, which will soon be dissipated; for the members from the great city declare, that if the protest is not printed with the resolution, they will have it printed in the city, so that at least this nation shall not be deceived. It is easy to foresee two important consequences resulting from this measure; one, the blow predicted in my letter of the 10th; the other, the close of a famous banking establishment, without which the others cannot stand.

I might enter more into details; but besides that I have not time, I am afraid to trust them to paper. I will only add, that tomorrow morning, the members from the great city will depart, and with them all the glory of Belgium. The others are ashamed of their own work, dare not boast of it, and hang down their heads. It has even been attempted to circulate the report, that the famous resolution was adopted unanimously, and in conformity with the wishes of the great city.

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You cannot imagine, Gentlemen, how eager are your enemies in the present situation of affairs, to propagate reports of dissensions and divisions between the Americans and French, and among the Americans themselves; their object is to animate their own party, and discourage their opponents. We may despise them and laugh at them; but your best friends are afflicted, that we receive no news from America by the way of France. I pray God that we may soon have some, and of the most favorable character.

I am, Gentlemen, &c.

DUMAS.

TO COUNT DE VERGENNES.

Passy, January 1st, 1779.

Sir,

Some late proceedings of the enemy have induced us to submit a few observations to your Excellency's superior light and judgment.

His Britannic Majesty's Commissioners, in their manifesto of the 3d of October, have denounced "a change in the whole nature and future conduct of the war," they have declared, "that the policy as well as the benevolence of Great Britain has thus far checked the extremes of war," when they tended "to distress the people and desolate the country;" that the whole contest is changed; that the laws of self-preservation must now direct the conduct of Great Britain; that these laws will direct her to render the United States of as little avail as possible to France, if they are to become an accession to her, and by every means in her power to destroy the new connexion contrived for her ruin. Motions have been made and supported by the wisest men in both Houses of Parliament, to address the king to disavow these clauses, but these motions have been rejected by majorities in both Houses, so that the manifesto stands avowed by the three branches of the Legislature.

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Ministers of State made in Parliament a question concerning the meaning of this manifesto; but no man who reads it, and knows the history of their past conduct in this war, can doubt its import. There is to be a "change in the nature and conduct of the war." A change for the worse must be horrible indeed! They have already burned the beautiful towns of Charlestown, Falmouth, Norfolk, Kingston, Bedford, Egg Harbour, and German Flatts, besides innumerable single buildings and smaller clusters of houses, wherever their armies have marched. It is true, they left Boston and Philadelphia unhurt, but in all probability it was merely the dread of a superior army, that in these cases restrained their hands, not to mention that burning these towns would have been the ruin of the few secret friends they have still left, of whom there are more in those towns than in all America besides. They have not indeed murdered upon the spot *every* woman and child that fell in their way, nor have they in *all* cases refused quarters to the soldiers, that at *all* times have fallen into their power, though they have in many. They have also done their utmost in seducing negroes and Indians to commit inhuman barbarities upon the inhabitants, sparing neither age, sex, nor character. Although they have not in all cases refused quarter to soldiers and sailors, they have done what is worse than refusing quarters, they have thrust their prisoners into such dungeons, loaded them with such irons, and exposed them to such lingering torments of cold, hunger, and disease, as have destroyed greater numbers than they could have had an opportunity of murdering, if they had made it a rule to give no quarter. Many others they have compelled by force to serve and fight on board their ships, against fathers, brothers, friends and countrymen; a destiny to every sensible mind more terrible than death itself.

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It is therefore difficult to comprehend what they mean by a change in the conduct of the war, yet there seems to be no room to doubt, that they mean to threaten something more cruel, greater extremes of war, measures that shall distress the people and lay waste the country more than any thing they have yet done. "The object of the war is now entirely changed." Heretofore their massacres and conflagrations were to divide us and reclaim us to Great Britain. Now, despairing of that end, and perceiving that we shall be faithful to our treaties, their principle is by destroying us to make us useless to France. This principle ought to be held in abhorrence, not only by all christians, but by all civilized nations. If it is once admitted, that powers at war have a right to do whatever will weaken or terrify an enemy, it is not possible to foresee where it will end. It would be possible to burn the great cities of Europe. The savages, who torture their prisoners, do it to make themselves terrible; in fine, all the horrors of the barbarous ages may be introduced and justified.

The cruelties of our enemies have heretofore more than once exasperated the minds of the people so much as to excite apprehensions, that they would proceed to retaliation, which, if once commenced, might be carried to extremities; to prevent which, the Congress issued an address exhorting to forbearance and a further trial by examples of generosity and lenity, to recall their enemies to the practice of humanity amidst the calamities of war. In consequence of which, neither the Congress, nor any of the States apart, have ever exercised or authorised the exercise

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of the right of retaliation. But now, that Commissioners vested with the authority of the nation have avowed such principles, and published such threats, the Congress have, by a resolution of the 30th of October, solemnly and unanimously declared that they will retaliate. Whatever may be the pretences of the enemy, it is the manifest drift of their policy to disgust the people of America with their new alliance, by attempting to convince them that instead of shielding them from distress, it has accumulated additional calamities upon them.

Nothing, certainly, can more become a great and amiable character than to disappoint their purpose, stop the progress of their cruelties, and vindicate the rights of humanity which are so much injured by this manifesto. We therefore beg leave to suggest to your Excellency's consideration, whether it would not be advisable for his Majesty to interfere, by some declaration to the Court of London and to the world, bearing the royal testimony against this barbarous mode of war, and giving assurances, that he will join the United States in retaliation, if Great Britain by putting her threats in execution should make it necessary. There is another measure, however, more effectual to control their designs, and to bring the war to a speedy conclusion; that of sending a powerful fleet, sufficient to secure a naval superiority over them in the American seas. Such a naval force, acting in concert with the armies of the United States, would, in all human probability, take and destroy the whole British power in that part of the world. It would put their wealth and West Indian commerce into the power of France, and reduce them to the necessity of suing for peace. Upon their present naval superiority in those seas depend not only the dominion and rich commerce of their islands, but the supply of their fleets and armies with provisions and every necessary. They have nearly four hundred transports constantly employed in the service of their fleet and army in America, passing from New York and Rhode Island to England, Ireland, Nova Scotia, and their West India Islands, and if any one link in this chain was struck off, if their supplies from any one of these places should be interrupted, their forces could not subsist. Great numbers of these vessels would necessarily fall into the hands of the French fleet, and go as prizes to a sure market in the United States. Great numbers of seamen too would become prisoners, a loss that England cannot repair. It is conceived, that it would be impossible for Great Britain to send a very great fleet after the French into those seas. Their men of war, now in Europe, are too old, too rotten, too ill manned, and their masts and yards are of too bad materials to endure such a navigation. The impossibility of their obtaining provisions, artists and materials in that country, which would be easy to the French, makes it still clearer that they cannot send a great additional force, and the fear of Spain's interfering, with her powerful navy, would restrain them. Whereas France has nothing to fear in Europe from them, as the number and excellence of their armies are an ample security against the feeble land forces of Great Britain.

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This naval superiority would open such commerce between the United States and the French West India islands, as would enable our people to supply themselves with the European and West India articles they want, to send abroad the produce of the country, and by giving fresh spirit and vigor to trade, would employ the paper currency, the want of which employ has been one cause of its depreciation. The maintenance of such a fleet in America, would circulate so many bills of exchange as would likewise, in a great measure, relieve them from that dangerous evil. And these bills would all return to France for her manufactures, thereby cementing the connexion and extending the trade between the two countries. Such a naval superiority would contribute very much to extinguish the hopes of the remaining number of persons who secretly wish, from sinister motives, to become again subjected to Great Britain, and would enable the people of the several States to give such consistency and stability to their infant governments, as would contribute greatly to their internal repose, as well as to the vigor of their future operations against the common enemy. The late speedy supply and reparation of his Majesty's fleet at Boston will show the advantages, which this country must enjoy in carrying on a naval war, on a coast friendly to her and hostile to her enemy. And these advantages will in future be more sensible, because the appearance of the fleet before was unexpected, and the harvest in that part of the country had been unfavorable. It is obvious to all Europe, that nothing less is at stake than the dominion of the sea, at least the superiority of naval power, and we cannot expect Great Britain will ever give it up, without some decisive effort on the part of France. With such an exertion as that of sending a superior fleet to America, we see nothing in the course of human affairs, that can possibly prevent France from obtaining such a naval superiority without delay. Without it the war may languish for years, to the infinite distress of our country, to the exhausting both of France and England, and the question left to be decided by another war.

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We are more earnest, in representing these things to your Excellency, as all our correspondence from England, for some time, has uniformly represented that the intention of the Cabinet is conformable to the spirit of the manifesto, that all parties grow more and more out of temper with the Americans; that it has become fashionable with the minority as well as the majority and administration, to reproach us both in and out of Parliament; that all parties join in speaking of us in the bitterest terms, and in heartily wishing our destruction; that great clamors are raised about our alliance with France, as an unnatural combination to ruin them; that the cry is for a speedy and powerful reinforcement of their army, and for the activity of their fleet in making descents on the sea coast, while murdering and desolating parties are let loose upon the frontiers of the Carolinas, Virginia, Pennsylvania, New Jersey, New York, and New England, and, that very early in the year, they will carry all these projects into execution. This whole system may, as we conceive, be defeated and the power of Great Britain now in America totally subdued (and if their power is subdued there, it is reduced every where,) by the measure we have the honor to propose.

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We submit the whole merely as our opinion to your Excellency's superior wisdom, and have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. DE SARTINE.

Passy, January 2d, 1779.

Sir,

We had the honor of receiving your Excellency's letter of the 22d, and are much obliged to you for the interest you take in what concerns the unhappy prisoners, who may escape from England. We have not been inattentive to that subject. There are persons who supply them at Bordeaux, Brest, L'Orient, Nantes, and Dunkirk. A gentleman at Calais has voluntarily done this service, for which we have directed him to draw on us for his disbursements; and we shall as readily discharge what may have been disbursed by your commissaries, when we have their accounts.

As there is very little probability of prisoners coming to other ports, we will not give your Excellency the trouble you are so good as to offer to take.

The regulation your Excellency proposes, relative to the prisoners we may take from the enemy and bring into the ports of France, is entirely agreeable to us; and we shall direct our agents accordingly, who will readily deliver such prisoners to the persons your Excellency may appoint to receive them, having already requested us to procure written orders from you, without which your commissaries were unwilling to take charge of them.

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We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

M. DE SARTINE TO THE COMMISSIONERS.

Translation.

Versailles, January 13th, 1779.

Gentlemen,

I have received your letter of the 2d instant. I know that you direct your agents, in different parts of the kingdom, to supply American prisoners escaped or returning from England with whatever may be necessary on their arrival; but you appear not to have given these orders in the ports of Normandy, and I am informed, that some prisoners, who need assistance, have appeared in those ports. It seems to me necessary, that you should take such measures as you may judge proper on this subject. I will transmit to you an account of the expenses, which have been incurred up to the last of December.

I have given orders in all the ports for the reception of English prisoners, brought in by citizens of the United States, for their detention in the prisons destined for that purpose, and for their usual supply of rations; a particular account of this expenditure will be kept. You may, therefore, direct your agents in all the ports to deliver such prisoners, on their arrival, to the Commissaries-General, and I have the honor to be, &c.

DE SARTINE.

TO WILLIAM LEE, AT FRANKFORT.

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Passy, January 13th, 1779.

Sir,

The letter which you did us the honor to write us on the 16th of December we have received. As we have heard nothing further of the Congress in Germany, which you inform us was talked of, we presume that no such measure will take place.

However, whether there be a Congress or not, we cannot comply with the terms of the gentleman you mention, nor advise him to take any steps in the business.

We have also the honor of your letter of the 9th of December, informing us of your draft upon us for twentyfour thousand livres, at one month's date, payable to Mr Grand. The bill of exchange itself has also been presented to us and accepted.

We have the honor to be, &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO JOHN LLOYD, AND OTHERS.

Passy, January 26th, 1779.

Gentlemen,

We had yesterday the honor of your letter of the 21st of this month.

You desire to know what port, or ports, is or are made free, pursuant to the treaty? We believe that none has as yet been determined on; at present all the ports of France are open to American vessels of all denominations, and we are at present rather doubtful whether it would be politic in us to apply to have any distinction made. If the appointment of free ports would relieve us from the payment of duties, import or export, we should apply immediately. But as we apprehend this advantage would not be the consequence, the limits of the free ports would be prescribed, and the same duties must be paid upon removing goods, within or without those limits, as are now paid upon the imports and exports. Goods, however, might be brought into such free ports from abroad, and then landed and stand for a time, and then exported without paying duties; but whether this would be any great advantage to our trade, you are better judges than we. We shall be glad of your advice upon this head, and if you think of any advantages of considerable moment, that would arise, we shall be always ready to apply for such an appointment.

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We are sorry it is not in our power to give you any acceptable information respecting the 8th article of the treaty, relating to the Barbary corsairs. All we can say is, that we have applied to the Ministry upon this head some months ago, and received satisfactory expressions of the disposition of this government to do every thing, which is stipulated in that article of the treaty. But some things remain to be determined by Congress, to whom we have written upon the subject, and we must necessarily wait their instructions.

There are two inquiries to be made, viz. which of all the nations, who now trade with France, is the most favored, and what duties are paid by that nation? These duties, and these only, we suppose we are to pay, and as soon as circumstances will permit, (two of us having been for a fortnight very ill, and one of us continuing so) we shall apply to the Ministry for an eclaircissement upon this head, which we will endeavor to communicate to you as soon as we shall obtain it.

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We have received an answer to our last application for a convoy, from their Excellencies Count de Vergennes and M. de Sartine; but the answers convinced us, that M. de Sartine was under some misinformation, or misunderstanding relative to the business, which obliged us to write again. As soon as we shall be honored with an answer, we will communicate the result of it to you.

Meantime we have the honor to be, with great respect, Gentlemen, your most obedient humble servants,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO COUNT DE VERGENNES.

Passy, February 9th, 1779.

Sir,

It is now six months since Captain M'Neil, of the Mifflin privateer from America, has been embarrassed with a process on account of a French ship, which he retook from the English, after she had been three days in their possession. The laws of France are clear with regard to the validity of this prize, and our Captains have orders, contained in their commissions, to submit their prizes to the laws of the country into which they carry them, and they ought undoubtedly to

regulate their own conduct by those laws, without any regard to the laws of America relating to this matter, which may be different in every one of the United States, and, therefore, too uncertain to be made the rule for judgement in the courts here. But the persons reclaiming this prize insist, among other reasons, that their cause should be judged by the laws of Captain M'Neil's country, because more favorable for them.

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We believe that no Americans in France will ever think of claiming here any advantage by virtue of the laws of their own country, and it seems not just to put those laws in force against them in France, when it may be done to their detriment. The vexation of these kinds of processes, and the slowness and length of these expensive proceedings before a decision can be obtained, discourage our armed vessels, and have tended to impress them with an opinion that their operations against the English cannot be carried on to advantage in the European seas. We, therefore, request your Excellency to join your solicitations to those we have had the honor to make to M. de Sartine, that these processes may be more speedily determined, and that the Americans in France may be treated, in those respects, on the same footing with the subjects of his Majesty; of which we shall be glad to give information to the Congress, that so some popular prejudices occasioned by these affairs may be effectually removed, and the American armed ships be encouraged to return and cruise again upon the coasts of England.

We have the honor to be, with the greatest consideration and respect, &c. &c.

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

TO M. SCHWEIGHAUSER.

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Passy, February 10th, 1779.

Sir,

Captain Jones has represented to us his desire and intention of returning to the Countess of Selkirk some plate, which his people took from her house.

We apprehend that Congress would not disapprove of this measure, as far as it should depend upon them, and we therefore consent on the part of the United States, that this plate should be returned. This consent is to be understood to extend no further than to the share, to which the United States may be supposed to have a claim. The claim of the officers and men, Captain Jones must be responsible to them for. This plate in the whole is represented to be worth about one hundred guineas.

We are, Sir, &c.

B. FRANKLIN,
JOHN ADAMS.

TO JOHN PAUL JONES.

Passy, February 10th, 1779.

Sir,

As your separation from the Ranger, and the appointment of Lieutenant Simpson to the command of her, will be liable to misinterpretations and misrepresentations by persons, who are unacquainted with the real cause of those facts, we hereby certify, that your leaving the Ranger was by our consent, at the express request of his Excellency Monsieur de Sartine, who informed us, that he had occasion to employ you in some public service; that Lieutenant Simpson was appointed to the command of the Ranger with your consent, after having consented to release him from an arrest, under which you had put him.

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That your leaving the Ranger, in our opinion, ought not, and cannot, be any injury to your rank or character in the service of the United States; and that your commission in their navy continues in full force.

We have the honor to be, &c.

B. FRANKLIN,
JOHN ADAMS.

TRANSCRIBER'S NOTE.

Omitted words, shown as blank spaces in the original, have been transcribed as four hyphens ('----').

Spelling variations between letters have been preserved.

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