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Revolution, Vol. 11

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THE AMERICAN REVOLUTION, VOL. 11 ***

THE
DIPLOMATIC CORRESPONDENCE
OF THE
AMERICAN REVOLUTION.
VOL. XI.

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. DE LAFAYETTE,
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 in the
Department of State, conformably to a Resolution of
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EDITED

BY JARED SPARKS.

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CORRESPONDENCE

OF

C . A . D E L A L U Z E R N E ;

**MINISTER PLENIPOTENTIARY FROM FRANCE
TO THE UNITED STATES.**

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THE

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CORRESPONDENCE

C . A . D E L A L U Z E R N E .

CORRESPONDENCE CONTINUED.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, September 10th, 1781.

Sir,

The undersigned, Minister Plenipotentiary of France, has the honor of communicating to Congress the commission of M. Holker, as Consul General of France, in the States of Pennsylvania, New York, New Jersey, and Delaware. He requests Congress to pass an act, or four different acts, in order to procure for this Consul the *exequatur* in each of the States, to which his functions are to extend.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, September 18th, 1781.

Sir,

The undersigned, Minister Plenipotentiary of France, has the honor of informing Congress, that he has received despatches from his Court, containing important details relative to the communications, which have taken place between the belligerent and mediating powers. He wishes that Congress would be pleased to appoint a committee, to whom he shall communicate them, and with whom he shall confer upon the present state of affairs. He has also received orders from his Court, relative to the advances made on account of the Thirteen States, and concerning their finances; he will have the honor of communicating them to Congress through a committee.

LUZERNE.

COMMUNICATIONS OF THE FRENCH MINISTER TO CONGRESS.

In Congress, September 21st, 1781.

The committee, to whom was referred the Memorial of the Minister Plenipotentiary of France, dated the 18th instant, requesting a conference, report,

That they have this day held a conference with the said Minister Plenipotentiary, and received the following communications contained in sundry despatches from Count de Vergennes, Minister for Foreign Affairs to his Most Christian Majesty, viz.

From a letter of the 19th of April.—That Count de Vergennes had transmitted to the Minister the details respecting the proposed mediation of the Courts of Vienna and Petersburg. The Minister observed, that this had already been communicated to Congress through a committee. He repeated, for our recollection, that the acceptance on the part of France of the proposed mediation depended entirely, at that time, on the concurrence of the United States; and that with respect to Spain, its conduct would be determined by the dissolution of the negotiation with Mr Cumberland. That the Court of Spain had informed the Court of London, on the first proposal of the mediation of the Imperial Courts, that as a direct negotiation with the King of Great Britain was opened through Mr Cumberland, a mediation was unnecessary.

That affairs since that time had taken a different turn. Mr Cumberland has been recalled; and the Catholic King, being now entirely at liberty, has accepted the mediation of the two Imperial Courts. That the King, our ally, had done the same; but that both Kings had declared at the same time to the two mediators, that the mediation could not possibly have any activity, without previously establishing some fundamental preliminaries. Of this observation the two mediating Courts had already felt the propriety. That France was then (viz. the 19th of April) expecting the effect, which this communication would produce on the Court of London. That the first question proposed by France, related to *the admission of an American Plenipotentiary*; and that the object of the second was to know, *upon what footing the King of England intended to treat with the United States*. The Court of France, not knowing that the United States had agreed to accept the mediation, again invite us to it.

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The Minister here observed, that Congress would judge by the questions proposed to the mediating powers, by the King his master, of the principles, by which his Majesty was actuated with respect to the United States. He assured us, that his Majesty is invariably resolved to abide by those principles, and will enter into no negotiation whatever before he shall receive a satisfactory solution of those two questions. He added, that the French Ministry trusted, that this conduct would more and more convince the United States, and would cause them to imitate the example of the King, and to feel that their honor and their interest call for their constant attachment, their friendship, and unreserved confidence towards him.

The Count de Vergennes observes, that it is plain from these circumstances, that the negotiation for peace will be full of difficulties, and that it will probably be necessary, in pretensions as well as proceedings, to be very cautious, and to act so as to remove those difficulties, and everything, which might increase the acrimony, to which the English Plenipotentiaries may be naturally inclined.

From another letter of the same date.—That when this letter was written, the Court had received information of the sentiments of the Court of London with respect to the United States. The Count de Vergennes mentions, that in the act, by which the Court of London accepts the mediation of Russia, and requests the mediation of the Emperor, she declares, that she is ready to make peace, *as soon as the league between France and her revolted subjects shall be dissolved*. That this pretension had met from the Court of France the contempt which it deserved. She on her part has declared, that if this proposition contained the last determination of England, it would be in vain to think of peace; and she has desired the English Ministry to give a positive answer on the two questions above mentioned. That this declaration had been exactly transmitted by the Court of Vienna to that of London; and the result of the answer made by that Court to the Imperial Majesty is, *"that in all points to be agitated in a future Congress, England will behave with great equity and condescension; but the dependence of her rebel subjects in America must be pre-established, and that this matter must be left entirely to the care of Great Britain."* That it is easily to be perceived, that while things remain in this situation there can be no possibility of a mediation or peace.

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The Count de Vergennes remarks, that Congress will be finally convinced, that it is only by arms and the most vigorous exertions, that our independence can be extorted from the Court of London, and not at all by negotiation or persuasion. That the Court of France will transmit to the Court of Vienna the sentiments of the King on the British answer. That if these sentiments should be forwarded to the Court of London without any commentary, it is probable they would make but a slight impression; but it may be hoped from the justice of his Imperial Majesty, that they will be so supported by such reflections as to make a greater impression on the British Court; although it is not to be expected, that the Austrian Court will fully enter into the views of his Most Christian Majesty, until the matter shall be more perfectly explained. The Count, nevertheless, urges the necessity of sending forward proper instructions and powers for the mediation.

From a letter of the 11th of May.—That the affair of the mediation has made no progress; and that it is very probable, that the mediators will not be soon enabled to begin the negotiation. That the admission of an American Plenipotentiary presents the greatest difficulties. That the Count, however, will take every measure in his power to have this admission decided in favor of the United States, before the regular opening of the mediation. The Count urges the Chevalier de la Luzerne to observe to Congress, that the best manner of removing these obstacles would be a *decisive victory*, gained by the United States in the present campaign.

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From a letter of the 27th of July.—Count de Vergennes observes on an opinion, which prevailed in America, respecting the friendly disposition of the powers of Europe towards the United States, that as yet, not one Court had taken the least step, which manifests their disposition towards the United States. That the Courts of Vienna and Petersburg, having assumed the character of mediators, cannot be too reserved. For by a different conduct they would become obnoxious to one or other of the belligerent powers, and lose the important and glorious part, with which they are intrusted. That it results from these observations, that the United States ought to look upon themselves as being still separated from all other powers; and that they have but one professed friend, which is France; and that the United States ought to rely principally upon their own resources.

The Count de Vergennes observes, that he has talked circumstantially with Mr Adams on these subjects, who appeared to be satisfied with what had been done in favor of his country. That he

had communicated to Mr Adams the preliminary overtures made by the two Imperial Courts, as well as the intended answer of his Most Christian Majesty. That the great or only difficulty concerns America. That France will do all in her power to remove that obstacle, upon which depends the activity of the mediation. That as soon as it shall be removed, or proved to be insurmountable, proper instructions will be forwarded to the Chevalier de la Luzerne, concerning the conduct, which the state of affairs will require from Congress. That the Court of France had received, with great satisfaction, information, that Congress were disposed to trust their interest to the two mediating powers. The Chevalier de la Luzerne is directed to inform Congress, that no use shall be made of this disposition, in the present state of affairs; and that it shall be communicated only when it can be done consistently with the dignity of the United States.

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From a letter of the 19th of April.—That Mr Dana has communicated to Count de Vergennes his appointment, and requested his advice concerning the conduct, which circumstances demanded on his part. That it gave the Count great pleasure to observe this proof of the confidence, which Congress and their Ministers reposed in the friendship and advice of his Court. That the Count informed Mr Dana, that he would run the risk of exposing his person, and the dignity of the United States, if he assumed any character whatsoever in Russia, while the Empress had not acknowledged the independence of the United States, and expected to act the part of a mediatrix, which demanded the most perfect impartiality. That Mr Dana felt the propriety of the observation; and proposed to the Count, that he should appear in Russia in the character of a common traveller, keep his commission a secret, and avoid with the greatest care to speak of business, unless requested so to do by the Russian Ministry. That the Count fully approved of this prudent scheme; and apprized Mr Dana of all the difficulties he would meet with. He had him recommended to the Marquis de Verac, Envoy Extraordinary at the Court of Petersburg; and the Chevalier de la Luzerne is directed to assure Congress, that the Marquis de Verac would do all in his power for Mr Dana's best reception, and with pleasure assist him with his counsels, as often as he should have recourse to them. That the Marquis de Verac had communicated to the Russian Ministry the resolution of Congress, concerning the principle of the declaration made by the Empress of Russia to the belligerent powers. That this Envoy informs the Count de Vergennes, that the contents of this resolution had afforded great satisfaction to Count Panin, Minister of Foreign Affairs, who intended to submit it without delay to the perusal of the Empress. That the Marquis de Verac did not doubt, but that she would be pleased with the readiness of Congress to adopt that principle; and that correspondent resolutions will have been taken respecting the navigation of the neutrals.

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From a letter of the 29th of June.—That the accession of the State of Maryland to the general confederation, in the opinion of the Court of France, presents very great advantages; among which is this, that Congress having at last acquired that power, which the act of confederation has assigned them, it is to be expected, that their orders will be fully and exactly executed, and that they will take advantage of the resources of their country, to give to American patriotism new energy. The Minister is directed to inform Congress of the satisfaction the King has received on that account, and to tell them at the same time, that there is the most pressing necessity to take more effectual measures than heretofore to drive the British out of this continent. It is thought needless to enter into details about the circumstances, which render this measure necessary. The King entreats the United States, as his friends, not to lose a moment in acting as vigorously as possible against the common enemy. That Congress cannot be particularly acquainted with the different burdens, which France has upon her hands. She wishes to be in a situation to continue as effectual assistance to the United States as at this moment; but future events may happen in a manner different from what we may expect, though nothing can change her unalterable resolution to support the independence of her ally. The Count de Vergennes observes, that he shall not speak any more of the non arrival of the second division, having reason to believe from orders given to Count de Grasse, that the delay will be judged of greater utility to the United States, than if the announced reinforcement had been sent in the time expected. He adds, that the Chevalier de la Luzerne had been already informed of the causes, which had prevented a compliance with the expectation, which he had been authorised to give.

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From a letter of the 11th of May.—That the Count de Vergennes had been informed by the Duc de la Vauguyon, Ambassador to the United Provinces, of the intention of Mr Adams to display his character as a Minister of the United States in Holland. That the Duke gave him no assistance on that occasion, knowing the application would have no favorable issue. The Chevalier de la Luzerne is directed to inform confidentially a committee, or Congress themselves, of these circumstances, in order, that they may transmit to their said Minister Plenipotentiary such instructions as they may think proper. France is too much interested in the fate of the United States not to give them such counsels as would have for a principal object their advantage and their dignity.

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At a second conference, on the 24th of September, the following additional communications were made by the French Minister to the committee.

From a letter of the 19th of April, 1781.—That Count de Vergennes remarks, that on the application of Chevalier de la Luzerne, and his representation of the distresses of the United States, measures had been taken for our aid when Colonel Laurens arrived. That it being impossible for the King to comply with all Colonel Laurens's demands, he took the resolution to

offer his guarantee for ten millions of livres tournois, to be borrowed in Holland, for account of the United States. That the King was sensible of the wants and distresses of Congress, and wished to relieve them; but that it ought to be considered, that the French squadron and troops are in America for our immediate assistance. That Count de Grasse's expedition to America will occasion great expense; and that all those things collected together, would go far beyond even the expectation of Congress. That the most essential manner of showing the gratitude of the United States would be, by making all the exertions in their power, to co-operate in a glorious and effectual manner with the King's forces for their own speedy deliverance.

The Count de Vergennes observes, that a part of the six millions of livres would be employed in purchasing the different articles, contained in a list delivered by Mr Laurens. That three millions would be given by instalments to Dr Franklin, for the payment of bills of exchange drawn by Congress. That a fourth million would be reserved for unforeseen emergencies, and particularly to pay for the supplies embarked in the ship Lafayette. That Count de Vergennes had been Dr Franklin's security for a part of those supplies, amounting to four hundred and seventeen thousand livres. That he is unacquainted with the measures, which had been taken to effectuate the loan of ten millions in Holland, that affair being in the province of M. Necker, who probably would settle that matter with Mr Laurens, or with Mr Adams, who at that time was still in Holland to fill up a loan of a million florins, which he had opened several months before.

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From a letter of the 11th of May.—That Count de Vergennes informs the Chevalier de la Luzerne, that orders had been given by the King to have the loan of ten millions, on account of the United States, negotiated; that the Duc de la Vauguyon had received orders to propose it to the States of Holland, but met with insuperable difficulties, not only because the United States had no credit in Holland, but also because that Province was afraid of exposing itself; and that indeed granting a loan to the United States would be the same thing as countenancing their independence, which would be contrary to the obligations entered into by the republic with the neutral powers; that in order to remove this difficulty, the King had presented himself as a principal borrower, and as being alone accountable for the sums, which were to be furnished.

The Count adds, that he thinks these proceedings need no commentary; and that a mere exposition of them will be sufficient to excite the gratitude of the United States, and to engage them at last to make all the exertions in their power. The Count flatters himself, that the measures, which have been taken by his Court, will enable Congress to put their finances in the best order. That the Chevalier de la Luzerne had often written to him, that the most certain way to effectuate so happy an event would be, to put Congress for a while out of their distressing situation, and to enable them, by an external relief, to take internal measures without precipitation, and with solidity. That these considerations determined the King; and that from affection he has done more for his ally than mere prudence would, perhaps, have suggested to him. That the Council of the King have no doubt but this resolution will be productive of the good effects, which the Chevalier de la Luzerne had announced. The Count exhorts Congress to take hold of the present circumstances for the common advantage. He thinks it his duty freely and openly to declare, that the moment is come not to spend the time in expectation, deliberation, and useless exhortations; that though he would wish to avoid every disagreeable intimation, friendship and common interest oblige France to speak without reserve, and with perfect sincerity. That the King has done on this occasion what he can do no more; that Congress, if well informed of the situation of his Majesty's affairs, would be sensible that an exertion like the present cannot be repeated; and that the Court would feel the deepest concern, if it was under the disagreeable but indispensable necessity of refusing the demands of an ally, whose cause is now become its own.

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From a letter of the 14th of May.—That Count de Vergennes observes, that Colonel Laurens had taken leave of the King, and that he ought to be satisfied with the success of his mission, although he had not obtained all that he demanded. That the Court of France hopes these demands will not be renewed; for how disagreeable soever to refuse allies whom the King sincerely loves, necessity would oblige him to reject pecuniary demands of any kind whatsoever.

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From a letter of the 27th of July.—That the Chevalier de la Luzerne observed, that in March last he informed Congress, that the Court no longer pay the bills drawn upon France; upon which declaration he believes Congress stopped all drafts on Dr Franklin. That he informed the Court of that resolution of Congress. The Court in the meantime had resolved to grant a subsidy of six millions, to be employed in purchasing arms, ammunition, and clothing, to be sent from France to the United States; and the remainder of the sum to be employed in paying the drafts of Congress, or of any person they might appoint. Mr Morris being appointed Superintendent, the Minister according to his instructions authorised him to draw for half a million of livres, and informed M. Necker of this measure; accordingly funds were prepared for a regular payment. The Chevalier de la Luzerne had agreed with the Superintendent, that he might draw in the whole for a million and a half, including the half million above mentioned; of all which he had informed Count de Vergennes. Colonel Laurens being in the meanwhile arrived in France, it was found from his representation, that the mode of drawing was prejudicial to Congress, and that if the specie was imported, there would be no loss; and it was agreed, that he should bring over two millions and a half, out of the six millions, in specie. In consequence of this measure, Count de Vergennes acquaints the Chevalier de la Luzerne, that he hopes the Superintendent will not have drawn more than the before mentioned half million of livres. He wishes it the more earnestly, as bills for a greater sum would embarrass the finances of France in a great degree, the goods delivered to

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Colonel Laurens exceeding already the sum remaining out of the six millions, and the goods taken on board the Marquis de Lafayette being not yet replaced.

For a fuller explanation, the Chevalier de la Luzerne communicated to the Committee an account of the sums already furnished, and to be furnished from this time to the end of the present year for the service of the United States. That he had orders to take hold of this opportunity to repeat to Congress, that the King for the next year cannot continue any supplies to the United States, even of a much less nature. That it is time for them to relieve his Majesty from the heavy burdens in a war, which he had undertaken and carries on for their sakes. That the Count de Vergennes expects that Congress will not have drawn more bills of any kind after the 1st day of April last; that firmly relying on this, he had engaged the King to procure the necessary sums to answer the bills drawn before that period, and desired Dr Franklin to accept no more, if he had no other means of paying them; that this resolution could not be altered by any circumstances whatever.

The Count de Vergennes proceeds to state, how far the abuse of the King's benevolence had been carried, he supposes against the will and instructions and without the knowledge of Congress. That the bills drawn upon Mr Jay, Mr Adams, and Mr Laurens, had been sent back to Dr Franklin, that is, in effect to the Court of France. That the Republic of Holland had been unwilling to hear of any loan, even under the guarantee of the King, when it was known that the money was intended for the use of the United States; and that to remove this obstacle, as he had before observed, the King was induced to present himself as the principal borrower. The Court was still unacquainted with the effect of that proposition.

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TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, September 24th, 1781.

Sir,

The undersigned, Minister Plenipotentiary of France, has the honor of communicating to Congress a Memorial, which has been sent to him by Don Francisco Rendon. He entreats Congress to take it into consideration, and he has no doubt that the resolution, which that body shall pass upon the subject, will be as advantageous to the subjects of his Catholic Majesty as justice will allow.

LUZERNE.

MEMORIAL OF DON FRANCISCO RENDON TO THE MINISTER OF FRANCE.

Translation.

May it please your Excellency,

Don Francisco Rendon, resident in this city, *Encargado de Negocios* for the Court of Spain, with all due respect, informs your Excellency that in consequence of the articles of capitulation granted to the troops and inhabitants of his Britannic Majesty at the reduction of Pensacola, by Don Bernardo de Galvez, commander in chief of the forces of his Catholic Majesty, permission was granted by the Governor of the place to Captain Jahleel Smith, with his vessel called the Sally, her crew and passengers contained in the passport, to go to New York, six of the passengers being prisoners on parole, to be exchanged for an equal number of Spanish prisoners; that in his passage the said flag was captured by an American vessel, called the Betsy, Captain Enos, belonging to the State of Pennsylvania; that in consequence thereof, the said J. Smith has presented to me a petition and an account, which I herewith enclose, praying me to obtain for him an indemnification and payment for the damages he has sustained, and that liberty may be granted him by the supreme authority to pass freely to the place of his destination, agreeable to the permission of the Generals of the King, my master.

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I therefore entreat, that your Excellency would be pleased to present this Memorial, with the documents accompanying it, to the Honorable Congress, and pray them to order payment to be made to the Captain of the flag, for the delay and damages occasioned by this capture, and grant the said prisoners of his Catholic Majesty mentioned in the passport, free permission to go to New York, in order to discharge their parole and obtain their exchange. I am induced by your Excellency's goodness to hope for this favor, and am, &c.

FRANCISCO RENDON.

Philadelphia, September 25th, 1781.

Sir,

The United States in Congress assembled, ever desirous to observe good faith and maintain the rights of neutrality, and sincerely disposed to cultivate the friendship of his Catholic Majesty, have referred the Memorial presented by your Excellency, in favor of Jahleel Smith, master of the schooner Sally; to a committee of Congress, who now have it under consideration.

To form a right judgment of the transaction it is conceived necessary, that an authentic copy of the capitulation granted by his Catholic Majesty's General to the British officer lately commanding at Pensacola, and referred to in the Memorial of Don Francisco Rendon, residing in this city, *Encargado de Negocios* for the Court of Spain, should be communicated to the United States. In the meantime it requires no deliberation to assure your Excellency, that the laws of the land are competent for redressing every injury perpetrated by vessels of war commissioned by the United States, or under their authority, although the security for the good behaviour of the officers and crews may not be adequate to the damages claimed.

THOMAS M'KEAN, *President*.

FROM CONGRESS TO THE KING OF FRANCE.

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The United States in Congress assembled, to their Great, Faithful and Beloved Friend and Ally, Louis the Sixteenth, King of France and Navarre.

Great, Faithful and Beloved Friend and Ally,

We feel an additional obligation to your Majesty, for your friendly reception of our late special Minister Lieutenant Colonel John Laurens. By him we received your Majesty's letter, containing new assurances of what the United States have been long convinced, your Majesty's affectionate patronage of American independence. His report, while it proves that our attachment has not been misplaced, will increase our gratitude. We have charged our Minister Plenipotentiary at your Court to render to your Majesty more particular acknowledgments for your zeal for the re-establishment of peace, upon principles coinciding with the liberty and sovereignty of the United States, and for the important succors lately administered to our necessities. We shall also instruct him to inform your Majesty of the arrangements, which have taken place for calling forth the resources of the United States with decision and effect against the common enemy.

We pray God, that he will keep your Majesty, our Great, Faithful and Beloved Friend and Ally, in his holy protection.

Done at Philadelphia, the eighteenth of October, in the year of our Lord one thousand seven hundred and eighty one, and in the sixth year of our independence. By the United States in Congress assembled.

Your faithful friends and allies.

THOMAS M'KEAN, *President*.Attest, CHARLES THOMSON, *Secretary*.

THE KING OF FRANCE TO CONGRESS.

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Translation.

Very Dear and Faithful Allies,

Satisfied of the interest you take in every event which affects us, we are anxious to inform you of the precious mark, which Divine Providence has just given us of his goodness, and of the protection he has granted to our kingdom. We do not doubt that you will partake in the joy we feel on the birth of our son, the Dauphin, of whom the Queen, our most dear spouse, is just now happily delivered.

You will easily be convinced of the pleasure, with which we shall receive every proof that you may give of your sensibility upon this occasion. We cannot renew at a period more affecting to us, the assurance of our affection and of our constant friendship for you. Upon which we pray God, that he would have you, very Dear, Great Friends and Allies, in his holy keeping.

Written at Versailles, the 22d of October, 1781.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Philadelphia, October 24th, 1781.

Sir,

I do myself the honor to transmit you a copy of the resolution, by which Congress have been pleased to appoint me their Secretary of Foreign Affairs. They have annexed to this department the agreeable duty of receiving and making those communications, which the reciprocal interest of the allied nations may render necessary.

I need not tell you, Sir, with what pleasure I enter upon that task, when (by the direction of Congress) I enclose an account of the signal success obtained by the united arms of America and France. The cement it so happily affords to their connexion may justly be numbered among the important advantages, that will result from it to both countries.

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I have the honor to be, Sir, with the highest respect and esteem, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON, SECRETARY OF FOREIGN AFFAIRS.

Translation.

Philadelphia, October 25th, 1781.

Sir,

I have received the letter, with which you honored me on the 24th instant, and it is with the most sincere satisfaction, that I see in it your determination to accept the office, to which Congress have appointed you. It will give me great pleasure to address myself to you, in sending to Congress those communications, which I shall have it in my power to make; and I shall be no less flattered to receive through you every communication, which that body shall think proper to make to me. I can assure you, Sir, that the choice now made by Congress will give great satisfaction in Europe, where your patriotism, your past services, and your wisdom have long been known.

I have the honor to be, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

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Office of Foreign Affairs, November 2d, 1781.

Sir,

It is with peculiar pleasure that I obey the directions of Congress in making communications, which show their sense of the exertions of their ally, and of the merit of the officers he employs. The confidence inspired by the first, and the esteem excited by the last, form new bands of union between nations, whom reciprocal interests had before connected. In this view I flatter myself the enclosed acts of Congress will be agreeable to you, and that you will with pleasure communicate to his Most Christian Majesty their desire, with his permission, to present to the Count de Grasse two pieces of field ordnance, taken from the enemy at York, with inscriptions calculated to show that Congress were induced to present them from considerations of the illustrious part, which he bore in effectuating the surrender.^[1]

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

ROBERT R. LIVINGSTON.

FOOTNOTES:

[1] *In Congress, October 28th, 1781.* "Resolved, That the thanks of the United States in Congress assembled be presented to his Excellency the Count de Rochambeau, for the cordiality, zeal, judgment, and fortitude, with which he seconded and advanced the progress of the allied army against the British garrison in York.

"That the thanks of the United States in Congress assembled be presented to his Excellency the Count de Grasse, for his display of skill and bravery in attacking and defeating the British fleet off the Bay of Chesapeake, and for his zeal and alacrity in rendering, with the fleet under his command, the most effectual and distinguished aid and support to the operations of the allied army in Virginia.

"That the thanks of the United States in Congress assembled be presented to the commanding and other officers of the corps of artillery and engineers of the allied army, who sustained extraordinary fatigue and danger in their animated and gallant approaches to the lines of the enemy.

"Resolved, That the United States in Congress assembled will cause to be erected at York, in Virginia, a marble column, adorned with emblems of the alliance between the United States and his Most Christian Majesty, and inscribed with a succinct narrative of the surrender of Earl Cornwallis to his Excellency General Washington, Commander in Chief of the combined forces of America and France, to his Excellency the Count de Rochambeau, commanding the auxiliary troops of his Most Christian Majesty in America, and his Excellency Count de Grasse, commanding in chief the naval army of France in the Chesapeake.

"Resolved, That two pieces of the field ordnance, taken from the British army under the capitulation of York, be presented by the Commander in Chief of the American army to Count de Rochambeau, and that there be engraved thereon a short memorandum, that Congress were induced to present them from considerations of the illustrious part, which he bore in effectuating the surrender.

"Resolved, That the Secretary of Foreign Affairs be directed to request the Minister Plenipotentiary of his Most Christian Majesty to inform his Majesty, that it is the wish of Congress, that the Count de Grasse may be permitted to accept a testimony of their approbation, similar to that to be presented to the Count de Rochambeau."

TO GEORGE WASHINGTON.

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Translation.

Philadelphia, November 4th, 1781.

Sir,

I have received the letter, which you did me the honor to write on the 29th ultimo, and the papers from Count de Grasse, which you had the goodness to send to me, and for which I beg you will accept my thanks.

We are encouraged to hope for your arrival here. I shall be extremely happy to be able to testify to you in person the joy, which I have received from your success. That joy is universal, and it can but increase the attachment and esteem of all orders of citizens, and of my own countrymen, to your Excellency.

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I have the honor to be, &c.

LUZERNE.

TO THE SECRETARY OF FOREIGN AFFAIRS.

Translation.

Philadelphia, November 4th, 1781.

Sir,

I have received the letter, with which you honored me on the 2d instant, with the resolutions of Congress of the 28th of October, which accompanied it. I have no doubt that they will be most agreeable to his Majesty, and that he will learn with great pleasure, that the remembrance of the success obtained by the allied arms is to be preserved by a column, on which a relation of this event will be inscribed, and mention made of the alliance.

I shall be glad, before any farther resolutions are taken on this subject, to communicate to you some ideas relative to this monument. It is so honorable to the two nations, and so well adapted to perpetuate the remembrance of their union, that we ought to be mutually desirous of giving it

all the solidity and durability of which the works of man are susceptible. Besides, Sir, I observe that the United States are named before the King in these resolutions. This is the second time within my knowledge, that this form has been adopted. I remarked on it the first time; and was then positively assured, that it was an error, which should be corrected on the journals. I entreat you to be pleased to let me know distinctly what usage Congress intends to adopt on this subject, in order that I may make it known to my Court.

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I have the honor to be, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, November 6th, 1781.

Sir,

Having been honored with your letter of the 4th instant, I remark with pleasure, that the mode in which Congress propose to perpetuate the success obtained by the allied armies at York, is such as will in your opinion be agreeable to his Most Christian Majesty. As Congress must concur with you in wishing to render this monument of the alliance, and of the military virtues of the combined forces as lasting, if possible, as the advantages they may reasonably hope to reap from both, they will, without doubt, pay all due deference to any ideas you may think proper to suggest relative to the manner of carrying the resolutions of the 28th of October into effect. I shall receive, Sir, with pleasure, and submit to Congress any communications, that you will do me the honor to make on this subject.

I am sorry to find, that you consider the order, in which the allied nations or their Sovereigns are placed in the resolutions, as anywise exceptionable. This mode of expression might perhaps be justified by the absolute equality established between sovereign powers, and the common practice of independent nations to recognise no superior in acts to be executed by themselves, within their own limits. But, Sir, I am so well satisfied that Congress wish to avoid discussions, which must be treated with great delicacy by nations situated as ours are, where every demand on the one part, not strictly authorised by the law of nations, might derogate from the generous protection, which we make it our boast to have received, and the denial of just rights on the other subject us to the imputation of ingratitude, that I think you may safely rely upon their practice, when some future occasion shall present, to evince that the order in which the allied nations are mentioned did not originate in any settled rule, and above all, that no want of respect for his Most Christian Majesty dictated the resolution to which you object. Be persuaded, Sir, that regardless as the United States are of form and ceremony, in matters that relate to themselves alone, they will think their endeavor to support France in the high rank which her extent, wealth, and power have given her, a small return for the wise and generous use she makes of these advantages.

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I have the honor to be, with sentiments of the greatest respect and esteem, &c.

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO THE PRESIDENT OF CONGRESS.

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Office of Foreign Affairs, November 6th, 1781.

Sir,

I do myself the honor to submit to Congress a letter to the Minister of France, which covered their resolutions of the 28th of October, his answer thereto, and the draft of a letter in reply to his. As the last implies a promise on the part of Congress, I did not think myself authorised to send it without their approbation.

Congress will observe, that I endeavor to wave a question, which perhaps it might have been imprudent to answer by a direct avowal of the propriety of the resolution, or in the present circumstances to yield in express terms. By seeming to slight matters of mere ceremony, we may avoid troublesome discussions in future, and teach the old world by the example of the new to get rid of a clog, which too often fetters the most important transactions. I take the liberty to submit to Congress the propriety of directing in the next vote, which they shall have occasion to pass, in which France and America, or their Sovereigns, are mentioned, the preference to be given to the first, and so that we may seem to have established no rule on a subject of so little moment as rank or precedence.

I have the honor to be, &c.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

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Office of Foreign Affairs, November 21st, 1781.

Sir,

Finding by frequent applications from the French Islands, that their Courts of Admiralty are not fully acquainted with the resolutions of Congress, passed the 14th of October, 1777, which vest in the captors the property of such of the enemy's vessels as are taken by their mariners; and being called by the letter, a copy of which I do myself the honor to enclose, to attend particularly to the case of Captain Jones and his crew, I must beg, Sir, that you will do me the favor to recommend it to the notice of the General and Commander in Chief of the French Leeward Islands, for whose use I enclose a certified copy of the above mentioned resolutions of Congress, presuming that the Court of Admiralty will pay some respect to them in their decisions, though they may not be strictly agreeable to the rules they have adopted, since it would be highly disadvantageous to both nations to have that considered as lawful prize in one port, which is not so in another. But should the Court think they are not warranted in condemning the vessel, she should at least be restored to Captain Jones or his agent, that she might, by being brought to a port of the United States, become lawful prize.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

HEADS OF A VERBAL COMMUNICATION MADE TO THE SECRETARY OF FOREIGN AFFAIRS BY THE MINISTER OF FRANCE.

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In Congress, November 23d, 1781.

The Secretary of Foreign Affairs laid before Congress the following heads of a verbal communication made to him by the Minister of France.

The Minister of France informed the Secretary of Foreign Affairs, that the Count de Vergennes, in a letter to him of the 7th of September, 1781, assured him that the King of France had received with great pleasure, an account of Mr Adams, Mr Franklin, and Mr Jay's appointment to the place of Ministers for the negotiation of peace; and after expressing favorable sentiments of them and of Mr Jefferson, from his general reputation, adds, that they have little reason to hope for the assistance of Mr Laurens, since the enemy will probably continue his captivity during the war. That the King accepted with pleasure the proofs, which Congress have given him of their confidence, when they intrusted to his care the interests of the United States. That he would use his influence and credit for the advantage of his allies, whenever a negotiation should render their interests a subject of discussion. That if he did not obtain for every State all they wished, they must attribute the sacrifice he might be compelled to make of his inclinations, to the tyrannic rule of necessity. That, however, he had no reason to believe, that the events of the campaign would make an unfavorable change in the situation of affairs; and that from the present view of them, he had no cause to dread a disadvantageous peace.

The Count adds, that he presumes Mr Adams has communicated to Congress his Majesty's refusal to accede to the terms of the mediation of the Imperial Courts, until they should agree to acknowledge the American Plenipotentiaries in the manner most conformable to the dignity of the United States; and observes thereon, that if the King was so attentive to a matter of form, though it might indeed in our present situation be considered as important, he would not be less tenacious of our more essential interests, which he will be zealous to promote, as far as circumstances will allow. But that if notwithstanding this, Congress, or even a considerable part of its members, should regret the confidence they had placed in his Majesty, or wish to free their Ministers from this restraint, his Majesty would not disapprove the measure; provided they made their Ministers answerable, as in justice they should be, in proportion to the powers, with which they invested them. He expresses his satisfaction at the extensive powers, with which the Ministers are invested as to the matter of boundary, and the truce, which he says, the interests of France as well as of us, require to be as long as possible.

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With respect to the *statu quo*, he says, that though from the number of their conquests it would be beneficial both to France and Spain, yet it has not entered into their system so far as it regards America, and that his Majesty accordingly refused to accede to the plan of negotiation proposed by the mediating powers, which held up that idea. He exhorts the Minister to recommend to Congress the most vigorous exertions, and to assure them, that the expulsion of the enemy from this continent depends in a great measure on the exertion of the United States; that France would be able to afford us very little assistance; and that Britain, so far from

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discovering any inclination to peace upon reasonable terms, absolutely refused the plan of negotiation proposed by the mediating powers; so that arms alone could compel her to it. He mentions, that the King being apprehensive, that the capture of the Marquis de Lafayette might reduce us to some difficulties, had ordered her cargo to be replaced immediately; and that in consequence of applications from the States of Virginia and Maryland, he had ordered a number of arms and military stores to be shipped to them, subject however to the order of Congress. That this and the cargo designed to replace that of the Marquis de Lafayette, were to be paid for out of the loan negotiated in Holland, which he had occasion to think would be completed. He expresses a desire, that the plan for the appointment of Consuls should be digested and adopted, as the Court of France wished to make it the basis of some commercial arrangements between France and the United States.

The Secretary for Foreign Affairs further informed Congress, that the Minister of France had communicated to him the following extract of a letter from the Count de Vergennes, which he had transmitted to the Superintendent of Finance.

Extract of a letter from the Count de Vergennes, September 7th, 1781.

"We think that since the arrival of Colonel Laurens, you have stopped the bills of Mr Morris on Messrs Le Couteulx. If the Superintendent has not followed your advice, he will cause us some embarrassment, as we have not destinated any fund for that article. We have peremptorily declared to Dr Franklin, that we will not in future discharge any bills, that had not been drawn with your consent. As to you, Sir, we cannot but repeat our former instructions on this subject; and we direct you to authorise no draft even for a small sum."

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No. 1.

The Answer of his Most Christian Majesty to the Articles proposed by the two Mediating Courts.^[2]

Translation.

The mediators are too well satisfied of the moderation of the King, and his constant wish for the re-establishment of peace, not to be previously assured, that his Majesty will receive with as much gratitude as warmth the *Preliminary Articles* they have communicated. The King, the more fully to convince the two high mediators of his frankness and of the purity of his intentions, as well as of the unreserved confidence, that he places in the justice and impartiality of their High Imperial Majesties, believes he ought to make some confidential observations upon these Preliminary Articles. His Majesty flatters himself, that this will be more acceptable to them as its sole objects are to prevent discussions, which are equally mischievous and complicated, and to facilitate the much wished for success of their generous interposition.

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"ARTICLE I. There shall be a negotiation at Vienna, by the united care of the two Imperial Courts, embracing all the objects for the re-establishment of peace, which the belligerent parties, who intrust them with the mediation, shall judge proper to be there proposed. A negotiation shall in the meantime be entered into between Great Britain and her Colonies for the re-establishment of peace in America, but without the intervention of either of the other belligerent parties, or even of the two Imperial Courts, unless their mediation shall be formally demanded and accorded, for this object."

According to the verbal observations, the expressions in the first part of this Article have been used merely to place the King of Spain in a situation to propose the cession of Gibraltar, and this turn has been judged necessary because the Court of London had previously declared, that it ought to be made without reference to this cession, while the Catholic King demands it as a preliminary; as this part of the Article immediately affects the Court of Madrid, the King cannot but refer himself to it for the answer that shall be made thereto. His Majesty is content to observe, that having united himself in the same cause with the King, his uncle, he neither can nor will separate his interests from those of that Prince, and that he regards the satisfaction he claims as a condition, without which he cannot personally treat of those matters.

As to the second part of the Article, the two Imperial Courts cannot flatter themselves with the hopes of bringing their mediation to a happy issue, if they do not prevent the subterfuges, the subtleties and false interpretations, which either of the belligerent powers may avail themselves of to explain according to their views the preliminary propositions, which will certainly happen if they do not previously ascertain the sense of the expressions, which relate to America.

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The Court of London will elude as much and as long as she possibly can, the direct or indirect acknowledgement of the independence of the United States, and will avail herself of the terms, that are used in speaking of them, to maintain, that she is not obliged to treat with her ancient Colonies as with a free and independent nation. That she is consequently not reduced to admit a

Plenipotentiary on their part, and that she is at liberty to view the American representative as a deputy from a part of her subjects who demand a favor. From whence it will follow, that when the mediation is in force, and they shall be about to enter upon the negotiation, that they will dispute the character, in which the American Plenipotentiary shall be received. The King of England will consider him as his subject, while Congress will demand, that he shall be received as the representative of a free people, by means whereof the mediation will be stopped at the first outset.

To prevent this inconvenience it should seem, that previous to any other measure, the *character of the American agent* ought to be determined in the most precise and positive manner, and Congress should be invited to confide its interests to the mediation. This invitation is so much the more interesting, as the negotiation relative to America should go hand in hand with that of the Courts of Madrid and Versailles, and by consequence, the negotiations although separate should commence at the same time.

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But who will invite the Congress to treat with England? The King cannot, since the First Article excludes him from the negotiation. This task then can only be executed by the mediators themselves; all that the King can do, and that he will do with zeal and fidelity, is to invite the Americans to the peace, and to facilitate it by every means that they believe compatible with their essential interests. But that the King may take this step with safety, and the hopes of success, and with the certainty of not rendering himself suspected by the Americans, it is necessary that he should first know the determination of the mediators upon the observations now made to them, and that this determination should be such as to secure to the American States their political existence.

The two high mediators and their Ministers are too enlightened not to perceive, that without this preliminary measure the Congress will send no person to Vienna, and that the King can make no attempts to engage them thereto, without incurring the danger of involving himself, by means whereof, and for the reasons already urged, the mediation will be stopped at its first outset. These reflections appear to merit the most serious attention of the two mediating Courts.

"ARTICLE II. *This separate peace cannot, however, be signed, except conjointly, and at the same time with that of the powers whose interests shall be treated by the mediating Courts. Although neither peace, notwithstanding they are treated separately, shall be concluded without the other, yet care shall be taken to inform the mediators constantly of the progress of that, which regards Great Britain and the Colonies, to the end, that the mediation may be able to regulate the measures intrusted to it according to the state of the negotiation relating to the Colonies, and both of the pacifications, which shall have been separately concluded at the same time, shall be solemnly guarantied by the mediating Courts, and by every other neutral power, whose guarantee the belligerent powers may think proper to claim.*"

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When the United States shall have been duly called to the Congress at Vienna, and shall have commenced their separate negotiation with England, this Article will make no difficulty with his Majesty.

"ARTICLE III. *To render the negotiations of peace independent of events of war, always uncertain, which may arrest, or at least retard their progress, there shall be a general armistice between the two parties, during the term of one year, reckoning from — of the month of — of the present year, or reckoning from the month of — of the year 1782. Should it happen, that a general peace should not be re-established during the first term, or whilst the duration of either of these terms continues, everything shall remain in the same state, in which it shall be found at the signing of these preliminaries.*"

This Article includes two objects equally important; an armistice and a *statu quo*. The mediators have already acknowledged, that without this preliminary basis, they cannot enter upon a serious negotiation for a peace; and, for still stronger reason, these preliminaries should be established before a truce can be spoken of.

The two mediating Courts are themselves of this opinion, since they do not propose the armistice, but in consequence of the acceptation of the first and second Preliminary Articles. The King thinks, that before they can agree to an armistice, it is necessary that the belligerent parties should have established preliminaries; and it cannot be denied, that the basis, which the high mediators have proposed, may lead to a delay of those preliminaries, which should serve as the pledge and security for the re-establishment of peace, when, in fact, they really afford none.

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But when these preliminaries shall be invariably established, it may be of consequence to determine what duration should be given to the suspension of arms. The plan of the mediators proposes one year; but this term appears too short not to be illusory. In fact, it should be observed, that the fire of war being kindled in the four quarters of the world, one part of the year will have revolved before the orders can be received by the respective commanders; so that tranquillity will be established in Europe, while hostilities continue in America and in the Indies. Besides, all the powers remaining armed, the slightest circumstance may occasion a violation of the truce.

In fine, it is in vain to flatter ourselves with the hope of concluding a definitive peace in the short space of one year; as, exclusive of the variety of subjects, that must necessarily be discussed, the two mediating Courts are at a great distance from each other; nor is there less between the belligerent powers; and we should deceive ourselves, if we supposed, that all the propositions, which will be made on the one part, and on the other, will not give room for much debate and altercation; or, that they will not, consequently, consume much time.

To these considerations we ought to add, that an armistice for one year would be very burdensome, because the powers at war will be obliged to remain in arms, to their manifest loss, as it will be impracticable to disarm, as well from the dispersion of the troops, as from the enormous expense, if, (which is highly probable) it should become necessary to renew hostilities. If, then, the mediators wish sincerely to establish the peace they propose, they should prefer a truce of many years to a simple armistice for one year. This expedient is better adapted to consolidate their work, than a suspension of arms for a short time. But a truce will have the same inconveniences, and be equally dangerous with an armistice, if the belligerent powers remain under arms. Thus it seems necessary to agree at the same time reciprocally to disarm.

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But supposing these two points settled, there remains another equally important, that is the *statu quo*. Neither France nor Spain have any reason to reject it, so far as they are individually concerned. This is not the case with the Americans. To be satisfied of this, we need only cast our eyes upon the *points*, that the British troops actually occupy upon the continent of North America. The question, then, will be to obtain the consent of the United States, and this consent can only be demanded by the two Courts that offer their mediation, for the reasons that have already been urged.

"ARTICLE IV. *This plan of negotiation being adopted by all the parties, the belligerent powers shall request the mediators to open the conferences of the Congress, and shall without delay give their respective plenipotentiaries such full powers and instructions, as they shall judge necessary for the success of the negotiation.*"

The King will conform himself, with as much pleasure as earnestness, to this Article, as soon as the preliminary basis shall be irrevocably established, agreeably to the observation above mentioned. And the King will then authorise his plenipotentiaries to treat immediately of the Preliminary Articles, which should lead to a cessation of hostilities; and, as soon as these Articles shall have been agreed to, to labor with zeal and assiduity for the early conclusion of a definitive treaty. The high mediators may be assured, that his Majesty will facilitate this double task by every means, which he shall deem compatible with his dignity, with his interest, and with those of his allies; and that as far as depends upon him, they will acquire the glory of having established, upon a solid and unalterable basis, the peace and tranquillity of every part of the world.

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FOOTNOTES:

- [2] Austria and Russia proposed to act as mediators for a general peace about the beginning of the year 1781. Some particulars on this subject will be found in *John Adams's Correspondence*, Vol VI. p. 98;—also in *Flassan's Diplomatic Française*, Vol. VII. p. 300. —The papers here inserted are imperfect, but they are all that could be found in the Department of State. They will serve to illustrate that part of the preceding communication of M. de la Luzerne, which relates to the proposed mediation.

No. 2.

The Answer of the Court of London to the Preliminary Articles proposed by the Mediating Courts.

I am authorised to return an answer to the paper, which, by order of your Court, you delivered me, and of which I have given an account to his Majesty.

The answers marked A and B,^[3] which I have the honor to submit to you, explain the unalterable sentiments of the King, upon points essential to his dignity, and demonstrate the reasons, that obliged his Majesty to decline the plan proposed, so far as it relates to his rebellious subjects. The King knows the justice and the impartiality of the mediating Courts, and he considers the plan with that spirit of conciliation which they give birth to. But his Majesty cannot but see it in a very different point of view, from that in which it appeared to the august mediators when they supposed it admissible in all points.

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The King persuades himself, that after having considered it again, they will not entertain the same judgment relative thereto as heretofore; and that they will even cease to wish that it should be admitted, since, from their intention, as well as from the principles, which they have laid down with so much wisdom, and which the King adopts altogether, it necessarily results, that everything inconsistent with the dignity of his Majesty, the essential interests of his nation, and the rights of his crown, is inadmissible. A just and honorable peace with the belligerent powers,

under the mediation of the two Imperial Courts, is the first object of his Majesty's wishes. The King knows, that the two august mediators will pursue the great work, that they have undertaken, with the same sentiments, which induced them to engage therein, the desire of being useful to the belligerent powers; and his Majesty hopes, that their generous care will be crowned with success, and that they will serve to reconcile all the sovereigns at war, by a safe and honorable peace, which it shall be the interest of all parties to accept, and which shall not wound the dignity of either of them.

The sincere desire of peace, the gratitude due to the august sovereigns, who have been willing to charge themselves with the mediation of it, and the sentiments with which the King will always receive whatever shall be proposed to him by them, would dispose his Majesty to accept the proposed Articles, if that acceptation could be reconciled to his dignity, the interests of the empire, and the rights of his crown.

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1st. On every occasion, in which there has been a question of negotiation, since the commencement of the war with France, the King has constantly declared, that he could never admit in any manner whatsoever, nor under any form, that there should be any interference between foreign powers and his rebellious subjects.

2dly. The resolution of his Majesty upon this important object is founded upon what the King owes to his own dignity, upon the essential interests of his people, and upon the incontestible right, which every Sovereign has to determine at his pleasure, that which is clearly within his jurisdiction. This resolution is as immutable, as the foundation upon which it rests. From the application of this principle to the different points of the first, second, and third articles, results the melancholy, but indispensable necessity of declining all that is proposed in these different articles relative to the rebellious subjects of his Majesty.

The King invariably entertains the desire, which he has so often manifested, of terminating the war in which he is engaged with the belligerent powers, by a just and honorable peace, under the mediation of the Imperial Courts, and for this purpose his Ministers shall be furnished with instructions and full powers, necessary to treat of all objects directly relative to the said powers. They shall be ordered to pursue the negotiation conformably to the principles explained therein, with all possible zeal, and to contribute on their part every suitable means to conduct it to a happy end.

FOOTNOTES:

[3] These papers are missing.

No. 3.

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The verbal Answer of the King of Great Britain to the to the verbal Observations made by the Count de Belgioso, Austrian Ambassador in London.

Since the King finds himself under the necessity of declining a plan proposed by the two mediating Courts, he should think himself wanting in that respect, which is due to them on so many accounts, if he did not give some details of the reasons, which have rendered it indispensable for him to take this step. His Majesty is persuaded, that when the two august mediators shall have considered them with that spirit of justice and impartiality, which characterises them, they will become sensible of their weight.

The King would derogate from his rights of sovereignty, should he consent in any manner to the admission of any person whatever, delegated to the Congress by his rebel subjects; this admission being absolutely incompatible with their quality of subjects. For the same reason, conciliatory measures employed to put an end to a rebellion, ought not to be intermixed, either in their commencement or in their conclusion, with a negotiation between sovereign States.

In consequence of the same principle, his Majesty can never enter into any engagements, nor adopt any plan, which may limit or suspend the incontestible right, which every Sovereign has, to employ all the means in his power to terminate a rebellion kindled in his dominions, either by the progress of his arms, or by conciliatory means employed in the country itself. If, instead of taking advantage of the present disposition of a great part of his rebellious subjects to return to their allegiance, he was to stop the effect and progress of that disposition by stipulating a suspension of arms, he would retard the instant of that reconciliation, which he wishes so much to hasten, and would furnish the leaders of the rebels with the means of fostering and strengthening their rebellion, and oppressing the well-affected by the weight of their usurped authority; he would put it in the power of his enemies to prolong the troubles, if he made the return of peace in America to depend on the success of a negotiation with a belligerent power, a negotiation which it would always be in their power to render fruitless.

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The favorable intentions of the King towards his rebellious subjects, and his desire to make them

experience the effects of his clemency, and restore to them the happiness, which they enjoyed before their rebellion, are generally known, but whatever may be the arrangements, which his Majesty will make to restore and ensure the quiet of his Colonies, and link the happiness of his American subjects to that of the metropolis, they will be in their nature as all things are, which are merely national, arrangements of internal policy, and as such, they cannot properly be the object of the mediation or guarantee of any foreign power. When the King availed himself of the dispositions of the two Imperial Courts and employed their mediation, his Majesty gave it plainly to be understood, that he aimed at the restoration of peace between the belligerent powers, to which alone it appeared to him that a mediation could be applied. Persisting invariably in the same sentiments, the King wishes that the mediation, at the same time that it confines itself to this particular object, may comprehend it in its full extent, and that the war between Great Britain and the Republic of Holland may be included in it.

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If the negotiation is opened, agreeably to these principles, and directed solely to this salutary end, if the other belligerent powers bring to it the same conciliatory spirit which his Majesty will show, the generous care of the mediating powers will meet with a success the most complete, and the most conformable to their views.

No. 4.

Reply of the Mediators to the Belligerent Powers.

Translation.

The Courts of Versailles and Madrid having transmitted to the two Imperial Courts their respective answers^[4] to the Articles proposed to serve as a basis to the negotiation, which had been communicated to them, as the Court of London had done on the 15th of June last, the two Imperial Courts think, that they must not delay to communicate their reply reciprocally to the three respective Courts, as necessary to their mutual direction, and they have directed in consequence their Ambassadors and Ministers with the said Courts, to present copies of them to their respective Ministers.

Their Imperial Majesties have seen with the greatest satisfaction, in that which was transmitted to them by his Most Christian Majesty, the assurance of the grateful sentiments and real pleasure, with which his Majesty has received the said Articles, but they could not but be so much the more affected by the exposition of the motives, which have appeared to his Britannic Majesty sufficient to prevent his acceptance of them. It appears convenient to them in the actual state of things to refer to another time, and other circumstances the observations, which they might produce, and which it would probably be useless to expose in the present moment, but what cannot be so either at present or in future, is that the belligerent powers may see in their proper light the Articles, which have been proposed to them, and may in consequence appreciate them properly.

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The mediating powers could not allow themselves to make any propositions, which might wound the dignity or delicacy of either of the parties, or any of those, which might in the first instant have obliged them implicitly or explicitly to decisions, which can only be the result of a consent obtained by the way of negotiations. They must consequently have confined themselves to seeking and finding out some proper means to enable the belligerent powers to assemble their respective Plenipotentiaries, at the place where the Congress shall sit, to endeavor, under the mediation of the two Imperial Courts, to settle amicably all the differences, which are the causes of the present war, and when once they have met, and are provided with instructions for all possible cases, to be continually at hand, to seize one of those happy moments, which circumstances sometimes bring on, and which are often lost forever, or at least for a great while, when one has not been at hand to take advantage of them.

They have found at the same time no other inconveniency in this, but that perhaps the progress of the negotiation might not be altogether so rapid as it would undoubtedly be wished. The suspension of arms and of the *statu quo* by itself, independent of the remaining part of the proposition, can either be adopted or rejected; and after having weighed with the greatest impartiality the inconveniencies and advantages, which may result from the acceptance of their propositions, it has consequently appeared to them, that nothing could better suit the respective interests of the belligerent powers, as well as their general and particular circumstances. They still persist in that opinion, and from the sincere interest, which they take in the circumstances of all the belligerent parties, they cannot but wish, that they might still admit between themselves, with such modifications as they should think proper, the Articles, which have been proposed to them, and which, as his Most Christian Majesty well observes, are not Preliminary Articles, as in the nature of things they could not be such, but which can no less be the means, not only of bringing on at one moment or other the conclusion of a preliminary treaty, but perhaps even that of peace, a speedy return of which is so much to be wished for.

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The two Imperial Courts have thought, that in return for the confidence, with which his Most Christian Majesty has expressed himself in his answer, they ought to show as much in exposing

to him the light, in which they have seen the step they have taken in proposing the Articles, which they have caused to be communicated to him, and which they still persist in holding out, that the belligerent parties may still be able to adopt what has been proposed to them, or if not, to communicate some other idea, which may be productive of the same good effects, or of happier ones if possible. His Most Christian Majesty may be persuaded beforehand, that in that case they will with the greatest zeal make such use of it as they shall think most useful and convenient. Nothing can certainly add to the sincerity, with which they will take care to justify on every occasion the confidence, which the high belligerent parties have shown in accepting their mediation.

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FOOTNOTES:

[4] The answer of the Court of Madrid is missing.

No. 5.

Answer of the Court of France to the Reply of the Mediators.

Translation.

The King has received, with equal sensibility and gratitude, the answer of the two mediating Courts; his Majesty regards it as a new proof of their friendship for him, of the just estimate which they form of his confidence in their impartiality, and of the true interest which they take in the prompt re-establishment of peace.

The King has not changed, and will not change, in his desire to second views so salutary; and the two high mediating powers may be assured, that so far as concerns his Majesty, it will not be owing to him, if they are not soon in a situation to give full scope to their beneficent zeal.

But the Court of London deprives the King of every expedient and every hope, on this subject, by its invariable resolution to regard and treat the Americans as its subjects. Such a resolution renders abortive every exertion, that may be made for obtaining peace. It utterly destroys the plan of the two mediating powers, since it decides, in the most peremptory manner, the question which is the subject of dispute, and the direct or indirect decision of which should be the preliminary basis of the future pacification.

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In this state of things the King thinks, that the conferences, proposed by the two mediating Courts, would at present be without effect, and that the meeting of the respective plenipotentiaries would be but a vain pretence, which would not diminish nor abridge the horrors of war, and which might compromise the dignity of their Imperial Majesties.

The King is truly sorry to see, that things have taken a direction so contrary to his wishes, and to the expectations of their Imperial Majesties; and, if it were in his power to change it, he would do it with an eagerness, which would show to them the purity of his intentions; but his Majesty thinks it his duty to observe, that he has allies with whom he has inviolable engagements, that he should betray them by abandoning the American cause, and that he should betray this cause, if he consented to negotiate a peace separate from and independent of the United States. The high mediating powers have perceived the impossibility of such a proceeding, since they have themselves proposed to place the negotiation of the King, and that of the United States, upon an equal footing.

But even admitting, that the King should lay the affairs of America out of the question, that he should be content to act only for his own personal interest, and that he should leave to the Americans the care of coming to an accommodation with their mother country, what would be the result of this mode of proceeding?

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The result would be, that the peace would be deceptive; that it would have a merely speculative existence. In fact, if, as appears from the strongest evidence to be probable, the Americans should persist in their refusal to return to their obedience to the British crown, the war between Britain and her former colonies would still continue. The King would then be obliged, as at present, to assist them; the King of Spain, on his part, would be under the necessity of assisting his Majesty; so that France and Spain, after the signature of their private treaty, would be in the same situation as they now are.

These considerations seem to the King to be most forcible, and his Majesty has too just an idea of the wisdom and penetration of the two high mediating powers, not to be convinced, that they will regard them in the same point of view, and that they will wholly approve the cautious course which they oblige him to pursue.

The King is earnestly desirous to be able to change this course, and it is in consequence of this desire, that he invites the high mediating powers to employ all their influence at the Court of

London to induce that Court to show dispositions, which may convince us, that it is at last resolved to unite, in good faith, in a prompt and equitable peace.

The King thinks, that he ought to inform the high mediating powers, that his Ambassador at Vienna is at present authorised to attend to all overtures and all expedients, which tend to this object, whether they come from the Court of London, or are proposed by their Imperial Majesties; and he is also authorised to join in the negotiation, if sufficient grounds are presented to him, for conducting it safely to a happy conclusion, under the auspices of their Imperial Majesties.

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TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, November 23d, 1781.

Sir,

I have the honor of sending to you a letter, which I wrote to the commanding officer of St Domingo, in consequence of that with which you honored me yesterday.

Be pleased to send the two despatches to those interested, in order that they may send them to their *Fondé de Procuration* by safe opportunities.

I have the honor to be, &c.

LUZERNE.

CONGRESS TO THE KING OF FRANCE.

The United States in Congress assembled to their Great, Faithful, and Beloved Friend and Ally, Lewis the Sixteenth, King of France and Navarre.

Great, Faithful, and Beloved Friend and Ally,

At a period so glorious to the arms of France, both by sea and land, and so favorable to the fortunes of America, it is with particular satisfaction that we congratulate the Monarch, whose wise counsels and generous support have so largely contributed to events, illustrious in themselves, and promising consequences truly important.

We wish to convey to your Majesty our sense of the victory obtained by the Count de Grasse over the enemy's fleet on our coast, and the subsequent reduction of the British armament in Virginia; and we repeat our grateful acknowledgments for the various aids so seasonably extended to us. From the benevolence and magnanimity, which has hitherto interested your Majesty in the welfare of these States, we are convinced, that you will on this occasion feel an equal pleasure with ourselves, whose immediate advantage is the result of such fortunate exertions.

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We mention with great pleasure the zeal and ability manifested by the Count de Rochambeau, commanding your Majesty's forces in the allied army. His conduct, and that of his officers under him, merit our fullest approbation; and we are made further happy by the perfect harmony and affection, which has subsisted between the troops of the two nations.

The distress occasioned to the common enemy by combined operations will, we trust, point out to both nations the utility of similar measures in future; and whilst it induces your Majesty to supply that naval force, which the situation of our country renders necessary, will urge the United States to every effort which their particular interests, added to their desire of seconding your Majesty's views, can call forth to ensure the complete success of attacks upon the enemy's strong holds.

It is with great pleasure, that the United States continue to number some of your Majesty's subjects amongst their most able, spirited, and faithful officers. It affords the world a striking proof of the intimate connexion, which subsists between the allied nations, at the same time serves to cement the union which it manifests.

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Major General the Marquis de Lafayette has in this campaign so greatly added to the reputation he had before acquired, that we are desirous to obtain for him, on our behalf, even notice in addition to that favorable reception, which his merits cannot fail to meet with from a generous and enlightened Sovereign; and in that view, we have directed our Minister Plenipotentiary to present the Marquis to your Majesty.

We pray God, Great, Faithful, and Beloved Friend and Ally, always to keep your Majesty in his

holy protection.

Done at Philadelphia, the twentieth day of November, in the year of our Lord one thousand seven hundred and eightyone, and in the sixth year of our independence. By the United States in Congress assembled. Your faithful Friends and Allies.

JOHN HANSON, *President.*

CHARLES THOMSON, *Secretary.*

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, December 11th, 1781.

Sir,

I have received the letter, with which you yesterday honored me. I have, consequently, the honor of sending you triplicate copies of a letter, which I wrote to the Count du Durat, Governor of Grenada. Be pleased to send it to the persons whom it concerns, and at the same time to advise them to annex to it copies of their memorial in French. I hope that it may prove satisfactory to them. I can do nothing else in affairs of this kind, except to invite the Admiralties of our Islands to take them into consideration.

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I have the honor to be, &c.

LUZERNE.

TO COUNT DU DURAT, GOVERNOR OF GRENADA.

Translation.

Philadelphia, December 11th, 1781.

Sir,

I have the honor of sending you a copy of a memorial presented to the State of New Hampshire, and sent by that State to Congress, relative to a ship carried to Grenada by some American sailors, whom the English had compelled to serve on board of her. I do not know what are the rules or usages, to which the Admiralty of Grenada conform in such cases, I merely inform you, Sir, that by the laws of Congress, when insurgent sailors bring an English vessel into the ports of the United States, it is adjudged as a prize to them. The Admiralty of St Domingo, knowing these laws, have not hesitated, in a similar case, to restore the prize to the Americans, who had conducted it into port, after deducting the expenses of the proceeding.

I have the honor to be, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

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Office of Foreign Affairs, December 21st, 1781.

Sir,

I do myself the honor to enclose an extract of my letter to Dr Franklin, on the subject of the late ordinance of Congress, relative to captures. Though in it I suggest a mode, by which the identity of goods captured and shipped may be authenticated, yet I have not thought it prudent to give it the preference to any other, which Dr Franklin, upon communicating with the Minister, may think more proper. I have only to request, that you will by your representations second his, and urge the Court of France to adopt the regulation above suggested, or any other that will best guard against this illicit commerce on the one hand, or the injury of innocent dealers on the other.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, January 19th, 1782.

Sir,

I do myself the honor to enclose two letters from Mr Deane, which were delivered with his own hand to a Mr Marshal, who has sworn to their identity. These add so much weight to the suspicions already entertained against him, that they may probably be of use to your Court in justifying any measure, which they may deem it proper to adopt, to prevent the ill effects of the principles he endeavors to disseminate, and to invalidate the ill-founded assertions he makes.

[Pg 56]

I beg to be informed whether you think it probable that the Hermione has sailed yet, and if not, whether you have any express going down to her.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, January 20th, 1782.

Sir,

I thank you for communicating to me Mr Deane's two letters. I shall transmit them to my Court. I am not at present, sending any express to the Chesapeake, but I shall probably send one as soon as I shall have received the letters, which should have been brought by the Sybil. It is still possible that the Hermione may be charged with them.

I proposed to have the honor, at the first opportunity, of conversing with you upon a circumstance, which it is desirable that Congress should alter. In the State of Massachusetts there is no Marshal of the Court of Admiralty. The custom in that State is, to put into the hands of the agent of the *libellant* the effects *libelled*, and the proceeds of their sale, if it has taken place. This practice has already been attended with great inconveniences, as it respects French merchants, and particularly as it respects a Spanish vessel, the owners of which, it is thought, have lost from twentyfive to thirty thousand pounds sterling, merely because the contested property had not been put into the hands of a responsible public officer. You will be better able, Sir, than I am, to judge by what means these inconveniences may be remedied.

[Pg 57]

I have the honor to be, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, January 24th, 1782.

Sir,

Reflecting that our not communicating the resolutions of the 22d to you, when we send them to Dr Franklin, might appear to the Count de Vergennes to betray a want of confidence in you, which I am persuaded Congress do not entertain, I am led to consider my not having received instructions to communicate them as a mere accidental omission, and accordingly take upon me to enclose a copy of them. You will, I presume, put them in cypher before they are sent off. To give you leisure to do it, I have not sent them to your house, but have ordered my servant to find you at the Assembly.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, January 25th, 1782.

Sir,

I have the honor of sending back the resolution of Congress of the 22d instant, and of thanking you for this communication. The letters which I have had to write to France, in answer to those which I received by the Sibyl, being now finished, I shall have the honor of communicating to you, before the end of the week, the news which I have received.

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I have the honor to be, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, January 28th, 1782.

Sir,

The undersigned, Minister Plenipotentiary of France to the United States, has the honor of informing Congress that a great part of the loan of ten millions of livres tournois, opened in Holland on account of the United States, was taken up in October last, and that the interest on it has been fixed at 4 per centum. It is now proper that Congress should be pleased to send to Mr Franklin, the instructions and the authority necessary for performing the acts required to bind the United States, in their engagements with his Majesty on account of this loan, as well as of the interest and expenses which it has occasioned. The undersigned has informed the Superintendent of the Finances, that after deducting the money advanced by his Majesty for this loan, there would remain about four millions of livres, at the disposal of the United States when the loan is entirely taken up.

LUZERNE.

THE SECRETARY OF FOREIGN AFFAIRS TO THE PRESIDENT OF CONGRESS.

[Pg 59]

Philadelphia, January 29th, 1782.

Sir,

The Minister of France informed me, that he was desirous of making some communications from letters received by the Sibyl. Ten o'clock this day was appointed to receive them. He accordingly came, and read to me passages of a letter of Count de Vergennes to him, dated October 17th, 1781, which contained in substance,

That France wished (as was evident, from her going into the war on our account) to obtain every advantage for us. That powers at war must often be governed by circumstances. That if events would enable her to command them, we might depend on everything she could obtain. That her political system depended not only on America, but on the other powers at war. That if France should continue hostilities merely on account of America, after reasonable terms were offered, it was impossible to say what the event might be. That his Majesty was, however, at all events, determined to adhere to the true principles of the alliance, and would farther endeavor to obtain for us whatever we demanded, as far as events would justify.

He observed, that people in America appeared to be greatly deceived with respect to the disposition of the belligerent and mediating powers, and to imagine that all were anxious for a peace; that this was so far from being the case, that Great Britain had not yet returned any answer to the overtures of the Imperial Courts, nor had any reply been made by the latter to the answer given them by France, from which delay it might be easily imagined peace was far distant. That from the present situation of Spain, there was strong reason to suppose she could not spare us any money, her own operations requiring all she had. That he hoped France would not be called upon to make up her deficiencies, as they were in no situation to make new grants. Besides, that in order to rid us of our embarrassments, they had already made efforts in our behalf, which they had reason to believe exceeded our expectations, and that what they had done for America this year, entitled them to an exemption from further demands.

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In a letter of October 20th, 1781, from the Count de Vergennes to the Minister of France, it is

observed, that the United Provinces would not embarrass themselves at present by an alliance with us; that in this they will follow the example of Spain; that, however, it will be prudent to keep an agent in Holland, and direct him to advise constantly with Dr Franklin, that we may observe some consistency in our politics. That he fears America founds hopes on the aid of Russia; that nothing can be more groundless; that though he believes she is not averse to the independence of America, yet we ought not to expect that she will move a step in our favor; that she has no particular interest in terminating the war; that as she means to assume the character of a mediator, she must preserve that of justice and impartiality; that nothing, therefore, can extort from her measures that are favorable to us, but a conviction, that we cannot be brought back to the dominion of Great Britain. That this should lead us to think (a sentiment which he desires the Minister to inculcate) that our success depends upon our exertions, and upon our relinquishing the inactivity into which false hopes, excited by success, do sometimes plunge us.

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He repeated, that France could lend us no more money; that the ten millions borrowed upon our account in Holland, were greatly sunk by advances made in France; that no bills would be paid in France, which the Minister did not authorise us to draw; that he hoped our officers would have too much prudence to risk the credit of the United States by drawing; that the negotiations are still inactive, and will remain so, till events oblige one or other of the parties to sue for peace. That the success of the expedition against Portsmouth (that being the supposed post of Cornwallis) might possibly have some effect. That the great object of England is America; that she will not cede it while she can carry on the war; that she will certainly make great exertions the ensuing campaign; that equal exertions are therefore necessary on our part. That Spain and Holland view America as the great obstacle to a peace, from which consequences may flow, which people of judgment may easily foresee.

ROBERT R. LIVINGSTON.

COUNT DE VERGENNES TO ROBERT R. LIVINGSTON.

[Pg 62]

Translation.

Versailles, January 31st, 1782.

I have received, Sir, the letter with which you honored me on the 20th of October of last year. I heard of your appointment as Minister of Foreign Affairs of the United States, with the greater pleasure, as I already knew the extent of your knowledge and your zeal for the interests and the glory of your country.

I am convinced, Sir, that it will be the dearest object of your cares and labors to support the cause for which the United States are contending, and to maintain the principles, which serve as the basis of the union between them and his Majesty. Be assured, Sir, that I shall omit nothing that lies in my power, effectually to second your good intentions. My confidence in your zeal and patriotism is equal to the sentiments of respect, with which I have the honor to be, Sir,

Your most obedient and humble servant,

DE VERGENNES.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, February 1st, 1782.

Sir,

I have received the letter, with which you honored me on the 31st ultimo, and the affidavit enclosed in it. I have the honor of sending it back to you, and I also annex a letter for the commanding officer of the Island of St Domingo. It will be necessary, that Mr William Marshall should be charged to prosecute this affair himself.

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I have the honor to be, &c.

LUZERNE.

Instructions to Dr Franklin.

In Congress, February 5th, 1782.

On the Report of the Secretary of Foreign Affairs, to whom was referred the note (dated January 28) from the Minister of France,

Resolved, That the following powers and instructions be given to the Minister Plenipotentiary of the United States of America at the Court of Versailles.

Whereas, the Minister of his Most Christian Majesty has informed the United States in Congress assembled, that the loan of ten millions of livres tournois, opened in Holland on account of these United States, was in a great measure completed in October last, and requested in consequence thereof, that full powers might be expedited to bind these United States to discharge the principal and interest of the said loan, agreeably to the terms thereof, with such expenses as might have accrued in making such loan; you are, therefore, hereby authorised, directed, and empowered, to enter into such engagements with his Most Christian Majesty, with the States General of the United Provinces, with any particular State or Province, or with any man or body of men whatsoever, with whom you may find it necessary to enter into engagements, for the purpose of binding these United States to discharge the said loan, with interest, agreeably to the terms thereof; and also for the repayment of such expenses as have arisen, or may arise by reason of the said loan. And the said United States of America do hereby pledge their faith to confirm what you shall execute in pursuance of the above power.

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JOHN HANSON, *President*.

RESOLVES OF CONGRESS RESPECTING THE COMMUNICATIONS MADE BY THE MINISTER OF FRANCE.

In Congress, February 8th, 1782.

On the Report of the Secretary of Foreign Affairs, to whom was referred the communication made to him by the Minister of France, (November 23d) containing, among other things, an opinion of Count de Vergennes, that his Catholic Majesty will not have it in his power to advance any money to the United States; and expressing in strong terms the Count's hopes, that the United States will not imagine that France should make up the sums they expected from Spain, after the assistance they have already derived from France;

Resolved, That Congress are fully sensible of the frequent, friendly and generous interposition of his Most Christian Majesty in their behalf, and are led from thence to hope a continuation of his assistance, since nothing has been wanting on their part, so to apply the aid he generously affords, as to distress the common enemy, and lead to the great object of their alliance, a safe and honorable peace.

Resolved, That Congress cannot, without injustice to themselves and their ally, withhold from him a knowledge of their present circumstances, or neglect to mention the ruinous consequences that may attend a refusal of those aids, which as well the friendly dispositions of his Most Christian Majesty, as the success that has attended his interposition in their behalf, gave them reason to hope would be continued till the States, which have lately been ravaged by the enemy, had so far recovered their commerce and agriculture, as to be able more effectually to contribute to the general expense; and that his Majesty may be assured, that their applications for this purpose shall not exceed what may be absolutely necessary for the support of the common cause.

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Resolved, That the Secretary of Foreign Affairs, consulting with the Superintendent of Finance, explain to the Minister of the United States at the Court of Versailles, the extensive advantages, which have resulted from moneys supplied by his Most Christian Majesty to these United States, and the engagements, which have been entered into with a view to render the next campaign decisive, the consequence of failing in those engagements, and the little prospect there is of fulfilling them without an additional loan or subsidy, for the year 1782, of at least twelve millions of livres tournois, in order that the said minister may present a memorial on this subject to his Most Christian Majesty, and at the same time lay before him the several resolutions lately passed by the United States in Congress assembled, which evidence their unalterable resolution to make every exertion, for a vigorous campaign, which their present situation will allow.

Resolved, That the Minister Plenipotentiary of the United States of America at the Court of Versailles be, and he is hereby instructed and empowered to borrow, on account of these United States, the sum or twelve millions of livres tournois, and to enter into engagements on the part of the United States for the repayment of the same, together with the interest, which is not to exceed the terms allowed or given on national security in Europe.

[Pg 66]

TO ROBERT R. LIVINGSTON.

Translation.

Sir,

The Minister Plenipotentiary of France has the honor of communicating to Mr Livingston a letter from the Marquis de Bouillé, commanding officer of the Windward Islands, and a memorial presented to that General by the Council and Assembly of the Island of Dominica. One of the two cases mentioned in them, that of the Dutch vessel, the Resolution, has been decided by the Court of Appeals, and the sentence of the Court of Admiralty of Philadelphia, has been amended in almost every point. The case of the Eeirsten has been decided at Boston in the first instance, and recently by the Supreme Court of Appeals. As the annexed papers seem to contain means for the revision of the first case, and proofs which were not known to the Judges when the decision was made, the undersigned has the honor of communicating them to Mr Livingston, and requests him to be pleased, after reading them, to send them back to him.

The agent of the merchants at Dominica designs to solicit the said revision, with a view to have all the cargo, without exception, acquitted. The undersigned Minister flatters himself, that Congress will be pleased to enable the said agent to avail himself of the new proofs, which he says that he has obtained. The letter of the Marquis de Bouillé, and the request of the Council and Assembly of Dominica, may hereafter serve to determine the true meaning of the capitulations of the English Islands, taken by the forces of his Majesty; and it is for this reason also, that the undersigned requests that they may be laid before the Tribunal of Appeals. This letter and this request, leave no room to doubt, that the Ostend ship Eeirsten sailed under the faith of the capitulation, and that her owners ought to participate in the advantages secured by it to the capitulators. [Pg 67]

The undersigned Minister appeals to the justice of Congress, and of the American tribunals, in favor of those inhabitants or capitulators of the Island of Dominica, who are interested in the cargo of this ship, as subjects of the King, his master, and in favor of those people of Ostend who are interested, as subjects of his Imperial Majesty, who is allied to the King, his master, both by blood and by treaties.

LUZERNE.

THE MARQUIS DE BOUILLÉ TO M. DE LA LUZERNE.

Translation.

Without date.

Sir,

I have the honor to transmit you a Memorial from the Council and Assembly of the Island of Dominica, who lay claim to the Dutch ship Resolution, Captain Waterburg, which has been retaken from an English privateer from Carolina, by the American privateer Ariel, belonging to Messrs Robert Morris, Samuel Inglis, and William Bingham, brought into Philadelphia, and condemned there as a legal prize. [Pg 68]

This neutral ship, employed in the exportation of the produce of Dominica by virtue of the proclamation of his Britannic Majesty in favor of neutral ships bound for the British Colonies, conquered by France in the course of this war, would not have been condemned as a legal prize, had it remained in the power of the British privateer, and been brought into a port belonging to his Britannic Majesty. She could not, then, be condemned by the Admiralty of Philadelphia, since that Court could not consider her otherwise than as a neutral vessel, sailing under the faith of his Britannic Majesty's proclamation, which the commander of the English privateer was no doubt ignorant of, and after which she could no longer be considered as a recapture.

This affair, Sir, deserves all your attention, and the particular protection which I request you to grant it, that the owners of this vessel may obtain, from the Council of Prizes of the United States the justice due to them.

It is feared at Dominica, lest the Ostendian ship Eeirsten, Captain Thomson, which sailed for the said Island, and was taken by an American privateer and brought into Boston, may likewise have been condemned; and should this have been the case, I also request your interposition in favor of the owners of the said vessel.

I have the honor to be, &c.

BOUILLÉ.

To his Excellency the Marquis de Bouillé, Marshal of the King's Camp and Armies, Lieutenant General and Governor General, in and over the Islands of Martinico, Dominica, Grenada, and St Vincent, Tobago, &c. &c.

The Memorial of the Council and Assembly, representing the capitulants of this Island.

By virtue of the 17th Article of the capitulation signed by your Excellency, the capitulants of this Island were authorised to ship the produce of their estates, in neutral ships, to neutral ports in Europe, and to receive from them the necessary supplies of provisions and plantation stores.

Annexed to the oaths of the respective shippers of produce on neutral vessels, his Excellency the Marquis du Chilleau, his Majesty's Governor in this Island, granted to the master of each vessel his certificate, that such shippers were capitulants, and the produce laden in such vessel was the growth of their estates, and therein recommended those vessels and their cargoes to the protection of all his Majesty's subjects, those of his Most Catholic Majesty and to the Americans in alliance with France. These certificates were always respected till now, and in consequence such neutral vessels, although detained and examined at different times, arrived at their destined ports.

To the infinite surprise of your memorialists, they have received advice from Philadelphia, that the Dutch ship, the Resolution, Captain Waterburg, was retaken from an English privateer, belonging to Carolina, by the Ariel, an American privateer, belonging to Messrs Robert Morris, Samuel Inglis, and William Bingham of Philadelphia, carried into that city, and was there condemned and sold with her cargo, without respecting either the capitulation, or the certificate and recommendation of his Excellency the Marquis du Chilleau. This ship was loaded at Dominica and regularly cleared there for Amsterdam within the time limited by his Britannic Majesty's Proclamation in favor of Dutch vessels, loading in the conquered Island, the commander of the Carolina privateer, unacquainted with the Proclamation, had detained her as a Dutch ship. That this ship would certainly have been released in Carolina cannot even be doubted, as she had before been carried into the Island of Nevis on the same voyage, and released with a compensation after her papers were examined.

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Your memorialists have received further advice, that another American privateer has taken and carried into Boston, the Ostend brig Eeirsten, Captain Thomson, bound from that port to this Island, and laden with provisions and plantation stores for the estates of your memorialists, where we fear she will have the same fate.

If the Americans should persist and be authorised to take and confiscate neutral vessels, loaded with the produce of capitulants' estates under the authority of the French government, and those who in return are loaded with the provisions essentially necessary to them, what is the trade of this Island? This must put an effectual end to it; what resources are then left to us?

The inhabitants of this Island are capitulants, and they dare flatter themselves, that under their present government they have the merit of having constantly manifested the most uniform propriety of conduct; the Americans should not only have respected, but protected their property. Bound to do so by their treaty of friendship with France, by the capitulation, and by the certificate and recommendation of the French Governor.

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Your memorialists do therefore most earnestly entreat, that your Excellency will be pleased to take this Memorial into consideration.

Council Chamber, in Roseau, the 23d day of November, 1781.^[5]

ABRAHAM SHAW, *President in Council.*

House of Assembly, Roseau, this 23d day of November, 1781.

J. MORSOU, *Speaker of the House of Assembly.*

FOOTNOTES:

[5] Extract from an authentic copy of the capitulation, granted by the Marquis de Bouillé to the Island of Dominica.

"ARTICLE 7th. That they (the inhabitants of Dominica) shall pay no other duty to his Most Christian Majesty, than they have paid to his Britannic Majesty, without any charge or imposts. The expenses attending the administration of justice, the Minister's stipends and other customary charges, shall be paid out of the revenue of his Most Christian Majesty in the same manner as under the government of his Britannic Majesty.

"Granted, and that the inhabitants of Dominica may freely export their produce to all parts, on paying into the custom house the duties, which the inhabitants of the French Islands pay in the Islands or in Europe; but the expenses for administration of justice shall be paid by the Colony.

"ARTICLE 17th. The merchants of the Island may receive vessels to their address from all

parts of the world, without their being confiscated, and they may sell their merchandise, and carry on their trade; and the port shall be entirely free, for them for that purpose, paying the customary duties paid in the French Islands.

"Granted, until the peace, English vessels excepted."

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs. February 20th, 1782.

Sir,

I was yesterday honored with your note, covering the papers, which relate to the ship Resolution's cargo, and the brigantine Eeirsten's. With respect to the first, I believe there is little doubt, that that part of the cargo, which is condemned would be acquitted upon a rehearing, and proving, that it was the property of capitulants. The case of the brigantine is much more intricate, and carries strong marks with it of a fraudulent design to protect British property, contrary to the spirit of the capitulation. One of the Judges who condemned this vessel assures me, that there was strong proof, that the cargo belonged to British owners, even after she parted from Ostend, nor was there any evidence that the bottom was neutral. The capitulation does not certainly tend to cover any other property of the capitulants, but that which should be shipped from the Island, or to the Island from a neutral port, otherwise its trade with Britain would stand upon the same footing as it did before the capture. However, I have not had such a view of facts, as will enable me to give an opinion upon the subject, and if I had it would not fall within my department to determine upon it.

[Pg 72]

The line in which justice will most speedily be done, will be for the parties who conceive themselves aggrieved to petition Congress for a rehearing. If, Sir, you shall approve it, I will lay before them your note, with the papers annexed, and my opinion thereon. I doubt not, that they will readily adopt such measures as are most consistent with justice, and the respect they will feel for your recommendation.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

[Pg 73]

Translation.

Philadelphia, March 8th, 1782.

Sir,

I have the honor of informing your Excellency, that I am about to take a journey to Virginia, and shall probably be absent some weeks. M. de Marbois will remain here during this interval, as *Chargé d'Affaires* of his Majesty. Be pleased to honor him with your confidence, in case that circumstances shall render it necessary for him to make any communication to Congress.

If your Excellency has any commissions, with which to intrust me, for Virginia, I entreat you to be assured of my punctuality in performing them.

I am, Sir, respectfully, &c.

LUZERNE.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, April 17th, 1782.

Sir,

I have repeatedly applied to the Department of War, to have a settlement made of the accounts of M. de la Radière, an officer of Engineers, and General Baron de Kalb, both of whom died in the service of the United States.

I have been answered, in the absence of General Lincoln, that the demands, which I made by order of my Court, for the benefit of their heirs, were just, but as yet no money has been paid to me, and I therefore entreat you to be pleased to procure it as soon as possible. I have received several letters from the family of Baron de Kalb, and I wish to be able to send them a satisfactory answer. General Lincoln having returned, I hope that these two affairs will suffer no delay.

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The Count de Barras also demanded, in the month of July of last year, the payment of the sums due to the volunteers, who have served on board the Ariel, Captain Paul Jones; and on leaving the Chesapeake he has renewed his demands, in order that this money may be sent to France, where it will be paid to those to whom it belongs. This debt amounts to four thousand one hundred and ninetyseven livres tournois, not including the sum of one thousand one hundred and fiftyone livres, which has been paid to Joseph Caron, François Marais de Tulipe, Joseph Powaruce, and Patern Jean, who were on board the Hermione. Congress, by a resolution, the date of which I cannot recollect, last year ordered the whole of this sum to be paid. I entreat you, Sir, to be pleased to persuade the Board of Admiralty to bring this affair to a close, and to transmit this sum to his Majesty's Consul, that he may send it to those to whom it is due.

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, April 13th, 1782.

Sir,

I embrace the first moment after my return from Virginia, to comply with the request of the principal officers of our army, in tendering you their sincere respects.

I have already forwarded to your Excellency a letter from Count de Rochambeau; on my return here, I found letters from my Court, dated in February last. They do not announce anything pacific, on the part of our enemies. No progress is made in the mediation of the Courts of Vienna and Petersburg, and the Court of London seems determined to risk the event of another campaign, in which they will employ all the strength they have left. The plan for the campaign was not yet finally decided, it depending on some arrangements, which were yet to be made with the Court of Madrid, and on some advices, which were expected from the Antilles. It nevertheless seemed to be the intention to act vigorously for the assistance of the United States, and though no particular assurances could be given me on this head, yet from what they write me, it is probable that New York or Charleston, or perhaps both, will be the object of their efforts next campaign.

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I think it, however, proper to inform you, that at the same time they announce to me their general views, they observe, that it is an unhappy circumstance, that the American army is so weak as it is; and they seem to fear, that it will not be in a condition to second their efforts, when it shall be necessary to strike, a decisive stroke, or to undertake operations, in which such extensive means are required as in a siege.

I beg your Excellency would enable me to give my Court the necessary information on a matter so important as this is. I am not curious to know any of the particular details relative to your army, which it may be necessary to keep secret, but the military operations of France and America are so intimately connected, that it is indispensable for us to know what is the actual force and means which you have, in order to calculate with any degree of probability what enterprises can be undertaken. Our ignorance in this respect cannot but be very prejudicial to our affairs, because, if from false information we consider your army as weaker than it really is, it will prevent our forming plans, which it would be possible to execute; and if, on the contrary, we are led to believe it stronger than it really is, we run the risk of forming plans impracticable in their execution. It is from these considerations, that I beg of you to confide to me such information on this head as you may think proper, both with respect to the actual force you have at the different parts of the continent, and what it will probably be in the course of the campaign. It is equally interesting to know the force of the enemy, both in regulars and militia. I beg you to rest assured of the discretion, with which I shall make use of these communications.

[Pg 76]

I cannot refuse myself the pleasure of communicating to you the sentiments, with which our Court and the nation at large are inspired, from the reports of the French officers, respecting your Excellency, on their return to Versailles. Their testimony could add nothing to the universal opinion of the great services you have rendered your country, but to the esteem and admiration of the French are now added a sentiment of affection and attachment, which are the just return for that attention which our military experienced from you, and the progress they made in their profession by serving under your orders.

I have the honor to be, &c.

LUZERNE.

COUNT DE ROCHAMBEAU TO M. DE LA LUZERNE.

[Pg 77]

Williamsburgh, April 16th, 1782.

I send you under a flying seal, my dear Chevalier, the letter I have written to M. de Guerny, commanding the Emerald frigate. You will observe, that I am yet in a state of ignorance, not having received my ministerial despatches. It is of the greatest consequence, that this letter should be forwarded by a safe route, through the hands of General Washington, that it may be despatched as quick as possible.

Our last news from Edenton is of the 8th of April, by a captain of a vessel, who left Georgetown the 25th of March. The enemy employ all the wagons of Charleston in transporting their stores on board the empty vessels, which came from New York.

I think General Washington would do well to have all the works levelled, which we made at Rhode Island round Newport, and even the fort on Butts' Hill, if he has not troops vigorous and firm to keep possession of it.

The plans of the enemy seem to give their marine all the superiority they can in these seas. I think they must have it much at heart to re-occupy the port of Rhode Island. The port of New York being precarious, the entry depending on the tides, they run the greatest risks in their naval combats, in not having a port where they can take refuge at all times.

I have not time to translate this into English; I beg you to transmit it to our General, as well as that for M. de Guerny, that he may forward it with the greatest despatch.

I submit, with reason, all my reflections on Rhode Island to him. I have always in mind Lord North's speech, and the news which seemed to follow, of the pretended evacuation of Charleston.

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Count Ferson sets off to meet my despatches; he tells me that there is a detachment of about one hundred men, which might be employed jointly with the militia in levelling the works.

ROCHAMBEAU.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, April 18th, 1782.

Sir,

On my return to this place, Count Beniowsky delivered to me a plan, which he wished to have communicated to your Excellency before your departure from Philadelphia, but as he was particularly recommended to me by my Court, he deferred taking that step till my arrival. He will not make any proposition to Congress without first consulting your Excellency and obtaining your approbation, and it is with this view he now goes to the army.

I need not recall to your Excellency's mind, the services and actions, which have recommended Count Beniowsky. His fervor you are acquainted with, and I am persuaded, that if you think he can be useful to the United States, no one will more sincerely support him in carrying into execution those views, which brought him to this continent.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

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Newburgh, April 28th, 1782.

Sir,

I receive with much gratitude the remembrance and compliments of the principal officers of the French army in Virginia, and thank your Excellency for the trouble of being the bearer of them to

me, and the letter from Count de Rochambeau.

With equal sensibility and pleasure, I received and do now acknowledge my obligations to your Excellency for the communications from your Court, which, though not decisive, are nevertheless important. The late instance of their generous aid, hinted at by your Excellency and particularised by Mr Morris, is one among a variety of important considerations, which ought to bind America to France in bonds of indelible friendship and gratitude, never I hope to be sundered. Induced by that entire confidence, which I repose in your Excellency, and a full conviction, that a nation, who combines her force with ours, for purposes of all others most interesting to humanity, ought not to be deficient in any information I can give to point objects to means, that an accordance with them may be inseparable, I shall, without hesitation, give you the state of our present force, and my ideas of the increase of it by recruits, from the best view of it which is before me.

It can scarcely be necessary to inform your Excellency, that our military establishment for the present year consists of one regiment of artillery, four legionary, and two partisan corps, and fifty regiments of infantry, beside the corps of invalids; or that Congress have called in pointed terms upon each State to complete its regiments to the establishment, the aggregate of which, if complied with, would amount to thirtyfour thousand three hundred and eight men, exclusive of commissioned officers, sergeants, and music, Hazen's regiment, and the corps of invalids. Of this force, one legionary corps, two regiments of artillery, and twentytwo of infantry, besides Hazen's regiment and the invalids, compose the northern army; but as Hazen's regiment is fostered by no State, discouraged from recruiting by all, and without funds if the case were otherwise, it must soon dwindle to nothing, being now very weak.

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The present totality of the rank and file, exclusive of sergeants, of those regiments which compose the northern army, amounts to nine thousand one hundred and fortysix. From this number the sick men, in different branches of the staff department, and such as are employed on other extra duties, which the peculiarity of our circumstances compels me to furnish from the army, being deducted, will reduce the efficient operating force of these corps to seven thousand five hundred and fiftythree rank and file, and I should be uncandid if I were not to acknowledge, that I do not expect it will be increased by recruits in the course of the campaign, to more than ten thousand fit for duty in the field. This, Sir, in my opinion will be the full amount of the established regiments of the States east of Pennsylvania. To ascertain the number of militia, who may be assembled for occasional offensive operations, is more than I can do. The general opinion is, that there will be no want of militia for my enterprise we can have in view. Be this as it may, this one thing is certain, that this class of men are not only slow in their movements, but undertaking to judge also of the propriety of them in point of amount, will wait till the necessity for it strikes them, which, in most cases, is as injurious to the service as inability or want of inclination; disappointment being the consequence of delay. This observation I could not refrain from making, because in all combined operations, especially those which may depend upon the season or a limited period for their execution, it is of the utmost importance to be known.

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The enclosed return, which is a copy of the last state of the force under the order of Major General Greene, which has come to my hands, will give your Excellency every information in my power, respecting the state and condition of that army; which was to be augmented by the partisan corps of Colonel Armand, consisting of about two hundred horse and foot. Independent of those, there are two small regiments at Fort Pitt. One from the State of Pennsylvania, the other from Virginia, which are included in the general establishment of the army; but no particular return is here given of them.

What measures are adopted by the States of Georgia and North and South Carolina, to recruit their battalions, I know not. Virginia marched about four hundred men the latter end of February for the southern army; and by an act of the legislature, passed at their last session, resolved to raise more; but in what forwardness they are, or what is to be expected from the act, I am equally uninformed. Maryland and Pennsylvania depend upon voluntary enlistments, and are proceeding very slowly in the business of recruiting.

This, Sir, is an accurate state of the force we have at present, and my expectation of what it may be, independent of militia.

The enemy's force, from the best information I have been able to obtain of it, may stand thus at New York;

	Rank and File.
Regulars, including their established corps of Provincials,	9,000
Militia of the city, refugees, and independent companies,	4,000
Sailors and marines, according to the number of ships which may be in the harbor;—this being uncertain no number is given,	
Now in New York,	13,000
Charleston, about	3,300
Savannah, about	700
In Canada, including British, German, and established Provincials,	3,000
Penobscot, about	500

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Halifax and its dependencies, uncertain, but say,

3,500

In all,

26,000

The above estimate, so far as it respects New York, Charleston, and Savannah, is, I believe, to be depended upon. The force of Canada by some accounts is more, by others less, than five thousand. The regular British and German troops in that country cannot exceed four thousand; but in addition to these, are the corps of Sir John Johnson and others, which I am told have been considerably increased by the disaffected of this, and other States, who have fled to Canada. But it is to be observed, that this force, be it what it may, is employed in the occupation of posts from Quebec to Michillmackinac, and on Lake Champlain, through an extent of not less than seven or eight hundred miles, and that all these posts are dependent upon the former for provisions and supplies of every kind. I am less certain of the enemy's force in Nova Scotia than elsewhere. The number here given is not from recent intelligence, or strengthened according to circumstances. Cumberland, Windsor, Annapolis, St John's River, &c., are posts dependent upon Halifax, and included in the three thousand and five hundred men here mentioned.

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If this state of matters can be satisfactory to your Excellency, or useful in the formation of any plans against the common enemy, I shall be happy in having given it.

Permit me now, Sir, to express the high sense I have of the honor you have done me, in communicating the favorable opinion entertained of my conduct by the Court and nation of France, and to acknowledge my obligations to those officers who have inspired these sentiments. To stand well in the eyes of a nation, which I view as one of the first in the world, and in the opinion of a Monarch, whom I consider as the supporter of the rights of humanity, and to whom I am personally indebted for the command he has been pleased to honor me with, is highly flattering to my vanity, at the same time it has a first claim to all my gratitude.

It is unnecessary I hope to add fresh assurances of the respect and esteem, with which I have the honor to be, Sir, &c.

GEORGE WASHINGTON.

COMMUNICATION OF THE FRENCH MINISTER TO THE SECRETARY OF FOREIGN AFFAIRS.

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In Congress, May 1st, 1782.

The Secretary of Foreign Affairs having laid before Congress the following minutes of a communication, made to him the 28th of April, by the Minister of France, from letters of the Count de Vergennes, dated the 24th of December and the 22d of January last, viz.

"After expressing his satisfaction in the success of our arms in Virginia, he laments the weakness of our army, and the incapacity in which it leaves us of pursuing so important a blow, before England can recover from it, he says, though the plan of the ensuing campaign is not yet determined on, he has reason to believe, that means will be used to aid us in the exertions we shall make to expel the enemy from this continent; and he wishes that this consideration, and the obstinate adherence of the British to their plan of subduing this country, evidenced by their answer to the mediators, may rouse the United States to an early and animated exertion. He observes, that the British are much embarrassed with respect to the measures they ought to pursue; that they still continue to represent us as a weak and divided people, in the hope, that this may have some effect upon the powers of Europe, more particularly upon the mediators. He is of opinion, that England will endeavor to make proposals to the several States separately; and though he does not apprehend, that they will succeed in their attempt to detach them from the alliance, yet he presumes, while the issue is unknown, that they will avail themselves of it to induce a belief, that they have a considerable interest in this country, and that the people at large wish to be connected with them. He hopes the wisdom of Congress will devise some means to frustrate this design. He expresses in strong terms the resolution of his Majesty to adhere to the principles of the alliance, and to form no treaty of peace, which does not secure to the United States the objects of it."

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And this communication having been referred to a committee, and the committee having reported thereon, it was

Resolved, That the Secretary of Foreign Affairs be, and he is hereby directed to make a confidential communication to the several States of the intelligence received by Congress on the 29th of April last through his department, in order that the States may be more fully impressed with the necessity of such united and determined exertions, as, with the co-operation of our generous ally, will expel the enemy from their remaining posts within the United States, and display to the world the falsehood of the assertions of the British Court, that the people of these States are neither united nor determined in support of their national independence.

DECREE OF THE KING'S COUNCIL IN FRANCE.

Translation.

Decree of the King's Council of State, prescribing the formalities to be observed on the exportation, from the ports of the kingdom, of merchandise obtained from prizes.

Extract from the records, of the Council of State.

"The King having been informed, that the facility granted by the Fourteenth Article of the decree of his Council of the 27th of August, 1778, concerning merchandise obtained from prizes, has been abused, so that merchandise of English origin is taken on board, when under sail, or in foreign countries, and is imported under the character of merchandise taken as prize, into nations in alliance with his Majesty, he has thought proper to explain his intentions. Wishing to remedy this evil, and having heard the report of M. Joly de Fleury, one of the Common Council of State, and of the Royal Council of Finance, *the King in Council* has commanded and commands, that all the merchandise named in the said Fourteenth Article of the regulation of August 27th, 1778, and the adjudication of which is made only upon condition of its re-exportation to a foreign country, cannot be exported from the ports of his kingdom, unless it be accompanied with the copy of the *procès-verbal* of the sale made by the Admiralty, or by the Intendant or the Director of the Marine, duly certified by the register, or by the Controller of the Marine, and examined by the Receiver and Controller of the *Bureau des Fermes*, which, conformably to the Eighteenth Article of the same decree, must mention, that the goods have actually been taken from the mart, and embarked on board of the vessel designated. His Majesty forbids the clerks and overseers of the *Adjudicataire de ses Fermes*, under penalty of being deprived of their offices, and subjected to the severest punishment if it should be done, to allow any of the merchandise in question to be exported, without the previous formalities having been observed.

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"Done, at the King's Council of State, his Majesty being there present, held at Versailles, the 4th of May, 1782.

LA CROIX CASTRIES."

TO ROBERT R. LIVINGSTON.

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Translation.

Philadelphia, May 7th, 1782.

Sir,

I have the honor of sending you the commission, by which the Chevalier d'Annemours has been appointed his Majesty's Consul in the five southern States. Be pleased to have the kindness to lay it before Congress, that they may pass an act for the recognition of his character, and that the necessary letters may in consequence be despatched to the different legislatures. I will myself see that they are forwarded, if you will send them to me. The representatives of Maryland and Virginia being now assembled, you will confer a particular favor on me, by bringing this affair to a termination as soon as possible.

I have the honor to be, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, May 8th, 1782.

Sir,

I was yesterday honored with yours of that date. I have this day presented the commission, with a draft of the necessary resolutions thereon to Congress, and I doubt not that they will immediately pass, when the letters and papers you request will be put into your hands.

I do myself the honor to enclose a letter from Mr Morris to me in answer to one I had written him on the subject of the volunteers, who served on board the *Ariel*. You will see by that a state of the accounts, and that the balance is ready to be paid to their order. I have requested the Paymaster General to make up the accounts of the late Baron de Kalb, and M. de la Radière, and shall endeavor as soon as possible to enable you to give a satisfactory answer to their representatives on that subject. You will be pleased to return me the enclosed letter, after having made such use of it as you may think proper.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, May 9th, 1782.

Sir,

Several different bearers of certificates of the different loans obtained by the United States, have applied to me to induce Congress to pay them back their capitals, or to pay the interest stipulated. Their claims are supported by recommendations from his Majesty's Ministers. I entreat you to be pleased to enable me to inform them of the measures taken on this subject. They have now suffered for a long time on account of the suspension of the payments, and it is a long time since I asked for the information, which has been successively promised to me.

I am, Sir, respectfully, &c.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

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Office of Foreign Affairs, May 9th, 1782.

Sir,

I have the honor to enclose resolutions of Congress, settling the ceremonial for the public audience on Monday.^[6]

Mr Morris will deliver you the commission of the Chevalier d'Annemours; when you shall have made the alterations and returned it, I will immediately lay it before Congress.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[6] See the result of this audience in the *Secret Journal of Congress*, Vol. III. p. 107.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, May 12th, 1782.

Sir,

The undersigned, Secretary to the United States of America for the Department of Foreign Affairs, has the honor to notify to the Minister Plenipotentiary of his Most Christian Majesty, that Congress have determined, by a resolution of the 20th of July, 1778, that the style of address to them should be in future "Gentlemen of the Congress."

The undersigned hopes, that the Minister Plenipotentiary of France will be pleased to make use of this form, in the address which he proposes to make to Congress tomorrow, as well as on every future occasion.

ROBERT R. LIVINGSTON.

TO GEORGE WASHINGTON.

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Translation.

Philadelphia, May 17th, 1782.

Sir,

I write only to acknowledge the receipt of the letter your Excellency did me the honor to write on the 28th ultimo. I feel myself extremely obliged by the freedom, with which you have been pleased to furnish me with the information I requested, and I beg you to be persuaded, that I shall make use of it only to contribute to the success of our common operations.

The reports of the action between the fleets in the West Indies are so vague, that I can form no certain judgment thereon. I presume, however, that the handbill published at New York, the 12th of this month, is at least partly false. They write me from Martinique the 13th of April, that Count de Grasse has beaten the English.

I am, with the most respectful attachment, &c.

LUZERNE.

CONGRESS TO THE KING OF FRANCE.^[7]

The United States in Congress assembled, to their Great, Faithful Friend and Ally, Louis the Sixteenth, King of France and Navarre.

Great, Faithful, and Beloved Friend and Ally,

Among the many instances that Divine Providence has given us of his favor, we number the blessings he has bestowed on your Majesty's family and kingdom. Nothing was wanting to the happiness of the first, but a son to wear the honors, which the father had earned; or, to the prosperity of the latter, but the prospect of seeing the Crown transmitted to an heir, who would find in the example of his parent, a powerful incitement to promote the happiness of his people. This example, we presume to hope, will also influence his future conduct towards these United States. When, in the history of the present day, he shall read your Majesty's generous interference in their behalf, their firm and affectionate attachment, and the blessings with which both were crowned, he will be studious to preserve to his kingdom and these States, the reciprocal advantages of the alliance, which your Majesty has formed, and to emulate his ancestor in adding to his titles the glorious appellation of Protector of Mankind.

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We receive with the most lively pleasure your Majesty's renewed professions of friendship. You will easily believe, that the attachment, which we have so often and so truly professed for your Majesty, could suffer no diminution, when every day afforded us new instances of your magnanimity, and of your affectionate interference in our behalf.

We pray God, Great, Faithful, and Beloved Friend and Ally, always to keep you in his holy protection.

Done at Philadelphia, the 20th day of May, in the year of our Lord one thousand seven hundred and eightytwo, and in the sixth year of our independence. By the United States in Congress assembled. Your Majesty's Faithful Friends and Allies.

JOHN HANSON, *President*.

FOOTNOTES:

[7] See the letter, to which this is an answer, dated [October 22d, 1781](#).

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, May 25th, 1782.

Sir,

The Baron de Holzendorff, Major in the service of his Majesty, came to America in 1776, to offer his services to the United States. He was obliged by circumstances, which it would take too long to mention in detail, to return to France in 1778. Congress, before his departure, had adopted the annexed resolutions in relation to him; but the departure of this officer took place before he could procure the execution of them, which he now solicits, Dr Franklin having told him that the settlement of this business belonged to Congress. The undersigned Minister, requests Mr

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Livingston to be pleased to take measures to forward to this officer a decision of Congress, or of the Department of War.

The Chevalier de la Luzerne takes the liberty of renewing his solicitations respecting the money to be paid to the heirs of Messrs De Kalb and De la Radière, and also respecting the reasons, which have suspended the payment of the interest on different classes of certificates.

LUZERNE.

**VERBAL COMMUNICATION OF THE FRENCH MINISTER TO THE
SECRETARY OF FOREIGN AFFAIRS.**

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In Congress, May 28th, 1782.

The Secretary of Foreign Affairs laid before Congress the following verbal communication made to Mr Livingston.

The Minister of his Most Christian Majesty has the honor to inform Mr Livingston of several particulars relative to the negotiation, that the Court of London appeared disposed to open in Europe. The first steps were taken under the former administration. This remark is essential, because it is possible that the new Ministers may take others more decisive; or it is equally possible, that they may entirely change the system, and continue the war still longer.

Emissaries have been sent to Paris and to the Hague, to sound, on the one hand, Mr John Adams, in the hope that his connexion with some independent members might facilitate an accommodation; and, on the other side, in the hope that very advantageous offers might seduce his Majesty, and engage him to make a separate peace to abandon his allies. The Chevalier de la Luzerne is not informed of the steps that have been taken at Madrid, or by the States General.

The proposition made secretly to France tended to a partial peace. It offered France the possession of their conquests in the West Indies, the suppression of an English Commissary at Dunkirk, and advantages in the East Indies. These offers were certainly satisfactory to his Majesty; and he would have had no reason to reject them if he had had no allies. But his engagements marked out another line of conduct. He replied, that how sincerely soever he was disposed to peace, he would commence no negotiations to this end without the participation of his allies. The emissary easily comprehended, that this answer related as well to the United States as to Spain; and pretended that the condition was inadmissible; that England, in treating upon this foundation, would acknowledge the independence of her colonies, which made no part of her system. The Minister of his Majesty replied, that their independence was considered by the King as an indispensable point, and that it made the basis of his system.

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The English Agent then demanded, if there were no means to avoid treating with us of the affairs of America. The Count de Vergennes replied, by referring him to the answer given to the first overtures of pacification made by the mediators, and communicated to Mr Livingston.

It should be observed, that whether England treats of the affairs of the United States with the Court of Versailles, or whether she opens a direct communication with the United States, she cannot avoid treating with the American negotiators sent by Congress. In either case she will be under the necessity of acknowledging that body.

The conduct of his Majesty on this occasion being strictly conformable to justice and his engagements, his Minister confines himself to a simple communication of it to Mr Livingston. He confides also to him, that the Count de Vergennes, in declaring to the English Agent, that his Majesty could not listen to any negotiations of peace if the Court of London did not treat at the same time with his allies, added verbally, that the King did not attend to his own satisfaction till that of his allies was procured.

Besides this, the effects of these steps taken by the Court of London, have been to engage France to pursue, with redoubled vigor, the measures that have given birth to these appearances of peace, but which would certainly not terminate in it, if England perceived that her enemies relaxed their efforts in any manner. It is above all things indispensable, that the United States should, in the course of this campaign, be in a situation to co-operate in vigorous enterprises, which may be formed. It appears that the design of the Court of London, pointed out by the debates in Parliament, is to reduce, by a defensive war, their operations upon this continent. The Minister of his Most Christian Majesty has at present no information relative to the plans of the approaching campaign. But whatever they may be, it would be useful to be enabled to inform his Court, that the United States will not adopt an inactivity, which would be equivalent to the truce required. But that their design is to trouble the repose, that the enemy wish to deliver themselves to, and that the operations, whether combined or separately undertaken by the United States, will be pushed with activity during the ensuing campaign.

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As to the place of the negotiations, Congress knew in 1779, when they named a Plenipotentiary, and in 1781, when they gave him three Colleagues, that it could only be in Europe, and that this

was the most effectual means of preventing delays and jealousy, and of maintaining the confidence and harmony, which has so happily subsisted hitherto between the allies. It would be important, that the Minister of his Majesty could inform his Court, that Congress persists in these dispositions; and, that in case Commissaries offer to treat upon this continent, they should be referred to the Ministers of the United States, who are provided with instructions on this subject in Europe; that the Court of London should address itself to them; and that it is impossible that the seat of negotiation should be in America. When these overtures were made to the Court of Versailles, the agent made no mention of those that were to be made in America, or to the American Ministers in Europe. It is obvious, that the design of this conduct is to inspire reciprocal distrust; and the Chevalier de la Luzerne conceives it can in no way more effectually be prevented, than by a full communication of every circumstance, which shall relate to the pacification and to the interests of the alliance, which shall come to his knowledge.

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GEORGE WASHINGTON TO M. DE LA LUZERNE.

Head Quarters, June 5th, 1782.

Sir,

I have the honor of conveying to your Excellency the enclosed address of the officers of the American army under my immediate command, on the auspicious event of the birth of a Dauphin.

Happy in this opportunity of presenting to you this united testimony of respect and veneration for your royal Master, I pray you to believe, that I enjoy the highest satisfaction in having such an occasion of manifesting to your Excellency the very particular pleasure I feel in every event, which affects the happiness of his Most Christian Majesty, especially in one which is so interesting and important to his domestic felicity and that of his people.

I have the honor to be, Sir, &c.

GEORGE WASHINGTON.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

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Office of Foreign Affairs, June 7th, 1782.

Sir,

I have the honor to enclose you an account of the moneys received by Baron de Kalb and Lieutenant Colonel La Radière, as extracted from the Paymaster's books. By this it will appear, that both have received more than the amount of their pay, even if the depreciation is allowed. If their friends have furnished you with vouchers to account for the expenditure of still further sums upon the public account, the whole, when stated, will be liquidated at the treasury offices, and the balance paid.

I have applied to Congress for direction on the subject of the Baron de Holzendorff, though it would appear to me, that if he had received the thousand dollars directed to be paid him, there can be nothing further due to him, since the resolution itself implies, that there would probably be a balance to be repaid in bills of exchange. You must see, Sir, the extreme difficulty of settling these accounts, unless the gentlemen, who have demands, will be at the trouble of stating their accounts precisely, and produce vouchers for the money, which has passed through their hands. This is never dispensed with in the case of our own citizens. I shall, however, do myself the honor to lay before you the determination of Congress in this case.

I have written to Mr Morris on the subject of the interest due on the loan office certificates, and shall transmit to you his answer as soon as I shall receive it.

I enclose for your perusal a very extraordinary letter from Mr Deane to Governor Trumbull, together with his reply, which was unanimously approved by the Legislature of Connecticut. You will please return them after you have read, or, if you think proper, taken copies of them.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, June 9th, 1782.

Sir,

I have the honor to enclose the copy of a letter from the Superintendent of Finance in answer to one I wrote him on the subject of the loan office certificates. I am sorry for the necessity which dictated it, and look forward with some degree of impatience to the period when ample justice shall be done to all the public creditors. In the meanwhile foreigners will not feel themselves hurt when we make no distinction between them and our own citizens.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

**TO GEORGE WASHINGTON, COMMANDER IN CHIEF, AND OTHER
OFFICERS OF THE AMERICAN ARMY, ON HUDSON'S RIVER.**

Translation.

Philadelphia, June 10th, 1782.

Gentlemen,

I shall transmit to his Majesty the address you have been pleased to send me on the birth of an heir to his crown.

It will afford him infinite satisfaction to find with what joy this event has inspired you, and he will see with pleasure, that the same army which has given so many proofs of courage and patriotism, and which has in the most perfect harmony and concert with his own troops fought the common enemy, now hastens to show, that nothing which affects the French nation can be indifferent to them.

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The young Prince, whose birth is the object of your congratulations, will, from his infancy, hear recounted the glorious actions, by which you have effected the independence and happiness of a vast continent; and when there shall be cited to him examples of disinterestedness, constancy, courage, and every other military virtue, there will be repeated the names of illustrious chiefs.

He is born at a moment when victory has crowned both our nations. This circumstance is a happy presage of his future glory, and promises, that he will one day be the support of your independence as well as of the alliance, which unites France with the Thirteen United States.

The veneration that your actions and virtues have inspired me with, Gentlemen, augments the pleasure I have in conveying your sentiments to the King, my master.

I beg you to be persuaded, that no one is with more sincere respect, Gentlemen, your very humble and obedient servant.

LUZERNE.

CONGRESS TO THE KING OF FRANCE.

The United States in Congress assembled to their Great, Faithful, and Beloved Friend and Ally, Louis the Sixteenth, King of France and Navarre.

Great, Faithful, and Beloved Friend and Ally,

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We learn with extreme grief, an event which has disturbed your Majesty's felicity, and unite with you in offering that tribute of sorrow to the memory of your most dear and beloved aunt, the Princess Sophia Philippina Elizabeth Justina of France, which is due, as well to the eminent virtues she possessed, as to the relation in which she stood to your Majesty. We trust that our sensibility on this occasion, will be considered as a fresh proof of the interest we take in every event, which may affect your Majesty, and that our sincere condolence, when such afflictions as are the lot of humanity put it out of our power to offer more effectual consolation, will evince our earnest desire on every occasion to contribute to your Majesty's happiness.

We pray God, Dear, Great, Faithful Friend and Ally, always to preserve and keep you under his holy protection.

Done at Philadelphia, the 13th day of June, in the year of our Lord one thousand seven hundred and eightytwo, and in the sixth year of our independence. By the United States in Congress assembled. Your Majesty's Faithful Friends and Allies.

JOHN HANSON, *President.*

TO COUNT DE ROCHAMBEAU.

Translation.

Philadelphia, June 14th, 1782.

My Dear General,

I have just received your letter of the 8th of this month, and the packets which accompanied it. I have not now time to reply to it, as I profit by an express on the point of departure, and whom I cannot detain.

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The movements of the English troops at New York, indicate an intention of sending off detachments from that garrison. It is even possible, though not very probable, that they propose to evacuate that place, either to reinforce the English Islands, or to act offensively against the conquered Islands, which will not be in so good a state of defence as our ancient possessions. This last supposition cannot take place, unless they retain their superiority, and although I hope that this will not be the case, it is, however, but prudent to be in readiness against every event.

The most sure means of preventing the enemy from making any detachment from New York, is to approach that place, and to give a jealousy to General Carlton, of a combined attack. Congress regard the matter in this light, and think that General Washington will make a movement towards New York, in case such a measure is agreeable to his designs, or to the intelligence he may have. I am ignorant what steps he will take in this conjuncture. It is possible that he may think it proper not to quit his present station, till he hears that you approach. In all cases the enemy will be cautious of weakening themselves, if they hear that you are on the march to form a junction.

I submit these ideas to you, my Dear General, and am persuaded that you will take such measures as are most advantageous.

We have news, which I have no reason to believe that M. de la Motte Piquet is not far distant from these coasts.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

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Head Quarters, Newburgh, June 24th, 1782.

Sir,

I was in the moment of sending off a despatch to Count de Rochambeau, of which I have the honor to enclose a copy, when your Excellency's letter of the 14th instant arrived.

I have only to refer you to my letter of the 20th of April, for a perfect statement of matters in this quarter; and as little alteration has taken place since that period, your Excellency will readily perceive the impracticability of the movement expected by Congress, (and mentioned in your letter to Count de Rochambeau,) especially too, when you consider how unprepared we are to encounter any expense, that can possibly be avoided.

My ideas on this head, the removal of the French army in our present state of uncertainty, the consequent call of the militia to occupy the posts they would leave, and cover the stores, shipping, &c. which must necessarily remain, were communicated fully to the Secretary of War, when he was here, with a request that he would unfold them to your Excellency, as I could not commit them to paper without a cypher.

The enemy, from the best intelligence I get from New York, has made no detachment. Things remain there in *statu quo*. They seem to be suspended and are waiting for orders from their Court, which I hear they anxiously expect. As I am just stepping into a boat for Albany, and dare not commit more to paper, I have only to give a fresh testimony of the respect and esteem with which I have the honor to be, &c.

[Pg 103]

GEORGE WASHINGTON.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, July 3d, 1782.

Sir,

I received a letter yesterday from Count de Rochambeau, dated on the 24th of last month, wherein he informs me, that he had come to a determination to move on the 27th towards the head of the Bay, where he will be at hand to take such measures as you may judge proper, as soon as we receive news from Europe. He desires me to communicate this to your Excellency, till he can write you himself. As he does not go any distance from the Bay, and as he will always be ready to turn off to the southward if necessary, I hope it will meet your approbation.

I wait his answer respecting the interview, which you have proposed to him, and which I sincerely desire may take place here. It seems to me impossible, that we should not have some news from France towards the middle of this month.

From the last intelligence from Europe, up to the 1st of May, we learn nothing important, except the general disposition of the Dutch to ally themselves with the United States. But it is probable, that Mr Adams will open the negotiation by demanding the acknowledgment and guarantee of your independence, and this circumstance may prevent the conclusion of a treaty of commerce, which seems to be the point that has most influence with the States General. But as the inclination of the people seems absolutely towards the alliance, I hope the difficulties will be successively got over.

[Pg 104]

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, July 8th, 1782.

Sir,

You will receive by M. de Vauban a letter from Count de Rochambeau, informing your Excellency that he will be here on the 13th or 14th of this month. I hope for the honor of seeing you here by the 15th at farthest, and I felicitate myself, that matters will concur to bring you here precisely at the time, when I shall celebrate the birth of the Dauphin. Your presence, and that of Mrs Washington, will render the festival complete, and I hope the gentlemen, who compose your family, will accompany you. I do not send any written invitations to them, nor to the Generals and other officers of your army, but your Excellency knows, that nothing would be more agreeable to me, than their participation in celebrating an event, which is so interesting to us, and which I know is so to all our allies. Everybody, whom your Excellency may bring with you, will be welcome.

I have the honor to be, &c.

LUZERNE.

COUNT DE VERGENNES TO GEORGE WASHINGTON.

[Pg 105]

Translation.

Versailles, July 29th, 1782.

Sir,

It is not in quality of a King, the friend and ally of the United States, (though with the knowledge and consent of his Majesty,) that I now have the honor to write to your Excellency. It is as a man of sensibility, and a tender father, who feels all the force of paternal love, that I take the liberty to address to your Excellency my earnest solicitations in favor of a mother and family in tears. Her situation seems the more worthy of notice, on our part, as it is to the humanity of a nation, at war with her own, that she has recourse, for what she ought to receive from the impartial justice of her own Generals.

I have the honor to enclose your Excellency a copy of a letter, which Lady Asgill has just wrote me. I am not known to her, nor was I acquainted that her son was the unhappy victim, destined by lot to expiate the odious crime that a formal denial of justice obliges you to revenge. Your Excellency will not read this letter without being extremely affected; it had that effect upon the King and Queen, to whom I communicated it. The goodness of their Majesties' hearts induces

them to desire, that the inquietudes of an unfortunate mother may be calmed, and her tenderness reassured. I felt, Sir, that there are cases where humanity itself exacts the most extreme rigor; perhaps the one now in question may be of the number; but allowing reprisals to be just, it is not less horrid to those who are the victims; and the character of your Excellency it too well known, for me not to be persuaded that you desire nothing more than to be able to avoid the disagreeable necessity.

[Pg 106]

There is one consideration, Sir, which, though it is not decisive, may have an influence on your resolution. Captain Asgill is doubtless your prisoner, but he is among those whom the arms of the King contributed to put into your hands at Yorktown. Although this circumstance does not operate as a safeguard, it however justifies the interest I permit myself to take in this affair. If it is in your power, Sir, to consider and have regard to it, you will do what is agreeable to their Majesties; the danger of young Asgill, the tears, the despair of his mother, affect them sensibly; and they will see with pleasure the hope of consolation shine out for those unfortunate people.

In seeking to deliver Mr Asgill from the fate which threatens him, I am far from engaging you to seek another victim; the pardon, to be perfectly satisfactory, must be entire. I do not imagine it can be productive of any bad consequences. If the English General has not been able to punish the horrible crime you complain of, in so exemplary a manner as he should, there is reason to think he will take the most efficacious measures to prevent the like in future.

I sincerely wish, Sir, that my intercession may meet success; the sentiment which dictates it, and which you have not ceased to manifest on every occasion, assures me, that you will not be indifferent to the prayers and to the tears of a family, which has recourse to your clemency through me. It is rendering homage to your virtue to implore it.

I have the honor to be, with the most perfect consideration, Sir, yours, &c.

DE VERGENNES.

LADY ASGILL TO COUNT DE VERGENNES.

[Pg 107]

[Enclosed in the preceding.]

London, July 18th, 1782.

Sir,

If the politeness of the French Court will permit an application of a stranger, there can be no doubt but one in which all the tender feelings of an individual can be interested, will meet with a favorable reception from a nobleman whose character does honor, not only to his own country, but to human nature. The subject, Sir, on which I presume to implore your assistance, is too heart-piercing for me to dwell on; and common fame has, most probably, informed you of it; it therefore renders the painful task unnecessary.

My son, (an only son) as dear as he is brave, amiable as he is deserving to be so, only nineteen, a prisoner under the articles of capitulation of Yorktown, is now confined in America, an object of retaliation. Shall an innocent suffer for the guilty? Represent to yourself, Sir, the situation of a family under these circumstances; surrounded as I am by objects of distress, distracted with fear and grief, no words can express my feeling, or paint the scene. My husband given over by his physicians, a few hours before the news arrived, and not in a state to be informed of the misfortune; my daughter seized with a fever and delirium, raving about her brother, and without one interval of reason, save to hear heart-alleviating circumstances.

Let your feelings, Sir, suggest and plead for my inexpressible misery. A word from you, like a voice from Heaven, will save us from distraction and wretchedness. I am well informed General Washington reveres your character; say but to him you wish my son to be released, and he will restore him to his distracted family, and render him to happiness. My son's virtue and bravery will justify the deed. His honor, Sir, carried him to America. He was born to affluence, independence, and the happiest prospects. Let me again supplicate your goodness; let me respectfully implore your high influence in behalf of innocence; in the cause of justice, of humanity; that you would, Sir, despatch a letter to General Washington, from France, and favor me with a copy of it, to be sent from hence.

[Pg 108]

I am sensible of the liberty I have taken in making this request; but I am sensible, whether you comply with it or not, you will pity the distress that suggests it; your humanity will drop a tear on the fault, and efface it. I will pray that Heaven may grant you may never want the comfort it is in your power to bestow on

ASGILL.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, August 5th, 1782.

Sir,

This letter will be handed you by M. de Cloisy, who will inform you particularly of the motives of his journey to the northward.

I address myself with freedom to your Excellency, for a service, that no one has it more in their power to render than yourself, and which is of the greatest importance to the naval army commanded by M. de Vaudreuil. It is not to be doubted, that a large naval force will arrive at New York, either from the West Indies or from Europe. It is essential that our naval commanders should have the most exact and most frequent intelligence in this respect, respecting the number of vessels, their names, their destination, the time of their arrival, of their departure, the number of troops they embark, or artillery; in fact, not a single movement can be known with too much precision. And I must request, that you will take the necessary measures to give M. de Vaudreuil regular information on all these points. It could be wished, that you would station regular expresses to facilitate the communication between you and him.

[Pg 109]

I ought to be well convinced of your goodness to take so much liberty, but the object is of such importance to the common cause, that I have no doubt of your excusing me.

If the communication between you and M. de Vaudreuil is regular and sure, you might, I should think, correspond without cypher; if not I must beg you to furnish M. de Vaudreuil with a cypher to make the matter more secure, and if your Excellency will from time to time give me the same information I shall be exceedingly obliged.

The procuring of the necessary intelligence must be attended with extraordinary expense; I must beg that your Excellency will charge some one to acquaint me of the sums necessary for the purpose, and to whom I shall pay it. These expenses being wholly for the service of our fleet, must be charged to the Department of the Marine, and I have taken the necessary measures that they may be exactly paid.

By our last accounts from France the Duc de Lauzun, and many other officers who had sailed, were obliged to put back, having met with a storm. It is supposed they may have sailed again towards the last of June.

[Pg 110]

I am, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, August 14th, 1782.

Sir,

A cartel will probably have arrived at Boston with American sailors from England. One is arrived here with two hundred and forty sailors, whom England has set at liberty. One of the Captains, with whom I have conversed, tells me that a fleet of two hundred sail was to leave Portsmouth a few days after the cartels; they were to separate into three divisions, one for Charleston, one for New York, and one for Quebec; they are to be convoyed by frigates only; and they assure me the last division is the most important, having soldiers on board, and many articles necessary for the defence of Quebec, and for the subsistence of the inhabitants.

From the different accounts I can collect, it seems to be the design of England to make a general peace, but the demands on one side and the other will render a conclusion extremely difficult, and in such a case, that power will spare nothing to effectuate a peace with the United States, and turn all her efforts against France. As to a separate peace with the United States it will not take place. I am certain that they will not make peace but in concert with France.

I am, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

[Pg 111]

Translation.

Philadelphia, September 1st, 1782.

Sir,

The undersigned, Minister of France, has the honor of informing Congress, that he will transmit to his Court the resolution, by which Congress offers the ship of the line America, to replace the ship the Magnifique, which ran ashore at Boston, and which there is little hope of relieving. The Chevalier de la Luzerne cannot anticipate the determination of his Majesty, with regard to this offer, but as the desire of Congress to substitute immediately the America for the Magnifique cannot be accomplished if the undersigned Minister waits for the orders of his Court on this subject, he will, without delay, inform the Marquis de Vaudreuil of the resolution adopted by Congress on the 4th instant. This General will judge for himself, whether the fleet of the King will be stationed on the coast long enough to allow time for launching this vessel, arming her, and transporting on board of her the crew, artillery, and rigging of the Magnifique. In that case, the America will immediately join the fleet, in conformity with the wishes of Congress.

But whether circumstances shall allow this vessel to join his Majesty's fleet, or render it impracticable, the undersigned Minister can assure Congress, that his Majesty will behold with great pleasure, the eagerness with which the United States, his allies, have made this offer, and that this new mark of their attachment and friendship will be infinitely agreeable to him.

LUZERNE.

TO ROBERT. R. LIVINGSTON.

[Pg 112]

Translation.

Philadelphia, September 5th, 1782.

Sir,

A resolution of Congress of the 3d instant, has been communicated to me, containing the offer which that Assembly has been pleased to make of the ship America, to be joined to his Majesty's fleet. I have the honor of sending you a note, in answer to this communication. Whatever may be the result of this offer, I entreat you, Sir, to be persuaded, that my Court will be very sensible of the kindness of it, and as an individual, I am very desirous that this vessel should join the fleet of the King.^[8]

I am, with the most sincere respect, Sir, &c.

LUZERNE.

FOOTNOTES:

[8] *In Congress, September 3d, 1782.* "Whereas the Magnifique, a seventyfour gun ship belonging to the fleet of his Most Christian Majesty, commanded by the Marquis de Vaudreuil, has been lately lost by accident in the harbor of Boston, and Congress are desirous of testifying on this occasion to his Majesty, the sense they entertain of his generous exertions in behalf of the United States;

"Resolved, That the Agent of Marine be, and he is hereby instructed, to present the America, a seventyfour gun ship, in the name of the United States, to the Chevalier de la Luzerne, for the service of his Most Christian Majesty."

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, September 12th, 1782.

Sir,

I have been honored by your favor of the 4th instant.^[9] I have taken measures to obtain from the State of Pennsylvania the law you mention, which may be necessary to give validity to the eleventh Article of the treaty of amity and commerce.

[Pg 113]

The demand upon the State of Georgia shall be transmitted as soon as possible, and I doubt not, that they will see that full justice is done to the gentlemen in whose behalf you make the representation.

As it appears clearly from the state of facts transmitted by Count de Durat, that the vessel taken by Mr Clintock and his associates is lawful prize, agreeably to the marine laws of this country, I shall renew my instances upon this subject, and direct Dr Franklin to apply to your Court for redress; I must, therefore, again request your aid in promoting this claim in that channel, in which you observe, that it ought in future to be made.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[9] Missing.

THE MARQUIS DE VAUDREUIL TO M. DE LA LUZERNE.

Translation.

Boston, September 20th, 1782.

Sir,

I have received with the greatest satisfaction the letter, with which your Excellency honored me on the 5th instant, with the copy of the resolution of Congress relative to the present, made by Congress to the King's navy, of the ship America. The eagerness of the United States to replace the Magnifique, which was lost without hope of being relieved, and the cordial manner in which they have offered the America, induce me to accept this vessel with much gratitude. I shall take care that she is promptly armed, and that she joins his Majesty's squadron. M. de Macarty de Martaigne, who will command her, will go to Portsmouth today for that purpose, and I have given orders to the vessels in that port, to furnish him with all the assistance that he may need.

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I shall enjoy the honor, with which I feel much flattered, of numbering among my ships, this mark of the friendship and regard of our allies.

I have the honor to be, &c.

VAUDREUIL.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, September 23d, 1782.

Sir,

The undersigned, Minister Plenipotentiary of France, has received orders to communicate to Congress, many details relative to the negotiation for peace. He is desirous, that a committee should be appointed to receive these communications, and he will, at the same time, have the honor of informing Congress of some circumstances, which concern the common cause, and relate to the actual situation of affairs in Europe.

LUZERNE.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

Head Quarters, September 24th, 1782.

Sir,

Sundry accounts from New York having reached me, informing me that the British were more than meditating an enterprise against the squadron of the Marquis de Vaudreuil, which they have learned is at present in two detachments in Boston and Portsmouth harbors, and that preparations were making for that purpose, I have made the Marquis acquainted with this intelligence, and the probability of such an event.

[Pg 115]

At the same time that I gave this information to the French Admiral, I have written a letter to Governor Hancock, requesting that arrangements may be made with the militia of his State, in such manner as to give immediate and effectual support, in aid and protection of his Most Christian Majesty's ships, in case an attempt should be made upon them.

The like information I shall give to the Governor of the State of New Hampshire, and request similar assistance from him, in case of the enemy approaching near Portsmouth.

With the highest regard and esteem, &c.

GEORGE WASHINGTON.

COMMUNICATION OF THE FRENCH MINISTER TO A COMMITTEE OF CONGRESS.

In Congress, September 24th, 1782.

The committee appointed to hold a conference with the Chevalier de la Luzerne, Minister of France, in pursuance of his note to Congress of the 23d, report;

That yesterday your committee held a conference with the Minister of France, agreeably to the said appointment, the substance of which consisted in the communication of advices lately received by the said Minister of France, from his Excellency the Count de Vergennes, as follows.

The Minister informed the committee he had received several despatches from his Court, of which he thought it his duty to communicate an extract to Congress. [Pg 116]

The first was dated 9th April last. It expressed the opinion of the Count de Vergennes, that the Court of St James had formed a design to make a separate peace with one or more of the powers at war with it. That France was perfectly easy with respect to the disposition of Congress; and that the uniformity and steadfastness of their conduct did not leave the least doubt with regard to the part they would take in this circumstance. That the steps the King had taken on a similar occasion, and the disappointment of several British emissaries, was already known to Congress. That they had met with the same reception at Madrid; and there was the greatest probability, that their intrigues would not be more successful at the Hague. The Minister of France observed, that the glory and honor of the present confederacy, of which his Majesty was the centre, would be their having been inaccessible to artifice; and this extraordinary instance would be crowned with success, if the four powers persisted invariably in a firm attachment to their union, and if, on the one hand, making the greatest exertions to procure the completest satisfaction, they, on the other hand, confined themselves within such bounds of moderation as would give no umbrage to any one of the powers at war with Great Britain.

That the King had, in different circumstances, taken the proper measures to deprive the enemy of all hopes, which they might have formed of introducing dissensions between his Majesty and his allies. That it was to be wished, that the Court of London was fully convinced of the impossibility of treating separately with America. That this had always been the chimerical and favorite idea of England; and that so long as it subsisted, there would perhaps be no possibility of treating seriously about the conditions of a peace. That their negotiations would only be an artifice to scatter divisions among the allies, and retard their exertions for continuing the war. That the shortest way to put a stop to their intrigues, would be to let it be known publicly in the most explicit manner, that the United States neither can nor will make any peace without the concurrence of their ally; and that if England has any overtures of peace to make to them, the American Plenipotentiaries are sufficiently empowered to receive them, and to negotiate a peace, if those overtures are admissible. [Pg 117]

That this peremptory language would free Congress from all the embarrassments, which the English Ministers could throw in the way; that it would bring them to a sincere disposition to make peace; put an end forever to their machinations with the mediating powers; deprive them of the means of feeding the Parliament and people of England with the hopes of a separate peace; and finally save the Americans from all the difficulties, which would infallibly take place if England were allowed to negotiate in America. It would convince England, that the United States are not less attached to their engagements with their ally than sensible of the respect due to the Courts of Vienna and Petersburg, whose mediation Congress have accepted.

The Minister added, that though the situation of the belligerent powers, the distance of America, and the slowness and difficulty of communication made it advantageous that the seat of negotiation should be in Europe, and that the enemy should be informed of this resolution, yet Congress had the fullest liberty to follow the system which France had pointed out in her answer to the mediating powers, in consequence of which the American Ministers might negotiate immediately and directly, conformably to the instructions they had received from Congress; but the negotiations of France and America would be carried on in an equal progression, a continual and reciprocal communication would be given, and the two treaties signed at the same time, and one be ineffectual without the other. [Pg 118]

The Count de Vergennes in the same despatch, gave information of the Dutch having acknowledged the independence of America, of which Congress are already informed.

The letters of May 2d and June 28th, urged the same point of referring the British negotiators in America to the American Plenipotentiaries in Europe, with this addition in the letter of May 2d, that it was now evidently the object of Great Britain to lessen their exertions on this continent as much as in their power, and to adopt a defensive mode of carrying on the war; that being unable to support a double war by land and by sea, she proposed to suspend the one in order to carry on the other more effectually; and in case of success, to return against the United States with redoubled efforts.

The Minister mentioned the attempts, that had been alternately made at the Court of Versailles, and with the American Plenipotentiaries, for a separate peace, and said, that Dr Franklin had communicated his and Mr Adams's answers, to the British emissaries; that the King thought them firm and consistent with the principles of the alliance, and wished that Congress might be informed of the satisfaction they afforded him. That to remove forever such expectations, it behoved the wisdom of Congress to declare, that no peace but a general one would be attended to; that when negotiations are entered into with sincerity, the King would most readily employ his good offices in support of the United States, in all points relating to their prosperity; that Congress were themselves sensible of the distinction between the conditions of justice and rigor, and those of convenience and compliance, which depended on the good or bad situation of affairs; that though the circumstances of the allies were very promising, such events might happen as might make it advisable to adopt the part of moderation.

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But the best way to obtain every possible advantage, was to preserve a perfect connexion, and to let them know, that the United States would not only reject a separate peace, but that they would continue the war against the common enemy by all manner of ways, until their allies should also conclude a peace; that this declaration would convince the British Ministers, that they would not get rid of the Americans by merely acknowledging their independence; and that though they removed their troops from the continent, they would be attacked wherever found.

The despatch of the 28th of June dwelt chiefly on the negotiation; and contained details, which the Count de Vergennes directed the Minister to make to Congress, but which have in a great measure been already transmitted to them by their Ministers in Europe. These details related to the emissaries sent to Dr Franklin and Mr Adams, and their satisfactory answers. Mr Oswald, in an interview with the Count de Vergennes, hinted to him the desire of the Court of London, and the necessity it was under to make peace; and received for answer, that the King was equally disposed to make an honorable and solid peace. Mr Oswald went to London to carry this information; returned soon, and was immediately followed by Mr Grenville, the intimate friend of Mr Fox.

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Mr Oswald repeated to Dr Franklin the assurances of the disposition of the Cabinet of St James; and Mr Grenville, in answer to his overtures to the Count de Vergennes respecting the disposition of the King of Great Britain, was informed by the express order of the King, *that his Majesty was disposed to negotiate for peace, provided it was a general one, and the allies and friends of his Majesty were satisfied.* This answer was just given when the news of the action of the 12th of April reached Europe. Nevertheless, the King of Great Britain sent full powers to Mr Grenville to negotiate the peace with his Majesty. In communicating them the English Agent declared, *that the King of England, in order to facilitate peace, was disposed to treat of the independence of the United States with his Majesty, provided all other matters were put upon the footing of the treaty of 1763.*

To this the King answered, 1st. *That the powers of Mr Grenville were insufficient, as they did not mention the allies of his Majesty.* 2dly. *That his Majesty could not himself negotiate for the interests of America, having no powers to this purpose; and that it became the dignity of the King of England and of the United States to open a direct negotiation on this subject.* 3dly. *That in order to conclude a solid and lasting peace, it ought not to be founded upon the treaty of Paris, but upon justice and the dignity of all the contracting powers.*

The British Ministry adopting these observations, sent new powers to Mr Grenville, authorising him to treat with all the belligerent powers. Mr Grenville presented to the Count de Vergennes a copy of these powers, and declared, *that the King of England, being disposed to acknowledge and declare directly the independence of America, it would no longer be a conditional article of peace.* And as to France, the English Plenipotentiary proposed *to take the treaty of Paris for the basis, not of the peace itself, but of the negotiations which were to be entered into.*

[Pg 121]

The Count de Vergennes, on the 21st of June, communicated to Mr Grenville the answer of the King. In this communication his Majesty declared his wishes for the restoration of peace, and his satisfaction, that the King of Great Britain was disposed to treat with all the belligerent powers, and that he intended to make a direct acknowledgment and declaration of the independence of the United States of America, and that this point would no longer be a conditional Article of a general pacification. That the King consents to adopt, according to the proposition of the King of England, the treaty of Paris for a basis of the negotiation, not as a confirmation of all its stipulations, but with exceptions and alterations respecting the East Indies, Africa, the fisheries of Newfoundland, and commercial regulations in Europe to mutual advantage. Restitution and compensation to be treated of, when the negotiation shall be established, with respect to which

the King will be governed by the principles of justice and moderation, which are the basis of his policy. If these overtures are agreeable to the King of England, his Majesty will explain himself precisely on the different points. His Majesty expects, that his Britannic Majesty will make to all the belligerent powers and states, without delay, such overtures as he may think conducive to promote the negotiation as far as it respects their interests. That no doubt may be left with respect to his Majesty's sentiments, he declares anew, that he will neither treat nor terminate any negotiation, unless the interests of his allies and friends shall be conjointly discussed and determined, or separately, according to the wishes of his Britannic Majesty and the allied and friendly powers of his Most Christian Majesty.

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Such was the state of affairs on the 28th of June, at which time there appeared some obstructions to the negotiation, owing, as it was believed, to the misunderstanding which prevailed among the British Ministers. Tergiversations were discovered on the part of the British negotiator. The bill authorising the King of England to treat with the Colonies of America had not then passed. These uncertainties made it essential to guard against British emissaries on the continent of America; and to prevent with all care their admission; and to recommend the same measure to the several Legislatures.

The Minister finished the conference by informing the committee of the fortitude of the King on receiving the news of the action of the 12th of April. He immediately gave orders for constructing twelve ships of the line, the greater part of the first rate. The city of Paris and several other cities and corporations had offered some others, and it was expected, that the King would, in the course of the next campaign, have twenty new ships to oppose the enemy. His Majesty was resolved not to make the least alterations in his plans for the future negotiation; and he exhorted his allies to the same resolution and the same exertions.

TO ROBERT R. LIVINGSTON.

[Pg 123]

Translation.

Philadelphia, September 27th, 1782.

Sir,

I have the honor of sending to you a decree of his Majesty's Council of State, made in consequence of the measures taken by Congress for preventing the fraudulent importation of English merchandise into this country. I desire that you would be pleased to communicate it to Congress, in order that it may be published under the seal of authority, and that American merchants and sailors may be informed, that it is in their own power to procure in the ports of France, the papers necessary for making it certain, that the English merchandise, which they take on board, is obtained from prizes. This decree agrees very well with the laws passed by several States, and particularly with that passed by the Assembly of Pennsylvania during its last session, to prevent commerce and all communication with the enemy. I have also the honor of sending to you, Sir, the copy of a letter from the Marquis de Vaudreuil, which I request you to be pleased to transmit to Congress.^[10]

I have the honor to be, &c.

LUZERNE.

FOOTNOTES:

[10] See above [p. 113](#).

TO GEORGE WASHINGTON.

[Pg 124]

Translation.

Philadelphia, September 29th, 1782.

Sir,

I have received the letter, which your Excellency did me the honor to write to me on the 22d of this month, with the news which accompanied it. I beg you to accept my sincere thanks.

I have the honor to transmit you the extract of an answer, made by express order of the King, on the 21st of June, to Mr Grenville. I pray you to be pleased to keep it a secret; all that I can add is, that the negotiations were still in agitation the beginning of July, but there had been in the

conduct of the British Minister many circumstances, which led to doubt his sincerity; I believe, that even if there had been a sincere disposition to treat, the death of the Marquis of Rockingham had occasioned a change.

I have just received your Excellency's letter of the 24th; I cannot but thank you for the goodness, which you have had in transmitting me the detail, which it contains. I doubt not but M. de Vaudreuil will profit by the advice, and put himself in a posture of defence.

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia October 1st, 1782.

Sir,

I send to New York M. Barbe, who has the honor to be known to your Excellency. The principal objects of his journey, are some arrangements relative to the French prisoners carried into New York, and of some Spaniards, who have been carried there also. I have charged him to see M. de la Touche, and to give him such consolation as depends upon me. I would at the same time wish to repurchase in New York some effects, which I had coming from France in the Eagle, and which I cannot replace here. I could wish you, Sir, to give all the assistance in your power to M. Barbe's gaining admission into New York and returning.

[Pg 125]

I am, &c.

LUZERNE.

REPORT OF A COMMITTEE OF CONGRESS ON COMMUNICATIONS MADE BY THE FRENCH MINISTER.

In Congress, October 3d, 1782.

The committee, to whom were referred the notes of the communication made by the Minister of France to a committee of Congress, on the 24th of September, brought in a report, which was agreed to, as follows;

That the Minister Plenipotentiary of his Most Christian Majesty be informed, that the communication made by the said Minister on the 24th of September last, is considered by Congress as an additional proof of his Majesty's magnanimity, and has confirmed those sentiments of affection and confidence, which his wise, steady, and liberal conduct in every stage of the war has so justly inspired.

That his Most Christian Majesty's declaration to the British Minister at Paris, that he will neither treat nor terminate any negotiation unless the interests of his friends and allies shall be considered and determined, is entirely correspondent to the part, which these United States are resolved to take in any negotiation for peace.

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That Congress, with the utmost satisfaction embrace this opportunity to renew their assurances, that in every event these United States will inviolably adhere to their alliance with his Most Christian Majesty, which they consider to be equally essential to their interest and their glory.

That they will hearken to no propositions for peace, which shall not be discussed in confidence and in concert with his Most Christian Majesty, agreeably to the declaration made to his Minister Plenipotentiary on the 31st day of May last.

That upon this principle, Congress did not hesitate a moment, to reject the proposition made by the British General and Admiral, as Commissioners of Peace, for admitting Mr Morgan, their Secretary, to an interview at Philadelphia.

And that they are resolved to prosecute the war with vigor, until a general peace shall be obtained, in which their allies shall be comprehended.

That Congress place the utmost confidence in his Majesty's assurances, that he will readily employ his good offices in support of the United States in all points relative to their prosperity; and considering the territorial claims of these States as heretofore made, their participation of the fisheries, and of the free navigation of the Mississippi, not only as their indubitable rights, but

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as essential to their prosperity, they trust that his Majesty's efforts will be successfully employed to obtain a sufficient provision and security for those rights. Nor can they refrain from making known to his Majesty, that any claim of restitution or compensation for property confiscated in the several States, will meet with insuperable obstacles, not only on account of the sovereignty of the individual States, by which such confiscations have been made, but of the wanton devastations, which the citizens of these States have experienced from the enemy, and in many instances from the very persons in whose favor such claims may be urged. That Congress trust, that the circumstances of the allies at the negotiation for peace, will be so prosperous as to render these expectations consistent with the spirit of moderation recommended by his Majesty.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, October 16th, 1782.

Sir,

The undersigned, Minister Plenipotentiary of France, requests Congress to be pleased to appoint a committee, to which he proposes to communicate some measures which are provisional, and which are to remain secret till the moment of their execution.

LUZERNE.

GEORGE WASHINGTON TO THE PRESIDENT OF CONGRESS.

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Head Quarters, October 25th, 1782.

Sir,

I have the honor to transmit to your Excellency the copy of two letters^[11] from the Count de Vergennes, which were sent out in the packet from England, and have just come to my hands by a flag of truce from New York. They contain a very pathetic and affectionate interposition in favor of the life of Captain Asgill.

I lose no time in forwarding them by a special messenger to Congress, without any observations, being persuaded that Congress will not fail to give a very early decision respecting his further treatment.

The enclosed newspaper contains all the information I have been able to obtain since the arrival of the packet.

I have the honor to be, &c.

GEORGE WASHINGTON.

FOOTNOTES:

[11] That is, the copy of a letter from Count de Vergennes, and one from Lady Asgill to him. See these letters above, [pp. 105, 107](#).

TO GEORGE WASHINGTON.

Translation.

Philadelphia, October 25th, 1782.

Sir,

I have received the letter your Excellency did me the honor to write me on the 10th instant, with the amount of expenses incurred by the expresses, which formed the communication with the Marquis de Vaudreuil. The treasurer of our army will pay to your Quarter Master General the five hundred and thirtyseven dollars he has been so kind as to advance for that purpose. I beg also, that you will please to send me the amount of expenses incurred in procuring the intelligence from New York, and that you will accept my thanks for the trouble you have had in these details.

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I will be exceedingly obliged to your Excellency to inform me where the seventyfifth regiment of grenadiers actually is.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO M. DE LUZERNE.

Head Quarters, October 25th, 1782.

Sir,

The enclosed letter, which I have the honor to transmit to your Excellency, was received this moment by a flag of truce from New York. It was accompanied by one addressed to me from the Count de Vergennes, on the same subject.^[12]

The case of Captain Asgill having, before the receipt of these letters, been submitted to Congress, I have immediately transmitted to that body, copies of the Count's letters to me, and have permitted myself to solicit from them, an early decision of his fate, which, judging from my own feelings, I persuade myself cannot be an unfavorable one.

I send your Excellency a transcript of intelligence, which I have this day forwarded to the Marquis de Vaudreuil.

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I am, &c.

GEORGE WASHINGTON.

FOOTNOTES:

[12] See this letter above, [p. 105](#).

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, October 28th, 1782.

Sir,

The undersigned, Minister Plenipotentiary of his Most Christian Majesty, has had too frequent opportunities of satisfying himself, that Congress fully perceives how intimately the interests of the two nations are connected, not to be convinced that they will learn with pain, that very considerable quantities of provisions have been sent by the Raritan to New York, and along the river opposite to Staten Island. The undersigned Minister cannot enter into the details of this proceeding, which he knows only by reports, though by reports upon which he has the strongest reasons for believing that he can depend. This trade is, moreover, carried on in the most open manner, and he is convinced, that by inquiries, instituted with promptness and secrecy, he shall be able to obtain proofs of it, and to procure the means of putting a stop to it. Cattle of all kinds have served to furnish with provisions the enemy's fleet, which has just sailed down to the Hook. It is asserted, that the quantities sent from the Jerseys are immense, but the Chevalier de la Luzerne thinks it unnecessary to attempt at present, to determine them exactly, and contents himself with observing, that the nineteen vessels thus supplied, will not, perhaps, depart immediately, and that it will be necessary to shut up the channels by which these provisions have reached them.

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There are, besides, eight other ships of the line at New York, which they intend to supply with provisions in the same way. Congress are aware how important it is to prevent the enemy from obtaining from the United States the means of putting to sea, and even of supplying the garrison. The undersigned also knows what efforts have been made by that body, on different occasions, to put a stop to those illegal operations, and how desirous it is effectually to guard against them. He also knows, that all the good citizens of the Jerseys grieve to see the enemy obtaining from their own State, supplies, which are employed against the allies of the United States, and he is convinced, that it is only necessary to point out the evil, in order that all may cordially unite in providing a remedy for it.

LUZERNE.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, October 30th, 1782.

Sir,

The Secretary of the United States for the Department of Foreign Affairs has the honor to inform the Minister Plenipotentiary of his Most Christian Majesty, that a petition has been presented in behalf of the owners and officers of the brig *Lætitia*, commanded by Robert Collins, and commissioned by the United States. That the said brig, while at anchor in the road of Basseterre, on the 3d day of May last, near the Island of St Christophers, captured by her boat a brig called the Francis, belonging to the subjects of his British Majesty, bound from the port of Liverpool in England to the Island of Tortola, and having on board a valuable cargo.

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That after the prize had been brought to anchor in the road of Basseterre, by the officers and mariners of the said brig *Lætitia*, the harbor master of the Island of St Christophers, aided by a guard, took possession of her, under pretence, that she was included in the capitulation, though the contrary appears from the affidavits annexed; that the said prize was afterwards advertised and sold as a prize to the subjects of his Most Christian Majesty, without any condemnation in the Courts of Admiralty of the Island. As the sale of this prize fully demonstrates, that she could never have been included in the number of those vessels protected by the capitulation, it is not doubted, that the justice of his Most Christian Majesty's Ministers will induce them to direct, that the value of the prize be repaid to the legal captors, when the Chevalier de la Luzerne shall have submitted the above state of facts, and the annexed affidavits to their inspection, together with such observations as his own candor and equity will induce him to make thereon.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

[Pg 133]

Translation.

Philadelphia, November 4th, 1782.

Sir,

Congress, in the year 1780, recommended to the different States to pass laws analogous to the Thirteenth Article in our treaty of commerce. Some States have complied with this recommendation, others, among which is Pennsylvania, have neglected to do it. I know, that several Frenchmen, who have acquired funds in this State do not trust to the protection of prosecutions *de l'échiquier général* for want of a law of this nature. I entreat you, Sir, to be pleased to procure the passing of such a law, in case that you think, that the said Article of the treaty is not sufficient to secure to them the quiet possession of the funds, which they have acquired.

I have the honor of sending you, Sir, a letter from the Count de Durat, Governor of Grenada, relative to an affair, concerning which I wrote to him, by your recommendation. It seems to me, agreeably to his answer, that those interested should for the future apply to Dr Franklin, to procure satisfaction. You will perhaps think proper to communicate to them the letter of M. de Durat.

You will also find annexed, Sir, some papers relative to an affair, which concerns the United States, or the State of Georgia. Be pleased to let me know what answer I can send to those inhabitants of the Cape who are interested.

I am, Sir, with the greatest respect, &c.

LUZERNE.

TO GEORGE WASHINGTON.

[Pg 134]

Translation.

Philadelphia, November 6th, 1782.

Sir,

I duly received the letter your Excellency honored me with on the 25th ultimo, relative to Captain Asgill; it appears that Congress are favorably disposed, respecting him, but they have not yet

passed any resolution on that head. When they do, I doubt not it will be favorable.

I have seen with much pleasure a Proclamation of the Governor of the State of New York, to prevent sending provisions to the enemy. The accounts I have recently received on that subject from the States of Jersey and Connecticut, give me more pain than I can express. They are positive, and from people who had ocular demonstration; they prove, that the enemy's fleet could not have quitted New York for some time, if they had not received immense quantities of provisions, living and dead. This commerce is carried on regularly and openly, as if it were peace, or as if the cattle were for your army. Your Excellency knows how important the despatch or detention in fitting out fleets is, and I know the efforts you have made to put a stop to this destructive commerce. I must however entreat you, Sir, to use your influence with the Governors of Jersey and Connecticut, to adopt such measures as may prove efficacious. I am sure there is not a single good citizen in America, who is not hurt at seeing the enemy thus furnished from this continent, and thereby enabled to distress us in the West Indies.

I have the honor to be, &c.

LUZERNE.

TO COUNT DE DILLON, GOVERNOR OF ST CHRISTOPHERS.

[Pg 135]

Translation.

Philadelphia, November 8th, 1782.

Sir,

I have the honor of sending you a copy of the depositions of some sailors of the brig *Lætitia*. I entreat you to be pleased to cause an examination to be made into this affair, for which they have presented a Memorial to Mr Livingston, Minister of the United States for Foreign Affairs, who has sent it to me, in order that I might transmit it to you. I have assured that Minister, that he may rely upon your justice and care, that such restitution shall be made to the plaintiffs, as after the investigation into the affair they shall seem justly entitled to.

I have the honor to be, &c.

LUZERNE.

TO SIR GUY CARLETON.

Translation.

Philadelphia, November 9th, 1782.

Sir,

It is with much pleasure, that I now have the honor to enclose you the resolution of Congress in favor of Captain Asgill.^[13] I am well persuaded, that your justice and humanity will induce you to prevent in future the excesses, that gave rise to this disagreeable affair.

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I shall send this resolution to France by different opportunities, and hope it will be forwarded immediately to Lady Asgill, and put an end to the anxiety she has suffered on account of her son. But as it is possible that my letter may arrive later than yours, I beg you, Sir, to transmit it also by the first opportunity, I shall solicit General Washington to permit Captain Asgill to return to Europe on his parole, that Lady Asgill may have her joy complete, and if possible be recompensed for the alarm she has been so long in.

Receive the assurance, &c. &c.

LUZERNE.

FOOTNOTES:

[13] *In Congress, November 7th, 1782.* "On the report of a committee, to whom were referred the letter of the 19th of August from the Commander in Chief, the report of a committee thereon, and also another of the 25th of October from the Commander in Chief, with the copy of a letter to him from the Count de Vergennes, dated the 29th of July last, interceding for Captain Asgill;

"*Resolved*, That the Commander in Chief be, and he is hereby directed to set Captain

Asgill at liberty."

November 8th. "Resolved, that the Commander in Chief be instructed to call, in the most pointed terms, on the British commander at New York, to fulfil his engagement contained in his letter of the 13th day of August last, 'to make further inquisition into the murder of Captain Huddy, and to pursue it with all the effect, which a due regard to justice will admit.'

"Resolved, that to prevent any misconstruction, which may arise from the resolution directing Captain Asgill to be set at liberty, it be declared, and it is hereby declared, that the Commander in Chief, or commander of a separate army, is, in virtue of the powers vested in them respectively, fully authorised and empowered, whenever the enemy shall commit any act of cruelty or violence, contrary to the laws or usage of war, to demand adequate satisfaction for the same; and in each case, if such satisfaction shall not be given in a reasonable or limited time, or shall be refused or evaded under any pretence whatever, to cause suitable retaliation forthwith to be made; and the United States in Congress assembled will support them in such measures."

TO SIR GUY CARLETON.

[Pg 137]

Translation.

Philadelphia, November 9th, 1782.

Sir,

By a letter I have this moment received from New York, I am informed, that M. de la Touche is yet prisoner on board the Lion, or on Long Island. I should be extremely glad if he could be exchanged immediately, promising to return the first officer of the same rank, who shall fall into our hands; or if that favor cannot be obtained, that he may be permitted to come to Philadelphia for some time. I am well aware, that this matter is not properly in your department, but the actual circumstance of the affair, and the letter of Commodore Elphinston to Baron Vioménil, must give weight to your recommendation, if you will please to employ it.

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, November 12th, 1782.

Sir,

I hope you will not find it amiss, that I have sent directly to General Carleton the two letters, of which the enclosed are copies. M. de la Touche wrote me, that he was yet detained at New York, and that he would probably have time to receive my answer if it came directly, which induced me to write him by way of Elizabethtown, rather than by Dobbs's Ferry. If there is any impropriety in the step I have taken, I hope your Excellency will excuse it in consideration of the object in view. I dare even to ask your Excellency to enforce my request.

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I also take the liberty to request your Excellency to permit Captain Asgill to return to Europe. The situation of his mother has been so unhappy for some time past, that he has a sort of claim on your Excellency's goodness.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO CAPTAIN ASGILL. ^[14]

Head Quarters, November 13th, 1782.

Sir,

It affords me singular pleasure to have it in my power to transmit you the enclosed copy of an act of Congress of the 7th instant, by which you are released from the disagreeable circumstances in

which you have so long been. Supposing you would wish to go into New York as soon as possible, I also enclose a passport for that purpose.

Your letter of the 18th of October came regularly to my hand. I beg you to believe, that my not answering it sooner did not proceed from inattention to you, or a want of feeling for your situation; I daily expected a determination of your case, and I thought it better to wait that, than to feed you with hopes that might in the end prove fruitless. You will attribute my detention of the enclosed letters, which have been in my hands about a fortnight, to the same cause.

I cannot take leave of you, Sir, without assuring you, that in whatever light my agency in this unpleasing affair may be received, I never was influenced through the whole of it by sanguinary motives, but by what I conceived a sense of my duty, which loudly called upon me to take measures, however disagreeable, to prevent a repetition of those enormities, which have been the subject of discussion, and that this important end is likely to be answered, without the effusion of the blood of an innocent person, is not a greater relief to you, than it is to, Sir, your most obedient, and humble servant,

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GEORGE WASHINGTON.

FOOTNOTES:

[14] See other letters respecting Captain Asgill's case, above, [pp. 105, 107, 128, 129, 133, 135](#).

GEORGE WASHINGTON TO M. DE LA LUZERNE.

Head Quarters, November 13th, 1782.

Sir,

I am honored with your Excellency's letter of the 6th instant, on a subject not more distressing to you, Sir, than to myself. I have at various periods of the war written to Congress and to the States, endeavoring to convince them of the necessity of passing the most vigorous laws, to prevent the inhabitants from furnishing the enemy with provisions. I will write them again and will use every argument I am master of for that purpose. In all other nations, I believe, the persons guilty of that crime are punished with death, and unless the States on this continent will pass similar laws, I see no means of putting a stop to that destructive practice. Anything the military could do in that matter, would be in vain. To post as many guards as would be necessary, would be destructive to the army, as those guards would be continually liable to be cut off by the enemy; and, indeed, the whole army would not suffice to guard the extensive coasts where this illicit commerce is carried on.

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I have the honor to be, &c.

GEORGE WASHINGTON.

GEORGE WASHINGTON TO COUNT DE VERGENNES.

Head Quarters, Newburgh, State of New York,
November 21st, 1782.]

Sir,

After I had the honor of receiving your Excellency's letter of the 29th of July, I lost not a moment in transmitting it to Congress, who had then under deliberation the proceedings of the British Court Martial upon Captain Lippincot for the murder of Captain Huddy, and the other documents relative to that inhuman transaction. What would otherwise have been the determination of that honorable body, I will not undertake to say, but I think I may venture to assure your Excellency, that your generous interposition had no small degree of weight in procuring that decision in favor of Captain Asgill, which he had no right to expect from the very unsatisfactory measures, which had been taken by the British Commander in Chief to atone for a crime of the blackest dye, not to be justified by the practices of war, and unknown to this day amongst civilized nations. I flatter myself, however, that our enemies have been brought to see this transaction in its true light, and that we shall not experience a repetition of the like enormity.

Captain Asgill has been released and is at perfect liberty to return to the arms of an affectionate parent, whose pathetic address to your Excellency could not fail of interesting every feeling heart in her behalf.

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I have no right to assume any particular merit from the lenient manner, in which this disagreeable affair has terminated. But I beg you to believe, Sir, that I most sincerely rejoice, not only because your humane intentions are gratified, but because the event accords with the wishes of his Most Christian Majesty and his royal and amiable consort, who, by their benevolence and munificence, have endeared themselves to every true American.

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

GEORGE WASHINGTON.

ROBERT R. LIVINGSTON TO M. DE LA LUZERNE.

Office of Foreign Affairs, November 26th, 1782.

Sir,

I have the honor to inform you, that Congress were pleased, on the 12th instant, to pass the enclosed resolution, by which they renew their appointment of Mr Jefferson, as Minister Plenipotentiary for negotiating a peace.

Mr Jefferson's established character, his abilities and the honorable offices he has sustained with reputation in this country, leave no room to doubt that this appointment will be highly acceptable to your Court, when you shall have placed them in that favorable point of view, in which, I persuade myself, you take a pleasure in representing them.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, November 29th, 1782.

Sir,

I have received the letter, in which you inform me of the renewal of Mr Jefferson's commission, and the resolution of Congress, which accompanied it. I was sorry to see that Minister decline taking part in the negotiation for peace, and I learn with great pleasure, that he is making arrangements for joining the other Ministers to whom Congress has intrusted it. The ability of Mr Jefferson, and the important services, which he has rendered to the United States, are very well known in Europe, and you may be assured, Sir, that all, who are interested in the prosperity and welfare of this country, will approve of the choice made by Congress.

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, November 30th, 1782.

Sir,

I received the letters your Excellency honored me with the 13th, 19th, and 22d of this month, and have forwarded yours for the Count de Vergennes. From the reports which I have received from the Jerseys, it appears, that the care of the Legislature and the vigilance you have excited in the Executive, have produced happy effects in stopping the facility, with which supplies were sent to New York. I well know the impossibility of preventing that commerce by means of military guards; but in putting the zeal of the good citizens in activity, I am persuaded some bounds may be put to a practice so destructive to the interests of the United States as well as of her allies.

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I am under great obligations to your Excellency for communicating to me what has passed relative to the fleets of the enemy at New York. I beg you to continue this communication, even after M. de Vaudreuil has departed, for by transmitting these accounts to the Minister of Marine,

I enable him to judge better of the measures he has to take, knowing the force and movements of the enemy on these coasts.

I have the honor to be, &c.

LUZERNE.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, December 11th, 1782.

Sir,

I have received the letter, with which you honored me yesterday. I have, in consequence, the honor of sending you triplicate copies of a letter, which I wrote to the Count de Durat, Governor of Grenada. Be pleased to send it to the persons whom it concerns, and to recommend to them to annex to it French copies of their Memorial. I hope that it may contribute to their satisfaction. I can only invite the Admiralties of our Islands to take affairs of this kind into consideration.

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I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, December 18th, 1782.

Sir,

I have the honor to enclose your Excellency a letter, which, after having read and sealed, I am to request you to forward with all possible despatch. I hope that the arrival of my despatches will enable me to be more particular. It will be necessary to recommend to the chain of expresses, to hold themselves in readiness to carry on the despatches, which I shall have to send by another Courier.

I have the honor to be, &c.

LUZERNE.

TO THE MARQUIS DE VAUDREUIL.

Translation.

Philadelphia, December 18th, 1782.

Sir,

I this instant learn by an express arrived from the Capes, that the Danaë entered the day before yesterday, and in a thick fog had the misfortune to get aground; probably she will be got off; she is within the Capes. She left France the 8th of November; the express has not brought a single letter, and I do not expect them till tomorrow or the day after. If there are any for you, they shall be sent on with the greatest despatch, and if there are none, you shall have an express with the news. It is said, that there are many packets for the army, and one hundred and eighty thousand livres.

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The only Frenchmen of our acquaintance on board are General Duportail and M. de Gouvion.

The whole of the force at Cadiz, as well land as naval, is destined for the West Indies.

I have the honor to be, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, December 26th, 1782.

Sir,

The undersigned Minister Plenipotentiary of France has the honor of informing Congress, that his Majesty has received, with the most lively sensibility, the proofs of the measures taken by them on the birth of the Dauphin.^[15] The King has ordered the Chevalier de la Luzerne to assure this Assembly, that they could not have manifested their attachment to him, on an occasion more dear to him, and that this circumstance will, if possible, add new force to his affection for the United States, as well as to his wish to establish their happiness upon a permanent foundation.

I have the honor to be, &c.

LUZERNE.

FOOTNOTES:

[15] See the proceedings of Congress here alluded to in the *Secret Journal*, Vol. III. p. 106.

SUBSTANCE OF A VERBAL COMMUNICATION FROM THE FRENCH MINISTER.

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Office of Foreign Affairs, December 30th, 1782.

The substance of a verbal communication made to the Secretary for Foreign Affairs by the Minister of France, on the 30th and 31st of December, 1782, offered to the consideration of Congress on the 1st of January, 1783, by the said Secretary.

The Minister of France came this day agreeably to appointment, to the Office of Foreign Affairs, and read to Mr Livingston a letter from the Count de Vergennes to him, dated the 12th of August last, which contained in substance; that the negotiations begun by Mr Grenville and Mr Oswald were interrupted by the resignation of Mr Fox. That previous to that, the King of England appeared disposed to acknowledge the independency of America in express terms, without making it a condition of the peace; that Mr Grenville encouraged them to hope, that this object would be rendered complete by an act of Parliament; that they looked in vain for this act till they were apprised of the resignation of Mr Fox; that the difference which arose between him and Lord Shelburne led them to suppose, that the design of the first was to recognise the independency of America and treat for a general peace upon fair and honorable terms; that Lord Shelburne's was, on the contrary, to endeavor to excite distrusts, and particularly to endeavor to mislead the Americans; that in pursuance of this system in the month of June last, at the very time that they opened their treaty in Europe, he proposed to offer the most advantageous terms to America upon condition that the Americans laid down their arms and left France to settle the dispute alone. This insidious conduct was pursued during Mr Grenville's negotiation.

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That Mr Fox's resignation suspended the negotiation, though the new Administration declared, that this event should occasion no change of measures; that the Court of France expected the effect of this declaration, when a commission was expedited to Mr Oswald to treat with the American Plenipotentiaries, and another to authorise Mr Fitzherbert to resume the negotiation begun by Mr Grenville; that he had presented his credentials the 4th instant; that Mr Oswald had yet received only a copy of his, owing to the Chancellor's absence; that Mr Fitzherbert had returned the answer of Great Britain to the counter proposition given by France; that this contains full evidence of the unsteadiness of Lord Shelburne's conduct, since, instead of making the independence of America a separate object, it proposes it as a condition, and as the price of peace, and adds, that every other circumstance should be placed upon the basis of 1763.

He observes, that the Chevalier de la Luzerne will judge from this, that they affected much surprise at the counter propositions, and that they did not assent to them; neither on the other hand, have they yet refused them, but confine themselves to demanding explanations. That this was then the state of their negotiations; that Mr Oswald had presented his commission, to which Mr Franklin and Mr Jay had yet given no reply, suspending it till they knew his (the Count de Vergennes's) sentiments; that as yet he had formed no opinion, waiting the result of a conference, which he was to have the next day with those Ministers; that the commission was in the usual form, but speaks of the Americans as Colonies, without naming them rebels, or asserting any claims upon them.

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That he did not for his part believe, that Lord Shelburne would negotiate a general peace sincerely, till he lost all hopes of sowing dissensions and treating separately; that they were

convinced, that neither France nor Spain were to be deceived, and that he (the Count de Vergennes,) entertained the same sentiments with respect to the Americans, but that the British Ministry, deceiving themselves, may continue to tempt them till a peace is signed; that the information they (the Court of France,) had received from him (the Minister of France,) had left them little doubt on that head; and that those doubts will be entirely removed when the States shall have respectively imitated the example of Maryland, Virginia, and New Jersey.

That, however, good faith was not all that was required of an ally; that they must feel themselves in a situation to impose terms on the enemy; that unhappily the Americans had neglected this; that the Minister of France could not press this too closely upon us.

He then proceeds to inform the Minister, that while the British had set on foot a direct negotiation, the Imperial Court renewed their instances with that of London to engage them to accept their mediation; that this gave birth to an answer, in which his Britannic Majesty, without taking notice of the negotiation begun at Paris, declared, that he was ready to receive through them, every pacific overture, and even to admit the Dutch and the Americans to the negotiation. This answer was dated on the 29th of April, when Mr Oswald was already in Paris. That they continued their negotiations, and sent Mr Grenville powers, which were dated on the 21st of May; that they did not conceal this from the Imperial Court, but pretended that it was at the instance of France.

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That this false accusation, and above all the fear of seeing the mediation vanish, had engaged the Imperial Court to communicate to the Court of Versailles and Madrid, the last Memorial of the Court of London, and to exhort them to establish a negotiation under their auspices; that it was easy to refute the unskilful accusation of the British, which he (the Count de Vergennes,) thinks they (the Court of France,) have done with success; that the answer is transmitted; that they had determined, without rejecting the mediation, to pursue the direct negotiation as long as it might be convenient to the Court of London; that he had not seen the answer of the British, which could not, however, be very satisfactory, since they have expedited the commission to Mr Fitzherbert and Mr Oswald; that he (the Count de Vergennes,) was ignorant of the part, that the Imperial Courts would take upon their declinatory answer.

But that they had always been candid, clear, and open, and would have no objection to confide their interests with the mediators upon the established basis, whenever the Court of London shall decline the direct negotiation she had begun; that the King did not doubt but that Congress would think with him on this subject, and that he would not hesitate, if circumstances should require it, to give such assurances to the two Imperial Courts. In a postscript he adds, that he had seen Mr Jay and Mr Franklin, and that they had together discussed both the substance and form of the commission to Mr Oswald, and that in spite of his (Mr Oswald's) instances, they had agreed to decline entering into the matter with him, until he shall have produced the original of his commission.

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ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Translation.

December 31st, 1782.

Sir,

The undersigned, Minister Plenipotentiary of France, has had the honor of communicating to the Secretary of the Department of Foreign Affairs, several facts and circumstances relative to the negotiation for a general peace, which is now carried on at Paris, between the belligerent powers. That Minister will communicate them to Congress; but the undersigned Plenipotentiary, has received orders himself, to express to that Assembly, the satisfaction of the King, his master, at the conduct, which they have observed on occasion of the overtures, made by the English Commissioners commanding at New York, at different times, for establishing a particular negotiation with the United States, or with any one of them.

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The King has seen with pleasure the resolutions taken by his allies under these circumstances, and their perfect harmony with those, which he has taken himself.

He has observed with equal satisfaction the unanimity, which has reigned in the different States of the Union, which have expressed their sentiments in relation to the proposal for a separate peace; their determination honorably to reject every proposal of this kind, corresponds perfectly with the opinion formed by his Majesty, of their fidelity in the observance of their engagements, and of the wisdom which presides in their Councils.

The communications made to the Secretary of the Department of Foreign Affairs, encourage the presumption, that conduct, as prudent and advantageous as it is just and wise, will soon bring the allies to a happy conclusion of the present war. The British Minister showed a peaceable

disposition; he had reasonable fears respecting the fate of several naval operations, which, on the contrary, have had a result much more favorable than the Court of London seemed to expect. Possibly these unexpected successes may change his disposition for peace, and on that supposition, the undersigned Minister thinks, that it will be wise in the United States not to relax their efforts and their preparations for the ensuing campaign. Congress may be assured, that his Majesty will, on his part, hold himself in readiness to carry it on with vigor, and that he will apply all his resources to that object.^[16]

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LUZERNE.

FOOTNOTES:

[16] *In Congress, January 3d, 1783.* "On report of the Secretary of Foreign Affairs, to whom was referred the foregoing note,

"Resolved, That the Secretary of Foreign Affairs inform the Minister of France, that Congress learn with great pleasure, that the steps taken by Congress and the respective States, their constituents, in opposition to the attempts of the British Court to bring about a partial negotiation, has been satisfactory to his Most Christian Majesty. That his Majesty's conduct in the progress of the negotiations commenced in Europe, as it has been communicated to Congress, is sufficient to inspire a just abhorrence of every act derogatory to the principles of the alliance, and serves to fortify the resolutions, which his repeated acts of friendship, and a sense of their own honor and dignity had dictated to the United States in Congress assembled, and the States they represent."

RESOLVES OF CONGRESS ON THE DEPARTURE OF THE FRENCH ARMY.

In Congress, January 1st, 1783.

On Report of the Secretary of Foreign Affairs,

The Minister Plenipotentiary of his Most Christian Majesty having communicated to Congress, through the Secretary of Foreign Affairs, on the 7th instant, the resolution taken to embark the army under the command of the Count de Rochambeau, and on the 29th their having actually embarked and sailed, together with his Majesty's intention to direct them to return, whenever an object should offer in which they might effectually co-operate with the troops of the United States;

Resolved, That the Secretary of Foreign Affairs inform the Minister of France, that though Congress cannot see without regret, the departure of an army to whose bravery and good conduct they are so greatly indebted for the reduction of the enemy's force in this country, yet, that they have too much confidence in the attention of his Majesty to the interests of the alliance, not to be persuaded, that the order for their departure was dictated by a conviction, that they could elsewhere be more usefully employed against the common enemy. That they wish him to make known to his Majesty the grateful sense they entertain of his attention to their immediate interest, manifested in the important aid thus long afforded them, and in his generous determination to direct his troops to return to this country, whenever circumstances will admit of an advantageous co-operation with the arms of the United States. That they desire through him to recommend in a particular manner the Count de Rochambeau, and the army under his command, to the favor of his Majesty, having the highest reason to be satisfied with their bravery and good conduct, and with that strict discipline, to which they are indebted for the perfect harmony, which has so happily subsisted between them and the soldiers and citizens of the United States.

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Resolved, That the President make the acknowledgements of Congress, in a particular manner, to his Excellency the Count de Rochambeau, and signify to him the high sense they entertain of the distinguished talents displayed by him, with so much advantage to these States, in the most important conjunctures, as well as of the strict and exemplary discipline, which has been uniformly conspicuous in the troops under his command, and which has deservedly acquired the admiration and esteem of the citizens of these States, by whom his signal services, and the delicate attention at all times paid to their private rights, will ever be held in affectionate remembrance.

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TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, January 10th, 1783.

Sir,

The undersigned, Minister Plenipotentiary of France, has made a seasonable report to his Court, of the inconveniences, which might result from the advantageous capitulations granted to the Islands of St Christopher, Nevis, and Montserrat, conquered by the forces of his Majesty. The term of six months, which had been granted to the capitulators for receiving the vessels, which they expected from England, and for sending them back under a neutral flag, even to the ports of Great Britain, expired some time ago, and thus no inconvenience can result from this stipulation. Some of the said capitulations gave power to the Governors to authorise by particular permissions, even after the expiration of the six months, exportations from these conquered Islands to the ports of the enemy.

The undersigned has the honor of informing the Secretary of Foreign Affairs, that, in consequence of orders given to the Governor-General of these Islands, these permissions will not be given; and, therefore, nothing will prevent the entire execution of the resolutions of Congress in relation to the importation of English merchandise into this country. Congress may be assured, that his Majesty will concur in all measures of this kind, which shall have for their object the prevention of commerce with Great Britain.

LUZERNE.

TO ROBERT MORRIS.

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Translation.

Philadelphia, March 15th, 1783.

Sir,

I have the satisfaction of informing you, that his Majesty has procured for the United States, a loan of six millions, to be employed in the Department of War, during the course of the present year. In announcing to you, Sir, this new mark of the friendship of the King for the United States, I must enter into some details, which relate to your operations, and which will make you acquainted with the motives, which have induced his Majesty to make this new effort in favor of his allies.

In the course of the last year, Sir, I gave an account to his Majesty's Minister, of the order, which seemed to me to be introduced into the department intrusted to you, of the re-establishment of the public credit, and of the economy, which attended your operations. I added, that I considered the establishment of a public revenue, for the payment of interest, and the progressive redemption of the capitals, as extremely probable, and as the delay and the difficulty of communication would not allow me to wait till this operation was completed by the different Legislatures, before I should explain what were the wants of the United States, I took it upon myself to write to the Count de Vergennes, that the disposition of the people to fulfil the engagements made, and to be made by Congress, appeared to me sufficiently favorable to induce his Majesty to lend a new sum of money to the United States, for this year, if the state of his finances should allow it. These assurances determined the loan of six millions; but the event has proved, that I had deceived myself in the hopes, which I had thought myself authorised to give to my Court, and so far from the financial affairs being improved since the month of February, the time at which my letters on this subject were written, they have, on the contrary, taken a retrograde direction, and I see no certainty of the payment of the sums previously lent, and of that which has just been lent.

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Thus, Sir, my hasty assurances have determined his Majesty to advance this money, and, at the moment in which I am informed of it, I am under the disagreeable necessity of acquainting his Minister, that the hopes, which I had given have vanished, and that my assurances were without foundation.

I shall say nothing to you of the embarrassing situation, in which I am personally placed by these circumstances. But I shall take the liberty of observing to you, that in the present juncture, the best remedy is to take, as soon as possible, the measures which have not been taken within the time which I had announced.

The Count de Vergennes, Sir, informs me, that the six millions are lent to the United States, in the same manner, and on the same conditions, as the sum which was lent last year; that is to say, that they will be paid from month to month, at the rate of five hundred thousand livres a month; but as it appeared, according to what you did me the honor of writing to me previously, that you had anticipated a part of this loan, I must entreat you to observe, that the first months of this year will serve for paying the money thus anticipated, and thus, that it is, accordingly, proper so to arrange the drawing of your bills, as that they may only be presented from month to month, and at the times when the money for paying them shall have been obtained.

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I have had the honor to inform you, Sir, that this money was loaned to the United States in order

to enable them to continue the war; the wisdom of Congress will determine, according to circumstances, the manner of effecting this important object, and by united efforts, of compelling the enemy to conclude a firm and lasting peace.

It remains for me to inform you, Sir, that the King has not been able to make this last effort, without great difficulties. I have had the honor of communicating to you those, which prevent the success of loans of any considerable magnitude; they are so great, that I am ordered to announce to you, in the most positive manner, that it will be impossible for the King, under any supposition whatever, to procure new advances of money for Congress, for the next year. With regard to the resources, which you may seek in other places besides France, the letters, which I have had the honor of reading to you, do not allow any success to be looked for, until the United States shall have established a permanent public revenue; and the delay and repugnance, with which they proceed in doing this, being known in Europe, the inclination for lending money to Congress, which may have existed, has disappeared; the lenders make other investments; the speculations, which might have been directed towards the United States, go farther and farther from them, and it will certainly be difficult to bring them back.

I refrain from repeating here the other parts of the despatches of the Count de Vergennes, which I have had the honor of communicating to you, because the truths contained in them are well known to you, Sir, and because they all may be reduced to this. *Without the speedy establishment of a substantial public revenue, and without the vigorous execution of the engagements entered into by Congress, the hope of obtaining loans in Europe must be given up.*

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I am also ordered, Sir, to represent to Congress, that my Court relied upon final and satisfactory measures being taken to secure the payment of the interest, and of the debt contracted by the United States toward his Majesty. But I content myself with mentioning this circumstance to you, and before directly announcing it to Congress, I shall wait till their present embarrassments are diminished.

You will judge, Sir, by these details, how impossible it is to draw bills upon your Plenipotentiaries, beyond that part of the six millions' loan of this year, which is unappropriated. It is clearly shown, that these bills will not be paid by us, and it is with a full confidence in your regularity in this respect, that I shall inform the Count de Vergennes, that he may be assured, that no demand will be made for any sums whatever, beyond that sum, which has just been determined upon.

I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, March 15th, 1783.

Sir,

Your Excellency will doubtless receive directly, a state of affairs in Europe. I thought, however, that it would be interesting to inform you of some particulars, which I am ordered not to make public, but which will also be communicated to Congress. The British Minister has hastened to conclude an eventual treaty of peace with the United States, and to grant them in the utmost extent every advantage they could desire. The malevolence with which that power has carried on the war in America, did not forebode this extreme facility in them, and it has been an agreeable surprise to the belligerent powers, and you will easily judge, Sir, that our satisfaction has been complete, and in seeing the great obstacle to peace put, as it were, on one side.

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We think we may hope, that the epochs of a general peace is not far distant. However, the English, though disposed to come to a conclusion with the Courts of Versailles and Madrid, seem much more difficult in the negotiation carrying on with the States-General. But the King, who through the whole of this war, has refused to conclude a peace without obtaining for his allies a just and reasonable satisfaction, persists in these sentiments, and he doubts not that the United States will on their part fulfil their engagements by continuing the war till a definitive treaty is concluded, and thereby entirely disconcert the projects of the English, who flatter themselves, that by means of the eventual treaty, which they have concluded, they will be able to establish on the Continent a suspension of hostilities equal to a truce, written and signed.

It is possible, that the firmness and resolution of his Majesty will determine England to make those restitutions, to which she shows so much repugnance; but it is also possible, that the war will continue another year, and to put the United States in a situation to continue the war with vigor, his Majesty has lent them six millions of livres; six hundred thousand livres are arrived in the Washington, but I have learnt with much pain that Mr Morris has, through want of means, been forced to anticipate the pecuniary succors he hoped to receive, so that the six millions is not

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so considerable a help as was to have been desired.

It remains to examine in what manner we can disturb and shut up the enemy during the next campaign. I shall not take the liberty to sound your Excellency on these points, but I beg you to permit me to say, that it will be serving the common cause essentially to stop those excessive exportations of subsistence to New York, and in case of an evacuation of that place, to prevent them as much as possible from procuring subsistence from hence to carry on the campaign in the West Indies.

The Duc de Lauzun will confer with you on these points on his return from the eastward, and I beg you, Sir, to consider with him how to make the legion early useful; it may be very usefully employed in the service above mentioned, and the Duke will be happy to act in any manner your Excellency may wish.

In all cases, it cannot but be of service to hold ourselves in a hostile position. If the negotiations produce the happy effects we wish, I will lose no time in informing you, and knowing your humane disposition, I think I never shall announce to you a more agreeable event than a general peace, honorable and safe to the allies. You are convinced how sincerely the King wishes it, and the sacrifices he has made to obtain it will prove this.

If the treaty has been communicated to you, Sir, you will have seen that the King of England has reserved to himself the liberty to conclude, or not to conclude, the treaty of peace with America, so that the act signed the 30th of November by the respective Commissioners, is merely conditional and eventual.

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I have the honor to be, &c.

LUZERNE.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, March 18th, 1783.

Sir,

I have the honor of sending you a copy of a letter, which I have written to Mr Robert Morris. I shall soon have the honor of communicating to you some news, which I have just received from France by the packet boat Washington.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

Head Quarters, March 19th, 1783.

Sir,

I am exceedingly obliged to your Excellency for your communication of the 15th. The Articles of the treaty between America and Great Britain, as they stand in connexion with a general pacification, are so very inconclusive, that I am fully in sentiment with your Excellency, that we should hold ourselves in a hostile position, prepared for either alternative, peace or war.

I shall confer with the Duc de la Lauzun on the objects you are pleased to mention; and as I have ever viewed the practice of the States in supplying the enemy in New York with the means of subsistence, as a very pernicious one in its tendency, both to ourselves and to our allies, you may depend upon me to exert every measure in my power to prevent it.

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I am at all times happy in receiving any intelligence from your Excellency, and should it be in your power to announce a general peace, you cannot make a more pleasing communication to me.

Persuaded of the pure and benevolent intentions, which animate the breast of his Most Christian Majesty, I am assured, if that happy event should not result from the present negotiations, that the failure will not rest on his part.

I have the honor to be, &c.

GEORGE WASHINGTON.

MINUTES OF A VERBAL COMMUNICATION FROM THE MINISTER OF FRANCE.

Office of Foreign Affairs, March 22d, 1783.

The Minister of France, waiting upon Mr Livingston at 12 o'clock agreeable to appointment, communicated to him a letter from the Count de Vergennes, dated the 19th of November.

This was wholly confined to matters of finance, and contained in substance nothing more than Congress have already seen in the letter, written by the Minister of France to Mr Morris. He then read to Mr Livingston a letter of the 22d of November, which related to the satisfaction the King, his master, had received in the testimony the United States had given of their friendship, in presenting to him the ship America. The substance of this letter has been inserted in the note sent to Congress the 28th instant.

The Minister also read to Mr Livingston, a letter of the 19th of December, from the Count de Vergennes, in which he informs him, that their treaty was not so forward as that of the Americans. Though if his Majesty had wished it, he could have signed before the American Plenipotentiaries, as no essential difference existed between France and Great Britain. But that the King's delicacy induced him to wish, that all his allies should be first satisfied, and he had accordingly resolved to continue the war, whatever advantages might be offered him, if Great Britain should bear hard upon any of them. That it still remained to reconcile the interest of Spain, and those of Holland. That he had reason to believe with relation to the first, that they would soon be fully settled. That the foundation was already laid, and that nothing now remained but to settle forms. That he was of opinion, that it was for the interest of the United States to facilitate a connexion with this power, which will be their neighbor.

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That it would become the wisdom of Congress to discover moderation with respect to them. That he is persuaded England will see with pleasure, divisions introduced between the United States and the Court of Madrid, and that it is probable, that they will even endeavor to animate them one against the other. That British emissaries have been employed to inspire Spain with apprehensions as to the ambitious views of America. But they will now avail themselves of this intimacy with the American Ministers, to render them suspicious of Spain, and even to excite their resentments against her. Congress will defeat this design by removing the difficulties, which now oppose themselves to a union with his Catholic Majesty. That the King wishes so much to see his allies enjoy a solid and durable peace, that in exciting the Americans on one side to discover a more conciliatory spirit, he will spare nothing on the other to remove the difficulties, which may be raised by the Court of Spain. That he apprehends delays and embarrassments from Holland. That the British Administration appear very unfavorable to them.

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The Minister of France then read to Mr Livingston another letter from the Count de Vergennes, of the 20th of December, 1782, which contained in substance; that peace was not yet concluded; that it was anxiously desired by the King. That his Majesty's obligations to his allies had not yet permitted him to pronounce with certainty as to the termination of the war. That expecting peace, prudence required, that the allies should act as if the war was to continue. That Congress will judge of the manner in which they can most effectually contribute to distress the common enemy. That in the present state of things it would not be prudent to invite the Americans to form any direct enterprise against the common enemy. That the Provisional Articles would, when executed, at the general peace, put New York into the hands of the Americans, and that Congress could judge better than they could what part it would be expedient for them to take in the then state of things. That proposing nothing they leave everything to their discretion. That the Minister should however inform them, that he could not yet determine whether they were at the eve of the war or if another campaign must be opened. That in the latter case there were two essential objects, on which the Minister of France should impart to Congress the opinion of his Court, and the desires of his Majesty.

That though if their towns were evacuated the Americans could not take an active part, yet they can compel the enemy to wish for peace, by excluding them from all connexion with them and prohibiting under very severe penalties, the consumption or importation of British manufactures. That a considerable party among the British wish to form commercial connexion with the United States. That when they shall be convinced, that they can reap no benefit therefrom, but by a solid definitive peace, conformable to the treaty already agreed upon, they will become more tractable, and conclude the definitive treaty, which will give force and vigor to the provisional articles, and set the seal to the independence of America. That it would also be proper to state to Congress the necessity of providing means to prevent the sending provisions into New York, by which the British armaments are amply supplied with fresh provisions of every kind.

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That the King persuades himself, that the Legislatures of the respective States will concur in measures for this salutary purpose, when they shall be informed of the injury occasioned to their ally by the want of the necessary precautions on this subject. That these precautions will not be unnecessary if the enemy are about to abandon New York, without which the enemy will carry with them the means of supplying the places to which they transport their troops.

That he persuades himself, that Congress will perceive, that they are indebted to the harmony,

that has subsisted between the King and them for the present happy state of their affairs. But that nothing being yet concluded, the present moment is precisely that in which it is of most importance to preserve the same system.

ROBERT R. LIVINGSTON.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

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Head Quarters, March 29th, 1783.

Sir,

The news of a general peace, which your Excellency has been so good as to announce to me, has filled my mind with inexpressible satisfaction; and permit me to add, that the joy I feel on this great event is doubly enhanced, by the very obliging manner in which you have been pleased to express your congratulations to me and the army on this happy occasion.

The part your Excellency has acted in the cause of America, and the great and benevolent share you have taken in the establishment of her independence, are deeply impressed on my mind, and will not be effaced from my remembrance, or that of the citizens of America, but with the latest effects of time. You will accept, Sir, my warmest acknowledgements and congratulations, with assurances that I shall always participate, with the highest pleasure, in every event which may contribute to your happiness and satisfaction.

The articles of a general treaty do not appear so favorable to France, in point of territorial acquisitions, as they do to the other powers; but the magnanimous and disinterested scale of action, which that great nation has exhibited to the world during this war, and at the conclusion of peace, will insure to the King and nation that reputation, which will be of more consequence to them, than every other consideration.

Mrs Washington begs your Excellency to accept her sincerest thanks for the joy you have communicated to her, and to receive a return of her congratulations on this most happy of all events.

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I have the honor to be, &c.

GEORGE WASHINGTON.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, April 10th, 1783.

Sir,

I have to inform your Excellency, that I have just received instructions from the Minister, that in consequence of the peace, the French troops actually here, are to be sent to France without delay. If you see no cause to defer it, I shall accordingly take immediate measures for their departure. I impatiently wait the arrival of the Duc de Lauzun to give the necessary orders, as no definitive arrangements can be made in his absence.

I have the honor to be, &c.

LUZERNE.

TO ROBERT R. LIVINGSTON.

Translation.

Philadelphia, April 29th, 1783.

Sir,

I wrote sometime ago to General Washington to know whether he thought proper, that the legion of Lauzun, and the other detachments of the army of Rochambeau, should leave this continent, in order to return to France. According to his answer, dated the 23d inst. he entirely approves this measure; consequently I beg you will have the kindness to inform Congress that the departure

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will take place immediately.

Permit me to embrace this opportunity of assuring you, in concert with the Duc de Lauzun, that the officers and soldiers of this army will always recollect with pleasure the three years which they passed in this continent, the union which has existed between the two nations, and the hospitality with which they have been treated by the inhabitants.

I have the honor to be, &c.

LUZERNE.

GEORGE WASHINGTON TO M. DE LA LUZERNE.

Head Quarters, May 13th, 1783.

Sir,

We are making some preparations in the army for a display of our joy on the happy event of a general peace. The exhibition will be delayed till the arrival of the definitive treaty. If your Excellency can make it convenient to honor us with your company on the occasion, it will be a great addition to our happiness.

I take the liberty to put under cover to your Excellency, several letters, which I wish to convey to some gentlemen of your army, late in America. If the Duc de Lauzun should have sailed before their arrival, I shall be much obliged by your care of their conveyance by some other good opportunity.

With great regard and respect,

GEORGE WASHINGTON.

TO ROBERT R. LIVINGSTON.

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Translation.

Philadelphia, May 19th, 1783.

Sir,

I have received the letter, with which you honored me on the 4th of this month, and the Memorial of Mr Durham, which accompanied it. I cannot form any opinion upon such a statement, and I shall be unable to know whether the complaints are just, before I learn the motives of the conduct, which he professes to have observed on his part. I have the honor of sending you a letter for the Marquis de Bouillé, in relation to this affair, and I entreat you to have the kindness to send it to that individual, who will take care to send it to the commander.

You have been informed, Sir, of the affair of Mr Gillon, or rather of the many affairs, which have been the subject of controversy between him and the subjects of the King. You will find a statement of it in a Memorial which I annex, requesting you to be pleased to return it when read; I have addressed it to the State of South Carolina; I request you to be pleased to read the resolutions taken in consequence of it by the Assembly of that State, and the annexed copies of which you may keep. I have also the honor of sending you, Sir, some new demands against that officer, which I have lately received. I shall make no reflection respecting the resolutions of Carolina; but I entreat you to be pleased to point out the most proper course for obtaining justice, and to inform me whether it would seem to you proper, that I should lay this matter before Congress.

I have the honor to be, &c.

LUZERNE.

COUNT DE VERGENNES TO M. DE LAFAYETTE.

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Translation.

Versailles, June 29th, 1783.

Sir,

I have received the letter, which you did me the honor to write on the 17th of this month. You desire to know what is meant by *free port*.

By this term, Sir, we mean a place to which all merchandises, as well foreign as domestic, may be imported, and from which they may be freely exported. You will judge, Sir, by this definition, that all the merchandises of the north, without exception, may be imported into L'Orient, and exported from it by the Americans. In a word, L'Orient will be reputed foreign with regard to France, as far as it respects commerce. The prohibitions and duties upon foreign merchandises will take effect only in case any person desires to introduce into the interior parts of the realm the merchandises subjected to the one or the other.

I have the honor to be, &c.

DE VERGENNES.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, September 17th, 1783.

Sir,

The undersigned Minister Plenipotentiary has the honor of communicating to Congress an extract from a letter of the Count de Vergennes, and a copy of a contract between the King and the Thirteen United States. He requests Congress to be pleased to send the ratification of it to their Minister at his Majesty's Court, in order that he may settle this business with the Count de Vergennes.

The undersigned received the papers, of which a copy is annexed, nearly four months ago. He had received orders, at the same time, to inform his Court of the measures, which the United States might have taken, for the accomplishment of the different articles of the contract of the 16th of July, of last year. The undersigned has deferred till this time, the communications in question, in the hope that circumstances might become more favorable. As the peace has made these stipulations, which were only eventual, executory, he can refrain no longer from requesting Congress to acquaint him with the arrangements which may have been made by the United States, or those which they propose to make, for the execution of the contract of the 16th of July, of last year, as well as with those to be made for the execution of the contract, of which a copy is annexed.

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LUZERNE.

COUNT DE VERGENNES TO M. DE LA LUZERNE.

(Annexed to the note, sent on the 17th of September, 1783.)

Translation.

Versailles, March 10th, 1783.

Sir,

Dr Franklin, in the month of February last, communicated to me different decrees of the Congress of the United States of North America, passed on the 14th and 23d of September, and several letters from Messrs Morris and Livingston, which not only authorised that Minister, but even expressly ordered him to negotiate in Europe a loan of four millions of dollars, amounting to about twenty millions of livres tournois, for the service of the United States during the present year, and under their warranty. It was at the same time enjoined on Dr Franklin, earnestly to solicit the continuance of the favors of the King, in the crisis in which Congress was then placed.

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In the enumeration of the motives, which the Superintendent of the finances alleged, in order to obtain a new loan of money from his Majesty, he did not deny, that the Minister of France might assign good reasons for declining to comply with this request, but he added, that, as it was the last of this kind, which Congress would have occasion to make, he hoped that it would not be rejected.

Dr Franklin, on his part, in obedience to the orders of Congress, implored, in favor of the United States, the assistance of the King, and added to the reasons previously given, that, without this assistance the continental army could no longer be kept together, nor disbanded without danger.

After having conferred on this subject with M. Joly de Fleury, I made a report upon it to the King.

I informed his Majesty of the embarrassments of Congress, and of their inability to provide for their necessities by means of taxes, which the imperfections or the weakness of a rising Administration did not permit them to levy. The King had already, by great sacrifices, fulfilled in their behalf, the duties of a most tender father, during the continuance of their moral infancy. Since the nation reached the period of maturity, consecrated by its emancipation and political independence, it seemed that it ought to be sufficient for itself, and not to require new efforts of the generosity of its ally; but without being prevented by these considerations, the King, faithful to his attachment to the United States, was pleased, under these circumstances, to give a new proof of it, and notwithstanding the difficulties, which his Majesty experienced in his own finances, he determined, according to my report of the 20th of December last, to grant to Congress a new loan of *six millions of livres tournois*, for the service of the United States, during the course of the present year. He also authorised the advancing of a sum of money previously granted, which Dr Franklin earnestly solicited. I informed that Minister of it, who, in his answer of January 25th, gratefully accepted these new favors in the name of the United States. I informed him, moreover, that they could not be increased, and that his Majesty would in no case be a guarantee for other loans, which he might procure in Holland or elsewhere.

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I have thought proper to enter into these details with you, Sir, in order that you may be able to communicate them to Congress, and that that body may be informed by you of the last financial arrangements, which his Majesty has been pleased to decide upon, in favor of the United States. I have since concerted with Dr Franklin, those measures, which were necessary for fixing the conditions and the terms of payment of the loan of six millions of livres, of which I have been speaking. They were stipulated in a contract made on the 25th of February last, which we signed by virtue of our respective full powers, as we had done with regard to preceding advances, by a contract previously made on the 16th of July, of last year, of which I informed you at the time, and of which we are now expecting the ratification on the part of Congress. Although I do not doubt that Dr Franklin has transmitted this new act to Congress, I have still thought it proper to send the annexed copy of it to you.

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By the first article, you will see, Sir, that the King lends Congress the sum of *six millions of livres*, payable at the rate of five hundred thousand livres in each of the twelve months of the current year, on condition of the repayment of the capital with interest at five per cent per annum.

The second article recapitulates and verifies the preceding aids furnished by his Majesty, and divides them into three distinct classes. The first consisting of the sums loaned, amounting to eighteen millions of livres. The second, of a fund of ten millions, arising from a loan obtained in Holland for the service of the United States, and guaranteed by his Majesty. The third, of subsidies, gratuitously furnished, amounting to nine millions of livres, the gift of which to the United States is confirmed by his Majesty.

The third Article fixes the repayment to the royal treasury, of the new loan of six millions, with the interest thereon, at six periods, fixed at the times most convenient for the financial operations of Congress.

By the fourth Article, it has been agreed, that the interest on the last loan of six millions, shall not commence till the 1st of January, 1784. The King being pleased to give and remit to Congress the partial interest on the capital for the present year.

The fifth and sixth Articles contain stipulations of usage and form.

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All attesting the sentiments of affection entertained by the King for the United States, and his tender anxiety to contribute to their prosperity.

I desire you, Sir, to assure Congress, that these sentiments are deeply engraven on the heart of the King, that his Council feel them no less deeply; and that his Majesty will never cease to take the most lively interest in the welfare of the United States, his allies.

You will be pleased to inform me of the reception of this letter, and of the annexed paper.

I have the honor to be, &c.

DE VERGENNES.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, November 2d, 1783.

Sir,

I have received the letter, which your Excellency did me the honor to write to me on the 27th ultimo, and the resolutions of Congress, which were annexed to it, and which express the sentiments of Congress with relation to the dispositions of his Majesty, and the other belligerent

powers, not to sign the definitive treaty, except in concert with the United States. It appeared by the last news received, that this conduct has produced the desired effect, and that it has in fine, been followed by a general peace.

The United States may be assured, that his Majesty will adopt with pleasure all commercial arrangements, which may be advantageous to them, and which will not be prejudicial to his subjects. I also know, that it is his Majesty's intention, that the United States should enjoy, in the ports of his kingdom, not only all the advantages, which they enjoyed before their independence, but even some favors, which have not heretofore been granted to them.

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I have the honor to be, &c.

LUZERNE.

TO GEORGE WASHINGTON.

Translation.

Philadelphia, November 21st, 1783.

Sir,

I have received the letter your Excellency did me the honor to write me by Messrs Villefranche and Rochefontaine, the testimony you have been pleased to give in favor of these two officers will have the greatest weight with those persons who can contribute to their advancement, and it gives me the greatest pleasure to receive these testimonies, from Congress and from your Excellency, of the satisfaction the French officers have given in the service of the United States.

I beg your Excellency to receive my sincere congratulations upon the evacuation of New York; this grand event completes your glory. I hope to be at New York the 28th of this month, to be witness of the rejoicings you have ordered, and to renew to you the assurances of attachment, with which I have the honor to be, &c.

LUZERNE.

M. DE CALONNE TO M. DE LAFAYETTE.

[Pg 177]

Translation.

Versailles, January 9th, 1784.

Sir,

I have communicated to the King the observations contained in the memoir, which you transmitted to me relative to the commerce of America, and those, which you made at our last conference.

I am authorised to announce to you, that it is the intention of his Majesty, to grant to the United States the ports of L'Orient and Bayonne as free ports; and besides these, that of Dunkirk and that of Marseilles, the first of which enjoys absolute freedom, and the other is restrained in the exercise of that freedom only with regard to tobacco, which is there subjected to a duty. The Americans may from this moment send their vessels to those four ports, where they will not meet with any kind of difficulty.

You may, if necessary, explain what is meant by *free ports*, agreeably to the signification thereof given by M. de Vergennes, in his letter of the 29th of June last.^[17] The Americans will find, above all at Dunkirk, all the facilities they can desire for the sale of their leaf tobacco, their rice, their timber, and other merchandise, as well as for the purchase of what they want; such as linens, woollens, brandy, &c. It is proposed to establish stores and magazines there, which shall be well supplied, on terms very advantageous for their commerce.

I have given orders to the Farmers-General to treat in preference, and at a reasonable price, for the purchase of the tobaccos of North America. And, moreover, the United States will be as much favored in France, in matters of commerce, as any other nation. The complaints, which they may make to you, or which Dr Franklin and the other American Ministers, whom I should be very glad to see, may transmit to me on their behalf, shall be examined with great attention; and government will not suffer them to experience any kind of vexations. Every possible precaution will also be taken to prevent the sending out bad merchandise, which if it has hitherto taken place, can only be attributed to the avarice of some merchants of the lowest order.

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I am going immediately to examine what relates to the customs and duties, which hurt

commerce. This is an important subject, and requires great attention. In fine, Sir, you may rely, that I shall be always disposed, as well as the Marshal de Castries, and the Count de Vergennes, to receive and listen with attention to the demands and further representations, which you shall think proper to make in favor of the commerce of America.

I have the honor to be, &c.

DE CALONNE.

P. S. The ports of Bayonne and L'Orient will be made similar to that of Dunkirk with regard to entire freedom.

FOOTNOTES:

[17] See above, [p.170](#).

TO THE PRESIDENT OF CONGRESS.

Translation.

Annapolis, January 29th, 1784.

Sir,

I have the last year presented to Congress several notes, respecting which no answer has been given me. I have reason to believe, however, that it has taken resolutions on many of these notes. Not to importune Congress by reiterations, I pray you to be pleased to inform me of what has passed on this subject, and especially with regard to the ratification of the contract entered into between the King and the United States, for the various loans, which his Majesty has made them, and concerning the measures taken for the payment of the interest on the sums lent to the United States by his Majesty, or for which he has become responsible.

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I have the honor to be, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Annapolis, January 30th, 1784.

Sir,

The undersigned, Minister Plenipotentiary of France, has the honor to inform Congress, that his Majesty desiring to favor the progress of commerce between his kingdom and the United States, has appointed four Consuls and five Vice Consuls, to reside in those cities of this continent, where he has judged that the presence of these officers would be useful to his commercial and sea-faring subjects. He has also appointed a Consul-General, whose duty shall be more particularly to attend to the general objects of commerce. M. de Marbois has been appointed to fill this office. His Majesty hopes, that this choice will be the more agreeable to Congress, as he has resided many years in America, and especially as he has the honor of being known to that body. The new distribution, which has just been made of Consulates and Vice Consulates requiring a particular attention, the undersigned desires Congress to be pleased to appoint a committee, empowered to treat with M. de Marbois on every subject relative to the recognition of the character of these new officers.

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LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Annapolis, February 18th, 1784.

Sir,

The undersigned, Minister Plenipotentiary of France, has the honor to inform Congress, that the family of the Sieur de la Radière, who died about four years ago, in the service of the United States, is desirous of receiving the benefits, which Congress grants to the other heirs of the officers, who have served in the armies of the United States. The Sieur de la Radière was attached to the corps of engineers. The undersigned begs Congress to enable him to give an answer to the family of this officer, as well as to those who may be in the same situation.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Annapolis, April 6th, 1784.

Sir,

The undersigned, Minister of France, has the honor to inform Congress, that the portraits of the King and Queen have arrived at Philadelphia, and that he has orders to present them to that body.

The undersigned Minister has had the honor to transmit to his Excellency, the President, his Majesty's letter, in answer to that of the 14th of June, 1779, in which Congress have expressed their desire to have the portraits of their Majesties. This letter expresses to Congress the pleasure, with which the King gives the United States this testimony of his affection and friendship for them. The undersigned has made the necessary arrangements for the safe keeping of these two portraits, until Congress can receive them.

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LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Annapolis, April 9th, 1784.

Sir,

I have the honor to communicate to your Excellency an extract from a letter, which I received from Count de Vergennes, dated the 24th of December last.

I received orders at the same time to inform his Majesty's Minister of the measures, which have been taken by the United States, relative to the payment of portions of the principal, and of the interest of the sums, which have been loaned them by the King. I make mention, Sir, of portions of the capital, because, by the terms of the contract of the 16th of July, 1784, the reimbursement of the first loan of eight millions is to begin three years after the peace, and it is expedient to take seasonable measures with regard to this subject.

I am also to inform my Court of the arrangements, which have been made for the payment of interest on the loan of five millions of florins, made in Holland, the 5th of November, 1781, and for which his Majesty became guarantee. I know the efforts of Congress to effect the discharge of the public debt, and their wish to fulfil their engagements; and I consider it superfluous to recall to your Excellency all the motives, which combine to induce the United States to fulfil faithfully those, which they have contracted with the King. I confine myself to desiring you to enable me to dissipate the uneasiness, which may have been excited at my Court, by the delay in proceeding to raise funds to effect the payment of this debt.

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I am with respect, Sir, &c.

LUZERNE.

COUNT DE VERGENNES TO M. DE LA LUZERNE.

Translation.

Versailles, December 24th, 1783.

Sir,

His Majesty has decided irrevocably, that the port of L'Orient shall be free, and American sailors may actually consider it so. The edict of the King has not yet been published, however, because his Majesty's intention being to give this arrangement as wide an extent as possible, the regulations should be drawn up after a careful deliberation, and conceived in such terms, that the advantages allowed to the merchants of the United States, may not be essentially prejudicial to our own commerce, and the revenues of the State.

The merchants of the United States enjoy equally the liberty of frequenting the ports of Marseilles and Dunkirk, and they partake, like other nations, in the immunities and privileges of these two places.

DE VERGENNES.

CONGRESS TO THE KING OF FRANCE.

[Pg 183]

The United States in Congress assembled to their Great, Faithful, and Beloved Friend and Ally, Louis the Sixteenth, King of France and Navarre.

Great, Faithful, and Beloved Friend and Ally,

Your Majesty's letter of the 13th of August last, has been received by the United States in Congress assembled, with a degree of satisfaction and pleasure, which those only can conceive, who, to the highest sentiments of respect, unite feelings of the most affectionate friendship.

The portraits of your Majesty and of your royal consort having arrived at Philadelphia, have been carefully preserved by your faithful Minister, the Chevalier de la Luzerne, whose attention on this, as on all other occasions, merits the acknowledgements of Congress.

These lively representations of our august and most beloved friends will be placed in our council chamber; and can never fail of exciting in the mind of every American, an admiration of the distinguished virtues and accomplishments of the royal originals.

We beseech the Supreme Ruler of the universe constantly to keep your Majesty and your royal consort in his holy protection, and to render the blessings of your administration as extensive as the objects of your Majesty's benevolent principles.

Done at Annapolis, in the State of Maryland, this 16th day of April, 1784, by the United States in Congress assembled.

Your faithful Friends and Allies,

THOMAS MIFFLIN, *President.*

TO THE PRESIDENT OF CONGRESS.

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Office of Finance, April 16th, 1784.

Sir,

I do myself the honor to enclose to Congress the duplicate of a letter from the Marquis de Lafayette, dated the 26th of December, together with the copy of his letter of the 18th of June last, to the Count de Vergennes; the Count's answer of the 29th of the same month; a letter to him from M. de Calonne of the 18th, and another of the 25th of December, all which were enclosed in that duplicate to me, as were also the observations on the commerce between France and the United States, which I have also the honor of transmitting. With respect to this paper, I must pray leave to refer Congress to the caution contained in the letter to me, and pray their compliance with his intention. The masterly manner in which the Marquis has treated a subject, certainly foreign to his former habits and views, merits great applause, and will I doubt not, procure that approbation from Congress, which will be to him a grateful reward for his zealous and dexterous exertions to promote the interests of America.^[18]

I pray leave also to submit to Congress the enclosed extract from another letter of the Marquis de Lafayette, of the 10th of January, together with the copy of M. de la Calonne's letter therein mentioned. This last, which shows the labors of that young nobleman to have been crowned with the wished for success, will I doubt not be pleasing to Congress, as it is certainly very interesting to the commerce of the United States.

I have the honor to be, &c.

ROBERT MORRIS.

FOOTNOTES:

[18] This paper on commerce, as well as the letters above referred to, are missing.

TO THE PRESIDENT OF CONGRESS.

[Pg 185]

Translation.

Annapolis, April 21st, 1784.

Sir,

In the course of last summer I requested leave of his Majesty to return to France. By letters from my friends, I am informed that it is granted; but the loss of the packet, which conveyed the Minister's letter, lays me under the necessity of writing again on that subject. I should have waited his answer before I took leave of Congress, had I not reason to believe, that it will not reach me till their recess.

I cannot however depart, without entreating your Excellency to communicate to them my warm acknowledgements for the manner, in which they have treated with me during my mission, which has lasted near five years. I have had the satisfaction of agreeing with Congress on all the subjects, which I have had the honor of negotiating with them; and I owe my success to the good fortune I had of being the Representative of a just and generous Monarch, to a wise and virtuous Republic. I shall ever retain a grateful remembrance of this, and shall always consider the time I have spent on this continent, as the most honorable period of my life. My satisfaction would be complete, were it not accompanied with regret, at parting from a Senate composed of members, on whose friendship I flatter myself I have a just claim, by an intimate acquaintance of several years. Your Excellency permits me to rank you among those who honor me with their friendship; and I am persuaded, that the expression of my attachment and respect for Congress will lose nothing of its force, if you will be pleased to convey it.

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The letters, by which I have received advice of my having obtained leave to return, inform me also, that M. de Marbois will be his Majesty's *Chargé d'Affaires* with the United States. His zeal, and his attachment for the cause, which unites France and America, are well known to Congress, and I have not the least doubt, but his Majesty's choice will be agreeable to that assembly.

I am, Sir, with great respect, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, April 28th, 1784.

Sir,

You will see by the subjoined letter of Mr Pierce, the situation of the Baron de Kalb with regard to the United States, at the time when he was killed at Camden. The continental money which he had received must have been employed in subsisting the body of troops under his command; or, if any part of these funds remained in his hands, it must have been plundered and taken by the enemy, with all the baggage of this General.

I think, then, that Congress will be pleased to take these circumstances into consideration, and excuse the heirs of the Baron de Kalb from producing vouchers, which circumstances do not allow them to procure. I pray your Excellency to be pleased, also to induce Congress to determine whether the resolutions of the 15th of May, 1778, and the 24th of August, 1780, extend to the widow and orphans of the Baron de Kalb.

A difficulty has also arisen with regard to M. de Fleury, Lieutenant Colonel, and it can be removed only by a resolution, which I request your Excellency to solicit from the goodness of Congress in favor of this officer. He did not quit the American army without leave granted, and Congress, in consideration of his services and good conduct, has been pleased to consider him as always being attached to the American army. It seems, then, right to ask, that he should enjoy the same advantages as the other officers, and the rather, that he was attached to the French army, which served on this continent. General Lincoln, in 1782, did not place him on the list of officers retained in the service; but this omission ought not to be prejudicial to the prior resolutions of Congress. He was, at this very time, detached to the Roanoke, with the troops of

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the French division, that he might support General Greene, in case the latter were attacked. Thus, ignorant of what was passing in Congress, as well as in the War Department, it was impossible for him to make any representations on this subject. He was born without fortune, and if he did not, like the other officers, enjoy his pay to the 3d of November, 1783, his affairs would be found rather involved than meliorated by his residence in this continent. The payments, which Mr Morris has been authorised to make, have been claimed for the years 1782 and 1783; and M. de Fleury would be found excluded, unless the justice of Congress should allow him the same treatment, which the other officers receive, and the advantages of the commutation. The third resolution of Congress of December 31st, 1781, seems to protect the rights of M. de Fleury, and authorise the demand, which I pray you to present to Congress in his favor.

The different articles subjoined will enable Congress to judge of the justice of the demands, concerning which I beg you, Sir, to inform me of the intentions of that body. ^[19]

I have the honor to be, &c.

LUZERNE.

FOOTNOTES:

[19] The following is the statement of Baron de Kalb's account. Mr Pierce's letter is missing.

Office of Accounts, April 19th, 1784.

Sir,

I have examined sundry papers relative to the claim of the Baroness de Kalb, for the pay of her husband, (the late Baron de Kalb, deceased) as a Major General in the service of the United States of America, and find,

That from the 31st of July, 1777, the date of his appointment, to the 19th of August, 1780, the day of his death, being thirtysix months and twenty days, his pay, at \$166²/₃ per month, amounts to \$6,111 10-90

That per certificate of John Pierce, Paymaster General, it appears he received sundry sums, in money of the old emissions, on account of his pay, which are extended to his debit in specie, by the Massachusetts scale, as follows, viz.

1778, February,	830 dollars, at	464 per cent	\$178 79-90
" May,	664 " "	580 " "	114 43-90
" October,	664 " "	690 " "	96 21-90
1779, January,	664 " "	834 " "	79 55-90
" May,	664 " "	1414 " "	46 86-90
" September,	664 " "	1695 " "	39 15-90
1780, November,	664 " "	2387 " "	27 73-90

That said certificate also includes a charge for \$2000 old emissions, advanced him in August, 1777, which at 238 per cent are equal to 840 30-90

That he is also chargeable with the following sums, viz.

Received from Silas Deane, in France, on the 22d of November, 1776, as appears per receipt annexed to his agreement with said Deane, 6000 livres, at 5 livres and 5 sols per dollar, are equal to 1,142 79-90

Six thousand livres paid him in bills of exchange, agreeable to a resolve of Congress of September 14, 1777, at 5 livres 8 sols per dollar, equal to 1,171 10-90

That on this account, there appears a balance of two thousand four hundred and thirtythree dollars and 61-90 due to the estate of the Baron de Kalb 2,433 61-90
\$6,111 10-90

Exclusive of the sums carried to the Baron's debit in the foregoing state, he is charged in the Paymaster General's books with the following, in old emissions, viz.

November 17th, 1777. Fifty dollars paid for transporting his baggage. If he was in actual service at the time, and in such a situation as rendered extra means necessary for this purpose, I am of opinion that he ought not to be charged with this sum.

May, 1780. Two hundred and twentysix thousand dollars, said to be for the purpose of defraying the expenses of the Maryland line, on their march to the southward, or for defraying the deficiencies of clothing due to the Maryland line. To oppose to this charge there is nothing yet produced. I therefore submit to consideration, the propriety of admitting to the credit of his estate the balance, which appears due on account of his pay, as per the foregoing adjustment.

TO THE PRESIDENT OF CONGRESS.

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Translation.

Philadelphia, May 6th, 1784.

Sir,

The King having as yet made no appointment to the Consulate of Charleston, the intention of his Majesty was, that M. de la Forest, Vice-Consul at Savannah, should in the interim perform its duties. I have, consequently, transmitted to him, as well as to M. de Marbois, letters of recommendation, which we thought sufficient to induce the Governor and Council of South Carolina to recognise him in this provisional capacity. Our hopes with regard to this subject were built upon the second article of the draft of a contract for the establishment of Consuls; and we thought that its provisional execution, presenting no inconveniences, would meet with no difficulty, although we are yet ignorant whether this contract has been signed.

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As the interests of commerce render the actual establishment of a Vice-Consul at Charleston of very urgent necessity, I pray your Excellency to propose to Congress, to pass a resolution for the provisional execution of this second article of the draft of the contract. This measure is so much the more necessary, as it is the only means of preventing the suspension of the Consular duties, which has often occurred in case of the absence or death of Consuls or Vice-Consuls, and a year might sometimes pass before the arrival of new appointments or commissions, and before resolutions should be passed by Congress. Such an interruption of the office of Consul would be attended with inconveniences, which Congress will easily perceive. Moreover, Sir, we ask nothing on this occasion, but what is customary in the other Consulates, and it is a power which will be readily allowed to Mr Barclay.

I have the honor to be, &c.

LUZERNE.

TO THE PRESIDENT OF CONGRESS.

Translation.

Philadelphia, May 13th, 1784.

Sir,

I have received the letter, which your Excellency did me the honor to write to me on the 6th of the present month, and the acts of Congress accompanying it.

I pray you, Sir, to be pleased to inform Congress, that I have received a letter from the Count de Vergennes, which grants me the absence, which I had asked. This minister informs me at the same time, that his Majesty has appointed M. de Marbois, his *Chargé d'Affaires* to the United States. I repeat to your Excellency the request that you will be pleased to express for me to Congress, the regret with which I leave this continent, and the sentiments of respect, which I shall cherish through life towards that body.

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Permit me to recall to your mind, Sir, the business of M. de Fleury, and of the widow of the Baron de Kalb. I pray you, also, to be pleased to enable me to make known here the intentions of Congress relative to M. de la Radière, and to the money which was due to him at the time of his death, as well as with regard to the communication, if it takes place.

I have the honor to be, &c.

LUZERNE.

CONGRESS TO M. DE LA LUZERNE.

In Congress, May 17th, 1784.

Sir,

The United States in Congress assembled, are informed by the letter, which you were pleased to address to them, the 21st of April, that having the last year requested of his Majesty leave to return to France, you learn it has been granted, but that the official letter of the Minister being lost, you expect a duplicate, which will probably arrive in the recess of Congress.

It is with great concern, Sir, that Congress receive this information, as it respects a Minister for whom they entertain the most perfect esteem.

From the time of your arrival in America, to the signing of the provisional treaty, the conduct of the war has been attended with numerous difficulties and perils, to surmount which the joint efforts of the United States and of their great and good ally have been necessary.

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Congress consider it as a fortunate circumstance, that during that period the affairs of his Most Christian Majesty in this quarter have been under the direction of an able and faithful Minister, whose anxiety to promote the views and essential interests of his sovereign, has been ever attended with a laudable endeavor to reconcile them to those of his allies. Without such a disposition it is evident there could not have existed a concert of those measures, which by the smiles of Providence, have hastened the conclusion of the late distressing war.

The abilities of the gentleman, who as you are informed, is to be charged with the affairs of your department, and his thorough knowledge of the principles, on which the alliance was founded, will we doubt not, conspire to produce on his part, such measures as will best promote the mutual interest of the two nations.

We now, Sir, bid you an affectionate adieu, with the fullest assurance, that you will be happy in the smiles and approbation of your royal sovereign; and we sincerely wish, that you may be equally so in an interview with your friends, and in your future engagements.

THOMAS MIFFLIN, *President.*

TO JOHN JAY, SECRETARY OF FOREIGN AFFAIRS.

[Pg 193]

Translation.

Paris, (date uncertain) 1787?

Sir,

I dare not flatter myself, that your Excellency has any recollection of a man, who had the benefit of your acquaintance but a few days, and even at a time when he could not express himself in your language.

I arrived in America, Sir, when, after having rendered the most important services to the confederacy, and sustained with the greatest distinction, the office of President of Congress, that body had intrusted you with the important care of conducting their affairs in Spain, and in the principal Courts of Europe.

I have resided in America five years, as Minister Plenipotentiary of the King to Congress, and though indeed I cannot but be well satisfied with the kindness and the confidence, which that illustrious body have ever shown me, I have always regretted, that you were not during that period one of its members. You departed from Europe when I returned to it. At that time I flattered myself, that I should again see you in America, and resume my duties there. But his Majesty has thought fit to give me another destination. Will you have the goodness to present to Congress my letters of recall, and to express to that body for me the high sentiments of respect and veneration, with which I have long regarded them. Allow me also to request your Excellency to accept the assurances of the attachment and consideration, with which I have the honor to be, &c.

LUZERNE.

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THE

CORRESPONDENCE

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OF

ROBERT R. LIVINGSTON;

SECRETARY OF FOREIGN AFFAIRS.

For more than five years from the commencement of the Revolution, the foreign concerns of Congress were transacted through a committee, which was first appointed on the 29th of November, 1775, and called the *Committee of Secret Correspondence*. It was their duty to correspond with all the American Agents, Commissioners, and Ministers abroad, to report to Congress on these matters from time to time, and receive such instructions from that body as occasion required. It is to be understood, however, that in this respect they acted only a subordinate part, for it was customary for the Ministers abroad to direct their letters to the President of Congress. After having been read in that Assembly, they were put into the hands of the Committee, whose business it was to answer them. On account of the absence of the members, the committee itself was frequently very thin, and sometimes for weeks together not more than one member was present at the seat of Government. Hence responsibility rested nowhere, and it is no wonder that delays, neglect, and ill management were the consequences.

Various causes retarded the adoption of a better system, but chiefly the warmth of party and internal jealousies, which prevailed within the walls of Congress for a long time, and too often defeated measures of essential importance, when there was a probability that they would throw a new weight of power into a scale of doubtful preponderance. To this state of circumstances it is in a great degree to be attributed, that no plan for a regular Department of Foreign Affairs was resolved upon till the 10th of January, 1781, and that no person was appointed to fill the office thus created till seven months later. On the 10th of August, ROBERT R. LIVINGSTON was chosen *Secretary of Foreign Affairs*, but he did not enter upon the duties of the Department till the 20th of October.

From this date a salutary change found its way into the management of Foreign Affairs. To abilities and other qualifications well suited to the station, Mr Livingston added energy, diligence, and promptitude, as his numerous letters on a great variety of topics abundantly testify. We hear no more complaints from the Ministers abroad, that their letters are forgotten and unanswered, or that they receive no intelligence nor instructions from home.

The details of the Department were so modified, after he accepted the appointment, as to embrace Domestic Affairs to a certain extent. He was to correspond with the President of Congress, the Governors of the States, the Commander in Chief, and generally with all persons on topics in any manner connected with the primary objects of his office. His letters to the American Ministers at Foreign Courts, and to the French Ministers in this country, have already been printed in the correspondence of those persons respectively. This order was thought preferable, as the continuity of the subjects embraced in the different branches of correspondence would thus be more distinctly preserved. The letters, which follow, are chiefly to the President of Congress, and to other officers and persons, who were in the United States at the time they were written.

Mr Livingston continued a little short of two years in the Department of Foreign Affairs. He resigned in June, 1783.

THE

CORRESPONDENCE

OF

ROBERT R. LIVINGSTON.

ORGANIZATION OF A FOREIGN DEPARTMENT.

Congress took into consideration the report of the committee appointed to consider and report a plan for the Department of Foreign Affairs, wherein they state,

That the extent and the rising power of these United States, entitle them to a place among the great potentates of Europe, while our political and commercial interests point out the propriety of cultivating with them a friendly correspondence and connexion;

That to render such an intercourse advantageous, the necessity of a competent knowledge of the interests, views, relations, and systems of those potentates, is obvious;

That a knowledge, in its nature so comprehensive, is only to be acquired by a constant attention to the state of Europe, and an unremitted application to the means of acquiring well grounded information;

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That Congress are moreover called upon to maintain with our Ministers at foreign Courts a regular correspondence, and to keep them fully informed of every circumstance and event, which regards the public honor, interest and safety;

That to answer those essential purposes, the committee are of opinion, that a fixed and permanent office for the Department of Foreign Affairs ought forthwith to be established, as a remedy against the fluctuations, the delay and indecision to which the present mode of managing our foreign affairs must be exposed; whereupon,

Resolved, That an office be forthwith established for the Department of Foreign Affairs, to be kept always in the place where Congress shall reside;

That there shall be a Secretary for the despatch of business of the said office, to be styled "Secretary of Foreign Affairs;"

That it shall be the duty of the said Secretary to keep and preserve all the books and papers belonging to the Department of Foreign Affairs; to receive and report the applications of all foreigners; to correspond with the Ministers of the United States at foreign Courts, and with the Ministers of foreign powers and other persons, for the purpose of obtaining the most extensive and useful information relative to foreign affairs, to be laid before Congress when required; also to transmit such communications, as Congress shall direct, to the Ministers of the United States and others at foreign Courts, and in foreign countries; the said Secretary shall have liberty to attend Congress, that he may be better informed of the affairs of the United States, and have an opportunity of explaining his reports respecting his Department; he shall also be authorised to employ one, or, if necessary, more clerks to assist him in the business of his office; and the Secretary, as well as such clerks, shall, before the President of Congress, take an oath of fidelity to the United States, and an oath for the faithful execution of their respective trusts.

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APPOINTMENT OF A SECRETARY OF FOREIGN AFFAIRS.

In Congress, August 10th, 1781.

Congress proceeded to the election of a Secretary of Foreign Affairs; and, the ballots being counted, Robert R. Livingston was elected, having been previously nominated by Mr Floyd.

TO MAJOR GENERAL NATHANIEL GREENE.

Philadelphia, October 20th, 1781.^[20]

Dear Sir,

Congress having done me the honor to appoint me their Secretary of Foreign Affairs, and made it my duty to collect and transmit such intelligence as may be useful to our Ministers, I take the liberty to open a correspondence with you. From the past, I have reason to hope, that your future operations will furnish the most agreeable and useful information at foreign Courts; for nothing is more incontrovertibly true, than that splendid victories and a wise Administration at home, are the best negotiators abroad.

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Give me leave, Sir, to congratulate you upon your success. We have reason to hope, that it will be attended with the most important consequences, more especially, if as we may expect, the Commander in Chief should be enabled to make a considerable addition to the brave corps you command.

The enemy have sailed from New York with twentysix ships of the line, including three of fifty guns, having on board their ships of war five thousand land forces, in order to attempt the relief

of Cornwallis. For that, happily, they are too late; but as sympathising friends afford consolation to the distressed, he may possibly derive some comfort from their sharing, at least in part, his fate.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[20] Although Mr Livingston was appointed Secretary of Foreign Affairs on the 10th of August, he did not enter on the duties of the office till this day. See his letter to John Adams, in Mr Adams's *Correspondence*, Vol. VI. p. 178.

TO GOVERNOR GEORGE CLINTON OF NEW YORK.

Philadelphia, October 22d, 1781.

Dear Sir,

Give me leave to congratulate your Excellency, and through you the Legislature of our State, on the success of our arms at the southward. Cornwallis surrendered his army on the 17th of October. Count de Grasse was employed on the 18th in taking his marines on board, which I hope, by the blessing of Heaven, will be the prelude to a second victory.

My removal being far from having in any manner lessened my attachment to New York, I shall be anxious to hear that the present attempt of the enemy upon our frontiers, has only added to their disgrace, and enabled my countrymen to increase the reputation they have so justly acquired. Your Excellency will do me the honor to give me the earliest intelligence of the movements of the enemy.

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I am, Sir, with the greatest respect and esteem, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, October 29th, 1781.

Sir,

The business of the department in which Congress have been pleased to place me, rendering it necessary to have recourse to the Secret Journals, and other books and papers in the possession of their Secretary, I take the liberty to request them by their order, to enable Mr Thomson to admit me to examine, and copy from such books of a secret nature in his possession, as may in anywise relate to the department of Foreign Affairs.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Philadelphia, November 12th, 1781.

Sir,

Congress some time since, called upon the different States to make returns of the damage done by the enemy within each of them, by the wanton destruction of property, and no measures, that I can learn, have as yet been taken to ascertain such damage, though as your Excellency will easily conceive, it may become an important object of inquiry, whenever a treaty shall be set on foot for a general pacification, or be made to answer valuable purposes during the war, by showing our enemies in their true light to the nations of Europe.

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In this view, I think it my duty to endeavor to collect them, and you will, Sir, I am persuaded, take the necessary measures to send as soon as possible, returns from the State over which you preside. I could wish to have the damages, (particularly that to real property,) ascertained by the

affidavits of people of known characters, and duplicate copies of such affidavits transmitted to my officers, under the great seal of your State, and, if possible, accompanied with a short recital of each transaction, so that it may at once appear, whether the injuries were such as the laws of war justified, or whether they originated only in the malice and cruelty of the enemy.

Your Excellency will oblige me, and serve the public, by transmitting to me accounts of every occurrence, in which the United States are materially interested, which may arise within your government, or which you may derive from your correspondents abroad.

I have the honor to be, with great respect and esteem, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, November 18th, 1781.

Sir,

The subject mentioned in the letters of Mr Adams, and their enclosures, requiring their express direction, I humbly submit to the consideration of Congress.

In Dr Franklin's letter of the 6th of August to Mr Adams, he informs him, "that he cannot depend on receiving any more money in France applicable to the support of the Ministers of Congress, and that what aids are thereafter granted, will probably be transmitted by the government directly to America." Congress need no arguments to convince them of the disgrace and danger of permitting their most confidential servants to be necessitous in a foreign country.

I will with their approbation, concert with the Superintendent of Finance, the means of supplying our Ministers, Agents, and Secretaries. But to facilitate these means, and convince the powers to whom we are indebted for money, that we know the value of their aids, I would humbly submit to Congress the propriety of practising the strictest economy, as far as it may be consistent with their honor, and the justice due to those they employ. That Congress may determine the more readily whether their establishment will admit of any reduction, or devise the most effectual means of defraying the expense of it, I take the liberty to lay before them the annual amount of the salaries of their servants now abroad.

If I am well informed, it is usual to distinguish the allowances to Ministers by the expenses of the country in which they live, and the character they are obliged to support. Such a rule would be productive of great saving to us, whose policy it is to have agents without any acknowledged public characters, at Courts which refuse to receive our Ministers. How far so important a station as that of Secretary to an Embassy might be supplied by private secretaries with moderate salaries, at least till the existence of the Embassy was acknowledged, must be submitted to the wisdom of Congress. Certain it is, that foreigners who may not be acquainted with the dignified characters of those we employ abroad as secretaries, will be surprised to find their emoluments equal, if not exceeding those allowed by the richest potentates in Europe, and that too, when the great object of the mission is to represent our wants, and solicit supplies for civil and military establishments at home.

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Perhaps, too, from the ground on which the successful issue of this campaign has placed us, Congress may see it improper to solicit Courts, who are so little disposed to serve us as those of Petersburg and Lisbon, or to expend additional sums of money on agencies to Russia or Portugal.

Another part of the despatches referred to me, are those that relate to John Temple, to which Congress alone are competent to give directions. The reports currently circulated in England relative to his first mission, his coming by way of New York, his return to England, his abode there, his present visit to America, render him an object of attention, not only to the people of this country, but to those of Europe, and give weight to those suspicions of attachment to England, which, as it is her policy to keep up, it should be ours on every occasion to discourage. Congress will judge how far it is proper to suggest any measures to the State of Massachusetts. I take the liberty to submit to them, whether at least it would not be expedient to adopt such resolutions as would leave the Executive of that State uninfluenced in their conduct towards him, by his being the bearer of public despatches. Congress will observe, that I have no personal acquaintance with Mr Temple, nor any knowledge of facts, which would lead me to suspect his principles, other than the matters, which are above stated and publicly known.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Sir,

I enclose to Congress the heads of the communication, which I had the honor to make to them on the 23d, as far as I could obtain permission from the Minister of France to reduce them to writing. There is but one omission, the reason of which was assigned at the time I made the verbal communication. I also enclose an extract of a letter from the Count de Vergennes to the Minister of France, as translated and communicated to me by him, which I have thought it necessary to submit to the perusal of the Superintendent of Finance.

I am at a loss to judge whether Congress intended in their reference of General Duportail's letter, that I should report to them, or write to Dr Franklin on the subject myself; supposing the latter to have been the case, I have accordingly written; but lest I may have been mistaken, I submit my letter to their inspection, and if it is not conformable to their intentions, I beg to be honored with their further direction.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GENERAL GREENE TO ROBERT R. LIVINGSTON.

Camp Round O, South Carolina,
December 13th, 1781.]

Dear Sir,

Your favor of the 22d of October came to hand a day or two since.

I shall be happy to communicate anything from this quarter, that may be useful to you, or to our affairs abroad, and I have the pleasure to inform you, that we have complete possession of all the Southern States, Charleston and Savannah excepted.

Civil government is established in Georgia, and the Assembly of South Carolina will set the 1st of next month, at Camden. We are making preparations for the siege of Charleston, and are not altogether without hopes of obliging the enemy to abandon the place, even if our good ally should not be able to co-operate with us. The tyrant of Syracuse was never more odious than the British army in this country. Even the slaves rejoice, and feel a kind of freedom from oppression, in the return of their masters.

I beg leave to congratulate you upon our late glorious success in Virginia, and upon your own appointment of Minister of Foreign Affairs.

I have the honor to be, &c.

NATHANIEL GREENE.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, January 18th, 1782.

Sir,

I do myself the honor to submit to the inspection of the United States, in Congress, an affidavit made by Mr Marshall on the subject of Mr Deane's letters, and have directed copies of the letters and affidavit to be made out for the Minister of his Most Christian Majesty, and the Superintendent of Finance. Measures have long since been taken to put our Ministers upon their guard against Mr Deane. I shall add to them, as opportunities offer, the new proofs which these letters furnish of his defection. Copies will also be sent to the Governor of Connecticut, unless the Representatives of that State, in Congress, who propose to make them the ground of judicial proceedings, should prefer taking copies to be examined and compared with the original, by a person who could prove such examination, or to authenticate them in any other way, which will ensure their being received as evidence conformably to the practice of their Courts.

I had proposed to mention them in my correspondence with the first Magistrates of the respective States, as affording proofs of the distant prospect of peace, and the necessity of relying only upon our own exertions to procure it, but am deterred from this measure, by the weight which it might possibly give to Mr Deane's ill founded assertions.

I shall endeavor to conform to the views of the United States, in any further direction with which they may please to honor me.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GOVERNOR JONATHAN TRUMBULL OF CONNECTICUT.

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Philadelphia, January 22d, 1782.

Sir,

I do myself the honor to enclose certified copies of two letters from Silas Deane, which serve in some measure to authenticate those that have been published in his name, and strongly mark such a change in his sentiments and principles as is worthy of the attention of the State of which he is a citizen. The originals are lodged in this office, to which your Excellency may at any time apply, if such copies should be required, as would amount to legal evidence; I have also enclosed a copy of an affidavit of Mr Marshall to prove the identity of the letters, and his having received them from Silas Deane.

I some time since did myself the honor to write to you, relative to the damage done by the enemy in your State, to that letter I have not been as yet favored with an answer. Your Excellency will easily see the propriety of keeping up a correspondence with this office, since there are so many inferior objects, which escape the general attention of Congress, which it may be extremely useful to detail in our negotiations. Such, for instance, as an authentic account of the cruelties committed by the British at New Haven. Nor is it of less moment to be minutely informed by every State of the resources for carrying on the war, the means used to call out those resources, the temper and disposition of the people with respect to them. With a view of obtaining these from you at your leisure, I have taken the liberty to open this correspondence with your Excellency. I persuade myself you will not put the trouble it may give you in competition with the slightest advantage, that our country may obtain from it. I shall in return give you from time to time, such European news as we may receive here, which I conceive will contribute either to your amusement or the advantage of your State.

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And as I have nothing positive at present, let me inform you, what I would wish every State to know, that we have not as yet any intelligence, that leads to a speedy peace, so that we have every reason to expect another campaign, and a campaign too, that will call for our greatest exertions.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, January 25th, 1782.

Sir,

In the first organization of a new Department, some things are frequently omitted, which experience will show ought to be inserted, and many inserted which might be omitted; it becomes the duty of those, who are placed at the head of such Departments, to mention the difficulties that may arise from these causes, and leave it to the wisdom of Congress to alter them, or to judge whether they can be changed without introducing greater inconveniences. Upon this principle, Sir, I am induced to offer the following observations.

The Secretary of Foreign Affairs is to correspond with the Ministers of the United States at foreign Courts, and with the Ministers of foreign powers. This correspondence must necessarily detail such sentiments as the sovereign wishes to have known, and lead to such inquiries as they choose to make. An intimate knowledge of their sentiments is, therefore, absolutely necessary to a discharge of this duty; and we accordingly find, that the Minister of Foreign Affairs is, in monarchical governments, considered as the most confidential servant of the Crown. In Republics, it is much more difficult to execute this task, as the sentiments of the sovereign sometimes change with the members, which compose the sovereignty. It is more frequently unknown, because no occasion offers, on which to call it forth. It is never perfectly expressed but by some public act. Waiting for this time, the advantages of embracing a favorable opportunity are frequency lost. There are numberless minutiae, upon which no act is formed, and about which, notwithstanding their sentiments should be known to their Ministers, there are even occasions, in which their Secretary should speak a sentiment, which it would be improper for them to declare by a public act.

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Congress, sensible of the inconveniency, that the officer intrusted with the management of their foreign affairs must labor under in the execution of his duty, without a more perfect knowledge of

their sentiments, than can be obtained from their public acts, have been pleased to admit him to attend Congress, that (as the ordinance expresses it,) he may be better informed of the affairs of the United States, and have an opportunity of explaining his reports respecting his Department; but here it stops short, and does not say in what manner he is to gain the sentiments of Congress, when he does himself the honor to attend upon them. It is true they may in part be collected from an attention to the debates, but it often so happens, that the debate does not take the turn that he would wish, in order to satisfy a doubt, and he goes away, after hearing a subject largely discussed, ignorant of the only point upon which he wishes to be informed, when perhaps by a single question, his doubt might be removed, or by a word of information, which he has the best means of acquiring, a debate might be shortened.

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It is true the power of explaining his reports given by the ordinance, seems to imply a permission to offer his sentiments when they are under consideration, but as I do not wish to assume a liberty which is not expressly given, I must beg the sentiments of Congress on this subject. The ordinance is also deficient, in not affording a power to the Secretary of Foreign Affairs to take order upon the application either of foreigners, or subjects, relative to matters not of sufficient moment to engage the attention of Congress; as for instance, applications for aid in procuring the release of an American, taken under particular circumstances in English ships, and confined in the French West Indies or elsewhere; claims upon prizes carried into the French Islands, &c., which cases occur every day, and are attended with long memorials, which would take up much of the time and attention of Congress.

As I have hitherto taken the liberty to transact business of this kind with the Minister of his Most Christian Majesty, and the Governors or Generals of the French Islands, I wish to be justified in so doing by the orders of Congress. As a check upon myself, I keep a book, though it is attended with much labor, in which all such applications, and the steps taken in consequence thereof, are inserted at length.

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The organization of this office will, too, I presume, render some alteration necessary in matters of form and ceremony as heretofore settled by Congress in conformity to the practice of other nations, and to enable us to avail ourselves of the advantages they sometimes afford in creating useful delays, and concealing for political reasons the views of the sovereign.

Congress having vested me with the power of appointing clerks, I have appointed two gentlemen, in whose integrity and abilities I can confide. These are barely sufficient to do the running business of the office, which is much greater than I imagined it would be, five copies, besides the draft being necessary for every foreign letter or paper transmitted. To copy all the letters, which have hitherto been received, with the Secret Journals and other extracts from the books and files of Congress, though absolutely necessary, both for order and security, will be impossible, without further aid for at least one year. Congress have not, indeed, limited the number I may employ, nor have they fixed their salaries, upon both of which I could wish for their direction. An interpreter is so necessary, both for this Department and the Admiralty, that I cannot but recommend to Congress the appointment of one, from whom, if a man in whom I could confide, I might receive assistance as a Secretary when hurried with business.

It may possibly be expected, Sir, that I should close this long letter by a report on the matters it contains, but as it is a delicate subject to point out a mode for extending my own powers, I only beg leave to recommend the enclosed resolve.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO MAJOR GENERAL GREENE.

Office of Foreign Affairs, Philadelphia,
January 31st, 1782.]

Dear Sir,

I was this day favored with yours of the 13th ultimo. I need not tell you, that the intelligence it conveyed, and the spirit in which it was written, afforded me the most sensible pleasure. The idea it holds forth of an attempt upon Charleston, and the prospect of success in it, is one that we dare not indulge here, more especially as troops have sailed from New York, and as we presume to Charleston, but you have taught us rather to measure your success by your genius than by your means.

I wish it were in my power to tell you, that our accounts from Europe were proportionate to our expectations. The combined fleets, as you know, have returned and separated, without having effected anything. The British are again masters of the ocean. Gibraltar is a rock, on which all the exertions of Spain seem to split, and the siege of fort St Philip seems to be carried on in the most energetic manner. We have no prospect of forming an alliance, either with Spain or Holland, who both appear to sigh for peace. Our loan on the guarantee of France with the last, is nearly completed. But what is not a little unsatisfactory, it is also nearly expended by advances, which

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France has made us on the credit of it. From Spain we are likely to get nothing.

The negotiations for a peace are entirely, at a stand; the mediating powers have no interest in wishing it, and the belligerent nations are neither of them sufficiently weakened to request their interposition. The Count de Vergennes assures us, that Britain will still make the most vigorous exertions. I mention these circumstances not only for your information, but that you may make the proper use of them in animating the exertions of the Southern States. It is the misfortune of America to presume too much upon each dawning of success, and to believe that peace must tread upon the heels of every little advantage, instead of being taught by her own struggles and difficulties, that every nation has resources, that surpass the expectations of its enemies.

Would to God that you could be enabled, by the animated efforts of the Southern States, to expel the enemy from them without the aid of our allies. This would re-establish our character for activity in Europe, where I am sorry to say, it has for some time past been upon the decline, and I do sincerely believe, that co-operating with the brilliant successes of the last fall, it would incline the enemy to peace, without which I have no expectations of it. But I fear this is rather to be wished for than expected.

Domestic news we have none, but what Colonel Ternant will give, or you may collect from the enclosed papers.

If anything turns up worth your notice, you shall hear from me. I flatter myself that you will think with me, that our distance is too great to wait for the ceremony of answer and reply, and favor me with a line as occasion offers.

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I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

CIRCULAR LETTER TO THE GOVERNORS OF THE STATES.

Philadelphia, February 18th, 1782.

Sir,

I do myself the honor to transmit to your Excellency several resolutions of Congress, which having a reference to the Department of Foreign Affairs, are in course to go through this office. The necessity of carrying them into effect is too obvious to need observations.

While we hold an intercourse with civilised nations, we must conform to laws, which humanity has established, and which custom has consecrated among them. On this the rights, which the United States or their citizens may claim in foreign countries must be founded.

One of the resolutions passed Congress in consequence of a convention about to be concluded between his Most Christian Majesty and the United States of America, which affords an additional reason for paying it the earliest attention. Your Excellency and the Legislature will see the propriety of rendering the laws on these subjects as simple, and the execution of them as expeditious, as possible, since foreigners, who are the great object of them, are easily disgusted at complex systems, which they find a difficulty in understanding, and the honor and peace of a nation are frequently as much wounded by a delay as by a denial of justice.

Another resolution relates to your boundaries, and is designed as one means of ascertaining the territorial rights of the United States collectively, which can only be accurately known by each State's exhibiting its claims, and the evidence on which they found them. Your Excellency will therefore be pleased to direct, authentic copies from your records of all grants, charters, maps, treaties with the natives, and other evidences, to be transmitted to this office, as soon as you can conveniently collect them. I could wish, that the copies might be proved, by having the great seal of your State annexed.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GOVERNOR RUTLEGE OF SOUTH CAROLINA.

Office of Foreign Affairs, Philadelphia,
February 19th, 1782.]

Dear Sir,

I wish to avail myself of the opportunity Colonel Ternant affords me, to convey the agreeable intelligence contained in the enclosed letter from Mr Harrison, our agent at Cadiz. Many other

objects present themselves, on which I would write could I do it without detaining Colonel Ternant, who only waits for this.

I propose to have the honor of writing more at large by the next safe conveyance. In the meanwhile, I should consider it as a favor, which might be rendered useful to the public, as well as agreeable to me, if your Excellency would open a correspondence with this office, in which an exact state of affairs in the government, over which you preside ought to be detailed, which could not fail to have some influence in the direction of our foreign affairs.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

CIRCULAR LETTER TO THE GOVERNORS OF THE STATES.

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Philadelphia, February 19th, 1782.

Sir,

Where a Government is composed of independent States, united not by the power of a sovereign but by their common interest, the Executive Departments form a centre of communication between each State and their Chief Council, and are so far links of the chain, which should bind them together, as they render to each similar views of great national objects, and introduce uniformity in their measures for the establishment of general interests. A mistaken idea of our own importance to other nations, of their attachment to us, and of the weakness of our common enemy, having lulled us into a very imprudent security, I beg leave to state to your Excellency the information last received from Europe. Our success in this important war, under the favor of Heaven, must be built upon the weakness of our enemy, the strength and perseverance of her foes in Europe, and our own exertions.

It is an undeniable fact, that Britain has not, in the course of the last campaign, gained any advantage of her enemies, but, on the contrary, has seen their fleets ride triumphant in the seas, she proudly called her own, and an army, in which she placed her fondest hopes, made captive. But, on the other hand, we are compelled to admit, that she has met with no such reverse of fortune as materially to debilitate her, or weaken her resources for another campaign. Her trade has, for the most part, returned in safety. Her fleets have blocked up those of the Dutch, and, upon the separation of the combined fleets, recovered the superiority in the European seas. The army taken in America is only so far decidedly ruinous to her affairs here, as we know how to avail ourselves of the advantage it affords.

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That her pride is not humbled, that she did not wish for peace prior to this advantage, is obvious, 1st. From her refusing to make a separate treaty with the Dutch, who, under the mediation of the Empress of Russia, seemed anxiously to wish it; 2dly. From her neglect to notice the last proposals of the mediating powers, which yet remain unanswered; so that if any alteration is made in their sentiments on this subject, they must originate in their ill success in America, for in every other quarter their defensive war seems to have been supported with advantage. How far this will operate admits of a doubt, which prudence directs us not to rely upon. Money, the great support of modern wars, has been raised with more facility in England, than in any country in the world; and we find the minority last year censuring Lord North for giving the advantage of lending to his friends. Their losses may indeed render subscriptions more expensive to the public; but there is no well grounded room to suppose they will not fill up; and still less reason to believe, if the means for carrying on the war are attainable, that the vindictive spirit of the King and his ministry, and the overweening pride of the nation, will soon yield to make a peace, which involves their disgrace and humiliation. But as strength or weakness are mere comparative terms, we can form no judgment of the measures of Britain but by attending to the force and disposition of her enemies.

The United Provinces were evidently dragged into the war, and have prosecuted it as if they momentarily expected a peace. The Colonies in the West Indies have been taken, without being in a state to make the smallest resistance, and the active interposition of France alone saved those in the East from sharing the same fate. Our last letters from Holland place the distress of their commerce in a strong point of view. They are unhappily rent by parties, which clog the wheels of government; though it is said the party opposed to England are the most numerous and growing in strength, so that at some future day we may reasonably hope they will assume the entire ascendancy; yet we can build very little on this, till the close of another year. This much is certain, they are not yet allied to us, nor have they given us reason to believe, that they intend to be so. They wish for peace, and will take no measures that can obstruct it. They have lent us no money, nor are they likely to do it; from whence we may presume, either that they doubt our success, or do not much interest themselves in it.

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Our expectations from Spain are scarcely more flattering. Some little aids of money have been received after long solicitation, hardly so much as paid the expense of soliciting. We have reason to suppose that no more will be granted. They are still cold with regard to our alliance; nothing

but brilliant success can bring it to a conclusion. Nor have we the smallest reason to expect any pecuniary aid from her, even if she should confederate with us in time to be of use for the next campaign. She has at this moment very many and very expensive operations on hand; and, till she has allied herself to us, we have no certainty that she will choose to continue the war for the attainment of our independence, if Britain should be sufficiently humbled to sacrifice to her the objects which led her into the war.

To France, then, we turn, as the only enemy of Great Britain, who is at the same time our ally, who will persevere in the war for the attainment of our independence. She has already done so much for us, in order to afford us the means of doing something for ourselves, that she may reasonably hope to find the effects of her benevolence. Her fleets have protected our coasts, her armies have fought our battles; she has made various efforts to restore our finances, by paying the interest of our loans, by obtaining credit in Europe on our account for clothing, arms, and necessaries; by advancing money, and by opening and guaranteeing a loan for us, to a considerable amount in Holland, when, by the abolition of paper, our finances were totally deranged. These sums are nearly expended, and another campaign is about to be opened. France assures, that it is not in her power to make us any further grants of money, her ministers repeat this to us in every letter, in a tone that persuades us of their determination on that point.

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What then is to be done? Are we to relinquish the hopes, which the present debility of the enemy affords us of expelling them by one decided effort, and compensating all our losses by the enjoyment of an active commerce? Are we to return to the wretched, oppressive system we have quitted? Are we to carry on a weak defensive war with an unpaid army, whose precarious subsistence must depend upon what can be torn by violence from the industrious husbandman? Shall we vainly, and I think disgracefully, supplicate all the powers of Europe for those means, which we have in our own hands, if we dare call them forth, and which, after all, must be called forth if we continue the war, (and upon that subject there can be no doubt, till the end for which we took up arms is attained.) The only question is, whether each State shall fairly and regularly contribute its quota, or whether that which happens to be the seat of war shall (as has too often been the case) bear the whole burden, and suffer more from the necessities of our own troops, than the ravages of the enemy. Whether we shall drive the enemy from their posts with a strong body of regular troops, or whether we shall permit them to extend their devastations, while, with our battalions and fluctuating corps of militia, we protract a weak defensive war, till our allies are discouraged, and some unfavorable change takes place in the system of Europe.

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Your Excellency, I am persuaded, will pardon the freedom with which I write. You see the necessity which dictates my letter, and were it in my power to communicate all that our friends in Europe think of our inactivity, I am persuaded you would urge your State to exertion in much stronger terms than I dare venture to use.

When Congress call upon a State for supplies, they are usually answered by pleas of disability, urged, too, by the State with good faith, and a firm persuasion that they speak their real situation, a recurrence to facts, that have passed under their own observation, will convince them that they are deceived.

From the time that the depreciation of the Continental bills of credit began, till they were no longer current, the States that received them paid a tax equal to all the expenditures of the army, and a very considerable one beyond it; for if we suppose ten millions of dollars, in specie, a year, to be necessary for their support, then the expense, till the close of the campaign of 1779, must have amounted to upwards of fifty millions, exclusive of the supplies from Europe; and yet, in March, 1780, the whole national debt contracted in America did not, in fact, amount to five millions; so that forty five millions were paid by the United States in those five years of the war, when they had the least commerce and agriculture, and when they were most distressed by the enemy; and this tax, too, was the most unjust and partial that can be conceived, unless we except that, by which we have since raised much more from the people, without giving so much to the public; I mean the laws for impressing, &c., which placed the greatest burden of the war upon the shoulders of a particular order of men in particular States only.

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Now surely, if by partial and unjust measures, for which necessity alone can plead, we have been able to draw from every State, a tax more than equal to the present demand, no State can say, that it cannot afford its proportion of a more equitable tax. Those who have hitherto borne the weight of the war, must warmly espouse a measure, which is so greatly calculated for their relief. Those who have hitherto been eased from the burden, must be more able to take it up at this time, when they have the most promising expectation of relinquishing it soon.

It is certain, that if we put ourselves in a state to take advantage of circumstances early in the ensuing spring, we have the best grounded reason to hope, that a few months will remove the war from our doors. Whereas if we delay to enable Congress to say to their allies, "we are ready for an effectual co-operation with any force you may send," they will turn their attention to other objects, and leave us to lament in vain the opportunities we have lost. Every motive then, national honor, national interest, public economy, private ease, and that love of freedom, which pervades every Legislature on the Continent, call loudly not only for a compliance with the requisitions of Congress, but for so early a compliance as to render it effectual.

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It is true we are at present in such a situation as to have no apprehensions for the final establishment of our independence; but surely it is a matter of some moment to us, whether we

shall obtain it, or at least be freed from the ravages of the enemy and the burden of the war in the course of six months at the expense of eight millions of dollars, or whether we shall wait for it till a general and perhaps a distant peace, and be subject in the meanwhile to infinitely more expense, and all the distress that attends a country which is the seat of war.

But, Sir, it is time to dismiss a subject, which wants no arguments to illustrate it. I am confident that you will use every means to convince the State over which you preside, of the danger which will result from relying more upon the weakness of the enemy than their own strength, more upon the aid of their allies than their own exertions, more upon unjust, partial, hazardous, and expensive expedients, than upon an equal and regular support of the measures, which Congress, upon the most mature deliberation have recommended to their attention.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, February 21st, 1782.

Sir,

I do myself the honor to lay before Congress the enclosed note from the Minister of France, a letter from the Marquis de Bouillé with translations of both, and the proceedings of the Council of Assembly of Dominique; all of which relate to the case of the ship Resolution's cargo, part of which was adjudged lawful prize by the sentence of the Court of Appeals; and the case of the brigantine Eeirsten and her cargo, which was also adjudged lawful prize by the said Court.^[21]

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The case of the ship Resolution, as far as I have been able to learn, was simply this, she was a Dutch vessel, freighted on account of capitulants at Dominique, and bound for Holland, agreeably to the seventh Article of the capitulation. She was taken by a British ship, retaken by one of our privateers, and condemned by the Court of Admiralty of this State, whose decree was reversed and the ship and cargo acquitted, except a small part of the latter, on the principle of its not being the property of capitulants, and because, as was alleged, it was not protected by the ordinances of Congress, approving the principles of the armed neutrality, Great Britain and Holland being at open war; from whence it was inferred by the Court, that the Dutch vessel could not be considered as sufficiently neutral to protect the property of an enemy. The papers referred to in the memorial of the Minister of France serve to show, that the whole cargo belonged to capitulants.

The other vessel, the Eeirsten, was purchased in London by a company of Imperial subjects residing at Ostend, freighted in England with British property for the use of the capitulants at Dominique. The vessel sailed from London, and on her way to Dominique touched at the port of Ostend, for the purpose of converting her English papers into German. In the passage from Ostend to Dominique, this brigantine was taken by an American privateer, carried into Boston and acquitted, with her cargo; but the Judges of Appeals have condemned as lawful prize, both vessel and cargo. They consider the cargo as unprotected by the capitulation of Dominique. They consider the vessel as carrying on a trade advantageous to the enemy, in contravention to the seventeenth Article of the capitulation; that she forfeited the right of neutrality by not showing an exact *impartiality* to the belligerent powers; and because she had false and colorable papers on board, with a view to give the cargo the appearance of neutral property. They allow, that a vessel under their circumstances is to be considered as an enemy's, and that by the law of nations, they should be subject to seizure and confiscation. They consider the cargo as unprotected by the laws of Congress, because (as they affirm) this vessel cannot be thought to be strictly *neutral*, that Congress meant to pay a regard to *right* of neutrality, that the *right of neutrality* only extends *protection* to the effects and goods of an enemy in neutral bottoms, not engaged in the violation of this right. I have sent the seventh and seventeenth Articles of the capitulation for the information of Congress.

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From this statement Congress will judge of the expediency of directing a rehearing in both cases. In the first, it seems to be dictated by a regard for justice upon the new proofs. And in the second, the reasoning, which determined the Court, does not appear to be so conclusive as to render it improper in so intricate a case, more particularly as our situation with respect to the Emperor is peculiarly delicate; from which consideration, as well as from the respect which is due to the representation of the Minister of his Most Christian Majesty, I am humbly of opinion that a rehearing ought to be granted, and that in the meanwhile the officers of the Court should be directed to retain in their hands the proceeds of the vessel and cargo.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[21] See an account of these ships in *M. de la Luzerne's Correspondence*, above, pp. 66-72.

REGULATIONS FOR THE DEPARTMENT OF FOREIGN AFFAIRS.

In Congress, February 22d, 1782.

On the report of a committee, consisting of Mr Ellery, Mr Randolph, and Mr Eveleigh, to whom was referred a letter of the 25th of January, from the Secretary of Foreign Affairs respecting his department,

Resolved, that the Department of Foreign Affairs be under the direction of such officer as the United States, in Congress assembled, have already for that purpose appointed, or shall hereafter appoint, who shall be styled, "Secretary to the United States of America for the Department of Foreign Affairs," shall reside where Congress, or the Committee of the States, shall sit, and hold his office during the pleasure of Congress.

That the books, records, and other papers of the United States that relate to this department, be committed to his custody, to which, and all other papers of his office, any member of Congress shall have access; provided that no copy shall be taken of matters of a secret nature without the special leave of Congress.

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That the correspondence and communications with the Ministers, Consuls, and Agents of the United States in foreign countries, and with the Ministers and other officers of foreign powers with Congress, be carried on through the office of foreign affairs by the said Secretary, who is also empowered to correspond with all other persons from whom he may expect to receive useful information relative to his department; provided always, that letters to Ministers of the United States, or Ministers of foreign powers, which have a direct reference to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects, shall be submitted to the inspection, and receive the approbation of Congress before they shall be transmitted.

That the Secretary for the Department of Foreign Affairs correspond with the Governors or Presidents of all, or any of the United States, affording them such information from his department as may be useful to their States or to the United States, stating complaints that may have been urged against the government of any of the said States, or the subjects thereof, by the subjects of foreign powers, so that justice may be done agreeably to the laws of such state, or the charge proved to be groundless, and the honor of the government vindicated.

He shall receive the applications of all foreigners relative to his department, which are designed to be submitted to Congress, and advise the mode in which the memorials and evidence shall be stated, in order to afford Congress the most comprehensive view of the subject; and if he conceives it necessary, accompany such Memorial with his report thereon.

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He may concert measures with the Ministers or officers of foreign powers, amicably to procure the redress of private injuries, which any citizen of the United States may have received from a foreign power, or the subjects thereof, making minutes of all his transactions relative thereto, which have passed on such occasions.

He shall report on all cases expressly referred to him for that purpose by Congress, and on all others touching his department, in which he may conceive it necessary. And that he may acquire that intimate knowledge of the sentiments of Congress, which is necessary for his direction, he may at all times attend upon Congress; and shall particularly attend when summoned or ordered by the President.

He may give information to Congress respecting his department, explain and answer objections to his reports when under consideration, if required by a member, and no objection be made by Congress.

He shall answer to such inquiries respecting his department as may be put from the chair by order of Congress, and to questions stated in writing about matters of fact, which lie within his knowledge, when put by the President at the request of a member, and not disapproved of by Congress. The answers to such questions may, at the option of the Secretary, be delivered by him in writing.

He shall have free access to the papers and records of the United States in the custody of their Secretary, or in the offices of finance and war and elsewhere. He may be furnished with copies, or take extracts therefrom, when he shall find it necessary.

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He shall use means to obtain from the Ministers and agents of the United States in foreign countries, an abstract of their present state, their commerce, finances, naval and military

strength, and the characters of Sovereigns and Ministers, and every other political information, which may be useful to the United States. All letters to sovereign powers, letters of credence, plans of treaties, conventions, manifestoes, instructions, passports, safe conducts, and other acts of Congress relative to the Department of Foreign Affairs, when the substance thereof shall have been previously agreed to in Congress, shall be reduced to form in the office of Foreign Affairs, and submitted to the opinion of Congress; and when passed, signed, and attested, sent to the office of Foreign Affairs, to be countersigned and forwarded. If an original paper is of such a nature as cannot be safely transmitted without cyphers, a copy in cyphers, signed by the Secretary for the Department of Foreign Affairs, shall be considered as authentic, and the Ministers of the United States at foreign Courts may govern themselves thereby in the like manner as if the originals had been transmitted. And for the better execution of the duties hereby assigned him, he is authorised to appoint a Secretary, and one, or if necessary more clerks, to assist him in the business of his office.

Resolved, That the salaries annexed to this department shall be as follows;

To the Secretary of the United States for the Department of Foreign Affairs, the sum of four thousand dollars per annum, exclusive of office expenses, to commence from the first day of October last.

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To the Secretary, one thousand dollars per annum.

To the clerks, each five hundred dollars per annum.

Resolved, That the Secretary for the Department of Foreign Affairs, and each of the persons employed under him, shall take an oath before a Judge of the State where Congress shall sit, for the faithful discharge of their respective trusts, and an oath of fidelity to the United States, before they enter upon office.

Resolved, That the act of the 10th of January, 1781, respecting the Department of Foreign Affairs, be and hereby is repealed.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, February 23d, 1782.

Sir,

The resolution passed by Congress on the 22d of February, for the more perfect organization of the Department of Foreign Affairs, having no reference to the time past in fixing the salaries of the secretaries or clerks, I am left without a rule for that purpose, but presume as I have had two gentlemen employed for some time, without any distinction of rank, that no objection will lie to my giving them orders for the time that they have served at the rate of seven hundred and fifty dollars a year each.

I am sorry to be the means of taking up a moment of the time of Congress, but find myself embarrassed by their present arrangement, which fixes one secretary, and reduces the other gentleman in the office to the rank of a common clerk. If no material objection should lie against the measure, I would propose, as the business of the office naturally divides itself into two branches, foreign and domestic, that instead of a secretary there should be two under secretaries, whose rank and pay shall be settled according to their merit and abilities by the Secretary of Foreign Affairs, provided that the pay of both taken together shall not exceed the sum of fifteen hundred dollars; this will not only be an incitement to diligence and attention, but possibly enable me to procure two persons, in whose integrity and abilities I can confide, instead of a common clerk, without increasing the expense of the department.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, February 26th, 1782.

Sir,

I am somewhat at a loss to determine upon what principle the petition of John Jordan and others, was referred to me, but presume, that it was with a view to obtain from me such information relative to the distribution of the prize money arising from the prizes taken by the Bon Homme Richard, as the papers in this office can afford.

There were no papers relative to this transaction in this office; but among those of the Board of Admiralty, I find a letter from Dr Franklin to Francis Lewis, dated the 17th of March last, covering some inquiries on this subject, and a copy of a *Concordat* entered into by John Paul Jones, commanding the Bon Homme Richard; Pierre Landais, captain of the Alliance; Dennis Nicolas Cottineau, captain of the Pallas; Joseph Varage, captain of the Cerf; and Philip Nicolas Ricot, captain of the Vengeance; by which, among other things, they agree to divide their prizes, agreeably to the American regulations, as they sailed under American colors and commissions; and constituted M. Chaumont their agent to receive and distribute the prize money in behalf of the crew of each ship, and to be answerable for it in his own private name.

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From Dr Franklin's letter, it appears that the whole of the prizes belonged to the captors; that the King offered to purchase the ships of war they had taken, according to an established rate; that the seamen objected to it, and chose they should be sold at vendue; that this occasioned a delay in the sale; that he does not know the amount of the value of the prizes, nor whether they were distributed, which he considers as a private transaction between the officers and crews of the ships and M. Chaumont.

From this state of facts, Congress will judge if anything more can be done relative to the claim of three of the petitioners to their share of the value of the prizes, (the fourth being out of the question) than to assist them in the mode of authenticating the evidence of their being entitled thereto, and to forward it with powers of attorney to the Consul of the United States in France. This I will readily do for them, and write to Mr Barclay on the subject, without any express direction from Congress, when the petitioners shall call at this office.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT SMITH, COMMERCIAL AGENT AT HAVANA.

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Philadelphia, February 26th, 1782.

Sir,

Your letter to the Superintendent of Finance was received, and referred by Congress to this office, when upon mature deliberation it was determined for various political reasons, not to recommend the issuing of any commissions for letters of marque, or reprisals from any of the Spanish Islands. Congress having considered these reasons, came into this view, and passed the resolution, which I enclose in pursuance of their orders.

It is expected, that the several Consuls and agents of Congress, wherever settled, will keep up a regular and constant correspondence with me, in order that the United States, in Congress, may have the fullest information of every transaction in which they may be materially concerned. This task I dare say you will readily impose upon yourself, when you reflect on the advantages that may result from it. The points on which I shall chiefly trouble you for information, are the naval and military strength of the Island at the time you write, not merely as to the number of ships and men, but their actual state of preparation for defensive or offensive operations, their stations, their prospects and designs, as far as you can learn them. At your leisure, I wish to have an account of the population, militia, commerce, husbandry, and revenue of the Island, the sentiments of the people with respect to this war, and everything else you may deem curious or interesting.

If a paper is printed at the Havana, you will be pleased to send it to me by every opportunity. I need not suggest to you the necessity of preparing your letters, so that they may be sunk in case of danger, when they contain anything which may be of use to the enemy.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO DON FRANCISCO RENDON. [22]

Philadelphia, March 6th, 1782.

Sir,

I will with pleasure give you such information on the subjects you write upon, as I can with propriety mention to a gentleman of whose attachment I entertain no doubt, but who has, nevertheless, given me no reason to think, that his inquiries have any farther object than his personal satisfaction.

1. In answer to the first question, I can only inform you, that Congress have voted thirtysix thousand infantry, which, with the cavalry and artillery, will amount to about forty thousand men. It is not probable, however, that the whole of this number will be raised; I think it would be prudent to make a deduction of about one fourth. But you have been too long in this country to form any judgment of the strength of our army from the regular establishment, since it has been, and always will be increased (more particularly in the Northern States) by large bodies of militia, when their apprehensions, or the hope of splendid advantages shall call them forth. Of this, the events of the year 1777, among others, afford the most striking evidence.

2. It is not expected, that in the present situation of the country, the whole sum of eight millions of dollars can be raised in time. What the deficiency will be, must depend on the motions and strength of our enemy early the next spring; the success of our commerce; the remittances that shall be made to this country by our allies, which, being expended here, may, by frequent taxes, be brought into the public treasury, and repeatedly applied to public use.

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3. The resources of the next campaign lay in taxation, in the strictest economy, and in the assistance which we may reasonably hope to receive from the enemies of Great Britain, while we are making every exertion in the common cause. We flatter ourselves, that those powers who wish for peace, and who see America as the great object in Britain, in carrying on the war, will not suffer it to be lengthened out beyond the present year, when, by a moderate supply to us, they can terminate it in the course of one campaign. We form some expectations from the wisdom and generosity of Spain; and as we know she has the means, so we cannot suppose she can want the inclination to promote her own interests, and insure the esteem and gratitude of a rising nation, whose commerce and alliance cannot but be important from the situation of her Colonies.

4. This question is answered above, only it may be proper to observe, that if, in this reasonable expectation, America should be disappointed, she will still find resources in herself, not indeed to expel the enemy, but to preclude them from extending their conquests, and to compel them to offer her such terms as are necessary for her security, though perhaps short of her wishes.

5. The commercial connexion between the United States and Spain, will naturally be very extensive, if it meets with the least encouragement. The Spanish Islands will be supplied with provisions from them, at such easy rates as must give them great advantages in the cultivation of sugars, for which America will afford a considerable market; fish, lumber, and iron will also be exported to them if it should be permitted; and salt, as well as sugar, brought back in return, if the duties should be lowered, or a drawback allowed on the exportation. Our trade with Spain will consist chiefly in naval stores, masts, iron, furs, fish, and tobacco; in return for which we shall take the produce and manufactures of Spain of almost every kind.

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6. It is impossible for the United States to use means to prevent an illicit commerce with the Spanish Colonies, without interfering in their internal regulations. All they can do, is, to consider the regulations made for that purpose as binding upon their subjects, and not to demand satisfaction if they suffer by the penalties, which the laws attempted to be infringed, may impose. To this they will not object, while the punishment is reasonable, and not confined to crimes committed within the jurisdiction of the power imposing it. If it is extended further, such further extension must depend upon treaties between the United States and Spain, and will be the subject of discussion whenever such treaty shall be set on foot.

7. Spain will be allowed, without the least difficulty, either to purchase vessels built in America, or to appoint agents of her own for building vessels of any kind, as well as for arming them, if she thinks proper, from the iron founderies, which are lately erected here, and which will continue to increase in proportion to the encouragement which shall be given them.

The last question must be referred to a general treaty, and is of such a nature as not to be properly answered here.^[23]

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I am, with great regard and esteem,

ROBERT R. LIVINGSTON.

FOOTNOTES:

[22] A Spanish gentleman residing in Philadelphia, and apparently intrusted with some kind of agency by the Spanish government.

[23] The question here referred to is as follows; "In case that Spain succeeds in conquering East Florida, what will be the pretensions of Congress in regard to the Southern boundaries of Georgia?"

TO JOHN PAUL JONES.

Philadelphia, April 17th, 1782.

Sir,

I enclose an extract from a protest made by Captain A. de Neef, commanding the brigantine Berkenbosch, which has been transmitted to Congress, and by them to me, in order that I might inquire into the facts therein alleged. I must beg the favor of you to state them to me as far as they come within your knowledge, that measures may be taken to vindicate your reputation, and that of the American flag, if, as I presume, the charges are ill founded, or to repair any injury, which you may undesignedly have occasioned him.

Complaints have been made to Congress by officers and men, who formerly belonged to the crew of the Bon Homme Richard, and the Alliance frigate, of their not having yet been able to obtain the share of prize money due to them; in consequence of which Congress have directed me to draw a memorial to the Court of France, praying its interposition, in obtaining justice for them. As this whole business, as far as I can collect from the *Concordat* entered into by you and the gentlemen commanding the other vessels under your command, appears to have been a private transaction, I am at a loss upon what to ground an application to the Court, more particularly as neither of the parties have as yet called upon this office with proof of their having applied to M. Chaumont, or been denied justice by him. You will oblige me by giving me all the light in your power upon this subject, if possible, by the next post.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

THOMAS S. LEE TO ROBERT R. LIVINGSTON.

Annapolis, in Council, April 19th, 1782.

Sir,

We have been duly honored with your several letters of the 12th of November, 1781, and the 18th and 19th of February, 1782, which shall be laid before our Assembly, at their meeting the 25th of the present month, when, we doubt not, their very important contents will meet with the consideration they so well deserve.

Whenever we are possessed of anything, in which the United States are materially interested, we shall with great pleasure communicate it.

The document you require, in consequence of the resolution of Congress, enclosed in the letter of the 18th of February, shall be properly authenticated, and transmitted as soon as the whole can be collected.

We have the honor to be, &c.

THOMAS S. LEE.

ROBERT MORRIS TO ROBERT R. LIVINGSTON.

Office of Finance, April 27th, 1782.

Sir,

His Excellency, the Minister of France, having informed on the part of his Court, that no extraordinary sums will be paid to the Ministers of the United States in Europe, I must request that you will furnish me with an account of their several salaries, payable to the foreign Ministers and their Secretaries, and I will make out bills in your favor on the banker of the United States in Paris for the last quarter, commencing with the present year. I must at the same time pray, you will require of those gentlemen, the state of their several accounts with the public for salaries, that the whole may be adjusted, and all future expenses of that sort be classed under the proper head of the Department of Foreign Affairs.

I have the honor to be, &c.

ROBERT MORRIS.

CIRCULAR LETTER TO THE GOVERNORS OF THE STATES.

Office of Foreign Affairs, Philadelphia, May 2d, 1782.

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Sir,

The enclosed resolution of Congress will explain the cause of this letter. The information it refers to, is an assurance that Britain had absolutely declined any interference of the mediating powers between them and what they call their rebel subjects. They persist on every occasion in representing us as a divided people, who anxiously wish to return to our connexion with England. In this they have two objects equally important to them. 1st. They encourage England to continue a war, which they expect to see terminated by our own weariness and languor; and 2dly. They put such a face upon their affairs as will entitle them on a negotiation to make demands at our expense, which they would not presume to think of, if the mediators were acquainted with our firm resolution never to return to our obedience to their Government. Besides which, they cast a degree of odium upon the conduct of France, representing it as the support of a discontented faction, rather than as the generous ally of an oppressed nation.

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There is reason to apprehend, that in order the better to secure the advantages of this deceitful policy to themselves, they will make proffers to each of the United States. If any of them should listen to them, (which cannot, however, be presumed,) they will urge this, as a proof of their assertions, even if they should decline receiving their proposals and refer them to Congress, as from the nature of our Union they undoubtedly must; still as the result of the experiment cannot be known for some time in Europe, they will avail themselves of it in part, if negotiations should open.

This artifice of the enemy may be counteracted in two ways, both of which deserve the serious attention of your Legislature. The first and most important is, by making such exertions to procure a respectable army early in the season, that the mediators casting their eyes upon the muster rolls, may there read a full refutation of all that British artifice can suggest. I need not observe, that this measure must go hand in hand with taxation, since an army without the means of supporting it, would only increase our evils. The second is to anticipate the attempt of Great Britain by such resolutions as the information contained in this letter suggests, resolutions which strongly mark a spirited determination in the Legislature of each State to listen to no negotiations, except through the intervention of Congress, which manifest their attachment to the independence of their country, and inviolable regard to the faith they have pledged to each other, and to their allies. These may either prevent the attempt I apprehend, or arrive in time to counteract this effect, which the false expectations built thereon might otherwise have in Europe.

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I mention this to your Excellency without any express direction from Congress. It is more than probable, that your judgment, and the zeal and wisdom of the Legislature, may improve these loose hints to the general advantage of the United States. I have the pleasure of assuring your Excellency and the Legislature, that the fairest prospects are now before us of terminating the war by a single exertion, though I am not at liberty to say, that the plan of the ensuing campaign is absolutely determined on, yet I have great reason to believe, that we shall receive such powerful military aid, as, with becoming exertions on our part, will free every State in the Union from the grasp of the enemy.

Here, Sir, I might pause, and suffer my imagination to dwell upon the animating prospect before us; but reasoning from the past to the future, I dare not indulge the pleasing idea. We have at no period been in a situation to second fully the endeavors of our ally to serve us; we either neglected to assemble our army in time, or to provide the means for supporting or moving them; a feather would have turned the balance last year, notwithstanding the powerful aid we received from abroad. Providence blinded our adversaries; to their temerity we owe our success.

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But, Sir, let me ask, whether any State did then, or has even now, done all in its power to enable our Generals to prosecute this victory? Or rather let me turn to what is more within our line, by observing, that the inferiority of our army in point of numbers to that of our ally while they acted at Yorktown, has been considered in Europe as a proof of the assertions of Britain, and has been urged as an argument of our weakness, our weariness of the war, or our internal divisions. A moment's reflection will show the advantages, that this affords our antagonist in a negotiation. How much it weakens the claims we make, and how many important benefits may be lost forever by our appearing in Europe to receive our independence rather as a gift, than to have established it by our exertions!

But, Sir, it is still in our power to repair these errors. Let us avail ourselves of this favorable moment for expelling the enemy, and recovering our diminished credit among the nations of the earth.

I make no apology for the liberty I take. Your Excellency, I am persuaded, is too sensible of the truth of these observations, to think they could be delivered with less earnestness by one, who feels their importance, and I am confident that you will bring them before the Legislature of your State in such manner as will best serve to ensure them their attention.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT MORRIS.

Philadelphia, May 8th, 1782.

Dear Sir,

I enclose the list of salaries you requested. The charges of those who act as secretaries to Dr Franklin and Mr Adams are not yet settled. I shall lay the list before Congress and make them some propositions on the subject. It will be necessary to afford a small sum to each of the Ministers to enable them to defray contingent expenses, which are continually happening, particularly to Dr Franklin, who is at the centre of all our communications. I will converse with you on this subject, and endeavor to form an estimate of what this ought to be.

I am, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, May 8th, 1782.

Sir,

The enclosed account of the annual expense of the Department of Foreign Affairs, exclusive of contingent expenses, was made out at the request of the Superintendent of Finance, that measures might be taken to discharge the salaries of the gentlemen in Europe, who express great uneasiness on the subject; but as it is incomplete till the allowance to the private secretaries of Dr Franklin and Mr Adams are ascertained, I have thought it proper to lay the whole before Congress, for their direction thereon.

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Congress were pleased to order by their resolution of the 2d of January last, that the Secretary of Foreign Affairs should lay before them an estimate of the expenses, which will probably be incurred by the foreign Ministers of the United States respectively, and their secretaries. I find myself under great embarrassments in preparing a report agreeably to their order, from not being able to enter fully into their views. I should presume, that the expense of foreign Ministers ought to be regulated by their salaries, though I feel that the desire of supporting the dignity of an office, to which the salary is incompetent, often urges men to quit the line, how much soever they may be embarrassed thereby. Justice and policy suggest, that the salaries of officers, who are engaged in so delicate and difficult a department as that of Foreign Affairs, should have such appointments as to free them from embarrassments with respect to their private affairs. I believe Congress had this in view when they settled those of their foreign Ministers, none of whom complain of their being inadequate, unless it be Mr Jay, who has given us some reason to think his salary, in his opinion, is barely sufficient for his support, and that his manner of living is not equal to what he conceives the dignity of the United States requires. With respect to the salaries of the secretaries to the Embassies, it is in my opinion, (founded upon the practice of other nations) at least the double of what it ought to be.

If, as I presume, Congress intended by their resolution, that I should lay before them an account of the manner in which our foreign Ministers live at present, that they might themselves be enabled to judge of the proportion it bore to their appointments, I can only say, that the result of inquiries on this head must necessarily be extremely uncertain. I submit them as far as they have come to my knowledge.

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Dr Franklin has a part of M. Chaumont's house at Passy; he keeps a chariot and pair, and three or four servants, and gives a dinner occasionally to the Americans and others; his whole expense is, as far as I can learn, very much within his income.

Mr Adams lives in lodgings, keeps a chariot and pair, and two men servants; he has hitherto retained a private secretary in the absence of Mr Dana, who will, if it is to be presumed, be paid by Congress. I have lately heard that Mr Adams was about to take a house.

Mr Dana's salary, even if he should assume a public character, in a country where the relative value of money is so high, that, if I am well informed, an elegant house may be had for fifteen guineas a year, is very ample.

Of Mr Jay's manner of living, I have been able to obtain no account, but should conclude from the price of the necessaries of life, in the part of Spain in which he lives, from the port the Court and the people about it maintain, and above all, from its sitting in different parts of the kingdom, that to live in the same style with Dr Franklin or Mr Adams, his expenses must amount to nearly double of theirs.

But as every conjecture of this kind must be very uncertain, all I can do is to lay before Congress the relative expense, as far as I can learn it, between the different places at which our Ministers reside, taking Philadelphia for the common standard.

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Paris, if wine, clothing, and the wages of servants are included, is about twenty per cent cheaper than Philadelphia; Amsterdam ten, and at Madrid the expenses of a family are somewhat higher than at this place. But the unsettled state of those who follow the Court, their travelling equipage and charges must greatly enhance this expense.

Congress will make their own deductions from these facts, after allowing for their inaccuracy. I would, however, take the liberty to submit the enclosed resolutions to Congress; the first is founded upon the propriety of supplying Dr Franklin with a secretary, which his age and the dignity of his employment render necessary. As Mr Jay is not yet acknowledged, Mr Carmichael's services in Spain may be dispensed with.

The second, third, fifth, and sixth, are designed to make a reform in the article of expense.

The fourth to prevent the claim which any gentlemen, who may be appointed to any of the Northern Courts, may have to the salary settled by Congress on the 5th of October, and to adapt the character to the allowance.

The sixth to enable Congress, without injuring the dignity of their Ministers, to proportion the allowance to the expense of the Court they reside at, as well as to the port which they would wish them to maintain.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

Office of Foreign Affairs, May 9th, 1782.

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The Secretary of Foreign Affairs humbly submits the following resolutions to the consideration of Congress.

ROBERT R. LIVINGSTON.

Resolved, That Mr Carmichael be appointed Secretary to the Embassy from the United States to the Court of Versailles, with a salary of four thousand dollars per annum.

Resolved, That Mr Jay be empowered to appoint a private secretary, with a salary of one thousand dollars per annum.

Resolved, That Mr Laurens, when he enters upon his mission to the United Provinces of the Low Countries, be empowered to appoint a Secretary with a salary of one thousand dollars per annum.

Resolved, That the Commissioners for negotiating a peace, in case Mr Dana shall not return, appoint a Secretary to the Commission, with a salary of one thousand dollars per annum.

Resolved, That the commission of Minister Plenipotentiary from the United States of America to the Court of Petersburg be revoked, and that a commission issue to Francis Dana, constituting him Resident at the said Court.

Resolved, That when he shall have been received in that character, he be empowered to appoint a private secretary, with a salary of eight hundred dollars per annum, who shall remain in office till Congress think it proper to make another appointment.

Resolved, That the appointment of no Secretary to any of the Northern Courts in future, shall exceed a thousand dollars per annum, and that the appointments of a Secretary to the Embassy in France, Spain and Holland, shall in future be twelve hundred dollars, excepting such Secretaries have been heretofore appointed.

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Resolved, That the salary of a Minister Plenipotentiary from the United States, from the 1st day of January next, shall not exceed five thousand dollars, or that of a Resident three thousand, but that an allowance be made for household expenses, at and after the following manner;

To the Minister Plenipotentiary at the Court of Versailles,

To the Minister in Spain,

To the Resident in the United Provinces, (a Minister being unnecessary,)

To the Resident at the Court of Petersburg, and each of the other Northern Courts.

CHARLES THOMSON TO ROBERT R. LIVINGSTON.

May 9th, 1782.

Sir,

The United States in Congress assembled, having appointed Monday, the 13th instant, at twelve o'clock, for giving a public audience to the Minister of France, and having resolved, that a place be assigned to the principals in the three Executive Departments under Congress,

I have the honor to inform you, that the place assigned to those gentlemen, is within the bar to the right, and next to the members of Congress on the left of the chair.

The United States in Congress assembled have further resolved, That the assistants and principal secretaries in each of the departments, be admitted without the bar of the house. The Messenger of Congress has orders to furnish you with tickets for such of the gentlemen in your department, as come within the above description.

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I have the honor to be, &c.

CHARLES THOMSON, *Secretary.*

TO THE COMMANDER IN CHIEF, AND MAJOR GENERAL GREENE.

Philadelphia, May 13th, 1782.

Sir,

I have the honor to inform you, that the Minister Plenipotentiary of France this day announced to the United States in Congress assembled, at a public audience, the birth of a Dauphin, and that Congress received this annunciation of an event, in which the happiness of their ally was so deeply engaged, with the most lively marks of satisfaction. It is their wish, that your Excellency, and the troops under your command should partake in this pleasure. I have their orders to inform you of this event, to the end, that you may cause the same to be published in the army, until such demonstrations of joy as you shall direct.^[24]

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[24] The same intelligence was communicated in the same formal way to the Governors of the States.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, May 13th, 1782.

Sir,

The late change in the measures and in the administration of Great Britain, and the arts that are daily practised to infuse a belief in Europe, that the most perfect harmony does not subsist between the United States and their ally, induce me to wish that Congress would embrace the opportunity, which this day's audience affords, to declare their attachment to the alliance in such terms, as will serve fully to defeat every expectation of sowing the seeds of division between the United States and France.

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For which purpose I humbly submit the following addition to the answer proposed to be given to the address of the Ministry Plenipotentiary of France.

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

ROBERT R. LIVINGSTON.

Office of Foreign Affairs, May 13th, 1782.

The following addition to the answer to the address proposed to be made by the Minister of France, is humbly submitted to the approbation of Congress, by the Secretary of Foreign Affairs.

ROBERT R. LIVINGSTON.

"A union, the mutual advantages of which become daily more conspicuous, and which has derived new lustre and additional force from every effort of the common enemy to dissolve it; Congress do not enlarge upon the subject, but satisfy themselves with the representations, which your own observations will enable, and your regard to the interests of both countries will induce you to make of the affectionate attachment, which every rank of people within these United States manifest to your Sovereign, and of their inviolable fidelity to the principles of the alliance."

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, May 15th, 1782.

Sir,

In order to have the sense of Congress upon Mr Jay's request, contained in his letter of the 6th of February last, I do myself the honor to submit the enclosed resolve; for though I do not see any advantage, which would at present result from his leaving Madrid, yet as cases may arise, which would render it proper, it may safely be left to his discretion.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

Office of Foreign Affairs, May 15th, 1782.

The following resolution is humbly submitted to the consideration of the United States in Congress, by the Secretary of Foreign Affairs.

ROBERT R. LIVINGSTON.

It having been represented to the United States in Congress, that certain circumstances might render it expedient to permit Mr Jay to leave the Court of Madrid, and repair either to the United Provinces or to Versailles,

Resolved, that such permission be granted him, provided he shall conceive, that such absence will be attended with important advantages to the United States, and that it does not exceed three months.

TO RICHARD HARRISON OF CADIZ.

[Pg 256]

Philadelphia, May 21st, 1782.

Sir,

You have probably heard of Colonel Livingston's misfortune, which deprived me of the pleasure of bearing from you by him. Our ports have been so closely blocked up for some time past, that it is with great difficulty we can get any vessels in or out. He shared the common fate, and was carried into New York, from whence he is come out with Mr Vaughan upon parole. He destroyed all his letters, and his parole closing this month, we have been able to learn nothing of importance from him.

The new system, which England seems to be about to adopt, with respect to America, has not yet discovered itself here, except in general professions, which the present Commander in Chief, Sir Guy Carleton, is continually making of his kindness and the affection, that still subsists in England towards the people of this country. This has produced not the least effect here; all ranks of people consider it rather a proof of their imbecility, than of their good will, and the Legislatures of the several States will I imagine enter into resolutions, similar to those passed by Maryland, which you will find in the enclosed papers. I direct them to you; after you have read them, I wish you to enclose and send them to Mr Jay as soon as possible, I commit to your particular care the several packets, that go with this; trusting that you will send them in such way as to escape inspection. They contain very important papers, as well those that go to Mr Adams as to Mr Jay.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

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TO THE PRESIDENT OF CONGRESS.

Philadelphia, May 21st, 1782.

Sir,

I have the honor to enclose for the inspection of Congress, the draft of a letter to Mr Dana, together with a quadruplicate copy of one written the 2d of March, that Congress by seeing both may judge whether any further directions are necessary. I must take the liberty, Sir, to request you to turn their attention to this subject, and to the draft, which I had the honor to lay before them, of a letter to the King, as soon as possible. Unless Congress decide upon them today, I shall lose a favorable opportunity of transmitting them to Europe.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GEORGE WASHINGTON TO ROBERT R. LIVINGSTON.

Head Quarters, May 22d, 1782.

Sir,

I have been honored with your favor of the 13th, communicating to me the formal annunciation to Congress, by the Minister of France, of the birth of a Dauphin.

Measures are ordered to convey to the army the news of this happy event, which will be celebrated with such demonstrations of joy as the occasion requires, and our circumstances will admit.

This information will be transmitted to General Greene, that the army under his command may participate in the general joy.

I have the honor to be, &c.

GEORGE WASHINGTON.

GOVERNOR TRUMBULL TO ROBERT R. LIVINGSTON.

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Hartford, May 23d, 1782.

Sir,

I do myself the honor to enclose you copies of a letter, which I received some time since from Mr Deane; as he appears to be somewhat knowing in the counsels of Great Britain, I thought it not improper to return him an answer; you will find copies of what I have written likewise enclosed, and it is my duty to acquaint you, that upon being laid before the General Assembly of the State, this answer was approved by both houses *nemine contradicente*.

You will be pleased to lay both papers before Congress and the Minister of France, and you will judge of the propriety of sending a copy likewise to Dr Franklin, or our other Ministers in Europe.

I beg leave also to recommend to your care for conveyance, the letter covered for Mr Deane, and am, Sir, with the sincerest sentiments of esteem, &c.

JONATHAN TRUMBULL.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, June 5th, 1782.

Sir,

I have the honor to submit to Congress, the enclosed letter from Mr Lee with his accounts. As Congress were pleased to give no directions relative to the brigantine Berkenbosch, I presume it was their intention, that I should transmit to Dr Franklin a state of the information I had collected on that subject, which I have accordingly done. If Congress have any further commands, I wish to be honored with them as soon as convenient.

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I am, Sir, with the highest respect, &c.

ROBERT R. LIVINGSTON.

TO ROBERT MORRIS.

Office of Foreign Affairs, June 6th, 1782.

Sir,

I have the honor to enclose the translation of a letter from the Minister of France to me, on the subject of an interest due on Loan Office certificates, as this relates peculiarly to your department, you will do me the honor to enable me to return some answer to this application, which has been several times reiterated.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO ROBERT MORRIS.

Office of Foreign Affairs, June 6th, 1782.

Sir,

I have the honor to enclose the translation of a correspondence between the Count de Vergennes and Dr Franklin, on the subject of complaints contained in the Memorial accompanying the letter from the Count, a translation of which is also enclosed. You will be pleased to cause an inquiry to be made into the facts, and to favor me with such information, as will enable me either to show, that the complaint is ill founded, or that it will be treated with the attention it merits.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

ROBERT MORRIS TO ROBERT R. LIVINGSTON.

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Office of Finance, June 7th, 1782.

Sir,

I received this morning the letter you did me the honor to write on the 6th. Congress have asked from the several States a five per cent duty on goods imported, and on prizes and prize goods, as a fund for paying the principal and interest of their debts, this fund when granted will not be sufficient, and it is not yet granted by all. I expect, however, the requisition will speedily be complied with. I shall not cease urging it, and also such further revenues as may be sufficient for the purpose. When they shall have been obtained, they will be duly applied in liquidation of the public debts; but until that period arrives, neither the principal nor the interest of such debts can be paid.

I have the honor to be, with very great respect,

ROBERT MORRIS.

TO GOVERNOR TRUMBULL.

Office of Foreign Affairs, June 12th, 1782.

Sir,

I was honored with your letter of the 23d of May, with both the enclosures, which I laid before Congress, and furnished copies to the Minister of France. The spirit in which your answer to Mr Deane's letter is written, is such as must bring him to some sense of the disgraceful and contemptible part he is acting, and awake in him that remorse, which is the severest punishment of guilt. I shall avail myself of the permission you give me to transmit it to Dr Franklin, since I see that important advantages may result from declaring to Europe your sense, and that of so

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reputable a body as the Legislature of Connecticut, upon the important points it discusses.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GOVERNOR GREENE TO ROBERT R. LIVINGSTON.

Newport, June 15th, 1782.

Sir,

I had the honor of receiving your address of the 14th of May past, informing me, that the Minister Plenipotentiary of his Most Christian Majesty, had announced to the United States in Congress assembled, at a public audience, the birth of a Dauphin of France, which I laid before the General Assembly, who were pleased to request me to transmit the enclosed letter of congratulation upon that happy event to his Excellency the Minister of France, which I request may be delivered to him in the name of the Governor, Council, and Representatives of the State of Rhode Island and Providence Plantations, in General Assembly convened.

I have the honor to be, &c.

W. GREENE.

ROBERT MORRIS TO ROBERT R. LIVINGSTON.

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Office of Finance, June 20th, 1782.

Sir,

I do myself the honor to request that you will be pleased to make out accurate estimates for your Department during the year 1783, that I may form those general estimates for the service, which it is my duty to lay before the United States in Congress.

I am, with perfect esteem and respect, &c.

ROBERT MORRIS.

ROBERT MORRIS TO ROBERT R. LIVINGSTON.

Office of Finance, June 20th, 1782.

Sir,

The copy of a Memorial from the Minister of France, of the 25th of last month, which you handed me, has been laid before the Controller of the treasury, who has examined the resolutions of Congress, and reported to me. I am now, therefore, to observe, that if the gentlemen mentioned in that Memorial, or their representatives, have any claims against the United States, they must form accounts thereof, and state them in the usual manner to the Controller of the treasury, with the vouchers, who will cause them to be examined, according to the rules and regulations in that behalf established, and any balances which may appear due will be by him certified to me, at which time, and not before, I can decide on the subject.

I have the honor to be, &c.

ROBERT MORRIS.

THE GOVERNOR OF NORTH CAROLINA TO ROBERT R. LIVINGSTON.

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North Carolina, June 24th, 1782.

Sir,

Your letters of the 18th and 19th of February, covered the resolutions of Congress, dated November 28th, January 25th, and February 11th, I was favored with in May last, which I did myself the honor to lay before the General Assembly.

The important observations you are pleased to make relative to our affairs, our friends, allies, and enemies, have their just weight, which the Legislature are very sensible of. To be prepared, therefore, for whatever measures the enemy may take, they have passed a law to draft every twentieth man in the State, to serve in our Continental battalions eighteen months; as enlistments during the war cannot be obtained in this State, so as to answer any general purpose. I flatter myself, we shall have a respectable body of men soon in the field, under Major General Greene. In August they are to rendezvous. One hundred wagons, for the Continental service, the State is also to furnish, in lieu of one hundred men.

I have given directions for the damages, which the inhabitants of this State have received from the British, to be ascertained as nearly as may be, agreeably to your request.

The records of our Secretary's office being scattered in different parts, to prevent their falling into the hands of the enemy, during their incursions and marches through the State, I have been prevented from procuring you copies of the papers you mention; but I have sent by Mr Blount, the bearer, and one of our Delegates, a map, or short sketch of the outlines of the State; extending to the westward as far as Mississippi, the boundary formed by the treaty of Paris in 1763, which we consider ourselves not absolutely bound by, having a previous right by the charter of Charles the Second, which I shall shortly transmit to you. By this our territory extends from sea to sea, that is from the Atlantic to the Western ocean.

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I have the honor to be, &c.

ALEXANDER MARTIN.

TO THE MINISTER OF FRANCE.

Philadelphia, July 3d, 1782.

Sir,

The undersigned, Secretary of the United States for the Department of Foreign Affairs, has the honor to deliver the enclosed letter of congratulation, on the birth of the Dauphin, in the name and behalf of the Governor, Council and Representatives of the State of Rhode Island and Providence Plantations, in General Assembly convened, agreeably to the request of his Excellency, Governor Greene. The undersigned will do himself the honor to transmit to them any reply, which the Minister of France shall think it proper to make thereto.

ROBERT R. LIVINGSTON.

TO WILLIAM LEE, AT BRUSSELS.

Philadelphia July 18th, 1782.

Sir,

I have the honor to enclose a resolution of Congress, directing Dr Franklin to discharge the balance of your account against the United States. I have written to him upon the subject, and doubt not that the money will be paid immediately upon your application.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GOVERNOR MARTIN TO ROBERT R. LIVINGSTON.

North Carolina, August 20th, 1782.

Sir,

Only a few days ago I was favored with your letter, of the 2d of May, 1782, covering a resolution of Congress of the 1st, on a report of a committee to whom was referred a communication of the Secretary of Foreign Affairs.

However insidious the designs of the Court of Britain may be in representing us as a divided people to the several mediating European powers, the several great exertions making by the Continental Union, to prosecute the war with vigor against her, I make no doubt, will shortly undeceive them, and expose our enemy to the just contempt and ridicule he will draw upon himself by such false and illusive insinuations.

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Whilst the enemy held the important post of Wilmington, the above suggestion might be too true respecting its environs, and the disaffected settlements of this State, but since they have abandoned the same, our late revolted citizens, conscious of their delusion, return with cheerfulness to their allegiance and duty in support of the common cause, and I flatter myself we shall soon be a reunited people, and join our efforts with more efficacy to those of our sister States, in terminating the war with honor to our arms.

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Sensible of the great attention paid to the several States by the Congress in this resolution, and the pertinent observations you have made thereon, with a zeal becoming its importance, in putting our Legislature on their guard against any separate overtures that may be made to them by Britain, without the intervention of Congress, I shall with pleasure do myself the honor to lay the same before them at their earliest meeting, which will be on the 1st of November next, at Hillsborough. In the meanwhile, Sir, I can venture to pledge the faith of the State, that the General Assembly will listen to no negotiation, however flattering, and apparently advantageous, but what is made through the great Council of the Continent.

Yours of the 14th of May, announcing the birth of the Dauphin of France, I have had the honor to receive, which joyful event as it concerns the happiness of our great and illustrious ally, and future welfare of his kingdom, I have communicated to the good citizens of this State.

Enclosed you have a copy of the acts of our last General Assembly, agreeably to your request, which by the delay of the printer could not reach you sooner. I hope my letter, accompanied with a map, has safely come to hand.

I have the honor to be, &c.

ALEXANDER MARTIN.

TO THE PRESIDENT OF CONGRESS.

[Pg 267]

Philadelphia, August 23d, 1782.

Sir,

By a late arrangement of the Superintendent of Finance, he has directed that the salaries of the Ministers and their Secretaries be paid here, and only one account opened with the office of Foreign Affairs; in consequence of which I have, at his request, stated their accounts quarterly, and laid out the proceeds in the purchase of bills, which I have remitted to Dr Franklin, with direction to answer their several drafts to the amount of the money so remitted. But as these bills are endorsed by me, I by that means render myself responsible for their payment in my private character; and as I am not authorised by Congress, or by the gentlemen in whose behalf the money is remitted, to act as their agent, I am liable to answer to them for the money received here, if they should disapprove of its having been laid out in the purchase of bills. I also render myself accountable to them severally, if the money remitted to Dr Franklin should, by neglect or other cause, be applied to some other use than that for which it was remitted.

I have endeavored to obviate these inconveniences by writing to the Ministers and their Secretaries, informing them of this arrangement, and requesting them to appoint agents, who shall manage their business here. In the meanwhile, I must request, for my justification, some resolutions of Congress, authorising me to act as their agent till they shall make such appointments. I have thought it reasonable to charge them the usual commission upon the purchase of bills, and shall continue to do so, till they appoint other agents.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO WILLIAM MOORE, PRESIDENT OF THE COUNCIL OF PENNSYLVANIA.

[Pg 268]

Office of Foreign Affairs, September 8th, 1782.

Sir,

The State of Pennsylvania not having as yet passed laws conformably to the eleventh Article of the Treaty of Amity and Commerce between his Most Christian Majesty and these United States, agreeably to the requisition of Congress to the several States, passed the 14th day of January, 1780, a copy of which is enclosed, I find myself called upon by the Minister Plenipotentiary of his Most Christian Majesty, in behalf of such of the subjects of France, as in confidence thereof have purchased real property in this State, to solicit for them the security they are entitled to by this article.

I have the honor, therefore, to request your Excellency to take measures for calling the attention of the Legislature to this stipulation in the Treaty, when at their earliest leisure from such business as they conceive requires more immediate despatch. I beg also to be informed, whether any, and what steps, have been taken to carry into effect the several resolutions of the United States in Congress assembled, contained in the letters I did myself the honor to write to your Excellency, of the following dates, 18th and 19th of February, and 2d of May, 1782.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GOVERNOR WEARE, OF NEW HAMPSHIRE.

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Office of Foreign Affairs, September 9th, 1782.

Sir,

I have the honor to enclose copies of letters, which have been received from the Governor of the Island of Granada, in consequence of letters written, on my application, by the Minister of France, and the state of Mr Mc Clintock's case, transmitted by me.

From this answer, I think the justice of Mr Mc Clintock's claim is put out of doubt; but, at the same time, redress will be rendered more difficult, by our being now obliged to seek it in another channel. I shall, however, direct a memorial to be presented on the subject to the Court of France, and send over authentic copies of the documents in my possession. It would greatly facilitate this business, if Mr Mc Clintock had an agent in France, who would prosecute his claim, and to whom I would afford all the facilities in my power. I mention this matter to your Excellency, because the Legislature of New Hampshire, having interested themselves therein, I presumed that it would be agreeable to them to know that it was not neglected.

I beg you to assure them, Sir, that I shall receive with pleasure any further instruction with which they may please to honor me, relative to this or any other subject, in which I may promote the views of the State, or the interest of its members.

Not having been honored with answers to my several letters to your Excellency of the following dates, 18th and 19th of February and 2d of May, 1782, I beg leave to ask, whether they have been received, and what measures have been taken in consequence of them.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, September 9th, 1782.

Sir,

The situation of my affairs rendering my personal attention necessary, I take the liberty to request your Excellency to communicate to Congress my design, (if it meets their approbation,) to visit the State of New York for a few weeks. I shall take measures to have the earliest communication made to Congress of such intelligence as may be received in my absence, and for the general direction of the business of the department. Your Excellency will do me the honor to obtain the sense of Congress upon this subject, and to believe me, with the highest respect, &c.

ROBERT R. LIVINGSTON.

TO GOVERNOR MARTIN, OF NORTH CAROLINA.

Office of Foreign Affairs, September 9th, 1782.

Sir,

I have the honor to acknowledge the receipt of your Excellency's letter of the 24th of June, by Mr Blount, together with the map you were pleased to transmit. I shall expect at your leisure, the other documents you mention as explanatory of your boundaries. Copies of the most westerly grants, that have been made by the Crown within your State, would tend greatly to elucidate your claim, as would also copies of acts of the Legislature laying out the back country into counties or parishes, if any such exist.

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I receive, with great pleasure, the account you give of the exertion of your State in filling their line, though I think we have some reason to hope, that you will not be able to find employment for them near home.

I could wish to have had it in my power to give your Excellency some account of our foreign negotiations, but by an extraordinary neglect, or, which is more probable, by some accident, we have had no official information either from our own Ministers, or through the Minister of France, for a very long time past. As to public news, it is not worth while to trouble you with it, as this letter will probably lay some days before the gentleman, who has promised to charge himself with it, calls. I shall therefore direct, as the best means of giving the news of the day, that the latest papers of this place be sent with it, when he is just about to set out.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, September 11th, 1782.

Sir,

I have the honor to lay before Congress a number of letters received last night by Captain Smedley, from Mr Adams, Mr Dana, and Mr Barclay. I have arranged and numbered them, and translated those of Mr Dumas. The compliment of the merchants of the town of Schiedam being very long, it is not yet translated, when it is, it will be laid before Congress. Mr Dana has by some accident neglected to put up the first sheet of his letter, so that the subject is broken in upon, and we are ignorant of its date.

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I take the liberty to recommend that some attention be paid to Mr Adams's request with respect to Mr Dumas, who has certainly been a very assiduous servant of the United States; I could wish at least to be enabled to inform him of the sense of Congress thereon. Perhaps it would be expedient to commit it to the committee appointed to consider the salaries of foreign Ministers, &c. Mr Adams has as yet received no answer to the letter on the subject of his purchase at the Hague. Should Congress approve the form, which Mr Adams proposes for the ratification of his agreement, I presume Mr Thomson will have their orders for endorsing it, and the agreement will be immediately returned to this office, so that Congress may avail themselves of the means, that now offer for transmitting it.

I also lay before Congress a large packet, containing Mr Deane's accounts, which I shall deliver to the Office of Finance, unless Congress would choose to have it disposed of in some other way. I must beg, Sir, that the letters be returned to this office, as soon as Congress have examined them as I wish to avail myself of the present opportunity to answer them.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, September 12th, 1782.

Sir,

I have the honor to lay before Congress two letters from Messrs de Neufville and Son, under cover of which last I received the enclosed letter, which contains what I suppose to be the first sheet of Mr Dana's letter, probably sent immediately after he had discovered his mistake. I send the other parts with it. I also enclose for the perusal of Congress an act of the British Parliament for the exchange of American prisoners, which, when returned to the office I shall have published.

I find in a Leyden paper some account of Mr Grenville's negotiation, and the alterations proposed by the committee of the States General to the treaty submitted to their consideration by Mr Adams. These may be objects of curiosity, and as such I enclose them. They will be printed on Saturday if the papers are returned in time.

A Dutch paper of the 13th of July, mentions that the Baron Vioménil, the Marquis de Lavall, and other officers, left Paris the beginning of July, in order to sail in the — frigate; that the Marquis de Lafayette was not to accompany them, as it was proposed; that he was waiting the issue of the negotiation in Paris.

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The Count D'Artois has obtained leave of the King of Spain to serve as a volunteer at the siege of Gibraltar. This may perhaps be concluded as an indication of their hope of success in the attempt to reduce it.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, September 12th, 1782.

Sir,

I have the honor to enclose two reports upon Mr Adams's letters. I would propose in addition to the first to direct the substance of Mr Adams's letter of the 23d of April, containing his note, and the appointment of a committee, to be printed as articles of intelligence, not under the express direction of Congress, since the business is not concluded.

With respect to the second report, I am led to make it by Mr Adams's recommendation, and by my sense of the zeal and diligence, which M. Dumas has so long testified in the cause of America, when it was very far from being a popular one in Holland. Though I must confess I feel some reluctance in seeing any but an American in the line, which ought to serve as a school for future Ministers. But this case has peculiar circumstances by which it must be determined. The commission of *Chargé d'Affaires* I should conceive too important and too confidential to be placed in any hands, but those of a citizen of the United States. There are other reasons, which will suggest themselves to Congress, against this measure, which it is unnecessary to mention. The salary I have left blank, as that subject is under the consideration of a committee. The second resolution is to take away the necessity of making it greater than our circumstances will allow.

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The merits of the other gentlemen mentioned by Mr Adams, together with his recommendation, might justly perhaps induce Congress to show them some marks of their attention, if the situation of their finances would permit, but as neither of those gentlemen are in the service of Congress, it is to be presumed that they will not choose to take any public notice of that part of his letter, till they are in circumstances to satisfy the just claims of those who have demands upon them.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, September 12th, 1782.

Sir,

Having carefully examined Mr Laurens's letter,^[25] I believe Congress will think with me, that the subjects of it are such as I can in no other way report on, than by recommending it to be submitted to a special committee.

The two great points are his resignation and exchange. The first of these Congress only are competent to decide upon; and the last, not relating in any way to my Department, is intimately connected with a subject already under the consideration of a committee. With respect to his support, I believe that there can be no doubt that Mr Laurens's salary is to be paid, till Congress determine to accept his resignation. I have considered it as a part of the expenses of this Department, and accordingly remitted the amount of two quarters' salary to Dr Franklin, commencing in January last, previous to which, that business was under the direction of Dr Franklin. I shall continue to include his salary in my drafts on Mr Morris, till I receive directions from Congress to discontinue it. Congress having empowered Mr Laurens to appoint a secretary, there can be no doubt about the propriety of discharging his salary.

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The enemy having published an account of Mr Laurens's petition for relief, &c. which appears by his letter to have been without foundation, I beg leave to submit to Congress the propriety of printing his own account of this transaction, since it evidences in contradiction to their reports, that he always acted with the dignity and firmness, which became his station and character.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[25] See this letter in *Henry Lauren's Correspondence*, Vol. II. p. 463.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Office of Foreign Affairs, September 12th, 1782.

Sir,

Agreeably to the direction of Congress, contained in the enclosed resolution, I am to solicit your Excellency's attention to the object of it, and to pray that means may be used by the State over which you preside, to furnish the returns they require, sending quadruplicate copies of them, under the seal of the State, to this office. I am sorry to have reason to complain of the little attention that the recommendations of Congress, and my letter of the 12th day of November, 1781, relative to a similar object, has met with from your State, since the want of those returns will, without doubt, be severely felt by our Ministers, whenever they shall commence the negotiations for a general peace.

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I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Office of Foreign Affairs, September 15th, 1782.

Sir,

I have the honor to inform you, by the direction of Congress, that I have lately received official advices from Mr Adams, of the resolutions of their High Mightinesses the States General, to receive and acknowledge the said Mr Adams in quality of Minister Plenipotentiary of the United States of America, and to request your Excellency to cause this interesting event to be made public. I have the honor to enclose copies of the resolutions of their High Mightinesses on this subject, and to inform you that the States General did, on the 23d day of April, appoint a Grand Committee to confer with Mr Adams, to whom, having been introduced in the usual forms by two noblemen, he laid before them the plan of a Treaty of Amity and Commerce, which was immediately printed, and sent to the different members of the sovereignty.

I cannot conclude without congratulating your Excellency upon an event, which widens the basis of our independence, and leads to an immediate connexion with a powerful nation, whose alliance a variety of circumstances in their origin and government render extremely desirable.

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I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

GENERAL GREENE TO ROBERT R. LIVINGSTON.

Head Quarters, October 2d, 1782.

Sir,

Your letter of the 13th of May did not come to hand until some time in August, before the receipt of which his Excellency, General Washington, had communicated the agreeable information of the birth of a Dauphin, and directed that some public declaration of our feelings should be had upon the occasion. Accordingly, on the 4th of July, we fired a *feu de joie*, and gave every testimony in our power of the pleasure and happiness we felt upon an event so interesting to our good ally, and so intimately connected with the welfare of America; and I beg you will communicate to the Minister in Philadelphia, how sincerely the officers of this army participate in the general joy, which this public blessing diffuses through France and America.

It is with infinite satisfaction that I inform you, that the enemy is making every preparation for the evacuation of Charleston, the last and only place they hold in any of the Southern United States.

I hope a general peace will follow, and that America may long enjoy, without interruption, the

blessings she has been so long contending for.

I have the honor to be, &c.

NATHANIEL GREENE.

TO THE PRESIDENT OF CONGRESS.

[Pg 279]

Philadelphia, October 29th, 1782.

Sir,

I have the honor to enclose, for the inspection of Congress, a letter from Mr Harrison. So much of it as relates to the state of his accounts, has been sent to the Office of Finance. As this subject has before been strongly insisted upon by Mr Jay, I doubt not that Mr Morris will pay every attention to it, which the means in his hands will permit.

Mr Harrison is so well spoken of by Mr Jay, and has manifested, on many occasions, watchful attention to the welfare of the United States, and discovered such disinterestedness in every transaction which related to them, that I cannot but hope that Congress will think him worthy of some public notice. Should they be of opinion, that it would be improper to appoint him consul at a time when he could not be received in his public character, and when an attempt to display it might draw upon the United States new indignities, yet it would give me pleasure to be enabled to assure him from Congress, that they entertain a just sense of his services, that they wish him to continue to act under the authority he has received from Mr Jay, till the politics of Spain shall render it proper to vest him with more ample powers. This earnest of the favor of Congress would stimulate him to merit further marks of their confidence.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THOMAS JEFFERSON.

[Pg 280]

Philadelphia, November 13th, 1782.

Sir,

I have the honor to transmit a resolution of Congress, appointing you one of their Ministers Plenipotentiary for negotiating peace. I rejoice in this fresh proof of their confidence in your virtue and abilities. The sacrifices you have heretofore made to the interests of your country, induce me to hope that you will suffer no personal consideration to prevent their being employed in its service upon this important occasion.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GOVERNOR MATTHEWS, OF SOUTH CAROLINA.

Philadelphia, November 20th, 1782.

Sir,

I have the honor to transmit the copy of a letter from Count de Vergennes to Dr Franklin, accompanied with a memorial from Messrs Le Marque and Fabre, on the subject of debts contracted by Mr Gillon, as is said, in behalf of the State of South Carolina. I wish, Sir, you would enable me to afford such an answer to it as will exculpate the State from any censure which Mr Gillon may have deservedly incurred. If he was vested with such powers as enabled him to bind the State, they will doubtless have the justice to direct that his engagements be made good, notwithstanding any loss they may incur thereby. If he had no such powers, they will embrace the earliest opportunity of disavowing them.

I shall trouble your Excellency to apprise me of the steps, that may be taken in consequence of this information, that I may embrace the earliest opportunity, by placing this matter in its true light, to do that justice to the integrity and good faith of the State, which they will undoubtedly merit.

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I have the honor to be, Sir, &c.

TO THOMAS BARCLAY.

Philadelphia, November 26th, 1782.

Sir,

I have the pleasure of transmitting a resolution of Congress, by which you are appointed a Commissioner for adjusting their accounts in Europe. I flatter myself, that this fresh mark of their confidence in you will be highly acceptable, and that you will take the earliest opportunity to enter upon the task assigned you, since not only the interest, but the honor of the United States, has greatly suffered by the delay, which this necessary business has heretofore experienced.

I am, Dear Sir, &c.

ROBERT R. LIVINGSTON.

THOMAS JEFFERSON TO ROBERT R. LIVINGSTON.

Chesterfield, November 26th, 1782.

Sir,

I received yesterday the letter, with which you have been pleased to honor me, enclosing the resolution of Congress of the 12th instant, renewing my appointment as one of their Ministers Plenipotentiary for negotiating a peace, and beg leave through you to return my sincere thanks to that august body, for the confidence they are pleased to repose in me, and to tender the same to yourself for the obliging manner in which you have notified it.

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I will employ in this arduous charge, with diligence and integrity, the best of my poor talents, which I am conscious are far short of what it requires. This I hope will ensure to me from Congress a kind construction of all my transactions; and it gives me no small pleasure, that my communications will pass through the hands of a gentleman, with whom I have acted in the earlier stages of this contest, and whose discernment and candor I had the good fortune then to approve and esteem.

Your letter finds me at a distance from home, attending on my family under inoculation. This will add to the delay which the arrangement of my particular affairs would necessarily occasion. I shall lose no moment, however, in preparing for my departure, and shall hope to pay my respects to Congress and to yourself some time between the 20th and the last of December.

I have the honor to be, &c.

THOMAS JEFFERSON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, December 2d, 1782.

Sir,

Having lately been informed, that the business of the Court of Chancery in the State of New York has increased so much as to demand more of my attention than is consistent with the duties of the place, which I have the honor to hold under the United States, I must pray your Excellency to lay before Congress my request to be permitted to resign the latter, and to assure them at the same time, of the grateful sense which I shall always retain, not only of the honor done me by the appointment, but of those distinguished marks of confidence, which they have repeatedly shown me in the execution of my trust.

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That the business of this office may sustain no injury by my resignation, I shall, if Congress approve, continue to perform its duties till they shall be pleased to appoint a gentleman to succeed me, or direct some other mode for carrying it on, in confidence that they will make their arrangements as early as is consistent with the deliberation they may conceive them to require.

I take the liberty to recommend to the protection of Congress, and the gentleman who is to succeed me, Mr Morris and M. Duponceau, my secretaries, having the greatest reason to confide in their fidelity and attention to the business intrusted to their care. The Reverend Mr Tetard, who is likewise employed in the office, has some claim to their attention; he rendered essential

services to our army in Canada, suffered many personal inconveniences there, and finds himself reduced, at an advanced age, to absolute ruin by the enemy and our own army, both having contributed to lay waste his farm, destroy his buildings, and pillage his property. For these facts, I take the liberty to refer Congress to his Memorial.

As Congress in making a new appointment will probably wish to adapt the salary to the necessary expense of the department, of which they have heretofore had no opportunity to be fully informed, it is a duty I owe to them, as well as to my successor, to assure them that my expenses, exclusive of purchase and wear, carriages, horses, and household furniture, have exceeded my allowance from Congress, upwards of three thousand dollars. As I have now no personal interest in mentioning this circumstance, Congress will, I am persuaded, attribute the liberty I have taken, to my desire of seeing a department, in which I have had the honor to preside, supported with dignity.

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Be pleased, Sir, to receive my thanks for your personal attention, and believe me to be, with the most respectful attachment and esteem, &c.

ROBERT R. LIVINGSTON.

TO RICHARD HARRISON.

Philadelphia, December 5th, 1782.

Dear Sir,

I have this moment learned that a vessel will sail for Cadiz in an hour's time. I beg to recommend to your particular care the letter for Mr Carmichael, which the captain will deliver to you. It contains a cypher, and must not therefore pass through the post office.

Congress, as yet, have done nothing in your affair, though it has been particularly recommended to them, and now lies before them. One obstruction is the difficulty of appointing Consuls, till some treaty or convention between us and Spain shall authorise it.

The season of the year admits of no military operations here; and the packet of newspapers sent herewith, will give you the current news. You will find by them, that we are still in suspense with respect to the fate of Charleston, though it is generally believed, that it cannot be long ere the evacuation will be completed. The French fleet are still at Boston, though prepared to sail. Nothing astonishes us more, than the effrontery of the British publications, which affirm boldly, that great tumults have been excited in the Eastern States, on account of their reluctance to the war, when there is not the slightest foundation in fact for such an assertion. This I suppose, is calculated to give a momentary popularity to Lord Shelburne.

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I am, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, December 9th, 1782.

Sir,

I have the honor to inform Congress, that the Minister Plenipotentiary of France communicated to me the contents of a letter, received on Saturday from Count de Rochambeau, by which he was apprized, that the Count, in pursuance of his instructions, had ordered the troops under his command to embark, and that they were to proceed with the fleet to the Islands.

The legion, and a detachment of about six hundred men, together with the convalescents are to remain on the continent. The whole may amount to about sixteen hundred men. The Minister further informed me, that in consequence of his representations on the subject, he had received assurances, that such a force should be detached from the West Indies, as would be adequate to the protection of the trade upon this coast during the winter.

The enclosed extract of a letter from Boston, contains an account of the success of the British in relieving Gibraltar. Though it is not official it is to be feared it is too well founded.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

Philadelphia, December 16th, 1782.

Sir,

I have the honor to enclose for the inspection of Congress a short letter from Mr Jay, which contains important information, and explains some passages in Dr Franklin's letters. Unless the commission given to Mr Fitzherbert on the 24th of July is revoked, it will be difficult to account for Mr Oswald's being appointed to treat with the Thirteen United States, unless we suppose, either that his powers are more limited, or that the British Administration design to treat under the mediation of some neutral Prince, upon the plan proposed by the Imperial Courts, so as that the negotiations with America may be distinct from those with the other belligerent powers.

Just as I was closing this, a private letter from Mr Jay was delivered of the 4th of September, which contains the following remarkable passage. "I am preparing a map to show you the line, which Count d'Aranda proposes for our western boundary. It will not be finished in time for this conveyance. I am persuaded it is best for us to take time. My further reasons shall be explained at large in a future letter, which I shall begin as soon as my health will permit." He adds, "that Spain has issued more bills, and that the depreciation has increased." I delay reporting on the passage in Dr Franklin's letter, relative to the demands of Spain, as there is no immediate opportunity of writing to Europe, and as I am in hourly expectation of receiving something more particular on this subject.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GENERAL GREENE TO ROBERT R. LIVINGSTON.

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Head Quarters, South Carolina,
December 19th, 1782.]

Dear Sir,

The Southern States, so long oppressed by the weight of a destructive war, are now happily relieved by the evacuation of Charleston, and the total departure of the British troops from this country. This event, so very important to all America, took place on the 14th instant.

The fleet, with the troops on board, fell down into Rebellion Road, and on the 17th crossed the bar and went out to sea. The British regiments are said to be destined for the West Indies, and the German troops for New York. They took with them a great deal of property, and between five and six thousand negroes, the greater part of which they had once promised to deliver up.

Governor Matthews, with all the officers of government are now in town; and civil police fully established and supported.

I am, &c.

NATHANIEL GREENE.

TO THE COMMITTEE OF CONGRESS APPOINTED TO REPAIR TO RHODE ISLAND.

Philadelphia, December 20th, 1782.

Gentlemen,

I can only reply to your inquiries with respect to the probability of extending our loans in France, by informing you, that the general tenor of our public despatches discourages the idea, as will appear by the extracts of letters herewith sent you. To them I have added such official communications as I have received from time to time from the Minister of France.

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I might add to these the result of several private conversations with him upon that subject, having frequently introduced it, to know how far we might in case of extreme necessity lean on France. He has always expressed on these occasions a strong sense of our wants, and a wish to relieve them, accompanied with an apprehension, that the heavy expense incurred by France, in creating and supporting a large marine, would render it highly imprudent to expect, that she should add anything to the liberal supplies already afforded us, and the maintenance of an army in America on our account. Of late, too, the unproductiveness of our taxes, and the uneasiness of the public creditors in the United States, has not escaped his observation. His reflections on this

subject are so obvious, that I need not repeat them. I am seriously alarmed for their effect on the loans we have already opened. A private letter from Mr Jay informs me, that the paper struck by Spain has greatly depreciated, so that had we needed any further assurances on that head, we must now be fully convinced, that we have nothing to expect from that quarter.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, December 22d, 1782.

Sir,

I have just received my despatches, which consist of duplicates from Dr Franklin and the enclosed, which have not yet been submitted to Congress, together with a copy of Mr Oswald's commission. [Pg 289]

Mr Jay has also written, but his letter is not yet decyphered. A private letter from the Marquis de Lafayette to me, (the whole of which is not yet decyphered) contains much the same account of our negotiations, with that given by Dr Franklin, and the following passage from a letter of Mr Adams to him of the 29th of September;

"We have at length the consent of the Cities, States, and Provinces, and have adjusted and agreed upon every article, word, syllable, letter, and point, in the treaty of commerce, and clerks are employed in making out fair copies for signature, which will be done this week."

By a paper of the 22d of October, I find the treaty was signed by seven deputies, one for each Province, and by Mr Adams on the 4th of October.

The Marquis also mentions, that several accounts, but none official, say, that Madras has been taken by the French troops, that landed at Port Novo, in conjunction with those of Hyder Ally. He adds, that though this account is believed, yet it is not confirmed.

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

ROBERT R. LIVINGSTON.

GOVERNOR MARTIN TO ROBERT R. LIVINGSTON.

North Carolina, December 23d, 1782.

Sir,

I am favored with your two letters of the 12th and 15th of September last, and your circular, in which you announce the acknowledgment of the independence of the United States by the States of Holland; an event that will greatly add to the national importance of America, not only in the councils of Europe, but through the world. [Pg 290]

The resolution of Congress respecting damages, which the inhabitants of this State have received from the British enemy, I cannot carry into effect until I have an Act of Assembly for this purpose, to point out the particular mode in obtaining the same; the account of which, as soon as it can be procured from the different parts of the State, shall be transmitted to you, without loss of time.

I have the honor to be, &c.

ALEXANDER MARTIN.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Philadelphia, December 23d, 1782.

Sir,

The steps that may lead to so important an event as peace upon safe and honorable terms, are too interesting to be withheld from you; I have the honor, therefore, to enclose a copy of Mr Oswald's commission to treat with the Thirteen United States of America, which will certainly smooth the way to it, though the variety of interests to be adjusted at a general Congress (and,

perhaps, too, the success of the British arms at Gibraltar) may place it further off than our wishes would otherwise lead us to imagine.

Your Excellency will see the propriety of not suffering copies of this commission to be taken for the press, and of accompanying the communication you may think proper to make of it, with such recommendations to exertion and vigilance, as prudence and the critical state of our affairs may require, since on a review of the conduct of the enemy, it will not appear extravagant to suppose, that this may be another of those artifices so often practised to deceive and put us off our guard. Though we have no official accounts, yet we have every reason to believe, that the treaty of commerce with the United Provinces was signed on the 7th of October.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO WILLIAM GREENE, GOVERNOR OF RHODE ISLAND.

Philadelphia, January 4th, 1783.

Sir,

Agreeably to the order of Congress, I have the honor to lay before your Excellency the enclosed copy of a motion made by Mr Howel, and the resolutions of Congress thereon, together with the state of the applications for foreign loans, and the results thereof.

Without troubling your Excellency with those inconsiderable and secret aids, which we received at the beginning of the controversy, I shall take the applications and the grants, that were made in the year one thousand seven hundred and seventynine, and since. To begin with

Spain.

The 9th of September, 1779, Congress proposed to obtain a subsidy from Spain during the continuance of the war, which they offered to purchase by a very important cession. Spain having hitherto declined an alliance with the United States, no such subsidiary treaty took place.

In the same month Mr Jay was instructed to borrow five millions of dollars. After long and continued solicitations, he obtained one hundred and fifty thousand dollars, and was compelled to protest bills of exchange drawn upon him by Congress, on the presumption, that Spain would certainly enable him to redeem them. This protest, which was made on the 16th of March last, was as follows;

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"Mr Jay says, that when he accepted the bills hereunto annexed, he had good reason to expect to be supplied with funds necessary to pay them; that he has been disappointed in the expectation he was encouraged to entertain on this subject, and that his endeavors to obtain money, both here and elsewhere, have been unsuccessful, although the bills which remain to be paid by him, together with his other engagements, do not exceed twentyfive thousand pounds sterling, but these disappointments being unexpected, he cannot for want of time have recourse to Congress, and therefore finds himself reduced to the mortifying necessity of permitting them to be protested." These bills were redeemed after the protest, by money borrowed in France. I have reason to believe, that no money has since been obtained on account of the United States in Spain; so that the application for five millions of dollars has only been answered by the grant of one hundred and fifty thousand dollars.

Portugal.

On the 11th of January, 1782, Mr Jay was directed, in conjunction with the Superintendent of Finance, to undertake a loan in Spain or Portugal, without limiting the amount of such loan. And Mr Jay was directed to send Mr Carmichael to aid their endeavors. This power was restricted by a subsequent resolution, directing Mr Jay not to send Mr Carmichael, unless he had some prospect of succeeding. Not having sent him, it is to be presumed he had no prospect of succeeding.

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Holland.

On the 26th of October, 1779, Mr Laurens, having been appointed a commissioner for that purpose, was directed to borrow a sum not exceeding ten millions of dollars. Mr Laurens having been captured, his place was supplied by Mr Adams, who had similar powers and instructions. He made several attempts to open a loan, but with so little success, that he never has transmitted an account of the amount, but has since informed me, that he had applied it in part of payment for a house purchased at the Hague. His salary has hitherto been paid by money drawn from France. A loan, however, has been opened with success in Holland on our account by his Most Christian Majesty, and under his special guarantee for ten millions of livres. Mr Adams informs Congress

by a letter dated the 5th of July last, that he also has opened a loan in Holland on account of the United States for five millions of florins, but adds, that he does not expect to obtain that sum for a long time, that if he gets a million and a half by Christmas, it will be more than he expects.

In a letter of the 18th of August, the last I have received from Mr Adams, he says, that "when he receives the ratification of his treaty for a loan, there will be thirteen or fourteen hundred thousand guilders to be paid to the orders of Congress." This is confirmed by a letter to the Marquis de Lafayette, of which he sends me an extract.

As that ratification must have been received long since, we may set the loans actually made in Holland on our credit, at

Three millions of livres,	3,000,000
Those made under the guarantee and on the credit of France, at	<u>10,000,000</u>
Ten millions of livres,	13,000,000

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Our further prospects of borrowing are too uncertain to be stated. As this is a private loan it is reasonable to suppose, that the clamors of the public creditors here, when heard in Holland, will have some effect upon our credit there.

France.

In France various applications were made, and several grants obtained previous to the year 1779, though they are not clearly stated, from the irregular manner in which the books of the Secret Committee, and the Committee of Foreign Affairs were formerly kept. It appears, that the whole sum obtained from France previous to the year 1780, exclusive of one million obtained on a contract for tobacco with the Farmers-General amounted to nine millions of livres. In November, 1780, Congress applied to the Court of France for an aid of twenty five millions of livres in money, exclusive of a considerable supply of arms, ammuniton, and military stores, which they declared would fall short of their wants for the ensuing year without the greatest internal exertion.

They sent Mr Laurens as a Minister on this special occasion, and in this year and the year 1781, Congress received fourteen millions of livres, including the goods and military stores, without counting the loan opened for the United States in Holland, of which mention is made before.

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But as this sum fell very far short of our wants, Dr Franklin was instructed on the 8th of February, 1782, to borrow twelve millions of livres. In answer to which, that Minister, writing to me on the 25th of June, after acknowledging the receipt of my letters, one of which was written on the subject of the above instruction, says, "the second (the second letter) enforces some resolutions of Congress sent me with it respecting a loan of twelve millions of livres to be demanded of France for the current year. I had already received the promise of six millions, together with the clearest and most positive assurances, that it was all the King could spare us, that we must not expect more, that if drafts and demands came upon me beyond that sum, it behooved me to take care how I accepted them, or where I should find funds for the payment, since I could, certainly not be further assisted out of the royal treasury. Under this declaration, with what face could I ask for another six millions? It would be saying, 'you are not to be believed, you can spare more, you are able to lend me twice the sum, if you were but willing.' If you read my letter to Mr Morris of this date, I think you will be convinced how improper any language capable of such a construction would be to such a friend."

On the 14th of September Congress were pleased to direct that four millions of dollars be borrowed in Europe, exclusive of the loan negotiating in Holland. A copy of which resolution is directed to be communicated to his Most Christian Majesty, with directions to Dr Franklin to assure his Majesty of the high sense the United States in Congress entertain of his friendship and generous exertions, their reliance on a continuance of them, and the necessity of applying on the present occasion to him. And on the 23d of September Congress resolved further, in answer to the above letter from Dr Franklin, and one of a similar nature to the Superintendent of Finance of the same date, that, notwithstanding the information contained in those letters, it is the direction of Congress, that he use his utmost endeavors to effect the loan, which, by the resolve of the 14th instant is to be negotiated.

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I should observe that in the above statement of the grants made to the United States, I have not distinguished between loans and gifts, but included both in the gross sums above mentioned, though about eight millions of that granted by France has been given, without any expectation of being repaid.

It is unnecessary to draw those inferences from the above facts, which they naturally suggest. They cannot escape your Excellency's observation. I can only wish, that the low state of our credit abroad may excite us to such internal exertions as must be its best support. Those only can borrow with dignity, who give unequivocal proofs of the design to repay their debts with honor.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

THOMAS JEFFERSON TO ROBERT R. LIVINGSTON.

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Baltimore, February 7th, 1783.

Sir,

I arrived here on the 30th of last month, and had a short interview the same evening with the Chevalier de Ville Brune, commander of the Romulus. There appeared at that time little apprehension, but that we might sail within a few days, but we were not very particular in our conference, as we expected so soon to see each other again; the severity of the cold, however, which commenced that night, obliged the Chevalier de Ville Brune to fall twelve miles below this place, and excluded all correspondence with him till yesterday, when I found means to get through the ice on board his ship. He then communicated to me, by direction of his Excellency the Minister of France, intelligence as to the number and force of the cruisers now actually watching the Capes of the Chesapeake.

I must acknowledge, that these appear such as to render a capture certain were we to hazard it. The Minister was pleased at the same time to submit the Guadeloupe to my wishes, if I chose to adventure. I take the liberty of troubling you with a copy of my letter to him on that subject.

I should certainly be disposed to run very considerable risks myself to effect my passage, but I should think it an unfortunate introduction to an ally, who has already done so much for us, were I to add to his losses and disbursements, that of a valuable ship and crew. I wish that the present delay offered some, period less distant than the lassitude of an avaricious enemy to watch for prey. Perhaps you may be able to put me on some more expeditious mode of passage than the one under which I am acquiescing at present. I shall be much pleased to adopt any such, which may come recommended from you, without regard to personal risk or trouble. In the meantime, any intelligence which you can be able to collect, and will be pleased to give me as to the state of our coast, will be of utility in determining whether and when we shall depart hence.

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I have the honor to be, &c.

THOMAS JEFFERSON.

THOMAS JEFFERSON TO M. DE LA LUZERNE.

Baltimore, February 7th, 1783.

Sir,

The Chevalier de Ville Brune was so kind as to communicate to me your Excellency's letter to him of January, together with the intelligence therein referred to. I feel myself bound to return you my thanks for your orders to the Guadeloupe frigate to receive me. If I should think a passage should be hazarded under present circumstances, according to this information, (which is the most worthy of credit of any we have received here,) it would seem, that our capture would be unavoidable were we to go out now. This then is a risk, to which I cannot think of exposing his Majesty's vessel and subjects, however I might be disposed to encounter personal hazards, from my anxiety to execute with all the promptitude in my power a service, which has been assigned to me. I shall, therefore, wait with patience the arrival of the moment, when the Chevalier de Ville Brune shall be of opinion, that the one or the other of the vessels may venture out without any greater risk, than he shall think proportioned to her proper object, independently of mine.

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It has been suggested to me this evening, that perhaps their safe departure might be greatly forwarded by their falling down to York or Hampton, there to be ready at a moment's warning, to avail themselves of those favorable circumstances, which the present season sometimes offers, but of this yourself will be the proper judge.

I cannot close my letter without expressing to you my obligations to the Chevalier de Ville Brune for the particular attention he has shown to my accommodation on board his ship. The apartments he has had constructed for me are ample and commodious, and his politeness and merit as an officer are an agreeable presage of everything, which shall depend on him.

I have the honor to be, with the highest sentiments of esteem, &c.

THOMAS JEFFERSON.

TO GENERAL GREENE.

Philadelphia, February 14th, 1783.

Dear Sir,

Receive my congratulations on the important event, you have announced in your favor by Major Burnet. The influence that the evacuation of Charleston will have on our affairs if the war continues is obvious. The southern States, by this means relieved from their burdens, will be capable of contributing largely to the general cause, and I doubt not when they have breathed a little, that they will be as willing as they are able. I feel, Sir, a personal interest in this great event from the distinguished honor it reflects upon you. In every other department our expectations have gone beyond our means of satisfying them. You have afforded the first instance of the contrary, and by creating the means have exceeded our most sanguine expectations.

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We have the highest reason to conclude, that the preliminaries of a peace are signed before this. I have reason to hope that the terms of peace will comprize most of the great objects we have in view, and in some points almost exceed our expectations. The present policy of Britain is to make sacrifices to the Manes of the affection, which once subsisted between her and us. I have just put the last hand to our treaty of amity and commerce with the United Provinces by signing the ratification, which Congress have directed. I congratulate you upon this event, which adds not a little to our political importance.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THOMAS JEFFERSON.

Philadelphia, February 14th, 1783.

Sir,

I have delayed answering your favor of the 7th instant, till I could obtain the sense of Congress on the matter it contains. I conceive it hardly possible, while the British cruisers retain their present station, for you to elude their vigilance, in either of the ships offered to your choice. This, concurring with the late advices, from England, has induced Congress to pass the enclosed resolution. We have reason to conjecture that peace is already concluded, whether it is or not, a few days must determine.

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I transmit you the speech of His Britannic Majesty, which, with what you already know of the state of our negotiations, will enable you to form your opinion on the same ground that we do.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THOMAS JEFFERSON.

Philadelphia, February 18th, 1783.

Sir,

I was honored yesterday with your favor of the 14th, which I shall lay before Congress this morning. As you have by this time received their resolution, which I had the honor to send you by the last post, and again enclose, you will be relieved in some measure from your embarrassments, though not entirely from your suspense with respect to their final determination. But that cannot be long doubtful, since the negotiations have certainly arrived at such a crisis, as either to terminate soon in a peace, or a total rupture. In the latter case, you will necessarily be obliged to proceed on your voyage, as Congress seem anxious to avail themselves of your abilities and information in the negotiations; unless they are fully assured that a speedy peace will preclude them from that advantage.

I enclose a paper, which contains all that we have yet received on this interesting subject. It may, perhaps, be difficult to account for our Ministers having signed before those of France. But if this letter is genuine, it serves, when compared with their instructions, to prove that the terms are acceptable to us, and not disagreeable to France.

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I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Sir,

I have the honor to lay before Congress, the enclosed letter from Mr Jefferson, upon which I presume they will not think it necessary at present to take any other resolution than that already transmitted to him. I also enclose an extract from a letter of Mr William Lee to me, dated the 31st of March last, which merits attention, though, in the present state of our affairs, Congress may not think it advisable to pass any resolutions thereon, till they are more perfectly acquainted with the actual state of our affairs in Europe, and what alterations may be occasioned by a peace.

I have letters from Messrs De Neufville of the 27th of September and 24th of October; but as they contain little more than a pressing request to have their accounts settled, and the balance paid, I shall not trouble Congress with them, but deliver copies to the Superintendent of Finance.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, February 26th, 1783.

Sir,

I have the honor to lay before Congress a letter received yesterday from Mr Dana. I must confess, I am at a loss to discover any reason for detaining that gentleman longer at a Court, where it is, as he justly observes, improbable that he can be publicly acknowledged till Britain has no longer any objections to such acknowledgment. After which a treaty can be concluded, if necessary, here or at the Hague; a commission for that purpose being sent to Mr Adams, with as much ease as at Petersburg. Congress will then judge whether it will be proper to have a Minister at the Court of St Petersburg, or whether a Resident, with consular powers, will not answer all their purposes, and save expense.

The desire which Mr Dana expresses to return, takes from me the delicacy I before felt in stating this matter so fully to Congress. I also enclose, in obedience to the commands of Congress, a list of the names, titles, salaries, and places of residence, of the officers of the United States, employed in the Department of Foreign Affairs.

I take the liberty to remind Congress that a variety of matters, which have been submitted by me, remain yet not acted upon; and that the business of the office is very much obstructed as well by this delay, as by the detention of the letters and papers which refer to them. As this has probably been occasioned by a change in the Committees, I humbly submit to Congress the propriety of directing them to be filled up.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO GEORGE WASHINGTON.

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Philadelphia, February 26th, 1783.

Dear Sir,

In compliance with the directions of Congress, contained in the enclosed resolution, I have the honor to inform your Excellency, that our last despatches, dated in October, announce a disposition in the belligerent powers to terminate the war by a general peace. The Court of London, whose sincerity was most suspected, because it was to make the greatest sacrifices, appears to have smoothed the way by the commission to Mr Oswald (which your Excellency has seen,) empowering him to treat with the Thirteen United States of America; M. de Rayneval (brother to M. Gerard) having been sent from France to sound the intentions of the British Ministry, returned perfectly satisfied of their sincerity.

A little before our despatches were closed, our Ministers had delivered their propositions to the Court of London. They consisted of three general heads, which comprised our right to the fisheries, the extent of our territories, and commercial objects. Though these propositions contained all we could ask under each of these heads, yet Mr Oswald gave our Ministers reason to conclude, that they would be granted; which I am inclined to believe they have been, in their fullest extent, from the lead which our Ministers have taken in signing Provisional Articles. France, Spain, and Holland, had made their proposals; so that the King of Great Britain was

perfectly apprized of their demands before he met his Parliament; there is little room, therefore, to doubt, when these facts are compared with the speech of His Britannic Majesty, that unless some unforeseen event should arise, a general peace will be concluded before the opening of the next campaign.

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I was honored with your letter of the 18th, and have delivered the one enclosed to Mr Jefferson, who is detained by order of Congress, till they receive more certain advices as to the issue of the negotiation. I should also acknowledge the receipt of your favor of the 8th of January, which I found here on my return from the country. I think, with you, that the British administration will choose to take the advice of Parliament on the terms of peace, before they agree to them. Yet they have gone every length with respect to us. In this, however, they are perfectly safe, as the opposition have all along dictated that measure, so that on this quarter they are secured from their attack. More circumspection will be necessary in adjusting the articles with the other belligerent powers. To this cause, we may probably attribute the delays that this business still seems to struggle with.

Be pleased to accept my compliments, and those of my family, who join me in returning our best respects to Mrs Washington.

I have the honor to be, Dear Sir, &c.

ROBERT R. LIVINGSTON.

TO GEORGE WASHINGTON.

Philadelphia, March 12th, 1783.

Dear Sir,

The Washington packet arrived this morning. I have not yet had leisure to read all my letters, but as an express is ready to go early tomorrow, I rather choose to rely upon your goodness to excuse a letter written in extreme haste, than to hold myself inexcusable, by not informing you of what we yet know of the state of our negotiations. None of my letters is of a later date than the 25th of December. All difficulties had then been removed with respect to us, and the preliminaries were signed; they consist of nine articles.

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The *first* acknowledges our Independence.

The *second* describes our boundaries, which are as extensive as we could wish.

The *third* ascertains our rights as to the fishery, and puts them upon the same footing that they were before the war.

The *fourth* provides that all British debts shall be paid.

The *fifth* and *sixth* are enclosed for your perusal, as they are likely to be the least satisfactory here.

The *seventh* stipulates that hostilities shall immediately cease, and that the British troops be withdrawn without carrying off any property, or dismantling fortifications; that records and archives shall be restored.

The *eighth* stipulates that the navigation of the Mississippi shall be open to us and Great Britain.

The *ninth*, that all conquests made in America after the ratification shall be restored.

These preliminaries are only provisional upon the determination of a peace with France, whose negotiations have not made such progress as ours. I believe they find themselves very much embarrassed by the demands of their other allies.

The Count de Vergennes, in a letter of the 25th of December, says, "I cannot foresee the issue, for difficulties arise from the disposition we have shown to remove them. It would be well, Sir, to prepare Congress for every event. I do not despair; I rather hope; but all is yet uncertain."

But, Sir, whatever the event of the negotiations may be, I persuade myself the enemy will leave these States. Mr Oswald has made some propositions to our Ministers upon this subject, proposing that they might be permitted to embark without molestation, and endeavor to recover West Florida from the Spaniards. This last communication, (which you will consider as confidential,) I thought might be important to your Excellency. By attending to their conduct, you will be able to judge if they mean to pursue this system, or if it was only thrown out to deceive.

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I enclose also for your perusal, extracts from the addresses, not having time to have them copied at large. They are mere echoes to the speech. Supplies were voted, without one dissenting voice.

I must pray your Excellency to send on the enclosed packets; any expense it occasions will be

paid by the Governor.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GENERAL GREENE.

Philadelphia, March 12th, 1783.

Dear Sir,

The arrival of the Washington packet affords me an opportunity of sending you the preliminary articles, agreed upon between our Ministers and those of Great Britain. In every point but one they are unexceptionable; in that one I believe our Ministers have labored to obtain all that circumstances would admit, and by the reference of the Tories to their respective States, they have made a very slender provision for the restitution they stipulate.

What it imports you more to know is, that though our principal difficulties are removed, yet many remain to retard the peace. Our allies do not appear to have made much progress in their negotiations, and Count de Vergennes, in a letter of the 25th of December, speaks with great uncertainty of the issue of his negotiations; yet not so as to destroy our hopes of a happy conclusion; at all events, I believe that the war will be removed from us, and directed to other objects in the spring.

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The British commissioners have made some propositions to ours about a convention for permitting the army to depart in peace; but as nothing was concluded, some doubts may still remain on this head; though you will find in Lord North's speech, in the enclosed paper, a passage that seems to take the evacuation for granted. As, however, I have reason to suppose, that they do not mean to rest contented with the loss of West Florida, and are apparently collecting a force for its reduction at Augustine, I should think it prudent to maintain so respectable a force in Georgia and South Carolina, as would discourage any attempts upon them in case the negotiations should prove abortive.

A treaty is now on foot between Sweden and us. The commission to his Swedish Majesty's Minister, contains an ample and an honorable recognition of our independence.

The committee charged with the arrangements for the establishment of a Minister from the United Provinces at this place, have reported to the States of Holland on his salary and appointments, so that the Diplomatic Corps here will shortly be increased.

The general news of this place, as well as what relates particularly to the arrangements made and now making for the army, you will learn from Major Burnet, who does me the favor to be the bearer of this. It will not be necessary, therefore, to lengthen this further than to declare the sincere esteem and respect, with which I have the honor to be, Sir, &c.

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ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, March 13th, 1783.

Sir,

I have the honor to lay before Congress the enclosed letter from Mr Jefferson, who is waiting at this place their determination. As Major Burnet is now in town, and will be the bearer of despatches to General Greene, I take the liberty to request the earliest attention of Congress to those parts of the despatches submitted to them, that induce a belief that the enemy will turn their arms against West Florida, which the force they now have at Augustine renders probable. Congress may, perhaps, think it advisable to order that the force in the Southern States should be so respectable as to discourage a second attempt upon them in case the failure of the negotiation should occasion any change in the British Cabinet.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Sir,

The important matter contained in the despatches lately received, renders me unwilling to reply to them without being well satisfied of the sentiments of Congress. But, as the subjects on which I wish to be informed, are of too delicate a nature to be rendered formal acts, I shall submit to them the drafts of my reply to the joint letter of our Ministers, now at Paris. Previous to this, it will be necessary that Congress come to some express determination upon points which arise out of the treaty, and which, if they see in the same light that I do, they will consider as the most embarrassing, as well as the most important that can claim their attention.

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Congress have hitherto, in all their acts, both of a public and private nature, manifested the utmost confidence in the Court of France. In answer to every communication, they have reiterated their resolutions on that subject, and so lately as the 4th of October last, resolved unanimously, "That they will not enter into the discussion of any overtures of pacification but in *confidence* and in *concert* with his Most Christian Majesty;" and directed that a copy of the above resolution should not only be furnished to the Minister of France, but be sent to all the Ministers of the United States in Europe, and published to the world. Yet, Sir, it has unfortunately so happened, that the Ministers of these States have imagined they had sufficient grounds to suspect the sincerity of the Court of France, and have not only thought it prudent to agree upon and sign preliminaries with Great Britain, without communicating them, till after the signature, to the Ministers of his Most Christian Majesty, but have permitted a separate article to be inserted in their treaty, which they still conceal from the Court of France.

This reduces Congress to the disagreeable necessity, either of making themselves parties to this concealment, and thereby to contradict all their former professions of confidence in their ally, made not only to that ally, but to their own citizens, and to every Court at which they had a Minister, or of revealing it at the expense of the confidence they would wish to maintain between their Ministers and the Court of France, and that, too, when those Ministers have obtained such terms from the Court of London, as does great honor to them, and at least equals our highest expectations.

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I feel the more pain on this subject, because, from the manner in which this treaty is drawn, as well as from the article itself, I am inclined to believe that England had no other view in its insertion, but to be enabled to produce it as a mark of the confidence we reposed in them, and to detach us from our ally, if the nation could be brought to continue the war.

The preamble, drawn by our Ministers, contained professions of attachment to the alliance, and declared that the treaty should not be obligatory till His Britannic Majesty shall have agreed to accept the terms of a peace between France and Britain, proposed or accepted by his Most Christian Majesty, and shall be ready to conclude *with him* such treaty. The preamble, agreed to, and, as there is reason to conclude, framed in England, is so expressed as to render it very doubtful whether our treaty does not take place the moment France and England have agreed on the terms of their treaty, though France should refuse to sign till her allies were satisfied. This construction is strongly supported in the House of Commons by the administration.

The separate article is in itself an object of no moment; the territory it cedes is of little importance, and if, as our Ministers assert, it made a part of West Florida previous to the war, it will, on the peace, be annexed to the nation that shall retain that Colony; but it is extremely well calculated to sow the seeds of distrust and jealousy between the United States and their allies. It demonstrates a marked preference for the English over the present possessors, and seems to invite Britain to reconquer it. Though this may promote our particular interest, it never can consist with our honor to prefer an open enemy to a nation engaged in the same cause with us, and closely connected to our ally. This article would, in my opinion, if avowed by the United States, fully justify Spain in making a separate peace without the least regard to our interest.

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But this, Sir, is an inconsiderable evil, compared with those which may result from its having been concealed from the Court of Versailles. Mr Laurens informs Congress (and that too from letters of a late date from London,) "that the people of England still retain the idea of *our late Colonies* and of *reconciliation*; that *Government gives every possible encouragement to this humor*; that it has been their incessant endeavor to detach us from our ally, and that it is given out in London, that, *by signing the late preliminaries, they have out-manœuvred the Court of France*; that every engine had been set at work; that every degree of craft, under the mask of returning affection, will be practised for creating jealousies between the States and their good and great ally." Mr Adams's letters of November, speak the same language. If, Sir, we suppose these gentlemen to have been well informed, how much reason have we to apprehend that this secret article will prove in the hands of Britain a most dangerous engine. They may reveal to the Court of France the jealousies our Ministers entertain, the confidence they repose in them, with such falsehoods and additions as will best serve their purposes, and, by producing this secret article, gain credit for all they advance. This line they certainly pursued with respect to France, revealing all that they learnt from the Count de Vergennes, relative to his opinion of the first commission; nor is there room to doubt, that Marbois' letter was received through the same channel. And there is no reason to believe, if (as our Ministers suppose) the Court of France had put themselves more in their power, that they would neglect such promising means of increasing the suspicions our Plenipotentiaries already entertained.

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Add to this, that this article may be used in Parliament, and with the British nation at large, as a most powerful argument for continuing the war, adducing, from the resentment it discovers to Spain, and the distrusts it manifests of France, that the quadruple knot is untied.

But suppose, what may possibly be the case, that the British administration are sincere, how is the honor and good faith of the United States to be justified to their allies, and to the world, if by any of those causes which daily operate, this secret, which is now known to sixty or seventy people, should be discovered? To tell the world that we suspected France, will not suffice, unless we can show probable grounds for such suspicion. Our Ministers inform us, that when they communicated the articles of the treaty to Count de Vergennes, "he appeared *surprised*, but not *displeased* at their being so favorable to us." Mr Laurens declares expressly, "That he sees no cause for entertaining more particular jealousy, than ought to be kept up against every negotiating Court in the world, and not half so much as should at this moment be upon the watch against every motion arising from our new half friends."

I confess, Sir, though my sentiments are of little moment that I am fully of this opinion, and that I tremble lest we should at this hour be on the edge of a precipice, the more dangerous, as we have fixed our eyes on the flattering prospect which lies beyond it. I am persuaded that, the old maxim, "Honesty is the best policy," applies with as much force to States as to individuals. In that persuasion, I venture humbly to recommend, that such measures be adopted as to manifest, that repeated professions of fidelity to their engagements, and confidence in their ally, may not appear to have been made by Congress to mask deceit. The caution, which negotiations require, and the light in which objects have appeared to our Ministers, may justify them, and perhaps entitle them to credit for attempting to serve us at every personal hazard.

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But, Sir, it certainly cannot consist with the honor of these States, upon such slight grounds, to contradict their own resolutions, and forfeit the confidence of an ally, to whom it has been so much indebted, and whose aid it is at this moment supplicating for the means of carrying on another campaign.

Under these impressions, I humbly submit these resolutions, namely;

"That the Secretary of Foreign Affairs be directed to communicate the Separate Article in the Provisional Preliminary Treaty with Great Britain, to the Minister of his Most Christian Majesty, in such manner as will best tend to remove any unfavorable impression it may make on the Court of France, of the sincerity of these States or their Ministers.

"That the Ministers for negotiating be informed of this communication, and of the reasons which influenced Congress to make it. That they be instructed to agree, that in whatever hands West Florida may remain at the conclusion of the war, the United States will be satisfied that the line of Northern boundary be as described in the said separate, articles.

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"That it is the sense of the United States in Congress, that the articles agreed upon between the Ministers of these States, and those of his Britannic Majesty, are not to take place until a peace shall have been actually signed between their Most Christian and British Majesties."

Congress will easily believe, that I offer these sentiments with the utmost diffidence; that I see many and powerful arguments that militate against them; that I feel extreme pain in advising a measure, which may hurt the feelings of Ministers, to whom we are indebted for their continued zeal and assiduity, all of whom I respect, and with one of whom I have had the closest and most intimate friendship from our earliest youth. But, Sir, it is a duty that my office requires; and I am happy in reflecting that this duty is discharged, when I have proposed what I think right, and that the better judgment of Congress is to determine.^[26]

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[26] See further remarks by Mr Livingston on this subject in *John Jay's Correspondence*, Vol. VIII. p. 215; also *Correspondence of the Commissioners for Peace*, Vol. X. p. 129.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Philadelphia, March 18th, 1783.

Sir,

Congress a few days since directed me to transmit to your Excellency a copy of the provisional treaty for a peace between the United States and Great Britain. I should have done it at an earlier day without any particular direction, had not an order passed in Congress for furnishing

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the Delegates of each State with a copy, that it might be transmitted through them. In conformity to the second direction I have the honor to enclose a copy, though I have no doubt that I have been already anticipated by that forwarded by the Delegates of your State. Yet, Sir, this letter may not be entirely useless when it assures you that the conclusion of the treaty is still very uncertain. My public letters are of such a nature as not to free me from apprehensions that Britain still seeks rather to divide her enemies than to be reconciled to them. Though this suspicion may not perhaps be well founded, yet such conduct is so conformable to the general tenor of British Councils, that it is at least the part of prudence to be upon our guard against it. But whatsoever their intentions may be, the peace must still depend upon so many contingencies that no preparation for another campaign should be omitted on our part. None is neglected by our antagonists. They have voted one hundred and ten thousand seamen for the ensuing year. France continues her preparations, and will not close the war till she can obtain honorable terms for her allies. Little progress was made in their negotiations when my letters were written. Count de Vergennes has thought it prudent to advise Congress of this circumstance, that they might be prepared for every event. I communicate it to your Excellency with similar views. I doubt not you will avail yourself of this information to urge the State in which you preside, to take such measures that they may not be found unprovided in case our hopes of peace should be frustrated.

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It would give me pleasure to learn the measures that have been adopted, in consequence of the requisitions made in my letters to your Excellency or your predecessors in office at different periods relative to my Department, and more particularly to receive the account so frequently called for of the damage done by the enemy in your State.^[27] I have reason to think had it been furnished in time, it might have been of singular use to our Ministers, and perhaps have tended to obtain some relief for the sufferers. It may not yet come too late to be useful. Let me pray your Excellency to take measures for furnishing three authentic copies by the earliest opportunity.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[27] Proper alterations were made to this paragraph in the letter to the Governor of Connecticut, as he had already sent the accounts herein mentioned.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, Philadelphia,
March 21st, 1783.]

Sir,

I enclose for the inspection of Congress a letter received by the Washington from Mr Barclay. I take this opportunity to remind Congress, that I had the honor of laying before them, on the 23d day of December, a letter from the same gentleman, which contained objections to the convention for the appointment of Consuls, proposed to be entered into between France and the United States, reasons for sending him a new commission, constituting him Consul General in France, with Count de Vergennes' objection to the one he now holds; also a request of blank commissions for privateers and letters of marque. This letter was committed to a special committee. I have not yet been informed, whether they have reported; nor have I been honored with the commands of Congress relative to these objects.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GEORGE WASHINGTON.

Philadelphia, March 24th, 1783.

Dear Sir,

You will by this express receive the agreeable intelligence of a *general peace*, upon which I most sincerely congratulate you and the army. Harmony, a regard for justice and fidelity to our engagements, are all that now remains to render us a happy people. The vessel that brought these despatches was sent out by the Count d'Estaing to recall the French cruisers. As the Minister tells me he will forward the orders and passports to your Excellency, I will not detain the messenger till I have mine copied. This should in my opinion be immediately sent either by Congress or your Excellency to Sir Guy Carleton.

A private letter to me mentions, that the Bahama Islands are also ceded to the British. Holland seems to have come worst off, and France by getting little for herself has laid in a store of reputation, which will be worth more than much territory. I must request your Excellency to send on the enclosed letters by express to the Governor.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

P. S. I have thought proper to send Mr Lewis Morris to New York, to inform General Carleton of the happy re-union of the powers at war, and also of a resolution of Congress of this day, directing their Agent of Marine to take proper measures to stop all further hostilities by sea.

**TO SIR GUY CARLETON, COMMANDER IN CHIEF OF HIS BRITANNIC
MAJESTY'S FORCES IN NORTH AMERICA.**

Office of Foreign Affairs, Philadelphia,
March 24th, 1783.]

Sir,

I have the honor to inform your Excellency, that a vessel arrived here last night from Cadiz, despatched by order of Count d'Estaing to recall the cruisers of his Most Christian Majesty, and to prevent the further effusion of blood at sea. A copy of the order is enclosed, having been certified by the Chevalier de la Luzerne to be a true copy. Though this may not be considered by your Excellency as official, yet your humanity will induce you to think it sufficiently authentic to justify your taking immediate measures to stop the further effusion of blood, on which principle Congress have been pleased to pass the enclosed resolution.

The vessel which brought these orders did not sail with express design to come to the port of Philadelphia, and has, therefore, brought no official letters, so that I have it not in my power to afford you any further information as to the terms of a general peace, than what are contained in the enclosed extract transmitted to me by the Marquis de Lafayette; with this further addition, that the Bahama Islands are restored to Great Britain.

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Mr Morris, one of my Secretaries, will have the honor to deliver this to your Excellency, and may be intrusted with any despatches which you may choose to deliver him, that may contain further information than we have yet received on an event so interesting to us and to humanity as the return of peace.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO REAR ADMIRAL DIGBY.

Office of Foreign Affairs, Philadelphia,
March 24th, 1783.]

Sir,

I have the honor to enclose for your perusal the copy of a letter, which I have just written to his Excellency General Carleton. If the subject of it should relate more to you than to his Department, I am satisfied that you will find equal pleasure in adopting such measures as humanity dictates, and mutually concur with the United States in the best means of extending, as early as possible, the blessings of peace to the subjects or citizens of the nations at war.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

SIR GUY CARLETON TO ROBERT R. LIVINGSTON.

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New York, March 26th, 1783.

Sir,

I have received your letter of the 24th instant, enclosing a resolution of Congress of the same date, taken in consequence of the arrival of the cutter, Triomphe, commanded by Lieutenant du

Quesne, with, orders of the 10th of February last, given at Cadiz by Vice Admiral d'Estaing, for him to put to sea and cruize on such stations as he shall judge most likely to meet with ships of his nation, and inform them of the happy reconciliation of the belligerent powers, and to order all their ships of war to cease hostilities against those of Great Britain; the Preliminary Articles of a general peace being signed the 20th of January. You thereupon are pleased to express your expectation that I would think this information thus conveyed, "sufficiently authentic to justify my taking immediate measures to stop the further effusion of blood."

For my own part, I have hitherto abstained from all hostilities, and this conduct I meant to continue so far as our own security would permit; but how great soever my desire is to put an entire stop to the calamities of war, and whatever respect this information may deserve, yet I do not find myself thereby justified in recommending measures that might give facility to the fleets and armies menacing any part of the King's possessions, to carry their hostilities into execution.

To adopt a measure of this importance, it is necessary I should receive orders from home, which I may reasonably expect every hour, as a cruiser sent out on other purposes is already arrived at Philadelphia; and I assure you, Sir, I only wait the official certainty of this great event, to assume the language, and the spirit too, of the most perfect conciliation and peace.

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I perceive, Sir, by the resolution enclosed in your letter, that Congress have thought fit to consider this information as authentic, and, thereupon, have taken one considerable step towards carrying the terms of peace into immediate execution.

Another, not less important, I presume, has been taken, or is taking. With the cessation of hostilities, I perceive, is connected in the seventh Article of the provisional treaty an engagement, that "all prisoners on both sides shall be set at liberty;" of this event, therefore, I hope likewise speedily to receive the very necessary and welcome notice, as I shall find the highest satisfaction in seeing released on all sides, men upon whom the evils and calamities of war have more peculiarly fallen.

I am, Sir, &c.

GUY CARLETON.

ADMIRAL DIGBY TO ROBERT R. LIVINGSTON.

New York, March 27th, 1783.

Sir,

I have received your letter, enclosing me the resolve of Congress, with a copy of a letter to his Excellency, Sir Guy Carleton, but, as I have as yet received no official accounts from England, I must wait till you, on your side, relieve our prisoners, before I give that general relief to you, I so much wish. There can be no reason for detaining our prisoners one moment, as Congress must suppose the peace signed. I shall take every precaution in my power consistent with my duty, to stop any further mischief upon the seas, but should recommend the preventing any vessels sailing, as I have not yet received sufficient authority to enable me to withdraw my cruisers.

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I am, Sir, &c.

ROBERT DIGBY.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, March 28th, 1783.

Sir,

There remains in my hands the sum of thirtyeight thousand three hundred and thirtytwo livres, equal on exchange at par to about seven thousand three hundred and ten dollars, arising from the excess on the payment of the salaries of the Ministers of the United States in Europe, occasioned by the course of exchange during the last year, which Congress have been pleased to direct that I should pass to the account of the United States. In this I have not calculated six hundred and eightyeight livres excess upon M. Dumas's account, being too inconsiderable to make a deduction worth attention.

Desirous of settling all my accounts on the 1st of April, previous to my leaving the department, I pray Congress to pass some order relative to the disposition of the money, so that I may discharge myself of it. As Congress may be led to suppose, from a passage in Mr Laurens's letter, that I have charged a commission on this transaction, I take the liberty to inform them, that though this is an extra service attended with some trouble and risk, I once had it in view, if our

Ministers compelled me to be their agent, to charge a commission while the exchange was in their favor, yet not having then done it, I cannot think it would be reasonable to deduct a commission from the reduced sum that is now paid them.

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I have honor to be, &c.

ROBERT R. LIVINGSTON.

TO THOMAS JEFFERSON.

Philadelphia, April 4th, 1783.

Sir,

I have the honor to inform you, by the direction of Congress, in answer to your letter of the 13th of March, "that they consider the object of your appointment as so far advanced, as to render it unnecessary for you to pursue your voyage; and that Congress are well satisfied with the readiness you have shown in undertaking a service, which from the present situation of affairs, they apprehend can be dispensed with."

I have caused your account to be settled to the 1st of April, and hope to be able to send you the warrant for the amount tomorrow. If you please, I will apply for such further sum as you may think proper to charge for the time that may be necessary to carry you home, as I think that within the spirit of the resolution of Congress.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

WILLIAM PACA TO ROBERT R. LIVINGSTON.

In Council, Annapolis, April 4th, 1783.

Sir,

We have been honored with your favor of the 18th ultimo.

The requisitions made in your former letters have been regularly laid before the Legislature of this State, (Maryland) and we are very sorry to find that the early attention which their importance merited has not been paid to them.

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The Assembly at their last session, passed an act directing persons to be appointed in each county to ascertain upon oath the damages done by the enemy within their respective counties, and to report the same to this Board. As soon as we are furnished with their returns, you may rest assured, Sir, that no time shall be lost in transmitting to you, properly authenticated, the information you have been solicitous to obtain.

With great regard and respect, &c.

WILLIAM PACA.

SIR GUY CARLETON TO ROBERT R. LIVINGSTON.

New York, April 6th, 1783.

Sir,

A packet from England arrived at this port last night, by which I have despatches from Mr Townshend, one of his Majesty's principal Secretaries of State, communicating official intelligence, that Preliminary Articles of Peace with France and Spain were signed at Paris, on the 20th of January last, and that the ratifications have been since exchanged at the same place.

The King, Sir, has been pleased, in consequence of these events, to order a Proclamation to be published, declaring a cessation of arms,^[28] as well by sea as land, and his Majesty's pleasure signified, that I should cause the same to be published in all places under my command, in order, that His Majesty's subjects may pay immediate and due obedience thereto, and such Proclamation I shall accordingly cause to be made on Tuesday next, the 8th instant.

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In consequence thereof, and in conformity to the Articles of peace, all our prisoners of war are to

be set at liberty and restored, with all convenient despatch; entertaining no doubt, but that similar measures will be taken on the part of the United States of America. In like manner no doubt can be entertained, but that Congress, in conformity to the fifth Article of the provisional treaty, will lose no time in earnestly recommending to the Legislatures of the respective States, to provide for the restitution of confiscated estates, and to reconsider and revise all laws of confiscation, that they may be rendered perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail.

And I am further to inform you, Sir, that an instrument of accession to the suspension of hostilities, by the States General of the United Provinces, having been received in England, a cessation of arms with those States has been thereupon included in the Proclamation.

Upon this great occasion, Sir, I am to offer my strongest assurances, that during the short period of my command here, I shall be ready and earnest to cultivate that spirit of perfect good will, which between the United States of America, and the King of Great Britain, and the subjects and the citizens of both countries, will I trust always remain.

I am, with much consideration, Sir, &c.

GUY CARLETON.

FOOTNOTES:

[28] See this Proclamation in the *Correspondence of the Commissioners for Peace*, Vol. X. p. 124.

ADMIRAL DIGBY TO ROBERT R. LIVINGSTON.

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Lion, off New York, April 6th, 1783.

Sir,

I have this moment received the enclosed Proclamation from his Majesty's Secretary of State, and shall immediately despatch one of the sloops of war to withdraw all my cruisers upon the coast, and shall also release all the prisoners as quickly as I can dispose of them in the most convenient way to themselves.

I am, Sir, &c.

ROBERT DIGBY.

TO THE PRESIDENT OF CONGRESS.

Office of Foreign Affairs, April 10th, 1783.

Sir,

I have the honor of laying before Congress two letters, received yesterday by express from New York, the one from General Carleton and the other from Rear Admiral Digby. Both covered copies of his Britannic Majesty's Proclamation for a cessation of hostilities. I presume Congress will consider this advice as sufficiently authentic to justify the discharge of their prisoners, who are now a useless expense, though not so much so as to render it proper to proceed to the measures directed by the fifth Article of the provisional treaty, till that treaty is officially communicated and ratifications exchanged.

I am at a loss to determine when hostilities are of right to cease between the United States and Great Britain. If, as the Proclamation asserts, the times therein mentioned were agreed between the Ministers of the several powers at war, to take effect upon their respective ratifications, then hostilities have not yet ceased between us and Great Britain, except so far as the King of Great Britain has thought proper to shorten the term by his special act. If no such ratification was necessary on our part, then hostilities ceased immediately after ratifications were exchanged between France and England. If the same term has been fixed for the cessation of hostilities between Great Britain and the United States, as that agreed upon between France and Great Britain, then it becomes a question, what is meant by "*as far as the Western Islands?*" If it refers to the latitude, then all prizes made after the 3d of March, on the greater part of our coast, must be restored. As much property may depend upon the decision of these questions, I presume Congress will do no act, which shall lead to a determination of it, till we receive further advices from our own Ministers.

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I shall be pardoned when I take the liberty to request, that the enclosed letters may not find their way into the papers, unless Congress shall determine, that this publication may answer some useful purposes.

I have the honor to be, Sir, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, April 10th, 1783.

Sir,

I do myself the honor to enclose the draft of a Proclamation for the suspension of hostilities between the United States and Great Britain, and the resolution for the discharge of prisoners, together with one for referring a part of Mr Adams's letters, which is all that it is necessary to report upon the letters referred to me.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO GENERAL GREENE.

Philadelphia, April 12th, 1783.

Dear Sir,

I am now to congratulate you on the return of peace, and a cessation from your labor. I some time since sent you the Provisional Treaty between Great Britain and the United States. On Wednesday last, Sir Guy Carleton sent me the enclosed Proclamation of his Britannic Majesty, and informed me, that he had directed a similar Proclamation to issue at New York, and proposed to discharge all our prisoners. I had a letter from Admiral Digby to the same effect; the next day I received advices of the agreement of the cessation of hostilities, from our Ministers. Congress, in consequence of these advices, yesterday issued the enclosed Proclamation.

I reported to them on the propriety of releasing their prisoners. The report is to be considered today, and I doubt not that it will be agreed to. The British Parliament appear to be extremely dissatisfied at the terms of peace; a majority, headed by Lord North, has been obtained against the Administration, so that I think Lord Shelburne has little prospect of continuing in the Administration; but this is of no consequence to us, unless we are bound to like an Administration that has served us against their will. As doubts may arise with respect to the restitution of prizes taken after the epoch fixed by the Proclamation, it may not be improper for me to mention to you, that we conceive, that hostilities ceased in those parts of the Atlantic Ocean, which lay in the same *latitude* with the Canaries, on the 3d of March.

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I am, Sir, &c.

ROBERT R. LIVINGSTON.

TO SIR GUY CARLETON.

Philadelphia, April 12th, 1783.

Sir,

I received your letter of the 6th instant, informing me of the arrival of a Packet, by which you have official intelligence, that the Preliminary Articles of Peace with France and Spain were signed at Paris on the 20th of January last; that the ratifications have been since exchanged, and that his Britannic Majesty has ordered a cessation of arms to be proclaimed, as well by sea as by land; and that you propose, agreeably to his orders, to issue a similar Proclamation, and to set at liberty your prisoners of war.

This interesting intelligence was communicated to the United States in Congress, who, though they had yet received no official accounts, would immediately have made it the basis of pacific measures, without entertaining doubts of its authenticity, or yielding to suspicions which would tend to prolong the calamities of war; but while these measures were under consideration, they received from their Ministers official advices of the agreement between them and the Court of

Great Britain relative to a cessation of hostilities, on which they have founded the enclosed Proclamation.^[29] They have likewise under consideration measures for the discharge of their prisoners; these measures will be carried into effect as soon as possible after they are determined on.

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It cannot be doubted, Sir, as you justly observe, that Congress will embrace the earliest opportunity to perform the stipulations contained in the fifth, as well as every other of the Provisional Articles, immediately after the same shall have been ratified. In the meanwhile, it must be obvious to your Excellency that a recommendation to restore to the loyalists the estates they have forfeited, will come with less weight before Legislatures composed of men, whose property is still withheld from them by the continuance of his Britannic Majesty's fleets and armies in this country, than it will do when peace and the full enjoyment of their rights shall have worn down those asperities, which have grown out of eight years' war. This reflection will, I doubt not, induce you to give every facility in your power to the execution of the seventh Article of the Provisional Treaty, and to fix as early a day for the evacuation of New York, and its dependencies, as may consist with your orders.

I give the fullest credit, Sir, to your assurances, that you are ready to cultivate the spirit of harmony and good will between the subjects and citizens of his Britannic Majesty and these States, since I find them warranted by the humanity which has uniformly distinguished your command in America. But, Sir, time only, with liberality in those that govern in both countries, can entirely efface the remembrance of what has passed, and produce that perfect good will, which I sincerely concur with you in wishing to cultivate.

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I am, Sir, &c.

ROBERT R. LIVINGSTON.

FOOTNOTES:

[29] See this Proclamation in the *Correspondence of the Commissioners for Peace*, Vol. X. p. 133.

TO REAR ADMIRAL DIGBY.

Philadelphia, April 12th, 1783.

Sir,

I received your letter, enclosing a Proclamation for the suspension of hostilities, and informing me of your design to recall your cruisers and release your prisoners. In return, Sir, I have the pleasure to enclose a Proclamation by the United States of America for a suspension of hostilities. Congress have the measures necessary for the return of their prisoners under consideration; I shall acquaint you with those they adopt.

The resolution transmitted in my last, has already informed you, that the humanity of Congress induced them, on the first intimation of the cessation of hostilities, to recall their cruisers. It is to be hoped, Sir, that no difficulties will arise on either side as to the restitution of such vessels as may have been taken after the epoch mentioned in the Proclamations of his Britannic Majesty and the United States. For though this may be of no great moment when considered in a national light, yet it becomes important, from the number of captures made on this coast within the latitude of the Canaries, since the 3d of March last, as well as from the presages, which the first steps may furnish, of the respect that will in future be paid to the stipulations in the treaty.

The gentleman, who delivered me your letter, will inform you, that it came open to my hands from a mistake in the direction. I am so fully persuaded, Sir, that I do not deceive myself, when I impute this rather to mistake, than to the principle followed, in some instances, in an early period of the late war, that I should not have noticed it now but to prevent, in future, the inconveniences, with which it has been in this instance attended.

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I am, &c.

ROBERT R. LIVINGSTON.

TO GEORGE WASHINGTON.

Philadelphia, April 12th, 1783.

Dear Sir,

I congratulate your Excellency most sincerely upon the cessation of hostilities, which you will learn from the enclosed Proclamation. You will doubtless have heard directly from General Carleton on the subject, so that it will not be necessary to trouble you with the substance of his letter to me.

Congress will this day, upon my report, take into consideration the propriety of discharging the prisoners, and the manner in which it is to be done. Sir Guy Carleton presses hard in his letter for the execution of the fifth of the Preliminary Articles. I have replied, that it cannot be executed till the treaty is ratified; and in the mean time endeavored to convince him, that the recommendation of Congress will be received with much more respect, when the persons, who compose our Legislatures, have returned to their respective homes, and the asperities occasioned by the war shall be a little worn down by the enjoyment of peace. It is a very capital omission in our treaty, that no time has been fixed for the evacuation of New York.

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It were to be wished, that General Carleton's intentions on this head could be sounded by your Excellency.

I have the honor to be, Dear Sir, &c.

ROBERT R. LIVINGSTON.

CIRCULAR TO THE GOVERNORS OF THE STATES.

Philadelphia, April 12th, 1783.

Sir,

Permit me to offer you my congratulations on the important event announced by the United States, in Congress, in the enclosed Proclamation for the cessation of hostilities; an event, which is not only pleasing, as it relieves us from the accumulated distresses of war in the bowels of our country, but as it affords the fairest and most flattering prospects of its future greatness and prosperity. I need not, I am persuaded, Sir, use any arguments to urge your Excellency and the State over which you preside, to the most scrupulous attention to the execution of every stipulation in our treaty, which may depend on you or them. A national character is now to be acquired. I venture to hope, that it will be worthy of the struggles by which we became a nation.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

SIR GUY CARLETON TO ROBERT R. LIVINGSTON.

New York, April 14th, 1783.

Sir,

As I observe in the seventh article of the Provisional Treaty it is agreed, after stipulating that "all prisoners on both sides shall be set at liberty," that "his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes, or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the United States, and from every port, place, and harbor within the same, &c.;" and as embarkations of persons and property are on the point of being made, I am to request that Congress would be pleased to empower any person or persons, on behalf of the United States, to be present at New York, and to assist such persons as shall be appointed by me to inspect and superintend all embarkations, which the evacuation of this place may require; and they will be pleased to represent to me every infraction of the letter or spirit of the treaty, that redress may be immediately ordered.

I am, Sir, &c.

GUY CARLETON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, April 21st, 1783.

Sir,

I have the honor to enclose a letter, just received from Mr Dana. I am much surprised to find that

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such considerable sums as he mentions are necessary on the signature of a treaty with Russia, since I cannot learn that money is demanded of right on similar occasions by any civilized nation in Europe; though it is usual among them to present gratifications to the Ministers on both sides, which being for the most part of equal value, the account is balanced. As I do not conceive, that we are under the least necessity of buying a treaty with Russia, I think it would be well for Mr Dana, (if he should not have been misinformed) to declare to the Court of St Petersburg, that the Ministers of the United States are restrained from receiving presents, that to make them in such circumstance, would be either to arrogate a superiority to which they were not entitled, or to acknowledge that they were so far the inferior of those with whom they treated, as to be compelled to purchase a connexion, which should be founded in equality and mutual advantage. That he therefore found himself compelled in the one case, by respect for the Empress, in the other by a regard to the United States, rather to break off the treaty, than to take a step which might be supposed to derogate from either. After all, I apprehend, that Mr Dana has not received his information on this subject through the best channel, and that he must have mistaken a particular case for a general custom.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

GEORGE WASHINGTON TO ROBERT R. LIVINGSTON.

Head Quarters, April 22d, 1783.

Sir,

I have been honored with your two favors, dated the 12th and 15th instant.

In consequence of the resolutions of Congress on the 15th instant, and the express declarations of the Secretary at War, respecting the sense and expectations of Congress, arrangements have been agreed upon between him and me, for an immediate liberation of all land prisoners; and I have yesterday given this information to Sir Guy Carleton. The particulars of the arrangement, with the opinion given the British Commander in Chief, you will obtain through the Minister at War.

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In order to obtain the sense of Sir Guy Carleton upon the matters, contained in the resolution of the 15th, I have proposed a personal interview with him at an early day. The result of this meeting, if acceded to, will probably lead us to a decision upon some questions, which are more doubtful, and that with greater decision and despatch, than could otherwise be procured.

I have the honor to be, &c.

GEORGE WASHINGTON.

GEORGE WASHINGTON TO ROBERT R. LIVINGSTON.

Head Quarters, May 13th, 1783.

Sir,

Your favor of the 3d came to hand by the last post. Before this time you will have seen the report I made to Congress of the interview with Sir Guy Carleton. I am very sorry its result proved so indecisive. That this arises from the cause you mention I am not fully persuaded. I believe a want of information from his Court, which had been for some time without any administration, has been a great embarrassment to him.

The civil jurisdiction of West Chester County Sir Guy Carleton appeared very willing, in his conversation, to relinquish to the State; but what reply he will make to the Governor, when he comes to reduce it to writing, I know not. Long Island he seemed to think could not be so easily delivered up. It would be attended with many inconveniences, and he mentioned particularly the facility it would give to desertions, and the necessity of holding it for the accommodation of those people, who must eventually be obliged to leave the country. Staten Island was also necessary for his convenience.

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I have had no reply from Sir Guy since his return to New York, nor, I presume, has Governor Clinton heard anything from him.

I have the honor to be, &c.

GEORGE WASHINGTON.

TO THE CHAIRMAN OF A COMMITTEE OF CONGRESS.

Philadelphia, May 19th, 1783.

Sir,

The inquiries that the committee were pleased to do me the honor to make this morning, relative to my continuing to exercise the office of Secretary of Foreign Affairs, were extremely embarrassing to me, because, on the one hand, I find it impossible to continue in the office on the present establishment, without material injury to my private affairs, and, on the other, to propose the terms on which I would stay would be to overrate my own importance, and to suppose that others could not be had upon such conditions as Congress have been pleased to consider as sufficient. Having given my whole time, and a considerable part of my property to the public during the war, I see, with pleasure, that the affairs of the United States are not now in such a situation as to render the contributions of an individual necessary. It is my wish to endeavor to repair the injuries my estate has sustained by the ravages of the enemy, and my own neglect, by the offices I have held.

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From my former letter, Congress will be able to judge how far my expenses in the office exceed the salary. But as it by no means follows, that another by greater economy and humbler, but, perhaps, more just ideas of the importance of this office, could not live at less expense, I do not think that mine should be any reason to induce Congress to make other changes, than such as they shall of themselves deem necessary. And in this view, I requested the committee, that called upon me last winter, to keep the matter of emoluments entirely out of sight in their report, as I then considered my stay only as a temporary inconvenience.

At present, Sir, I must choose between the office I have been honored with from Congress and an important State office. If I continue in the first, I must suppose it the business of years, and lose sight of all other objects in my own State, where I have something to hope from my connexions and the favor of my countrymen, and where I possess an estate, the value of which depends in a great measure upon my attention to it. Under these circumstances, I flatter myself that the committee will not think me blamable, when I assure them, that though I am willing to give my time and services to the public if they should be deemed necessary, yet I cannot in justice to myself or my family, add to this gift that of such a portion of my property as I find absolutely necessary to support the office I hold.

Permit me, Gentlemen, to add, that having no wishes upon this subject, I am sincerely desirous that personal considerations may not enter into the arrangements that Congress make thereon. I feel myself extremely honored by the attention they have shown me in directing you to confer with me on this subject; and I reflect with great pleasure on the reasons I have had to be satisfied with their conduct towards me since I have been honored with the office.

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I am, Gentlemen, &c.

ROBERT R. LIVINGSTON.

TO JOSEPH NOURSE.

Philadelphia, May 26th, 1783.

Sir,

In compliance with your request, I have collected from the papers in my office the following account of the moneys received by loans, or otherwise, from Holland, France, and Spain.

The first loan that was opened in Holland on our account with success, was opened by His Most Christian Majesty, and under his special guarantee, for ten millions of livres. Since that, another loan was contracted by Mr Adams with private banking houses, to the amount of five millions of florins.

These houses, in a letter directed to me of the 16th of August last, write that they had at that time in cash by them, one million four hundred and eightyfour thousand florins, of which the interest ran as follows;

1,314,000 florins, from the 1st of June,

170,000 florins, from the 1st of July.

They add, that they had already paid to the order of Mr Adams, in favor of sundry individuals, the sum of two thousand nine hundred and two florins, and that that Minister had hinted to them, that it would be necessary to pay some drafts of Mr Laurens's when arrived, and a few other unavoidable expenses, which would amount to about two hundred thousand florins. By a letter of the 18th of November last, they have acknowledged the receipt of the contract duly ratified, so that the money they had on hand has been since that time at the disposal of Congress.

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The moneys received from France before the year 1780, cannot be very accurately stated, for the want of order in the books kept by the Committee of Foreign Affairs. By the best estimate I have been able to make, the amount of such moneys appears to be about nine millions of livres, exclusive of one million received from the Farmers-General on a particular contract. To this, must be added the grants obtained by Colonel Laurens, which, *including* military stores, amount to fourteen millions of livres. So that the whole of the money received from France, amounts to about four and twenty millions tournois. I should observe, that I have not here made any distinction between loans and gifts, though about eight millions of the above sum have been granted by France without any expectation of being repaid.

From Spain we have only received one hundred and fifty thousand dollars, which were granted to Mr Jay in the beginning of the year 1780.

I have not mentioned the engagement, which France has lately entered into to supply the United States with six millions of livres, as you may find everything that relates to it in the appendix to the address of Congress to the States.

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I have the honor to be, &c.

ROBERT R. LIVINGSTON.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, June 2d, 1783.

Sir,

I have the honor to submit to Congress a letter from M. Dumas, with several papers relative to a negotiation, which appears to have been commenced by the States of Holland with our Ministers. As this subject may be very important in its consequences, it is to be presumed, that they would wish to have the direction of Congress. I would therefore take the liberty to suggest, that these papers be committed to a special committee.

As my stay in town will not admit of my executing the commission, which M. Van Berckel requires, I must pray Congress also to give some direction therein.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

THE

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CORRESPONDENCE

OF

ROBERT MORRIS,

SUPERINTENDENT OF FINANCE.

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During the first years of the Revolution the financial concerns of Congress were managed by a Committee, under the general supervision of that body. Disorder and confusion were the gradual results of such a system. It was at length resolved to put this Department into the hands of a responsible individual, and ROBERT MORRIS was unanimously chosen *Superintendent of Finance*, on the 20th of February, 1781. Various reasons prevented his engaging in the duties of the office till the May following.

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The high expectations of Congress, and of the country, were fully answered by the ability and success with which Mr Morris administered the affairs of this new Department. Funds were

provided, and public credit restored. He remained in office till November 1st, 1784.

Nothing can afford a stronger proof of his zeal, assiduity, and unwearied labor, than the correspondence which he has left respecting the transactions of his office. The letters here published are a selection only from the large mass, which has been preserved. They pertain chiefly to the foreign relations of the United States, either as effected by European loans, or by the agency of the internal resources of the country. In fact, all the financial operations of Congress were more or less connected with their Foreign Affairs since loans from abroad were necessary, and these could be produced only on the strength of public credit and the means of sustaining it at home.

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THE

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CORRESPONDENCE

OF

ROBERT MORRIS.

ORGANIZATION OF THE FINANCE DEPARTMENT.

In Congress, February 7th, 1781.

Congress resumed the consideration of the plan for the arrangement of the civil executive departments of the United States; and thereupon,

Resolved, That there be a Superintendent of Finance, a Secretary at War, and a Secretary of Marine;

That it shall be the duty of the Superintendent of Finance, to examine into the state of the public debts, the public expenditures, and the public revenue; to digest and report plans for improving and regulating the finances, and for establishing order and economy in the expenditure of the public money; to direct the execution of all plans, which shall be adopted by Congress respecting revenue and expenditure; to superintend and control the settlement of all public accounts; to direct and control all persons employed in procuring supplies for the public service, and in the expenditure of public money; to obtain accounts of all the issues of the specific supplies furnished by the several States; to compel the payment of all moneys due to the United States, and in his official character, or in such manner as the laws of the respective States shall direct, to prosecute in behalf of the United States, for all delinquencies respecting the public revenue and expenditures; to report to Congress the officers who shall be necessary for assisting him in the various branches of his Department.

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In Congress, February 20th. Congress proceeded to the election of a Superintendent of Finance; and the ballots being taken, Robert Morris was unanimously elected.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, March 13th, 1781.

Sir,

I had the honor to receive your Excellency's letter of the 21st of last month, enclosing the Act of Congress of the 20th, whereby I am appointed, by a unanimous election of that honorable body, to the important office of SUPERINTENDENT OF FINANCE. Perfectly sensible of the honor done me by this strong mark of confidence from the sovereign authority of the United States, I feel myself bound to make the acknowledgments due, by pursuing a conduct formed to answer the expectations of Congress, and promote the public welfare. Were my abilities equal to my desire of serving America, I should have given an immediate determination after this appointment was made; but conscious of my own deficiencies, time for consideration was absolutely necessary.

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Little, however of that time, which has elapsed have I been able to devote to this object, as the business before the Legislature of Pennsylvania wherein I have the honor of a seat, has demanded and continues to demand my constant attendance.

So far as the station of Superintendent of Finance, or indeed any other public station or office, applies to myself I should without the least hesitation have declined an acceptance; for after upwards of twenty years assiduous application to business as a merchant, I find myself at that period when my mind, body, and inclination combine to seek for relaxation and ease. Providence had so far smiled on my endeavors as to enable me to prepare for the indulgence of these feelings, in such a manner as would be least injurious to the interest of my family. If, therefore, I accept this appointment, a sacrifice of that case, of much social and domestic enjoyment, and of every material interest, must be the inevitable consequence; and as my ambition was entirely gratified by my present situation and character in life, no motive of that kind can stimulate me to the acceptance.

Putting myself out of the question, the sole motive is the public good; and this motive I confess comes home to my feelings. The contest we are engaged in appeared to me, in the first instance, just and necessary; therefore, I took an active part in it. As it became *dangerous*, I thought it the more *glorious*, and was stimulated to the greatest exertions in my power, when the affairs of America were at the worst. Sensible of the want of arrangement in our monied affairs, the same considerations impel me to this undertaking, which I would embark in without hesitation, could I believe myself equal thereto; but fearing this may not be the case, it becomes indispensably necessary to make such stipulations, as may give ease to my feelings, aid my exertions, and tend to procure ample support to my conduct in office, so long as it is founded in and guided by a regard to the public prosperity.

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In the first place then, I am to inform Congress, that the preparatory steps I had taken to procure to myself relaxation from business, with least injury to the interests of my family, were by engaging in certain commercial establishments with persons, in whom I had perfect confidence as to their integrity, honor, and abilities. These establishments I am bound in honor and by contracts to support to the extent agreed on. If, therefore, it be in the idea of Congress, that the office of Superintendent of Finance is incompatible with commercial concerns and connexions, the point is settled; for I cannot on any consideration consent to violate engagements or depart from those principles of honor, which it is my pride to be governed by. If, on the contrary, Congress have elected me to this office under the expectation, that my mercantile connexions and engagements were to continue, an express declaration of their sentiments should appear on the minutes, that no doubt may arise or reflections be cast on this score hereafter.

I also think it indispensably necessary, that the appointment of all persons who are to act in my office, under the same roof, or in immediate connexion with, should be made by myself; Congress first agreeing, that such secretaries, clerks, or officers, so to be appointed are necessary, and fixing the salaries for each. I conceive, that it will be impossible to execute the duties of this office with effect, unless the absolute power of dismissing from office or employment all persons whatever, that are concerned in the official expenditure of public moneys, be committed to the Superintendent of Finance. For unless this power can be exercised without control, I have little hopes of efficacy in the business of reformation, which is probably the most essential part of the duty.

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These being the only positive stipulations that occur to me at this time, the determination of Congress thereon will enable me to determine whether to accept or decline the appointment. I must, however, observe that the act of Congress of the 7th of February, describing the duties of the Superintendent of Finance, requires the execution of many things, for which adequate powers are not provided, and it cannot be expected, that your officer can in such case be responsible. These however may be the subjects of future discussions.

With sentiments of the highest respect, for you and Congress, I have the honor to subscribe myself, your Excellency's most obedient and most humble servant.

ROBERT MORRIS. [30]

FOOTNOTES:

[30] During the whole period in which Mr Morris held the office of Superintendent of Finance, he kept a *Diary*, in which he entered daily the principal transactions of his department. The following is an extract from the Diary.

"On the 21st of February I received a letter from the President of Congress, enclosing the resolves of the 20th, whereby I was unanimously elected the Superintendent of Finance of the United States. This appointment was unsought, unsolicited, and dangerous to accept, as it was evidently contrary to my private interest, and if accepted must deprive me of those enjoyments, social and domestic, which my time of life required, and to which my circumstances entitled me; and a vigorous execution of the duties must inevitably expose me to the resentment of disappointed and designing men, and to the calumny and detraction of the envious and malicious. I was therefore determined not to engage in so arduous an undertaking. But the solicitations of my friends, acquaintance, and fellow citizens, a full conviction of the necessity, that some

person should commence the work of reformation in our public affairs, by an attempt to introduce system and economy, and the persuasion, that a refusal on my part, would probably deter others from attempting this work, so absolutely necessary to the safety of our country; these considerations, after much reflection and consultation with friends, induced me to write a letter to the President of Congress, dated the 13th of March, 1781."

PROCEEDINGS IN CONGRESS.

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March 20th. A letter of the 13th instant from Robert Morris was taken into consideration, and it was

Resolved, that the United States in Congress assembled do not require him to dissolve the commercial connexions referred to in the said letter.

March 21st. The consideration of the letter of the 13th instant, from Robert Morris being resumed, a motion was made, and it was

Resolved, that the Superintendent of Finance be, and he is hereby empowered to appoint and remove at his pleasure, his assistants in his peculiar office or chamber of business in immediate connexion with him; it being first determined by the United States in Congress assembled, that such assistants so to be appointed are necessary, and what the salary of each shall be.

Ordered, that the remainder of Mr Morris's letter be referred to a committee of three. The members appointed were Messrs Houston, Burke, and Wolcott.

TO THOMAS BURKE, WILLIAM HOUSTON, AND OLIVER WOLCOTT, COMMITTEE OF CONGRESS.

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Date Uncertain.

Gentlemen,

When I had the honor of a visit from you on the subject of my interview with Congress, it was agreed that I should make out and deliver you a list of the several officers concerned in the expenditure of public money, over whom I judged it necessary for the Superintendent of Finance to have the uncontrolled power of dismissal. But on reflection I found it was not in my power to render such a list, because I do not know the several degrees of officers now in employment, and even if I did, such a list would not answer the end, because others may hereafter be created, who should also be subjected to the power of the Financier, and it would be very troublesome for Congress on every such appointment to pass a resolution for the purpose. There will also be appointments made occasionally by the Commander in Chief, the Heads of Department, and by other officers, in which the expenditure of public moneys will be involved, and of course such appointments must also be subject to the same authority. For these reasons, it seems proper that the power of the Minister of Finance, with respect to the control and dismissal from office of all persons concerned in the expenditure of public property, should be defined in one Act of Congress, vesting him with that authority.

To me it appears absolutely necessary, that this power should be vested in the Financier to enable him to remedy and prevent public abuses; and the *extent* should be measured by the *necessity* and the *use*. As to myself, I am far from desiring power for the sake of power. Indeed I think it is generally more dangerous to the possessor than to the objects of it. Consequently I cannot have a wish to extend it beyond the necessity and utility mentioned.

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The whole business of finance may be described in two short but comprehensive sentences, if I have proper notions on the subject. *It is to raise the public revenues, by such modes as may be most easy and most equal to the people; and to expend them in the most frugal, fair, and honest manner.* In our case the first part must ever be the business of Congress, and the Legislatures of the respective States; because the powers of taxation cannot be delegated. The second I take to be the most essential part of the duty of the Superintendent of Finance. He must ever have it in view to reduce the expenditures as nearly as possible to what in justice and in reason they ought to be; and to do this, he must be vested with power to dismiss from employment those officers he shall find unnecessary, unequal to their stations, inattentive to their duty, or dishonest in the exercise of it.

In a monarchy this power need not be officially vested in a Minister, because he can have constant intercourse with the Sovereign, and by that means he is in the daily exercise of it. Where the sovereignty is vested in a public body of men, such an intercourse is impracticable; and I am persuaded that a Minister who would venture to execute the duties of his office with vigor, without possessing uncontrolled the power of dismissal, would in a few months put it out

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of his power to proceed in his business, and Congress would have full employment to hear and determine between him and suspended officers. On the contrary, if a dismissed officer can have no appeal but to the laws of the land, Congress will not be troubled, business may be conducted with decision, and the very knowledge that such a power exists, will have a tendency to prevent the frequent exercise of it, after the first reforms are effected.

I have been told, that some gentlemen considered the expressions in my letter to Congress on this subject so general as that they might be construed to comprehend the Commander in Chief, Heads of Department, &c. But this cannot be. The Commander in Chief is not concerned himself, but employs others in the expenditure of public money, to whom he grants warrants or drafts on the military chest; and the persons so employed ought to be accountable, and subject to dismissal. I suppose officers of the army may frequently be so employed, and in that case it cannot be supposed, that the power of the Financier extends to the military commission, for it certainly must be confined to the money matters. There is one exception with respect to what I have said of the Commander in Chief, and that is the expenditures for secret service, and in this respect I think he should be responsible to the Sovereign only.

The Quarter Master General, having a military as well as a civil duty, he cannot be under the control of the Financier, for the first, although he certainly ought to be the last, which has great connexion with heavy expense, and perhaps it would be best, that he should execute all the business of expenditures by one or more deputies, which would exonerate him from that power, which they must be subjected to. The Commissary General, and every person employed under him, are the immediate objects of this power. The Paymaster General, may be considered as a channel of conveyance, through which money passes from the treasury to the army, and as he is subjected to the law military, the Minister of Finance needs no other authority over him and his officers, than the power of putting under arrest and suspending for mal-conduct in office.

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All persons employed as Commissaries of military stores, of clothing, or any other denomination, wherein the expenditure of public money or property is connected, ought to be subjected to this authority. The expenses in the medical department are said to have exceeded those of the like kind in any other country. It is, therefore, evident that the Purveyors, Commissaries, &c. in this department should be subject to the same immediate control as others; and although the Financier cannot judge of the medical skill of the Director General and his officers, yet if any waste or misapplication of public property in their department should come to his knowledge, he should have authority to bring offenders to a Court Martial.

There is no possibility of introducing public economy without the frequent adjustment of accounts; and the more various these may be, the greater is the necessity of constant attention to liquidate them speedily and well. The Financier ought, therefore, to have the power of removing any of the officers, whose business it is to examine and settle the public accounts, that so he may be enabled to obtain a proper and early settlement, and prevent the dangerous effects of inattention or corruption on one hand, or of delay, insolence, and tyranny to individuals concerned in such accounts, on the other. And on account of this power the Financier should have no accounts with the public himself, but wherever expenditures are necessary in his department, he should employ proper persons therein, subject to the same powers and modes of accounting with every other person employed in expending public property; or if of necessity he shall at any time have accounts with the public, Congress can appoint a committee, or special board, to examine and settle his accounts.

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From what I have already said, I think it is evident, that the power I have stipulated for is absolutely necessary; and although it is not possible to enumerate every object of that power, yet the general lines within which they may be comprehended can be drawn from the observations I have made, although I have said our foreign departments, as these may be brought into consideration hereafter when it shall appear necessary.

Whoever contemplates the extent of the United States, and the vast amount of their present expenses, while at the same time all our operations languish, must certainly be convinced that some immediate remedy ought to be applied. The office of Superintendent of Finance I suppose is meant as one means of restoring economy and vigor; and nothing will keep up in the minds of the public servants such a constant sense of their duty, as a knowledge of the power to remove them in the hands of a person of vigilant and decisive character. Whether I shall have sufficient courage and perseverance to act up to that character, and whether my small abilities, supported by application and attention, will enable me to render essential service in the execution of this office, is become an object of great consideration, that fills my mind with much apprehension, and induces me to wish I had declined this arduous undertaking in the first instance.

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I have the honor to be, &c.

ROBERT MORRIS.

PROCEEDINGS IN CONGRESS.

April 21st. On a report of the committee, to whom was referred Mr Morris's letter of the 13th of

March,

Resolved, That the Superintendent of Finance be, and he is hereby authorised, to remove from office or employment, for incapacity, negligence, dishonesty or other misbehavior, such persons, not immediately appointed by the United States in Congress assembled, as are or may be officially intrusted with, and immediately employed in the expenditure of the public supplies, stores, and other property; in stating, examining and passing the public accounts, or in the receipt of the continental revenues of the United States, and such of the said persons as are or may be in his judgment unnecessary, reporting to such authority, board, minister, or office, to whom it may belong to supply the vacancy, the respective names of the persons so removed.

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That he be authorised to suspend from office or employment, for similar causes, persons officially employed and intrusted as aforesaid, immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason of suspension.

Provided, that in all cases where any of the persons aforesaid, are or may be amenable to the law martial, the Superintendent be, and he is hereby authorised and directed, if he shall deem it most expedient for the public service, to put them in arrest by order in writing, and to apply to the officer whose duty it may be, to order a court martial; and such officer is hereby directed to order proceedings on the arrest accordingly.

That in every case of suspension, all pay and emoluments cease from the date thereof, unless the persons suspended be, upon trial, acquitted and restored; and the Superintendent shall have power to supply the place when it may be necessary, by a temporary appointment, to continue until the person suspended be restored or dismissed.

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the army, or those who may be duly intrusted with money for secret services by Congress, or the Commander in Chief of the army, or commanding officer of a separate department.

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

April 27th. On a further report of the committee on Mr Morris's letter of the 13th ultimo,

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Resolved, that in order that the Superintendent of Finance may be at liberty to devote his time and attention to the more immediate duties of his office, he be, and hereby is authorised, to appoint by letter of attorney, or otherwise, such person or persons, as he may think proper, to prosecute or defend for him, in his official capacity, or in behalf of the United States, in all places where the same may be necessary.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, May 14th, 1781.

Sir,

The honor conferred by Congress in appointing me Superintendent of Finance, their several resolutions of the 20th of March, and the 21st and 27th of April, which your Excellency has been pleased to transmit, and a serious conviction of that duty, which every citizen owes to his country, especially in times of public calamity, will no longer permit me to hesitate about the acceptance of that office, although I must again repeat, that I have the fullest sense of my own inability. I shall, however, strive to find such assistance as will enable me, in some measure, to answer the reasonable expectations of Congress, to whom I can promise for myself nothing more than honest industry.

You will readily perceive, that much time must be consumed in procuring proper officers; fixing on men for assistants, whose abilities and integrity may be depended on; in laying plans for obtaining money with the greatest ease to the people, and expending it with the greatest advantage to the public; forming arrangements necessary to carry these plans into execution; and obtaining information as to the present state of things, in order that abuses may be, if possible, speedily and effectually remedied.

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Besides this, it will be necessary that I should confer with the Commander in Chief, on the various expenditures of the war, and the means of retrenching such as are unnecessary. Let me add, that the accounts of my private business must be adjusted, so as that all my affairs may be put into the hands of other persons, and subjected to their management. My necessary commercial connexions, notwithstanding the decided sense of Congress, expressed in their resolution of the 20th of March, might, if the business were transacted by myself, give rise to illiberal reflections, equally painful to me and injurious to the public. This reason alone would deserve great attention; but, further, I expect that my whole time, study, and attention will be necessarily devoted to the various business of my department.

Having thus stated some of the causes, which will prevent me from immediately entering on the arduous task assigned me, I pray leave to call the attention of Congress to the advanced season, and then I am persuaded their own good sense will render it unnecessary for me to observe, that very little can be expected from my exertions during the present campaign; they will, therefore, easily perceive the propriety of the request I am to make, that the business may go on according to the present arrangements, or such other as Congress may devise, until I can take it up, which I promise to do as speedily as possible. By this means, I may be enabled so to dispose of the several members of my department, as to form them into a regular system; whereas, by throwing the whole immediately upon me, I shall be inevitably involved in a labyrinth of confusion, from which no human efforts can ever afterwards extricate me.

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Another consideration of great magnitude, to which I must also pray the attention of Congress, is the present public debts. I am sure no gentleman can hope that these should be immediately paid out of an empty treasury. If I am to receive and consider the applications on that subject, if I am to be made responsible, that alone will, I fear, be full employment for the life of one man, and some other must be chosen to attend to the present and provide for the future. But this not all; if from that, or any other cause, I am forced to commit a breach of faith, or even to incur the appearance of it, from that moment my utility ceases. In accepting the office bestowed on me, I sacrifice much of my interest, my ease, my domestic enjoyments, and internal tranquillity. If I know my own heart, I make these sacrifices with a disinterested view to the service of my country. I am ready to go still further; and the United States may command everything I have, except my integrity, and the loss of that would effectually disable me from serving them more. What I have to pray, then, is, that the adjustment of all past transactions, and of all that relates to the present system, may be completed by the means already adopted, that whatever remains unpaid may become a funded debt, and that it may in that form be committed to me, to provide for the yearly interest and for the *eventual* discharge of the principal. This task I will cheerfully undertake; and if, in the progress of things, I am enabled to go further, with equal cheerfulness it shall be done; but I must again repeat my serious conviction, that the least breach of faith must ruin us forever.

It is not from vanity that I mention the expectations, which the public seem to have formed from my appointment. On the contrary, I am persuaded, they are raised on a weak foundation, and I must lament them, because I foresee they must be disappointed. I must, therefore, entreat that no flattering prospect of immediate relief may be raised.

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Congress will know that the public credit cannot be restored without method, economy, and punctual performance of contracts. Time is necessary to each; and therefore the removal of those evils we labor under can be expected from time only. To hold out a different idea would deceive the people, and consequently injure the public service.

I am sure it is unnecessary to add, before I close this letter, that I confidently expect my measures will meet with the fullest support from Congress, so long as they are honestly directed to the general welfare. In this conviction, and with every sentiment of respectful attention, I have the honor to be, &c.

ROBERT MORRIS.^[31]

FOOTNOTES:

[31] *May 14th.* Wrote a letter to the President, promising to accept the office. At this time, however, various reasons occurred to prevent an immediate acceptance of the Commission; but particularly it was necessary to retain my seat in the Assembly of Pennsylvania, in order to lay a foundation for such measures as might tend to their support of me in pursuing the public good, not doubting but their example would have proper influence on the Legislatures of the other States, especially in their determination upon general points, such as their repealing those tender and penal laws, which in their operation had destroyed all public and private confidence and credit; in passing effective tax bills, that might yield substantial aid to the United States for calling in the paper money, that had lost its credit; and is adopting plans of reviving and establishing the credit of such as had been injured in some degree, but which, being necessary in circulation, and originally issued on funds sufficient for its redemption, ought not to be given up to ruin, if possible to prevent it. *Diary.*

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, May 17th, 1781.

Sir,

I beg leave to submit the enclosed plan for establishing a National Bank in these United States, and the Observations on it, to the perusal and consideration of Congress.

Anticipation of taxes and funds is all that ought to be expected from any system of paper credit. This seems as likely to rise into a fabric equal to the weight, as any I have yet seen or thought of; and I submit whether it may not be necessary and proper, that Congress should make immediate application to the several States, to invest them with the powers of incorporating a bank, and for prohibiting all other banks, or bankers, in these States, at least during the war.^[32]

I have the honor to be, &c.

ROBERT MORRIS.

FOOTNOTES:

^[32] See the *Plan of the National Bank* here mentioned, and also the *Observations* on it, in *John Jay's Correspondence*, Vol. VII. p. 444.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, May 23d, 1781.

Sir,

As I have heard in times past, that the treasury has frequently been in want of hard money, to comply with engagements made with the approbation of Congress, and sometimes obliged to obtain it on terms inconsistent with the dignity of government, and not very consonant to the public interest, I would wish to guard against the like inconveniences by importing from foreign countries a supply at least sufficient to pay rents of the houses and offices necessarily employed for the Continental service; also to answer, as far as may be, the calls for secret service. And even if I could devise the means of obtaining it, I should suppose it would be agreeable to bring such sums as may answer other valuable purposes; but as it cannot be imported but at the risk of being captured by the enemy, and the danger of the elements, you will perceive the necessity of my being authorised by Congress to enter on and execute this business at the risk, and for account of the Continent, on the best terms in my power.

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The sum may be limited if thought needful; although I should suppose it is not possible in our circumstances to obtain too much; yet the sum to be risked in any one bottom may very properly not exceed a certain amount in a line of battle ship or frigate, and a smaller in any one merchant vessel. Should Congress think proper to authorise these measures, as I hope they will, the private journals will be most proper to insert the proceedings in; as a want of secrecy may endanger the money.

I have the honor to be, &c.

ROBERT MORRIS.

TO ALEXANDER HAMILTON.

Philadelphia, May 26th, 1781.

Sir,

It is some time since I received your performance, dated the 30th of April last. I have read it with that attention, which it justly deserves, and finding many parts of it to coincide with my own opinions on the subject, it naturally strengthened that confidence, which every man ought to possess to a certain degree in his own judgment.

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You will very soon see the plan of a bank published, and subscriptions opened for its establishment, having already met with the approbation of Congress. It only remains for individuals to do their part, and a foundation will be laid for the anticipation of taxes and funds, by a paper credit that cannot depreciate. The capital proposed fell far short of your idea; and, indeed, far short of what it ought to be; but I am confident if this is once accomplished, the capital may afterwards be increased to almost any amount. To propose a large sum in the outset, and fail in the attempt to raise it, would be fatal. To begin with what is clearly within our power to accomplish, and on that beginning to establish the credit, that will inevitably command the future increase of capital, seems the most certain road to success.

I have thought much about interweaving a security with the capital of this bank, but am apprehensive it would convey to the public mind an idea of paper being circulated on that credit, and that the bank in consequence must fail in its payments, in case of any considerable run on it; and we must expect, that its ruin will be attempted by external and internal foes. I have,

therefore, left that point to the future deliberations of the Directors of this bank, to whom in due time, I shall communicate your address.

I esteem myself much your debtor for this piece, not merely on account of the personal respect you have been pleased to express, but chiefly on account of your good intentions; and for these, and the pains you have taken, I not only think, but on all proper occasions shall say, the public are also indebted to you.

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My office is new, and I am young in the execution of it. Communications from men of genius and abilities, will always be acceptable, and yours will ever command the attention of, Sir, your obedient humble servant,

ROBERT MORRIS.

TO MAJOR GENERAL PHILIP SCHUYLER.

Philadelphia, May 29th, 1781.

Dear Sir,

You will probably have heard that Congress have done me the honor to bestow their confidence, by appointing me to the important station of Superintendent of Finance of North America; a station that makes me tremble when I think of it, and which nothing could tempt me to accept, but a gleam of hope, that my exertions may possibly retrieve this poor distressed country from the ruin with which it is now threatened, merely for want of system and economy in spending, and vigor in raising the public moneys. Pressed by all my friends, acquaintances, and fellow citizens, and still more pressed by *the necessity*, the *absolute necessity*, of a change in our monied system, to work salvation, I have yielded, and taken a load on my shoulders, which it is impossible to get clear of without the faithful support and assistance of those good citizens, who not only wish, but will promote the service of their country. In this light I now make application to you, Sir, whose abilities I know, and whose zeal I have every reason to believe. The object, however, before me, is not of such magnitude as to require any great exertion of either at present, although it is of sufficient importance to induce the invocation.

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General Washington is distressed for want of an immediate supply of flour, and as I am not even yet fairly entered on the execution of my office, and when I do, have to meet an empty treasury, and a totally exhausted credit, it must be some time before funds can be created or money be commanded for any purpose whatsoever; and as I do not know any gentleman of such resources as General Schuyler, he seems the most likely of all men to give assistance under the present circumstances. I must, therefore, request that you will take the most speedy and effectual measures to deliver to the order of his Excellency, General Washington, one thousand barrels of flour, which I am sure you will purchase and cause to be transported on the most reasonable terms that are practicable. No time must be lost, but the flour must be sent down in the parcels as fast as procured. The Pennsylvania Bank had all the flour they supplied to the army, secured with outside lining hoops on each head of every barrel, and the weight and tare marked on each cask. If you were to cause this to be done, and add to the mark your name, it would save a waste of flour, oblige the Issuing Commissary to take notice of an account for the weights as well as barrels, and teach the army to think that they are indebted to your exertions for a seasonable supply.

I have the means of raising hard money to pay for this flour, and the charges on it; but the longer time I am allowed to do it, the more I can consult the public interest. I take it for granted, that you can, upon your own credit and engagements, either borrow the money for a few months, necessary to accomplish this business; or that you can make the purchases on such credit, without giving higher prices; and for your reimbursement, you may either take me as a public or a private man, for I pledge myself to repay you with hard money wholly, if required, or part hard and part paper, if you so transact the business. In short, I promise, and you may rely that no consideration whatever, shall induce me to make a promise, that I do not see my capability to perform, that I will enable you to fulfil your engagements for this supply of flour, if you find it convenient, you may draw on me for hard money or paper, payable in such sums, and at such times, as you can conceive may not be inconvenient, judging by what I have said on this subject. Should good bills on France be wanted, at about — hard money your currency, for five livres tournois, I will furnish them, drawn or endorsed by myself, for the whole, or any part of this purchase.

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I hope we shall hereafter supply our army by contracts, and your information and observations on this subject would be very obliging. Perhaps if you are not fully employed otherwise, you might start some worthy man under your patronage, that might render essential service to the public, with proper advantage to himself and connexions in this line.

I am, Dear Sir, yours, &c.

ROBERT MORRIS.

P. S. Remember, that I put absolute dependence on you for this one thousand barrels of flour, and it must be sent to the army directly.

TO THE PRESIDENT OF CONGRESS.

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Philadelphia, June 4th, 1781.

Sir,

Having been informed by several members of Congress, as also by his Excellency, the Chevalier de la Luzerne, that it was determined to put the management of the moneys lately granted by his Most Christian Majesty under my direction, in order that they might be punctually applied to the purposes for which the grant was made, viz. a vigorous prosecution of the present campaign; I had, in conjunction with the Minister of France, formed some arrangements for drawing part of this money into immediate use; but, on applying to the Secretary of Congress, I do not find that any act has been passed giving me authority over the moneys so granted; consequently, all proceedings must stop until the previous steps are taken by Congress.

I have the honor to be, &c.

ROBERT MORRIS.

TO B. FRANKLIN.

Philadelphia, June 8th, 1781.

Dear Sir,

In a private letter, which I did myself the honor to write you on the 6th instant, I announced the appointment I have received from the honorable Congress, to the office of Superintendent of the Finances of the United States of North America; and I now beg leave to address you in my official character.

Congress have thought proper to commit to me the disposition and management of the money granted to the United States by his Most Christian Majesty, in aid of our operations for the present campaign, in order that the same may be solely applied to that use; and for this reason, I have found it necessary to keep the whole sum of this grant separate and distinct from any other, so that its application may at any time be clearly seen. Instead, therefore, of drawing upon your Excellency, who have many other bills running upon you, I have judged it expedient to name Messrs Le Couteulx & Co., bankers in Paris, to receive the money from his Majesty's Ministers, so that they may be able to honor my bills with acceptance whenever they appear, and punctually to acquit them as they fall due. I have written to Messrs Le Couteulx, that you would join and support them in any application that may become needful to his Majesty or his Ministers, which I hope you will readily do.

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And, on the other hand, your attention to the interest of this country will lead you to inform yourself whether the house of Le Couteulx and Company, are as perfectly safe and rich as they ought to be, to entitle them to this trust. They are represented to me as one of the safest and most prudent banking houses in Europe; and his Excellency, the Minister of France at this place, now writes to have five hundred thousand livres tournois deposited with them, on account of the United States, subject to my drafts or orders. Should their credit not entitle them to this trust, you will please to interfere, and consult with M. Necker what banker to employ in such case, directing those you do employ, to accept and pay my drafts. However, I imagine these gentlemen will be found sufficiently safe.

Should it be more agreeable to M. Necker that any other banker be made use of, give me the name and write me the propriety of such alteration, and I shall acquiesce in such change immediately on the receipt of your letter, for I have no partiality in public business. All I wish is to act with security, and to the best advantage.

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If you think it proper to inquire into the terms on which the bankers will receive and pay this money, and settle their commissions on the most reasonable footing, I shall be happy in your doing so. I do not, however, wish to give you any trouble that is not proper and necessary; being, with the highest respect, your Excellency's most obedient, humble servant,

ROBERT MORRIS.

TO MESSRS LE COUTEULX & CO., BANKERS IN PARIS.

Philadelphia, June 8th, 1781.

Gentlemen,

In a private letter, I have already informed you of my appointment, by the honorable Congress, to the office of Superintendent of the Finances of the United States of North America; and in that character I now address you.

His Most Christian Majesty, having been graciously pleased to grant an aid of money for the purpose of invigorating our operations during the present campaign, I find it convenient to make use of your house as bankers to receive from his Majesty's Ministers such sums as they may have occasion to deposit, in order that you may accept and pay my drafts on you as fast as they shall appear. His Excellency, the Minister Plenipotentiary of France at this place, now writes to his Court, at my request, desiring that five hundred thousand livres tournois may be placed in your hands thirty days after the receipt of his letter, the said sum to be subject to my drafts or orders, and I shall proceed to draw upon you as fast as purchasers offer for the bills; therefore, I beg you will be prepared to honor my bills, drawn as Superintendent of Finance, whenever they offer; for I would not, on any account, that there should be the least demur; and I am confident, that his Most Christian Majesty's Minister of Finance will enable you punctually to make payment as they fall due. I shall communicate this matter to his Excellency, Benjamin Franklin, Minister Plenipotentiary from these States to the Court of Versailles, who will join you in any application that may become necessary in this business; which, however, I expect will be conducted much to your satisfaction. And as it may become important, I hope your attention to it can be relied on, and that you will render the charges as moderate as possible.

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I have the honor to be, &c.

ROBERT MORRIS.

TO M. DE LA LUZERNE, MINISTER OF FRANCE.

Philadelphia, June 8th, 1781.

Sir,

The honorable Congress having thought proper to invest me with the power, disposition, and management of the moneys granted by his Most Christian Majesty to the United States, for the purpose of assisting them to carry on the present campaign with vigor, I have, with your concurrence, taken some arrangements for drawing it into the uses for which the grant has been made; and in conformity with your promise, I pray you to write immediately to his Majesty's Ministers, that they cause the sum of five hundred thousand livres tournois to be deposited with Messrs Le Couteulx & Co., bankers in Paris, for account of the United States of North America, and subject to my drafts or orders as Superintendent of Finance of the said United States.

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This deposit I hope may, without inconvenience, be made in thirty days after the receipt of your letter; and I shall proceed to draw on Messrs Le Couteulx & Co. in full confidence thereof, until my bills on them shall amount to the said sum of five hundred thousand livres tournois, when I will give you timely notice, that another deposit may be made for the like purpose, and by this means I hope we shall occasion as little trouble to his Majesty's Minister of Finance as the nature of this transaction will admit of.

With great respect and esteem, &c.

ROBERT MORRIS.

CIRCULAR RESPECTING THE NATIONAL BANK.

Philadelphia, June 11th, 1781.

Sir,

No doubt you have seen in the public papers, the plan for establishing a National Bank, the necessity of which everybody sees, that allows himself the least time for reflection on the present state of public credit. All the public bodies in America have, more or less, lost the confidence of the world as to money matters, by trying projects and applying expedients to stop a course of depreciation, which original errors had fixed too deeply to admit of any radical cure.

It is vain to think of carrying on war any longer by means of such a depreciating medium, and at the same time an efficient circulation of paper that cannot depreciate, is absolutely necessary to anticipate the revenues of America. A National Bank is not only the most certain, but will prove the most useful and economical mode of doing so. It is, therefore, of the utmost importance that

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this first essay, confined as it is in point of capital, should be brought into action with the greatest expedition. I am sensible that plans of public utility, however promising and pleasing they may be on their first appearance, soon grow languid, unless it be the particular business of some man, or set of men, to urge them forward; this may be said to be my duty in the present instance. But as I cannot be everywhere, I must apply for support to gentlemen of your character and zeal for the service of their country, requesting in the most earnest manner, that you will urge your friends and fellow citizens to become proprietors of this bank stock.

Every subscriber will find his own interest benefited in proportion to the capital he deposits, and I dare say few will find the other parts of their fortunes to yield them so large or so certain an income as the stock they may have in the bank; and at the same time they will have the satisfaction to be considered forever as the promoters of an institution that has been found beneficial to other countries, and inevitably must be so in the highest degree to this; an institution, that most probably will continue as long as the United States, and that will become as useful to commerce and agriculture in the days of peace, as it must be to government during the war.

The capital proposed is but small, when the extent and riches of the United States are considered; but when put in motion, the benefits flowing from it will be so perceptible, that all difficulty about increasing the capital or securing its credit, will vanish, and we shall only have to appeal to the interest of mankind, which, in most cases, will do more than their patriotism; but there have been, and will continue to be, many instances, where interest is sacrificed to patriotism; and in that belief, I ask you to devote some of your time to this infant plan, which, as it gathers strength, may in the end prove the means of saving the liberties, lives, and property of the virtuous part of America. My good opinion of you is an excuse for giving you this interruption.

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I am, Sir, yours, &c.

ROBERT MORRIS.

TO THE PRESIDENT OF CONGRESS.

Philadelphia, June 21st, 1781.

Sir,

I find that the new payment of the moneys due to the subscribers to the Pennsylvania Bank materially injures and impedes the subscription to the National Bank. At the same time, I am informed, that Congress are unwilling to dispose of the bills lodged as a security, lest the Minister of the United States at Madrid should be incommoded by it. I have the honor to observe to your Excellency, that if these bills shall be submitted to my disposal, I think I can pay the debts, above mentioned, and cause the greater part of the money to be subscribed to the National Bank, thereby rescuing, in some measure, the public credit and forwarding the service, while, at the same time, I shall put the bills in such a train of negotiation, that at least a very considerable time must elapse before they can be presented, and probably they may not be presented at all.

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I have the honor to be, &c.

ROBERT MORRIS.^[33]

FOOTNOTES:

- [33] *July 4th.* I met the Directors of the Pennsylvania Bank, and a number of the subscribers to that bank called, at my desire; and I proposed that they should transfer their subscriptions from the Pennsylvania to the National Bank, and deliver up to me the bills of exchange deposited by Congress with the Directors as security; and I undertook to place the amount of what remained due to them from Congress, in the hands of Messrs Clymer & Nixon, in payment of such transferred subscriptions to the National Bank; which all that were present agreed to. *Diary.*

TO B. FRANKLIN.

Philadelphia, July 13th, 1781.

Sir,

The unanimous appointment to the Superintendency of our Finances, with which Congress have honored me, and my conviction of the necessity that some *one* person should endeavor to

introduce method and economy into the administration of affairs, have induced me, though with reluctance, to accept that office. Mr Jay will receive by this conveyance, and forward to you, copies of those resolutions and letters which may be necessary to explain my appointment and powers.

I wish I could as readily effect, as I most ardently desire, the accomplishment of all proper arrangements. Thoroughly convinced that no country is truly independent, until, with her own credit and resources, she is able to defend herself and correct her enemies, it shall be my constant endeavor to establish our credit and draw out our resources in such manner, that we may be little burdensome, and essentially useful to our friends.

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I am sure I need not mention to *you* the importance of collecting a revenue with ease, and expending it with economy. As little need I detail the time, the authority, the ability, the favorable circumstances, that must combine for these purposes. But I think that I may assert, that the situation of a country just emerging from dependence and struggling for existence, is peculiarly unfavorable; and I may add, that this country, by relying too much on paper, is in a condition of peculiar disorder and debility. To rescue and restore her, is an object equal to my warmest wishes, though probably beyond the stretch of my abilities.

Success will greatly depend on the pecuniary aid we may obtain from abroad; because money is necessary to introduce economy, while, at the same time, economy is necessary to obtain money; besides that a greater plenty of solid circulating medium is required to support those operations, which must give stability to our credit, fruitfulness to our revenue, and activity to our operations. Among those things, which, after the experience and example of other ages and nations, I have been induced to adopt, is that of a national bank, the plan of which I enclose. I mean to render this a principal pillar of American credit, so as to obtain the money of individuals for the benefit of the Union, and thereby bind those individuals more strongly to the general cause by the ties of private interest. To the efficacy of this plan, as well as to the establishment of a Mint, which would also be of use, a considerable sum of money is necessary, and, indeed, it is indispensably so for many other purposes.

Be not alarmed, Sir, from what I have said, with the apprehension that I am about to direct solicitations to the Court of Versailles; which, after the repeated favors they have conferred, must be peculiarly disagreeable. On the contrary, as I am convinced that the moneys of France will all be usefully employed in the vigorous prosecution of the war, by her own fleets and armies, I lament every sum which is diverted from them. Our necessities have indeed called for her aid, and perhaps they may continue to do so. Those calls have hitherto been favorably attended to, and the pressure of our necessities has been generously alleviated; nor do I at all doubt that future exigencies will excite the same dispositions in our favor, and that those dispositions will be followed with correspondent effects. But I again repeat my wish, at once to render America independent of, and useful to her friends.

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With these views, I have directed Mr Jay to ask a considerable sum from the Court of Madrid, to be advanced us at the Havana, and brought thence by us, if it cannot conveniently be landed here from Spanish men-of-war.^[34] I say *a considerable sum*, because, as I have declared to him, I do not wish to labor under the weight of obligation without deriving from it any real benefit; and because I consider the advance of small sums rather as a temporary palliation than a radical remedy. Our disorders are such, that the former can be of no use, and it would be better to desist in a desultory defence, than to put on the delusive appearances of a vigor we do not feel; for this lulls the people into a dangerous security, and softens those hopes of the enemy, which give duration and extent to the war. It is the disorder of our finances, which have prevented us from a powerful co-operation with our allies, and which have enabled the enemy to linger on our coasts with the dregs of a force once formidable; and it is from this cause that they have been permitted to extend the theatre, and multiply the victims of their ambition.

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America alone will not derive benefit from the advances which Spain may make to her. All the associates in the war will feel the *consequential* advantages. The expense of the American war now hangs a heavy weight about the neck of Britain, and enfeebles her on that element, which she called her own. An increase of that expense, or the loss of her posts here, must necessarily follow from additional efforts on our part, and either of these must be a consequential benefit to those who are opposed to her. France will derive a small *immediate* benefit from it, as she will thereby get more money here for her bills of exchange, than she can at present procure. But it is not so much from any advantage, which may be expected to that kingdom, or from any motives of *interest*, as from the generosity and magnanimity of the Prince, that we hope for support. I will not doubt a moment, that at your instance, his Majesty will make pressing representations in support of Mr Jay's application, and I hope that the authority of so great a Sovereign, and the arguments of his able Ministry, will shed auspicious influence on our negotiations at Madrid.

From the best returns I have been able to collect, and which are in some measure imperfect, from the confusions and disasters of the Southern States, I find that there are about seven millions two hundred thousand dollars due on certificates, which bear an interest of six per cent, payable in France, at the rate of five livres for every dollar. Many causes have conspired to depreciate the certificates, notwithstanding the interest is so well secured, and has been punctually paid. This depreciation is so great, that they are daily offered for sale at a very considerable discount, which is attended with two pernicious consequences; one, that a

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considerable expense is unnecessarily incurred, and the other, that the public credit is unnecessarily impaired. If I had the means, therefore, I would remove this evil by purchasing in the certificates; and to procure the means, I am to pray that you would state this matter fully to the Ministers of his Most Christian Majesty. The interest being guarantied by the Court of France, they now pay for this purpose, two millions one hundred and sixty thousand livres annually; a sum, which in less than ten years, would pay a debt of fifteen millions of livres at five per cent interest. With fifteen millions of livres, however, prudently managed, the whole of these certificates might be paid. I am sure it is unnecessary to dwell on the advantages, which would result from making such a loan for this purpose, and, I trust, that if this matter is stated to M. Necker, that enlightened Minister will co-operate in the plan, to the utmost of his ability. I again repeat, that I do not wish to lay any burdens on France; but this proposal is calculated to relieve us both; and, in any case, the expense to France will be the same. Should it be adopted, I must request the earliest notice, that my operations may commence; and, in any case, I hope that secrecy will be observed, for the most evident reasons.

I am sorry to inform you, that we have as yet no satisfactory news of the ship Lafayette; but, on the contrary, her long delay occasions the most alarming apprehensions. If, as but too probable, that ship is lost, you will more easily conceive than I can describe what will be the situation of our troops next winter.

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I could wish, as soon as possible, to have a state of all the public accounts transmitted, to the end that moneys due to the United States may be paid, and measures taken to provide for such sums as they stand indebted in to others. Your Excellency will, I dare say, send them as soon as may be convenient; and I hope the public affairs will hereafter be conducted in such a manner as to give you much less of that unnecessary trouble, which you have hitherto experienced, and which could not but have harassed you exceedingly, and, perhaps, taken up time, which would otherwise have been devoted to more important objects.

I shall, probably, have frequent occasion to address you, and shall always be happy to hear from you; but the mischiefs, which arise from having letters intercepted, are great and alarming. I have, therefore, enclosed you a cypher, and in the duplicate of my letters, I shall enclose another. If both arrive, you will use one, and, in case of your absence, leave the other with such person as may supply your place. Let me know, however, which cypher you use.

The bearer of this letter, Major Franks, formerly an Aid-de-camp to General Arnold, and honorably acquitted of all connexion with him, after a full and impartial inquiry, will be able to give you our public news more particularly than I could relate them. He sails hence for Cadiz, and on his arrival will proceed to Madrid, where having delivered my letters to Mr Jay, he will take his orders for you. He will then wait your orders, and I hope, will soon after meet a safe opportunity of coming to America.

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With the most perfect esteem and regard, I have the honor to be, &c.

ROBERT MORRIS.

FOOTNOTES:

[34] See a letter from Mr Morris, in *John Jay's Correspondence*, Vol. VII. p. 421.

TO B. FRANKLIN.

Philadelphia, July 14th, 1781.

Dear Sir,

If Major Franks had departed yesterday, as was expected, he would have left the enclosed cypher behind. It was supposed to have been with the plans of the intended bank, but was left out by accident. I wish you would, when leisure and opportunity will permit, converse with some of the eminent bankers in Paris on this plan, and ask whether a correspondence and connexion with the directors will be agreeable, and whether they would establish a credit for this bank, and to what amount, to be replaced again by remittances in other bills within such time as they may limit. Or, if they decline giving such credit, then the terms on which they will receive remittances and pay drafts of the bank.

An American bank must deal largely in bills of exchange. It will thereby rule the price of bills so as to keep it pretty steady, by passing most of the bills drawn on the continent through their channel, so as to leave a certain moderate profit. And the use of a credit in Europe will be, to have paid for their honor such bills as may be protested on account of the drawers; by which means the bank will secure the damages of twenty per cent, and pay only interest for advance and commission for negotiating. Occasion may also offer, when the bank, by drawing on Europe, shall get a high price for bills, and in a few months replace them much cheaper.

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I do not wish to give you trouble on this occasion; but, if opportunities offer, you can mention the subject, and if any of the bankers will write me proposals, I will lay them before the directors. You will tell them, that although the very moderate sum of four hundred thousand dollars is proposed as the first capital, I intend to increase it gradually to ten times that sum. The only difficulty is to get it into action now that people have but little money and less confidence. I should be glad to see your name in the list of subscribers to an institution, that I believe will be permanent.

I ever am, Dear Sir, yours, &c.

ROBERT MORRIS.

TO THE GOVERNOR OF HAVANA.

Philadelphia, July 17th, 1781.

Sir,

The favorable attention shown to me by your Excellency in my private character, has excited those sentiments of esteem and respect, which now impel me to ask your assistance for my country.

The United States of North America, are at the present moment, possessed of more strength in men, arms, and ammunition, than when they first ventured to wage war with Great Britain. The means of subsistence are abundantly equal to our own wants, and will essentially contribute to the relief of our friends. A variety of causes, too numerous to be detailed, in the compass of a letter, have combined to destroy the credit of that paper money, which has enabled us hitherto to support the war. It has therefore become necessary to provide the means for paying the expenses to be incurred hereafter. Our people are not yet inured to taxation, neither has the revenue, which this country is capable of affording, been drawn fairly or fully into use. The derangement of our credit and finances, consequent upon the loss of faith in our paper, rendered it necessary for Congress to create a Superintendent of the Finances of the United States, in order, that he might regulate and settle the present debts, point out new funds, with the best means of collecting them, and superintend the public expenditures, so as to prevent as much as possible all excess or abuse. This arduous task is assigned to me, by a unanimous choice of that honorable body; and nothing could have induced me to undertake it, but my perfect conviction, that it is necessary that some person should undertake the work of reformation and economy. I have engaged in this business with the sole view of saving my country, and therefore think myself entitled to seek support from all who are really friends to her independency, and particularly from those nations, which have become parties in the war.

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I have commenced my administration with a proposal to establish a National Bank; the plan of which I take the liberty to enclose. The subscriptions to it are going on, and I expect the very moderate sum therein proposed will soon be completed. When that is done, the directors will be chosen, incorporated, and proceed on their business. As the bank notes are intended to be made use of by government in anticipation of the revenues of this country, you will easily perceive, that the sum proposed is far short of the object, which it is intended to accomplish. My present pursuit, therefore, is to obtain such additional sums as will, when deposited in the bank, not only facilitate the anticipations above mentioned, but induce further subscriptions among our own countrymen. For when they see and feel the use of an institution, which they are yet unacquainted with, they will cheerfully and liberally support it.

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It is to your Excellency that I apply for foreign aid. The vicinity of your situation, the frequent intercourse between your port and this, and your ability to comply with what I shall request, all point out the propriety of that application. Your friendly disposition towards these United States, and above all your strong attachment to the interests of your own country, will dispose you to yield me every assistance in your power. The United States have already received very considerable aid from the Court of Madrid. Much more, however is expected,^[35] and in time to come these services will be repaid with honor, as they now are acknowledged with gratitude.

Our distresses induced Congress to order certain bills of exchange to be drawn on their Ministers at the Courts of Versailles and Madrid. The former have been all negotiated and paid off by the assistance of that Court. Many of the latter have also been negotiated, and those that have appeared for payment have been discharged. There is every reason to believe, that this would still happen; but we learn that the advance of money in Europe is rendered inconvenient during the war, by the impediments, which it occasions to the usual course of remittances from his Majesty's American territories. We have desisted, therefore, from the further sale of those bills, especially as we have reason to expect, that in consequence of measures adopted here, Mr Jay will obtain from your country a much larger sum than we had before asked for; and that the greater part, if not the whole of it, will be paid to us at your port. However this may be, my present view is to obtain from Havana, as expeditiously as possible, four hundred thousand Mexican dollars, in order to deposit them in the bank, and thereby doubling the capital, give its operations such force as will draw the attention of our own citizens, and induce them to afford it

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such assistance as will reduce our necessities, and place us in a situation to be less troublesome to our allies and friends in the common cause.

His Excellency the Chevalier de la Luzerne, Minister of France at this place, in consequence of orders from his Court, has authorised me to draw bills of exchange on Paris to a very considerable amount; and being sensible of the propriety of my proceedings, he will give you assurances, that they shall be punctually paid. I transmit a bill for five hundred thousand livres to Robert Smith, now appointed agent for these United States at your port, in order that he may negotiate it, and ship the money back to my address. Should it in any manner promote the interest of your Court he will certainly give your Excellency a preference in the purchase; and I am confident, that if this should not be convenient to you, you will countenance and promote his negotiations with private persons. I have also transmitted to Mr Smith certain bills, drawn some time past by order of Congress, on his Excellency John Jay, to the amount of one hundred and twenty thousand, three hundred and eightyone dollars. I am to request, and have strong hopes, that when Mr Smith shall have deposited these bills with you, your Excellency will advance that sum, so that he may immediately ship it to my address.

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We are convinced that these bills, if sent forward, would have been paid by your Court; but as such a negotiation would bring no money into the treasury, I propose that you keep them in your possession until the pleasure of the Court shall be known. I will write very fully to Mr Jay on this subject, and obtain the earliest information. But lest the Court should not choose that these bills be finally accepted by you in discharge of the moneys advanced on them, I have empowered Mr Smith for your perfect security to enter into conditional stipulations to repay your Excellency that money by a delivery of flour to the amount, at such price as you and he may agree for; the payment to commence as soon after the pleasure of the Court shall be known as circumstances will admit.

I hope, Sir, you will find it agreeable to your inclinations, and perfectly consistent with the duties of your station to gratify my desires. They are very moderate considering the necessities of this country, and your ability to minister to its relief. Besides, your Excellency's good sense will readily perceive, that money granted to invigorate the operations of America will weaken and distress the common enemy much more than the same sums expended in Europe, because the enemy must prosecute the war here at more than four times the expense at which it must be carried on there.

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Assuring myself of assistance from your Excellency I have ordered one of the continental frigates to proceed with these despatches for Havana. She will take with her some flour, which I have ordered returns for in dollars.

There are two most cogent reasons why this frigate should be despatched instantly from your port with the money. The first is, because we are much in want of it; and the second is, to prevent our enemies from the possibility of receiving any advice of her. We have so contrived things here, that everybody believes she is going to join the French fleet at Rhode Island, and to carry the flour for their use.

On the whole, I most earnestly entreat your Excellency, that if it be at all convenient and consistent with your duty, you will advance the whole of the four hundred thousand dollars in question to Mr Smith, so that the frigate may immediately return.

I am sensible that there are certain duties payable to his Majesty on the exportation of money from your port; but as this which I apply for, is to be expended in carrying on the war against his Majesty's enemies, I hope it may be dispensed with; if not, our Minister at Madrid will be directed to make application to the Court on that subject, so that the duty being charged to us in the first instance, may, if not remitted, be added to the general sum. The same observations will apply to the flour on board this frigate, which is also public property.

I hope it is not necessary to add anything more to induce a full compliance with my requests. But his Excellency the Chevalier de la Luzerne, Minister of France, and Don Francisco Rendon, your own Agent here, will also write you on the subject of this application.

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I have the honor to remain, with sentiments of the highest esteem and respect, &c. ^[36]

ROBERT MORRIS.

FOOTNOTES:

[35] This anticipation was never realized, as the whole amount of the Spanish loan to the United States during the war, was no more than one hundred and fifty thousand dollars.

[36] For several letters from Mr Morris to Mr Jay, on the subject of loans in Spain, and the National Bank, see *John Jay's Correspondence*, Vol. VII. pp. 421-449.

TO ROBERT SMITH, AGENT FOR THE UNITED STATES IN CUBA.

Philadelphia, July 17th, 1781.

Sir,

Upon a proper representation of your character, situation, and attachments to your country and its cause, the Congress of the United States of America have thought proper to appoint you their Agent at the port, of Havana and Island of Cuba. I take much pleasure in transmitting your commission, which you will find enclosed herein; because my knowledge of you leads me to expect every exertion, which your situation and the circumstances attending it will admit of, in favor of your country.

You will not find any salary annexed to your appointment for this plain reason, that we cannot afford any. It is our present business to reduce salaries heretofore given, and not to create new ones. This appointment, however, may be attended with pecuniary advantages, because a public character may, and no doubt will, point you out to American merchants as the proper person to intrust with their commercial affairs. Continental prizes and other objects may occasionally turn up, which will leave a reasonable commission behind; and you will have the pleasure of serving Congress when necessary, and the citizens and commerce of your country, as often as opportunities for so doing may occur.

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I shall now put your talents to the proof. You will find enclosed a letter I have written for his Excellency Governor Navarro (or should he be gone, for his successor) which will unfold to you very fully my intentions. You will find enclosed in it for him, as in this letter for you, the plan of a National Bank, which I have proposed to establish for many valuable purposes. You will observe that the sum proposed as a capital is far short of what it ought to be; but I was afraid of attempting too much at first, and must now endeavor to increase it by other means. If any of your acquaintances in the Havana have a mind to speculate in the American funds, I think they cannot place their money on a more secure or profitable establishment. This Bank will, I believe, exist for ages to come; and I am persuaded the annual dividends will not be less than from eight to ten per cent. They may also have the honor and pleasure of seeing their names enrolled among the first promoters of this useful institution, on which the salvation of our country in some measure depends. Should any of them incline to subscribe, they must send hither money at their own risk; consigning it to whomsoever they please, with power to act for them. I hope you will promote this business, and in order that you may be able to show the profits arising from it, I am to observe, that when once, by punctual payment, the notes of the bank have obtained full credit, the sum in specie, which will be deposited, will be such, that the bank will have the interest of a stock two or three times larger than that which it really possesses. Should M. Miralles, or any of the family be so inclined, I will put any part of their money into the bank, which they may think proper.

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By captain James Nicholson, commanding the frigate Trumbull, I send a bill of lading and invoice of five hundred barrels of flour, which is all fresh and good, and a considerable part of it superfine. This flour I have caused to be shipped to your address, on account and risk of the United States of North America. Be pleased to receive it as quickly as may be from the ship, make the most advantageous sale of it, which you can, and remit the net proceeds in Mexican dollars, consigned to my order, for account and at the risk of the United States. I expect you will not charge more than five per cent for transacting the business, that is, two and a half per cent on the sales, and the same on the returns.

I have also enclosed a bill of exchange, drawn by myself on Messrs Le Couteulx & Co. bankers in Paris, to the amount of five hundred thousand livres tournois; this bill is at sixty days' sight, and you may depend it will be punctually paid, for I have the authority of the Court of Versailles to draw it, and every assurance I could wish. You will observe, by my letter to the Governor, that he is to have the refusal of this bill; you will therefore offer it to him in the first instance. When I consider the risk, which must attend sending money from Havana to Cadiz, and the remittances, as well private as public, which are to be made from one place to the other, I cannot but persuade myself, that unless the government and the people are alike blind to their interests, good bills must sell at a very considerable advance. Should the Governor decline taking the bill on Paris, as it is not probable that any one private person would purchase it, you may either remit it to the House of Le Couteulx & Co. in Paris, or to the House of Messrs. J. L. & L. Le Couteulx & Co. at Cadiz, as may be most convenient for your operations. You will then draw on the House to whom you remit the bill, and sell your bills to the same amount. Should you remit to the House in Cadiz, let me know it, that I may write and apprise them of it; but this I shall do provisionally, beforehand, so that they may be prepared for you.

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I have also, as you will perceive, written to his Excellency on the subject of certain other bills of exchange, drawn on Mr Jay. You will endeavor to get the money for these, if possible; and in case it is required, you will enter the stipulations there mentioned, as to the shipment of flour. In this last case, get the flour fixed at as high a rate as possible, and let me have due notice, so that I may punctually cause to be fulfilled, whatever contracts you shall, on the part of the public, have entered into.

Should his Excellency be inclined to make those advances of money, which I have so earnestly pressed upon him, you will be able the sooner to despatch the frigate, which I hope will be done without delay. But as there is a risk in placing large sums on board of any one vessel, I am to

observe, that if there should be any fast sailing vessels about to leave the Havana at the same time, and if in consideration of convoy, they will take the public money freight free, you will then prudently distribute it among them, and direct Captain Nicholson to give them signals, and to take them under his convoy. But I must caution you, that on no consideration is any private property to be covered as belonging to the public, either to save the duties or for any other purpose. You will, therefore, use all proper vigilance to prevent everything of this sort, should it be attempted. If there are not such vessels as Captain Nicholson and you shall approve of ready to sail, then ship the whole money in the frigate; for the risk of being waylaid by the enemy in consequence of any unnecessary delay, is greater than that of being otherwise intercepted.

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It is unnecessary for me to mention to you, that we want money exceedingly. This very measure must convince you of it. Exert yourself therefore to get it, and you will merit much at the hands of your country. Should you not succeed in getting the whole sum I have asked for, get as much as you possibly can; and if the Governor should decline advancing any money on the bills drawn by order of Congress on Mr Jay, perhaps the Intendant may accept your contract for flour, and take these bills in security, or you may possibly borrow on their credit from individuals, to be repaid when I shall send you shipments of flour, which I will cause to be done so soon as I shall hear from you to this effect.

I have forbidden Captain Nicholson to cruise, but should fortune enable him to bring a good prize into Havana, the Continent has one half, and you must send that half to me in dollars. Whatever supplies the frigate is absolutely in need of, you must let her have; but I entreat, that the expenses may be as moderate as possible, and the best way to secure this is to despatch her quickly, for the moment they get clear of the salt water air, and feel, their land tacks on board, every soul of them will try to get his hands into your pockets; but take care.

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I have desired Captain Nicholson to consult with and obey you whilst in Havana, and to push off whenever you say the word. I shall send you flour by private vessels, for the sake of getting money back, and write you further, as occasion may require.

I am, Dear Sir, &c.

ROBERT MORRIS.

TO B. FRANKLIN.

Philadelphia, July 19th, 1781.

Sir,

The foregoing are duplicates of my letters of the several dates there mentioned, by Major Franks, who has sailed for Cadiz. I now enclose to you duplicate copies of the letters and resolutions, referred to in mine of the thirteenth.

I do not write to Colonel Laurens, because I know not whether he is still in France, and because I am confident you will make to him all necessary communications. I pray you, if he is still with you, to present my compliments to him, and inform him of the reasons of my silence. Colonel Laurens's letter of the 9th of April last, from Versailles, has been received, and I am induced to hope, that the ten millions of livres mentioned in it, to be borrowed in Holland, will be, as he says he shall request, advanced from the treasury of France.

He mentions also a promise of the Marquis de Castries to make immediate arrangements for the safe transportation, of the pecuniary and other succors destined hither. It would be well that the money, or as much of it as possible, were in heavy half Johannes. Whether this letter may arrive in time I know not, but if it should, you will, I hope, be able to effect my views.

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If the fifteen millions of livres I mentioned in my letter of the 13th, can be obtained, it will be best that they should be retained in France, provided the ten millions be sent to America; for in that case, the exchange may, I believe, be put upon such a footing as to answer every valuable purpose. Of consequence the risk will be saved to America, and France will not suffer by the exportation of so much coin. To this it may be added, that a loan will probably be more easily obtained, if the days of payment of the money by the subscribers to it be somewhat distant, which will answer very well for bills of exchange, though not quite so well for the exportation of money.

I have the honor to be, &c.

ROBERT MORRIS.

TO B. FRANKLIN.

Philadelphia, July 21st, 1781.

Sir,

I have now to inform you, that the State of Pennsylvania had emitted five hundred thousand pounds in bills of credit, funded in such manner, that there could be no reasonable doubt of their redemption. But the public confidence had been so impaired, that these bills, soon after they came out, rapidly depreciated, notwithstanding the solidity of the funds by which they had been secured. The executive authority of Government, therefore, declined issuing more of them than were then in circulation (being one hundred and thirty thousand pounds), and called together the Legislature. The Assembly, at their late meeting, took measures for the collection of a very considerable tax, sufficient to absorb all the paper then in circulation, and which was receivable in taxes, as also a considerable balance in specie. It is therefore evident, that if the tax has time to operate before any more of the paper be issued, it must necessarily rise in value.

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The Assembly did me the honor to commit this sum of five hundred thousand pounds to my care, for the purpose of paying to Congress a balance due on the resolutions of that honorable body, of the 18th of March, 1780, and of procuring the specific supplies which had been called for, the greater part of which had been unpaid. In this situation, it has been my study to effect both these objects, without making any new issues of the paper money. I cannot easily describe to you the good consequences which would follow from the appreciation of it. You will partly conceive them, when I inform you, that it is now at five for one, and that my expectation of specific supplies, or rather of furnishing rations to the amount of them, is very much founded upon the rise of its value.

Finding, however, that the balance of money due to the United States has been already drawn for by them, and that the holders of those drafts are very clamorous for payment, I must put money into the hands of the proper officer immediately. To accomplish this, I have fallen upon an expedient, which, while it answers that purpose, will be productive of another very considerable advantage. To explain which, I must previously inform you, that I have lately refused to draw bills on Messrs Le Couteulx & Co. for any other than specie; so that the paper will no longer answer the purpose of procuring a remittance to Europe. I shall, at the same time, borrow such of it as I can discover to have been hoarded, and by paying it to the holders of the drafts drawn by Congress, throw it again into circulation. I shall then draw bills on you for four hundred thousand livres, payable at six months' sight or more, for which I expect to get four hundred thousand paper dollars; a sum sufficient to satisfy the demand. I shall draw on Messrs Le Couteulx & Co. in your favor, to this amount, payable at sixty days' sight, which will probably leave four months for my operations; but at any rate, it will leave three months, which will be amply sufficient; and, therefore, in three months after I shall have drawn on you, I shall remit you my drafts on Messrs Le Couteulx & Co. If in that period this money can be appreciated, it will be a gain to the United States of the difference, which you will clearly see to be very considerable. By this means, also, I shall so economise the funds placed in my hands, that I can make them productive of the supplies from this State.

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In mentioning these supplies, it occurs to me, also, to make mention of what has passed, relative to the contract you entered into for a part of them, to the amount of four hundred thousand dollars. Colonel Mennonville spoke to me on this subject, from the Count de Rochambeare, shortly after my appointment. Upon considering the very slender situation of our revenue, or rather the total want of it, and that the several States had omitted furnishing the specific supplies demanded of them, I told Colonel Mennonville, and told him truly, that I had but little prospect of complying with your promise. It is not easy to convey to your mind an idea of the pain I suffered from being obliged to make this declaration. I felt for you, for Congress, for America. There is no man in the world more deeply impressed than myself with the importance of fulfilling every compact made by a proper authority. All my reasonings, my feelings, and my experience, have concurred in producing a thorough conviction, that it is essential according to the principles of justice, from a regard to our national honor, and for the sake of our general interests. I shall, therefore, notwithstanding what has passed between Colonel Mennonville and myself, assiduously endeavor to perform your promise, and I am happy to add, that I am not without hopes of success.

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With respect to the bills I intend to draw on you, I must apologize for the trouble they will give you, which I hope will be but little. It will be only necessary to accept them, and direct the holders what banker to apply to for payment. That banker will be enabled to make payment, by the bill I shall draw on Messrs Le Couteulx, & Co. in your favor. Perhaps it may be most convenient to send the bill holders to them, but this you will be the best judge of. It is unnecessary to state any reasons to you for accepting these bills, as I cannot suppose you will have the least hesitation on that subject. I take this opportunity, however, of pledging myself to you, that you shall suffer no inconvenience from honoring them with your acceptance, as I shall most certainly remit in time the bills sufficient to discharge all I draw on you. My reason for drawing them on you at all arises from this circumstance, that I am desirous of keeping the transaction entirely distinct, and that many inconveniences would follow from drawing bills on Messrs Le Couteulx, & Co. at six months' sight for paper, while I draw others at sixty days' sight for specie, especially after my refusal to draw on them except for specie, which refusal was, as you will perceive, a necessary part of my plan. Add to this, also, that the arrangements I had made with the Minister of his Most Christian Majesty would not permit it. When this transaction shall be finished, that is, when my remittances to you and my drafts on you are all paid, be pleased to send me copies of the bankers' accounts.

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CIRCULAR TO THE GOVERNORS OF THE STATES.

Philadelphia, July 25th, 1781.

Sir,

I had the honor to write to you on the — instant, enclosing a certified copy of the account of your State, as it stands in the treasury books of the United States. I now pray leave to recall your attention to it.

It gives me great pain to learn, that there is a pernicious idea prevalent among some of the States that their accounts are not to be adjusted with the continent. Such an idea cannot fail to spread listless languor over all our operations. To suppose this expensive war can be carried on without joint and strenuous efforts, is beneath the wisdom of those who are called to the high offices of legislation. Those who inculcate maxims, which tend to relax these efforts, most certainly injure the common cause, whatever may be the motives which inspire their conduct. If once an opinion is admitted, that those States who do the least and charge most will derive the greatest benefit, and endure the smallest evils; your Excellency must perceive that shameless inactivity must take the place of that noble emulation, which ought to pervade and animate the whole Union. It is my particular duty, while I remind my fellow citizens of the tasks, which it is incumbent on them to perform, to remove, if I can, every impediment which lies in the way, or which may have been raised by disaffection, self interest, or mistake. I take, therefore, this early opportunity to assure you, that all the accounts of the several States with the United States, shall be speedily liquidated if I can possibly effect it, and my efforts for that purpose shall be unceasing. I make this assurance in the most solemn manner, and I entreat that the consequences of a contrary assertion may be most seriously weighed and considered, before it is made or believed.

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These accounts naturally divide themselves into two considerable branches, viz. those which are subsequent to the resolutions of Congress of the 18th of March, 1780.^[37] The former must be adjusted as soon as proper officers can be found and appointed for the purpose, and proper principles established so as that they may be liquidated in an equitable manner. I say, Sir, in an equitable manner, for I am determined that justice shall be the rule of my conduct, as far as the measure of abilities, which the Almighty has been pleased to bestow, shall enable me to distinguish between right and wrong. I shall never permit a doubt, that the States will do what is right; neither will I ever believe that any one of them can expect to derive advantage from doing what is wrong. It is by being just to individuals, to each other, to the Union, to all; by generous grants of solid revenue, and by adopting energetic methods to collect that revenue; and not by complainings, vauntings, or recriminations, that these States must expect to establish their independence and rise into power, consequence and grandeur. I speak to your Excellency with freedom, because it is my duty so to speak, and because I am convinced that the language of plain sincerity is the only proper language to the first magistrate of a free community.

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The accounts I have mentioned as subsequent to the resolutions of the 18th of March, 1780, admit of an immediate settlement. The several States have all the necessary materials. One side of this account consists of demands made by resolutions of Congress, long since forwarded; the other must consist of the compliances with those demands. This latter part I am not in a capacity to state, and for that reason I am to request the earliest information, which the nature of things will permit, of the moneys, supplies, transportation, &c. which have been paid, advanced, or furnished, by your State, in order that I may know what remains due. The sooner full information can be obtained, the sooner shall we know what to rely on, and how to do equal justice to those who have contributed, and those who have not, to those who have contributed at one period, and those who have contributed at another.

I enclose an account of the specific supplies demanded of your State, as extracted from the journals of Congress, but without any mention of what has been done in consequence of those resolutions. Because as I have already observed, your Excellency will be able to discover the balance much better than I can.

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I am further to entreat, Sir, that I may be favored with copies of the several acts passed in your State since the 18th of March, 1780, for the collection of taxes and the furnishing supplies, or other aids to the United States; the manner in which such acts have been executed, the times which may have been necessary for them to operate, and the consequences of their operation. I must also pray to be informed of so much of the internal police of your State as relates to the laying, assessing, levying, and collecting taxes. I beg leave to assure your Excellency, that I am not prompted either by an idle curiosity, or by any wish to discover what prudence would dictate to conceal. It is necessary that I should be informed of these things, and I take the plain, open, candid method of acquiring information. To palliate or conceal any evils or disorders in our situation, can answer no good purpose; they must be known before they can be cured. We must

also know what resources can be brought forth, that we may proportion our efforts to our means, and our demands to both. It is necessary, that we should be in condition to prosecute the war with ease, before we can expect to lay down our arms with security, before we can treat of peace honorably, and before we can conclude it with advantage. I feel myself fettered at every movement, and embarrassed in every operation from my ignorance of our actual state, and of what is reasonably to be asked or expected. Yet when I consider our real wealth and numbers, and when I compare them with those of other countries, I feel a thorough conviction, that we may do much more than we have yet done, and with more ease to ourselves than we have yet felt, provided we adopt the proper modes of revenue and expenditure.

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Your Excellency's good sense will anticipate my observations on the necessity of being informed what moneys are in your treasury, and what sums you expect to have there, as also the times, by which they must probably be brought in. In addition to this, I must pray you to communicate the several appropriations.

A misfortune peculiar to America, requires that I entreat your Excellency to undertake one more task, which perhaps is far from being the least difficult. It is, Sir, that you will write me very fully as to the amount of the several paper currencies now circulating in your State, the probable increase or decrease of each, and the respective rates of depreciation.

Having now stated the several communications, which are most indispensable, let me entreat of your Excellency's goodness, that they may be made as speedily as possible, to the end, that I may be early prepared with those propositions, which from a view of all circumstances, may be most likely to extricate us from our present difficulties. I am also to entreat, that you will inform me when your Legislature is to meet. My reason for making this request is, that any proposals to be made to them, may arrive in season for their attentive deliberation.

I know that I give you much trouble, but I also know, that it will be pleasing to you, because the time and the labor will be expended in the service of your country. If, Sir, my feeble but honest efforts, should open to us the prospect of American glory; if we should be enabled to look forward to a period, when, supported by solid revenue and resources, this war should have no other duration or extent than the wisdom of Congress might allow, and when its object should be the honor and not the independence of our country; if with these fair views the States should be roused, excited, animated, in the pursuit, and unitedly determining to be in that happy situation, find themselves placed there by the very determination; if, Sir, these things should happen, and what is more, if they should happen soon; the reflection that your industry has principally contributed to effect them, would be the rich reward of your toils, and give to your best feelings their amplest gratification.

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I have the honor to be, &c.

ROBERT MORRIS.

FOOTNOTES:

[37] It stands thus in the manuscript, but there seems to be an omission of what is meant by the *first branch* of the accounts.

B. FRANKLIN TO ROBERT MORRIS.

Passy, July 26, 1781.

Dear Sir,

I have just received your very friendly letter of the 6th of June past, announcing your appointment to the superintendence of our finances. This gave me great pleasure, as from your intelligence, integrity and abilities, there is reason to hope every advantage, that the public can possibly receive from such an office. You are wise in estimating beforehand, as the principal advantage you can expect, the consciousness of having done service to your country; for the business you have undertaken is of so complex a nature, and must engross so much of your time and attention, as necessarily to injure your private interests; and the public is often niggardly even of its thanks, while you are sure of being censured by malevolent critics and bug-writers, who will abuse you while you are serving them, and wound your character in nameless pamphlets; thereby resembling those little dirty insects, that attack us only in the dark, disturb our repose, molesting and wounding us, while our sweat and blood are contributing to their subsistence. Every assistance that my situation here, as long as it continues, may enable me to afford you, shall certainly be given; for, besides my affection for the glorious cause we are both engaged in, I value myself upon your friendship, and shall be happy if mine can be made of any use to you.

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With great and sincere esteem, I am ever, Dear Sir, &c.

B. FRANKLIN TO ROBERT MORRIS.

Passy, July 26th, 1781.

Dear Sir,

I have received the letter you honored me with, of the 8th of June past, acquainting me, that as Superintendent of Finance, you have named Messrs Couteulx, & Co. at Paris to receive from his Majesty's Ministers the money granted to Congress, that they may be enabled to honor your bills whenever they appear; and you intimate a desire to be informed of the responsibility of that house.

With regard to the six millions given by the King in aid of our operation's for the present campaign, before the arrival of Mr Laurens, 2,500,000 of it went in the same ship with him in cash; stores equivalent to 2,200,000 more of it were ordered by him, and are shipped; 1,500,000 were sent to Holland, to go in the ship commanded by Commodore Gillon. Add to this, that Captain Jackson, by his orders, purchased clothing and stores in Holland, to the value of about £50,000 sterling, for which he has drawn bills on me, which bills I accepted, and also agreed to pay those drawn on Messrs Laurens, Jay, and Adams; expecting aid from a projected loan of 10,000,000 of livres for our use in Holland. But this loan meeting with unforeseen difficulties, and its success uncertain, I have found myself obliged to stop the money in Holland, in order to be able to save the honor of the Congress drafts, and to comply with my engagements. By these means you have really at present no funds here to draw upon. I hope, however, that Messrs Couteulx, & Co. will be enabled to honor your drafts; but I trust in your prudence that you will draw no more till you have advice of funds provided. And as the laying out so much money in Holland instead of France is disapproved here, and the payment will, therefore, not be provided for, I must earnestly request your aid in remitting that sum to me before December next, when my acceptances will become due, otherwise I shall be ruined with the American credit in Europe.

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With regard to the wealth and credit of the House of Le Couteulx, & Co. I have never heard it in question. But as Mr Ferdinand Grand, banker at Paris, and his broker, Sir George Grand, banker in Holland, have been our zealous and firm friends ever since our arrival in France, have aided us greatly by their personal interest and solicitations, and have often been six or seven hundred thousand livres in advance for us, and are houses of unquestionable solidity, I cannot but be concerned at any step for taking our business out of their hands, and wish your future bills may be drawn on Ferdinand Grand, for I think it concerns our public reputation, to preserve the character of gratitude, as well as that of honesty and justice. The commission hitherto charged to us by Mr Grand for receiving and paying our money is a half per cent, which, considering the trouble given by the vast number of small drafts for interest of the loans, appears to me a moderate consideration.

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With great and sincere esteem, I have the honor to be, Dear Sir, &c.

B. FRANKLIN.

TO THE GOVERNORS OF MASSACHUSETTS, RHODE ISLAND, NEW YORK, DELAWARE, MARYLAND, AND NORTH CAROLINA.

Philadelphia, July 27th, 1781.

Sir,

I find upon examination, that the recommendation of Congress of the 3d of February last, for laying an impost of five per cent on goods imported, and a like impost of five per cent on prizes and prize goods, has not been complied with by your State.

The object which Congress had in view when they issued this recommendation was of the utmost importance, and every day gives it an additional weight and magnitude. Whether these States are able to support the annual expenses of the war by their annual revenue, and whether it would be prudent and wise to draw forth such revenue, are questions which may hereafter be agitated, considered, and answered. For the present it is sufficient to observe, that no methods have hitherto been adopted to produce a revenue by any means adequate to the current expenses. The public debt, therefore, is large and increasing. The faith of the United States is pledged to the public creditors. At every new loan it must be pledged anew, and an appeal is now made to the States individually, to support the public faith so solemnly pledged. If they do, it is possible that public credit may be restored, if not our enemies will draw from thence strong arguments in favor of what they have so often asserted, that we are unworthy of confidence, that our union is a rope of sand, that the people are weary of Congress, and that the respective States are

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determined to reject its authority. I fear that a mere verbal contradiction of these assertions will have but little effect. No words will induce men to risk their property upon the security of a nominal union. Your Excellency will be able at once to determine whether that union is more than nominal, in which any part shall refuse to be bound for the debts of the whole, or to contribute to the general defence. I must be permitted, however, to observe, that in matters of public credit long delay is equivalent to direct refusal.

Despotic governments are in war superior to others by the union of efforts, the secrecy of operations, and the rapidity with which every wheel may be moved by one sovereign will. This superiority, however, is amply compensated to free governments by the ardent attachment of their citizens, and the general confidence, which enables them to make exertions beyond their force, and expend in one year the revenues of many. A single view of our enemy, in the unequal contest she now carries on, will demonstrate these advantages more clearly than any arguments. The credit of Great Britain is not only her chief, but it is almost her only support. Inferior in everything else to the associates combined against her, she still makes head everywhere, and balances the opposition through the four quarters of the globe. While we feel the force of these last struggling of her ambition, we must admire the source from whence they flow. Admiring, we should endeavor to imitate, and in order to succeed, we need only to make the attempt. There was a time when public confidence was higher in America than in any other country. Hence the existence of that paper, which bore us through the conflict of five years' hostility. In the moment when no others dared oppose Great Britain in her career towards universal empire, we met her ambition with our fortitude, encountered her tyranny with our virtue, and opposed her credit with our own. We may perceive what our credit would have done, had it been supported by revenue, from what it has already effected without that support. And we have no reason to doubt but that it may be restored, when we reflect on the fate which paper currencies have formerly sustained. The appeal, as I have already had the honor to observe, is made by Congress to the several States. Some of them have answered by passing the laws required, others are silent. Whence this silence proceeds, I confess myself at a loss to determine. Some reasons, indeed, I have heard assigned by individuals in conversation, but I cannot conceive that they should have weighed with the Legislatures. Indeed I can hardly conceive how any reasons can have weighed against a matter of such importance as the keeping public faith inviolate.

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I have heard it said, that commerce will not bear a five per cent duty. Those who make such assertions must be very little acquainted with the subject. The articles of commerce are either such as people want, or such as they do not want. If they be such as people want, they must be purchased at the price for which they can be had; and the duty being on all, gives to no seller any advantage over another. If, on the contrary, the article be such as people do not want, they must either increase their industry so as to afford the use of it with the duty, or else they must dispense with that use. In the former case, the commerce is just where it was, and in the latter case the people consume less of foreign superfluities, which certainty is a public benefit. [38]

I have also heard it said, that the duty should be carried to the account of the State where it is levied. What can be the object of those, who contend for this point, I know not. If there are doubts as to the justice of Congress, that body should not have been intrusted with the power of apportioning quotas on the several States. If, on the contrary, those who make this proposition, expect that the commercial States, by carrying the five per cent duty to their private account, can derive from their neighbors, the idea is as fallacious as it is unjust. The equity of Congress would lead them to relax so much in the quotas as would render the contribution of the States proportionate, or if that could not be done, the suffering State would be induced to carry on its commerce. Thus the end would be defeated, as indeed it ought; for surely the advantage derived by the mercantile States, as a mercantile profit, is sufficient without exacting a revenue in addition to it. Articles imported into the country are consumed in the country. If each pays a duty, that duty will be paid by all. The tax will fall equally on all, and therefore ought, in justice, to be carried to the general account.

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I have also heard it suggested, that the public debts ought to be divided among the several States, and each be called to provide for its proportion. This measure would be sufficient to destroy the credit of any country. The creditors trust the Union, and there can be no right to alter the pledge which they have accepted for any other, even for a better one, without their free consent. But this is not all; there is in it a principle of disunion implied, which must be ruinous. Even at this late period, the States might singly be subjugated. Their strength is derived from their union. Everything, therefore, which injures that union, must impair the strength which is dependent upon it.

I shall not encroach longer upon your Excellency's patience by adducing farther arguments. Everything for and against the proposition, has doubtless been considered by the United States in Congress assembled, with that attention which is due to the importance of those objects on which they deliberate. I think, however, it may fairly be concluded, that those who wish to re-establish the credit and confirm the union of these States, will comply with this requisition. As I do not doubt that this is the sentiment of that State over which you preside, I shall believe that the Legislature at their next session, will pass the proper laws, and I shall at present only entreat that it may be done as speedily as possible.

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I take the liberty, however, on this occasion, to make an observation, which applies indeed to many others. Those who have the public weal very seriously at heart, cannot but lament that the

acts passed by many States on the requisitions of Congress, have been fettered with restrictions, as to their operation and effect, very inconsistent with that confidence which is due to the integrity of the United States in Congress assembled. Nothing can be more pernicious than the jealousy which dictates clauses restraining the operation of laws, until similar laws shall have been passed by the other States, or confining the revenue or supplies to partial or particular objects, not within the design of Congress, or short of their intentions; or any other clauses, which show a distrust of the States in the sovereign representative of America, or in each other. Such jealousies must prove highly detrimental, if not ruinous. And surely there can be no ground to entertain them, for the Congress is composed of Representatives freely chosen, and is of consequence under the control of those by whom they were appointed. Nothing, therefore, ought to prevent the free and generous communication of all necessary powers to Congress; and I am confident that such a communication will more effectually dishearten the enemy, encourage our friends, and promote the general and unanimous efforts of the whole community, than any other circumstance which could possibly happen. It is a truth, that the enemy does not even pretend to hope anything except from sowing discord among us, and it is but too true, that while the whigs of America are daily more firm and united in the cause of independence, there has been too little attention paid to give to that union of sentiment a proper political form and consistency. I am not, however, the less confident that in this, as in everything else, the enemy will, to their cost, discover that their hopes have been extremely fallacious.

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With every sentiment of respect, &c.

ROBERT MORRIS.

FOOTNOTES:

[38] For a very interesting letter from the President of Congress to the Governor of Rhode Island, on the matter of duties to be levied by the States, reported by a Committee, of which Hamilton was Chairman, see the *Public Journals of Congress*, under the date of April 29th, 1783.

TO JOHN JAY, MINISTER IN SPAIN.

Philadelphia, July 29th, 1781.

Sir,

I enclose you copies of my letters, of the 17th, to the Governor of Havana, and Robert Smith. These letters will require no explanation to you. In addition, however, I am to inform you, that my letter to the Governor was shown to Don Francisco Rendon, whose full approbation of it is contained, in the enclosed copy of his note to me.

I am to request your early attention to this matter, and that you will support and justify the measures I have taken, and which may be taken in consequence of them by others.

With every sentiment of respect, &c.

ROBERT MORRIS.

TO THE PRESIDENT OF THE COUNCIL OF PENNSYLVANIA.

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Philadelphia, July 30th, 1781.

Sir,

I am favored with your Excellency's letter, of the 27th instant, for which I beg leave to make my acknowledgements.

I must again repeat my regret, that the means devised by the Legislature are unequal to the exigencies of the State. A majority of the Assembly seemed much disposed, at their late meeting, to adopt such measures as were calculated to promote the public service; and therefore it is to be lamented that they were not called, after passing the resolutions mentioned in your letter, to appropriate to the disposition of Council, such funds as might have been adequate to the demands they are liable to, if those which remained for that purpose were deemed insufficient. I still hope, however, that the collection of specie in taxes may enable the Council to effect more than present appearances promise; but it is evident, that the money allotted to my disposal is intended for the procuring specific supplies, and paying the balance of the four tenths of the new Continental emission, and that I cannot apply any part of it to other purposes, without crediting the State in account with the United States for such part, at a value equal to gold and silver. I

must observe, that the resolutions taken by the Assembly, were consequent upon a report made to them, and communicated to me by order of the House, after it had been made. This report also was by a committee appointed on a message from your Excellency in Council to the Assembly, and it is therefore to be presumed, that it originated in that message. Be that as it may, this at least is certain, that the resolutions of the Assembly were proposed by them, and accepted by me.

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With respect to the balances due from the State, I am to observe, that I have a perfect conviction of and reliance on the justice of Congress, who will I am persuaded, make every equitable and proper allowance; and your Excellency will perceive by the circular letters I have had the honor to transmit, my determination to have the accounts of every State with the United States settled on just principles, with all possible expedition.

I am obliged by your communication as to Mr Searle's mission,^[39] and assure you, that I lament his disappointments, and still more so, that his negotiations have met with any opposition, which to me was quite unexpected. I freely confess, that I did not expect he would be successful; nevertheless, he had my good wishes, and had it been in my power, he should have experienced my readiness to assist every public measure. I wish his efforts in Holland may be productive, but I have very little expectation of it, being convinced that war with England will create such demand for money, and procure for the lenders such security as will prevent them from listening to American proposals. It was from a belief that your Excellency and the Council would give your support to measures which have the public good for their object, that I sought your confidence, asked your advice, and relied on your assistance. Entertaining still the same opinion, I shall freely and candidly give my sentiments and opinions on every proposition, which the Council may think proper to refer to me.

The arguments against drawing paper money from the treasury, and throwing it into circulation, had forcibly impressed my mind; and nothing but necessity will compel me to have recourse to it, being very desirous to pay every possible attention to your Excellency's request.

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The determination to proceed with vigor and energy in the collection of taxes, coincides with my judgment, and of course meets with my earnest wishes for success. And your promise to strengthen my hands, and enable me to proceed with cheerfulness, in the great work I have undertaken, excites my warmest gratitude. The delays which attend the collection of taxes, are indeed great and alarming. To remedy them will be highly beneficial, and perhaps the modes suggested in your letter may be effectual. Every proposition of this sort will command my serious attention; and if it shall appear to me productive of the public good, your Excellency may rely that it shall meet with all the support in my power.

I am, respectfully, &c.

ROBERT MORRIS.

FOOTNOTES:

[39] Mission to Holland, for the purpose of borrowing money for the State of Pennsylvania.

GEORGE WASHINGTON TO ROBERT MORRIS.

Head Quarters, Dobbs's Ferry,
August 2d, 1781.]

Dear Sir,

The expectation of the pleasure of seeing you, has prevented me hitherto from making a communication of a most important and interesting nature. But circumstances will not admit of further delay, and I must trust it to paper. It seems reduced almost to a certainty, that the enemy will reinforce New York with part of their troops from Virginia. In that case, the attempt against the former must be laid aside, as it will not be in our power to draw together a force sufficient to justify the undertaking. The detachment, which the enemy will probably leave in Virginia, seems the next object which ought to engage our attention, and which will be a very practicable one, should we obtain a naval superiority, of which I am not without hopes, and be able to carry a body of men suddenly round by water. The principal difficulty which occurs, is in obtaining transports at the moment they may be wanted; for if they are taken up beforehand, the use for which they are designed cannot be concealed, and the enemy will make arrangements to defeat the plan.

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What I would therefore wish you to inform yourself of, without making a direct inquiry, is what number of tons of shipping could be obtained in Philadelphia at any time between this and the 20th of this month, and whether there could also be obtained at the same time, a few deep waisted sloops and schooners, proper to carry horses. The number of double decked vessels which may be wanted, of two hundred tons and upwards, will not exceed thirty. I shall be glad of

your answer as soon as possible, because, if it is favorable, I can direct certain preparations to be made in Philadelphia, and at other convenient places, without incurring any suspicions. There certainly can be no danger of not obtaining flour in Philadelphia, and as you seem to have doubts of procuring salt meat there, I shall direct all that which is to the eastward, to be collected at points from whence it may be shipped at the shortest notice.

You will also oblige me by giving me your opinion of the number of vessels which might be obtained at Baltimore, or other places in the Chesapeake, in the time before mentioned, or thereabouts.

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I have the honor to be, &c.

GEORGE WASHINGTON.

TO M. DE LA LUZERNE.

Philadelphia, August 2d, 1781.

Sir,

Agreeably to the intimations I made to your Excellency some days ago, it was my intention to have gone to camp yesterday. But an act of Congress of the — of July, rendered it necessary for me to hold a conference with a Committee of Congress and the Board of War. This was done; and it was determined, that a member of the Board of War should go with me to camp.

This circumstance has postponed my journey for a few days. But this is not all; the daily demands on me for money are considerable, and beyond the utmost extent of any funds I can command. The demands for past dues in compensation for past services, and the like, are rejected; but those for the prosecution of the campaign must be attended to. If, in my absence, and from that cause there be any stoppage, or considerable delay, the consequences will be equally injurious to my reputation, and to the public service.

I have before mentioned to you, that my dependence for immediate supplies of money, is on the produce of bills of exchange. I am sorry now to observe, that this dependence fails, and from a cause equally prejudicial to France and to the United States, considered in their collective capacity, though, perhaps, advantageous to individuals. Your Excellency will remember, that when I was called to the administration, the bills of your army had been selling for two thirds, and even so low as for one half of their value in Europe. What might have been the causes of this, it is not my business to inquire. The fact is incontestable. Your Excellency observed it, and endeavored to remedy the evil, by holding your own bills at five sixths. But the merchants, who had benefited by the former low rate, could not be brought at once to make so considerable an advance. They expected that the same causes, which had reduced bills to one half, must again bring them down; and, therefore, were disposed to wait the event.

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I take the liberty here to observe, that the fluctuation of exchange will naturally strengthen that expectation, and nothing but steady, firm perseverance on the part of the administration, can, or indeed ought, to produce a ready sale on good terms. Bills of exchange are remitted to France in payment for European commodities. If the cost of this remittance is fixed, commerce may so far be established on true commercial principles; otherwise, it is a mere game of hazard. Sensible of this, the merchant will rather wait, with his money in his chest, the event of public necessity, than invest that money in bills, which may shortly after be bought on better terms by his more cautious neighbor. Hence it follows, that the public will really command less money than they otherwise might. Nor is that all. While the public can command the money of the merchants as fast as it comes into their hands, the servants of the public can spend that money to advantage, and the very expenditure will increase the circulation, so as to bring it again sooner into the hands of the merchant.

Your good sense, Sir, your experience, and the unremitting attention, which I have perceived you pay to every object which can relate to the service of your Sovereign, will render it necessary for me to prosecute any further these observations.

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It was from a knowledge of this subject, which many years' constant attention to this business had imparted, that I saw the necessity of raising the value of bills by degrees, and, at the same time, of opposing the most inflexible firmness to every attempt at lowering their price. The bills I drew on Messrs Le Couteulx & Co., at sixty days' sight, were selling readily at four fifths, until the bills for your army were offered at thirty days' sight, and at a lower rate, This, Sir, has checked my sales; and this induces me to mention to you another matter, which will, I foresee, become of great importance.

The concurrence of many venders of bills cannot be more pernicious than the concurrence of many purchasers of supplies. The merchant cannot reason more effectually on public necessities, which he may conjecture, than the husbandman on such wants as he has ocular demonstration of. Melancholy experience has shown, that the contest between our purchasers has been extremely pernicious. What may have been the manner of conducting the business by the agents of the

King, I do not positively know; but if I were to credit many tales which I have heard about it, I should believe there had been errors at least. But I know too well the weakness and impropriety of listening to slanderous reports; and I am very confident, that all possible care will be taken of the interests of his Majesty.

But, Sir, if the supplies for the French army and navy are kept in a distinct channel, I do not believe it will be possible to obtain them so cheap as they might otherwise be had. The ration consisting of one pound of bread, one pound of beef, or three quarters of a pound of pork, one gill of country made rum; and to every hundred rations one quart of salt, two quarts of vinegar; also to every seven hundred rations eight pounds of soap, and three pounds of candles, is now furnished to the United States in this city, at nine pence, with a half penny allowed over for issuing. It may perhaps cost more to furnish rations to the army, perhaps as high as ten pence or eleven pence, Pennsylvania currency.

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You I suppose, Sir, can command the necessary accounts to determine what the King now pays for the subsistence of his troops; but as the French and American rations differ, I take the liberty for your further information to mention, that the parts of the ration are estimated as follows; for one pound of bread, two ninetieths of a dollar; for one pound of beef, or three quarters of a pound of pork, four and a quarter ninetieths; for one gill of rum, two ninetieths; for soap, candles, vinegar, and salt, one and a quarter ninetieths for each ration. You will also observe, Sir, that when exchange is at four fifths, one livre tournois is equal to fourteen pence and two fifths of a penny, Pennsylvania money.

I go into these details to enable your Excellency exactly to determine what is most for the interest of France, for I conceive it my duty to give you a confidential state of our affairs, whenever it can promote his Majesty's service, which I beg leave to assure you, I have every possible desire to assist; being convinced, that I can by no other means more fully comply with the wishes of the United States in Congress assembled.

I beg leave further to observe, that I have no personal wish to negotiate your bills, or to supply your fleets and armies. You must be very sensible that I have already before me a field of business sufficiently large. To extend it, will give me labor and pain, I can derive no advantage from it, nor will anything induce me to engage in it, except it be the prospect of rendering effectual service to the common cause. I make this declaration, not because I conceive it necessary to you, or from an ostentatious display of those motives, which actuate my conduct, but there may be persons to whom I am not so well known as I have the honor of being to your Excellency, and who from ignorance or interest might give to the present intentions the foulest interpretation.

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I have been led much further, Sir, than the occasion strictly required, but perhaps my observations may demand your attention; they certainly appeared to me of importance, or I would not have given you the trouble of so long a letter.

I pray you to believe me, with respect, &c.

ROBERT MORRIS.

TO M. DE LA LUZERNE.

Philadelphia, August 4th, 1781.

Sir,

I was honored with your letter of the 3d yesterday evening; I am happy that the sentiments expressed in mine of the 2d, meet with your Excellency's approbation, and shall readily confide in your direction, to make such use of it as you think proper.

The two questions you ask do not admit of a precise answer. The rate of exchange ought by no means to be under four fifths; indeed I could wish that it were higher, and am not without hopes of raising it; but that must depend on circumstances, which I cannot command. The sum, which can be furnished to the French army monthly by the sale of bills, admits still less than the other of being precisely ascertained. Let me add, Sir, that the sum, which your army may want, must greatly depend upon the measures, which may be taken to supply them. Government ought to know its expenses precisely, if that were possible. Upon this principle, it will be of use, that your stipulations should be to pay a certain sum in France for every ration; consequently you will want no money here for that purpose.

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I wish it were in my power to reply more pointedly, for I am well convinced of the importance of information on that subject. Whenever I am in a condition to know more, I shall readily communicate to you the extent of my inquiries. But while it is my determination to speak to you with that confidence, which your ingenuous conduct has merited, I am equally determined neither to compromise myself nor mislead you, by relying on unfounded conjecture.

I have the honor to be, &c.

TO THE GOVERNOR OF MASSACHUSETTS.

Office of Finance, August 4th, 1781.

Sir,

On the 23d of June last, the United States in Congress assembled, directed me to take measures for the speedy launching and equipping the ship America, and directed the Board of Admiralty to assign to me the share of the United States, in the prizes taken by Captain Barry, to enable me to carry their orders into effect.

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By a letter from the Navy Board in the eastern district, dated the 18th of July at Boston, it appears, that the greater part of this money is already expended, and that more is wanting to fit the Deane and Alliance for sea. Congress have referred this letter to me, and in consequence, as I am convinced that expense will constantly accrue while those vessels continue in port, I request of your Excellency to furnish to the Navy Board, such moneys as may be necessary to fit them out, with all possible expedition. I must further entreat to be favored with an account of the sums furnished, that they may be carried to the credit of your State on the late requisitions of Congress, and the Navy Board to be debited with them in the treasury books.

I have the honor to be, &c.

ROBERT MORRIS.

TO THE GOVERNORS OF DELAWARE, MARYLAND, AND NEW JERSEY.

Philadelphia, August 4th, 1781.

Sir,

Being obliged to go to camp on public business, I shall set off this day. During my absence, it is highly probable that the service may require various applications to your Excellency. Should this be the case, they will be made to you by Mr Gouverneur Morris, who is my official assistant. I am, therefore, to pray the same attention to his letters as if they were written by me.

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With great respect, &c.

ROBERT MORRIS.^[40]

FOOTNOTES:

- [40] *August 4th.* Having omitted in my minutes to make mention of the assistance I have received from Gouverneur Morris, I think it proper to declare, that he has most cheerfully afforded me every advice and assistance, which his genius and abilities enabled him to afford, from my first appointment to this time; and that I found him so capable and useful as to induce me to solicit his assistance in an official character, which having readily consented to, I made a verbal engagement with him, since confirmed by my letter of appointment, dated on the 6th of July last, being the date of the Acts of Congress, which fixes a salary for my assistant, and he is of course entitled to that salary from date. *Diary.*

TO GEORGE WASHINGTON.

Camp, August 13th, 1781.

Sir,

The orders of Congress, which we have the honor to communicate, directing us to confer with your Excellency on the subject of the proposed numbers and arrangements of the army for the next campaign, not having pointed out the reasons for inducing the measure, we have the honor to lay before you our ideas on the subject, so far as we are acquainted with the matter, from a long conference at which we were present in Philadelphia, held by a committee of Congress, the Superintendent of Finance, and the Board of War, pursuant to a resolution of Congress, with a copy of which your Excellency has been furnished.

After the full conversation with which we were honored on the 12th instant, it is unnecessary to enter at large into those reasons, or to urge the pressing necessity of economising our affairs so as to make our revenues in a great degree meet our expenses. Your Excellency must be equally sensible with us of the necessity, and we are perfectly convinced that you are disposed to assist in every measure tending to promote so desirable an object. You are also sensible of the impolicy of calling on the States for men or money, in numbers or quantities so extensive as to excite among even the zealous and considerate, ideas of the impracticability of carrying on the war on such terms. Demands of this nature, instead of animating to exertions, are only productive of hopeless languor. Your mortifying experience of the inadequate compliance of the States heretofore, with your former requisitions, will explain the motives inducing to the expediency of moderating those demands, so as to render them productive, and in case of failure to leave the delinquent State without excuse. Your Excellency has no doubt considered that the class of men who are willing to become soldiers is much diminished by the war, and therefore the difficulties of raising an army equal to former establishments has increased, and will continue to increase, and embarrass the States in their measures for filling up their quotas, should the mode of recruiting the army be continued in the present line. You will also have considered, that the enemy proportionably debilitated by war, is incapable of opposing to us the force we originally had to encounter; and, therefore, the necessity of such extensive levies as we formerly raised, seems to be in some measure superseded.

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In what degree the forces of these States should be decreased, we do not pretend to determine, leaving this to your Excellency's better judgment. But from past experience it appears, that the States are incapable of bringing into the field an army equal to that called for by the last arrangement; or, if all the demands of Congress on the States become merely pecuniary it does not seem probable that they can or will furnish money for raising, equipping, and supporting such an army.

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We wish we were capable, from any information we are possessed of, to assist your Excellency in the investigation of the subject with respect to the probable designs or force of the enemy the next campaign. This must in its nature depend upon contingencies at present even beyond conjecture. At this time, therefore, in our apprehension, the only solid grounds of procedure is to consider what force these States are capable of producing.

Having thus, in general, mentioned the ideas which have arisen on the subject, we beg to leave the matter to your consideration, and take the liberty of proposing the following queries, after further stating that it has been thought that it would be expedient, in case of a reform, to lessen the number of regiments so as to make fewer commissioned officers and privates in the regiments. It has been supposed that a considerable saving would arise from this measure, by not having so many officers in full pay, with their horses, servants, baggage, and other consequent expenses in the field. Or if they remain in quarters from want of commands, they are in a situation disagreeable to their own feelings, and uselessly expensive to the public. We presume that gentlemen qualified for staff officers, and that artificers and other persons employed by the staff department, should not come into the calculation, as the officers at the head of those departments should be enabled to carry on their business without taking men from the line, a practice introduced from necessity, very prejudicial to discipline, and productive of pernicious consequences by lessening the effective force of the army.

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Quere 1. Is a reduction of the number of the officers and men, as fixed by the last arrangement, expedient or proper?

2. How can the reduction be brought about, consistently with the good of the service? and what arrangement should be made in consequence of this resolution?

The answer to the above queries will no doubt include the number of men necessary for the next campaign, and the organization of them so as to designate the numbers of regiments, and the numbers in those regiments, both of commissioned and non-commissioned officers and privates, as well regimentally as by companies. The expediency of having fewer regiments of artillery and horse, and of consolidating the independent corps, will also, we presume, come into your Excellency's consideration.

3. What periods of enlistment, under present circumstances, are most proper to be adopted?

4. What regulation can be made to modify the practice of taking servants from the line by officers? and, on this head we beg leave to submit to your opinion a copy of a motion made in Congress on this subject.

5. What is to be done with officers by brevet, or those who have no particular commands? Can they not be placed in the regiments, or retire on half pay?

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6. Would it be practicable, consistent with justice, and the good of the service, to call into actual service officers who have retired on half pay, by the former arrangement, to fill vacancies happening in the lines to which they respectively belong?

We have the honor to be, with much regard, &c.

ROBERT MORRIS,

GEORGE WASHINGTON TO ROBERT MORRIS.

Head Quarters, Dobbs's Ferry,]
August 17th, 1781.]

Dear Sir,

I have in confidence imparted to you the alteration of our late plan, and made you acquainted with our intended operations. Besides the provision necessary at the head of the Elk to carry the troops down the bay, a very considerable quantity will be wanted in Virginia. I should suppose three hundred barrels of flour, as many of salt meat, and eight or ten hogsheads of rum, would be sufficient, at the Elk. For what will be consumed in Virginia, I imagine the order must be general, as we can neither ascertain the number of men which will be drawn together, or the time they will be employed.

I have written to the Count de Grasse, and have requested him to send up his light vessels of every kind to the Elk; but I would, nevertheless, wish to have all that may be at Baltimore, and the upper parts of the bay, secured. I shall therefore be obliged to you, to take measures at the proper time for that purpose. When that time will be, and when you shall give orders for the deposit at the Elk, I will hereafter inform you.

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I shall direct the Quarter Master in due season to take up all the small craft in the Delaware, for the purpose of transporting the troops from Trenton to Christiana. Should he have occasion for advice or assistance from you on this occasion, I most request you to give him both.

I am confident it will be necessary to give the American troops, destined for Southern services, one month's pay in specie. This will amount to about — dollars. If it will be possible for you to procure this sum, you will infinitely oblige me, and will much benefit the service. I shall also stand in need of a sum of specie for secret services; I suppose about five hundred guineas.

I have the honor to be, &c.

GEORGE WASHINGTON.

TO GEORGE WASHINGTON.

Office of Finance, August 22d, 1781.

Dear Sir,

I arrived in town the day before yesterday. Having taken the earliest opportunities to acquire information, I am sorry to inform you, that I find money matters in as bad a situation as possible. The exchange, by the concurrence of venders, has run down to five shillings, and bills are offered at that rate in such great numbers, as to command all the money which is to be disposed of; so that reducing the price of bills still lower, would not command money, or answer any other good purpose.

The paper of this State, (Pennsylvania) is indeed appreciating; but to issue it, in the present moment, would destroy in embryo all my hopes from that quarter, cut off the only resource which I have the chance of commanding, and shake a confidence which has been reposed in me, and which the public interest calls upon me to cherish. I am sorry to observe, in consequence, that you must expect to meet with disappointments; but I assure you, that I will make every possible exertion to place you in the most eligible situation which my means will admit of.

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I am, Sir, your most obedient, &c.

ROBERT MORRIS.

TO THE GOVERNORS OF NEW JERSEY AND DELAWARE.

Office of Finance, August 22d, 1781.

Sir,

I have, in a former letter, forwarded to your Excellency, an account of the specific supplies, which Congress had demanded from your State. It now becomes my duty again to press for a compliance with those demands. The exigencies of the service require immediate attention. We

are on the eve of the most active operations; and should they be in anywise retarded by the want of necessary supplies, the most unhappy consequences may follow. Those who may be justly chargeable with neglect, will have to answer for it to their country, their allies, to the present generation, and to posterity. I hope, entreat, expect, the utmost possible efforts on the part of your State; and confide in your Excellency's prudence and vigor to render those efforts effectual.

I beg to know, most speedily, Sir, what supplies are collected, and at what places; as also the times and places at which the remainder is to be expected. I cannot express to you my solicitude on this occasion. My declaration to Congress, when I entered upon my office, will prevent the blame of ill accidents from lighting upon me, even if I were less attentive than I am; but it is impossible not to feel most deeply on occasions where the greatest objects may be impaired or destroyed, by indolence or neglect. I must, therefore, again reiterate my requests; and while I assure you, that nothing but the urgency of our affairs would render me thus importunate, I must also assure you, that while those affairs continue so urgent, I must continue to importune.

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With all possible respect, &c.

ROBERT MORRIS.^[41]

FOOTNOTES:

[41] *August 21st.* During my stay it camp, I had constant applications for money from almost everybody, as all had claims on the public. I took with me only one hundred and fifty guineas; and, finding so many demands, I thought it best to satisfy none, therefore brought the money back. I had conferences with the Quarter Master General, Paymaster General, Clothier General, Commissary General of Issues, Director General of the Hospitals, and with many other persons; but as these chiefly ran on the wants of themselves and others employed in their departments, I could only recommend the strictest economy in their expenditures, that I might thereby be the better warranted in making reasonable requisitions from the several States; always promising what I mean most punctually to perform, that is, to use my utmost endeavors to establish such revenues, as will enable the regular payment of their salaries and other just demands; but always concluded with assuring them, that this ultimately depended on the several Legislatures, which could only be induced to grant such revenues from a conviction, that their grants would be faithfully and frugally used. I made the same observations to the general officers and others, who spoke to me on money matters. *Diary.*

TO THE GOVERNOR OF VIRGINIA.

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Office of Finance, August 23d, 1781.

Sir,

I am just returned from the head quarters of the Commander in Chief, where I have been for some days, in order to confer with him on the various military operations and arrangements, as far as they are connected with the duties of my department. Of consequence the defence of that valuable part of Virginia now invaded, became much a subject of consideration, and I am happy to inform you, that every measure will be pursued for its safety, which is consistent with the general objects of the war.

The force in Virginia ought to be very considerable, for reasons, which it is unnecessary to mention to you, who are so well acquainted with the country. But it is necessary to observe that the supplies to this force must be proportionably great. I have already done myself the honor to transmit to your Excellency an account of specific supplies, which have been required by Congress. Virginia stands debited for the whole, and it is not in my power, perhaps not in yours, to state as yet the credit side of that account. Let, however, the amount of the articles already furnished, be what it may, this at least is certain, that I have the command of no money from the several States, which will serve to maintain a force in Virginia. Much, therefore, must depend on the provisions and forage, which that State can call forth.

It is necessary for me to inform the General what reliance can be made on your resources, and it is also necessary, that this information should be just. Your Excellency must perceive, that his arrangements will greatly depend upon my communication; and therefore you will need no incitement to transmit to me as soon as possible the answers to my inquiries.

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Let me then entreat, Sir, to know what quantity of flour, beef, and pork, both fresh and salted, and what quantity of hay and Indian corn, or other forage, can be delivered by the State of Virginia, at what places, and by what times. I shall also be happy to be informed, where the tobacco required of your State is deposited, that I may take proper measures for the disposal of it.

With all possible respect, &c.

TO MESSRS LE COUTEULX & CO.

Office of Finance, Philadelphia,]
August 26th, 1781.]

Gentlemen,

My former letters advised you of the sundry bills I had drawn on you to the 2d day of this month, being numbered from one to one hundred and thirtyone inclusive, and amounting to five hundred and twentyone thousand, six hundred and thirtyfour livres, sixteen sous, and eight dernier tournois, as you will perceive by a copy of a list of said bills, herein enclosed. To which you will find added the list of sundry bills drawn on the 10th instant, numbered one hundred and thirtytwo to one hundred and fiftyeight inclusive, all at sixty days' sight, in favor of Mr Haym Solomans, amounting to two hundred and one thousand, three hundred and twentythree livres, eight sous tournois.

On the 8th of this month I had occasion to visit his Excellency General Washington at camp, and at my departure I left these bills signed. They were sold during my absence, and I pray that they may be duly honored. You will be enabled to pay these punctually, as his Excellency the Minister Plenipotentiary of France has engaged, that five hundred thousand livres tournois, should be placed with you for that purpose; of course you will have received one million of livres, subject to my drafts, and I shall continue to pass them on you as occasion may require.

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On the 17th of July last, I drew one bill on you at sixty days, in favor of Robert Smith, or order, for five hundred thousand livres, but that bill is either sunk, or has fallen into the enemy's hands, therefore should it ever appear it must be refused as a fraud.

I have the honor to be, &c.

ROBERT MORRIS.

GEORGE WASHINGTON TO ROBERT MORRIS.

Chatham, August 27th, 1781.

Dear Sir,

Accounts brought by several vessels to Philadelphia, and to the eastward, leave little doubt but that the Count de Grasse must have already arrived in the Chesapeake, or that he must be very soon there. The Count de Rochambeau and myself have therefore determined, that no time ought to be lost in making preparations for our transportation from Trenton to Christiana, and from the head of the Elk down the Chesapeake. I have written by this opportunity to Colonel Miles, and have directed him immediately to engage all the proper kind of craft for the navigation of the Delaware, which can be found in Philadelphia, or in the creeks above and below it; and as your advice may be useful to him, more especially as far as respects procuring the vessels at a distance from Philadelphia, I have desired him to wait upon you for that purpose.

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I shall also be obliged to you for using your influence with the gentlemen of Baltimore to permit any vessels, which may be in that port to come up to the Elk to assist us in transportation. I have little doubt, from the cheerfulness with which they furnished the Marquis de Lafayette last winter, that they will comply with your requisition on the present occasion. But lest there should be a necessity for the interference of the Executive of the State, I have written to Governor Lee, upon that and other matters. I enclose the letter under flying seal for your information, and you will be good enough to forward it by a chain of expresses, which is established. Any vessels, which may be procured in the Chesapeake, should rendezvous as soon as possible in Elk river.

You will be pleased to make the deposit of flour, rum, and salt meat, at the head of the Elk, which I requested in a former letter.

I am very fearful, that about fifteen hundred barrels of salt provisions, and thirty hogsheads of rum, which I directed to be sent from Connecticut and Rhode Island, under convoy of the Count de Barras, would not have been ready when the fleet sailed from Newport. Should that have been the case, the disappointment will be great. I would wish you to see whether a like quantity of those articles can be procured in Philadelphia, or in Maryland, if we should find that they have not gone round from the eastward.

I must entreat you if possible to procure one month's pay in specie for the detachment, which I have under my command. Part of the troops have not been paid anything for a long time past, and have upon several occasions shown marks of great discontent. The service they are going

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upon, is disagreeable to the northern regiments, but I make no doubt, that a *douceur* of a little hard money would put them in proper temper. If the whole sum cannot be obtained, a part of it will be better than none, as it may be distributed in proportion to the respective wants and claims of the men.

The American detachment will assemble in this neighborhood today. The French army tomorrow.

I have the honor to be, &c.

GEORGE WASHINGTON.

TO DONALDSON YEATES.

Office of Finance, August 28th, 1781.

Sir,

The express which carries this letter will bring you one from Colonel Miles, on the same subject. It is necessary, that vessels be procured as speedily as possible, to transport a body of from six to seven thousand men from the head of the Elk to Virginia, with their necessary apparatus. You will, therefore, collect them at the head of the Elk, on the 5th of September, and as soon after as may be, engage them by the day on the cheapest terms you can, to be paid in hard money, and obtain as long a credit as possible. There will be little or no risk of the vessels, and therefore you may insure them to the owners, if that will tend to obtain them either sooner or cheaper. The express has letters to William Smith and Matthew Ridley, of Baltimore, on this subject, and they will give you their advice and assistance, as will some other gentlemen, to whom I have written, should either be necessary. He has also letters to the Governor of Maryland, who will I am confident give every aid, which the Executive authority of the State can afford. You will therefore either apply to the Governor or not, as circumstances shall require.

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Any engagements you enter into on this account, shall be fulfilled; but I must again request, that you will be as economical as the nature of the business will permit. I expect and rely on the exertion of your utmost industry and attention and am, Sir, very respectfully, &c.

ROBERT MORRIS.

TO B. FRANKLIN.

Philadelphia, August 28th, 1781.

Sir,

Herewith I send you triplicates of my letters of the 13th and 14th of July last, and duplicates of my letters of the 19th and 21st of July last. I have not yet executed the plan mentioned in mine of the 21st of July, of drawing bills on you, for reasons, which it is not necessary to enumerate at present.

Since my letter to you of the 8th of June last, I have found it necessary to apply to the Minister of his Most Christian Majesty in this place, to direct another sum of five hundred thousand livres to be deposited with Messrs Le Couteulx & Co., and I am now drawing bills for that sum, wherefore I must pray your Excellency to take measures, that they be put in cash to answer my drafts. Although I have no doubt that this will be done on the Chevalier de la Luzerne's application, yet as his letters may miscarry, or other unavoidable misfortune happen, I take this additional precaution, because it is of the utmost importance to the United States, that these bills be duly honored.

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The last advices from Europe inform us of M. Necker's resignation and removal, which occasions much speculation, as to the causes which produced this event. I should be glad to hear from you upon that subject.

We learn from Boston the arrival of the frigate *Magicienne*, with a large store ship laden with clothing, &c. for the United States; another store ship put back to Corunna, as is said, having been dismantled in a gale of wind. If this be so, it is a loss which will be more easily supplied than that of the *Lafayette*, which ship we are informed was taken and carried into England.

Colonel Laurens's embarkation on board a frigate for this place, with money, is also announced, and I hope she will speedily arrive. The Boston account of the 16th of August, mentions the arrival of the *Magicienne* in fifty days. If Colonel Laurens had then sailed, he must now have been out sixtytwo days, which is a very long period for a single frigate to be engaged in that voyage. If that frigate arrives safe, with five hundred thousand dollars, which is, as I am informed, on board of her, it will relieve me from many very great difficulties, which I have now to struggle with, and

give a much better appearance to our affairs, as it will enable us to operate with far more vigor and activity.

It is now a very long time since we have had any tidings of Mr Adams. We have indeed been informed, though not from himself, that he had opened a loan for a million of florins; but we are much in the dark as to the success of it, as well as many other particulars relative to his situation, which would be very interesting.

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September 7th, 1781. Since writing the above letter, Colonel Laurens has come to this city from Boston, at which place he arrived in the *Resolve*, with the two store ships under her convoy, after a passage uncommonly tedious. It is certainly unnecessary to mention how great pleasure we have received from this occurrence.

Another equally pleasing, is the arrival of the *Count de Grasse* in the Chesapeake Bay, on the 30th of August, with twentyeight sail of the line, viz. one of one hundred and ten guns, three of eightyfour guns, nineteen of seventyfour guns, four of sixtyfour guns, and one of fifty guns. The *Count de Barras* sailed from Rhode Island on the 24th, so that probably he has before this made a junction with the *Count de Grasse*, although he had not on the 31st of August. A detachment of about seven thousand men is on the way to Virginia, of which about two thousand and five hundred were at the head of the *Elk*. As many more must have arrived there this evening, and the remainder tomorrow. There are landed from the fleet, three thousand men, and we are told these will receive an addition of one thousand and five hundred marines, besides the army under the command of the *Marquis de Lafayette*, which was before in Virginia, and consists of about five thousand, including the militia. *Lord Cornwallis* was entrenched at York, in Virginia, with five thousand men. *General Washington* takes the command of the southern army in person. The fleet under the *Count de Grasse* took on its way a packet from Charleston to Great Britain, on board of which was *Lord Rawdon*. From this combination of circumstances, you will perceive, that we have reason to flatter ourselves with the expectation of pleasing occurrences.

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With the greatest respect, &c.

ROBERT MORRIS.

TO THE PRESIDENT OF CONGRESS.

Office of Finance, August 28th, 1781.

Sir,

My circular letter to the Governors, of the 25th of July, a copy whereof was sent to Congress on the 6th of August, contains a solemn assurance, that all the accounts of the several States with the United States should be speedily liquidated, if I could possibly effect it, and that my efforts for that purpose should be unceasing. If after this declaration, I could possibly have forgotten it, the reference made to me, on the 23d instant, of two letters from the State of Massachusetts and a report on them of the 14th instant, would have called for an immediate attention.

I have thought much on this subject and feel very anxious about it. The settlement of those accounts is of the utmost importance, for, until it be completed, the States will persuade themselves into an opinion that their exertions are unequal. Each will believe in the superiority of its own efforts. Each claim the merit of having done more than others; and each continue desirous of relaxing to an equality of the supposed deficiencies of its neighbors. Hence it follows, that every day they become more and more negligent, a dangerous supineness pervades the continent, and recommendations of Congress, capable in the year 1775 of rousing all America to action, now lie neglected.

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The settlement of former accounts being considered as a thing forgotten, men, naturally reasoning from them to those which are now present, conclude, that they also will drop into forgetfulness, and consider everything not furnished as so much saved. The Legislatures will not call forth the resources of their respective constituents. The public operations languish. The necessity of purchasing on credit enhances expense. The want of that credit compels to the use of force. That force offends. The country is daily more plunged in debt, and its revenues more deeply anticipated. A situation so dangerous calls for more accurate principles of administration, and these cannot too speedily be adopted. The settlement of accounts is the first step, but it is necessary not only that this settlement be speedy but that it be final; for, if it be not final, the disputes on that subject will have the same baleful influence with those now subsisting. Disunion among the States must follow in the event. Disgust must take place in the moment. The same opprobrious indolence will continue, and in the meantime it is to little purpose, that our country abounds in men and subsistence, if they cannot be called forth for her defence.

All the requisitions of Congress upon the several States contain a provision for future liquidation, when the quotas shall have been ascertained according to the article of confederation. The evil consequences which have followed from this are very evident, and the great advantages which

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would have resulted from rendering every appointment final and conclusive are equally evident. But those, who, on such ground, build a censure against Congress, ought to consider, that they could not act otherwise, before the confederation was completed.

The changes which have already happened in the affairs of the several States at the different periods of the war are so great, that any apportionment formerly made, however equitable then, would be inequitable now. To determine the quota, therefore, from the present situation, or from any particular moment of the past, must be equally improper. But the quotas must be determined at some period or other. If we suppose it already done, we shall clearly see how many inconveniences would have been avoided, and how many advantages gained. True it is, that let this final adjustment of the quota take place when it will, difficulties will arise by reason of those changes in the circumstances of the several States, which have been already mentioned. But those difficulties will be daily increased, and become at length insurmountable. If a final determination of past quotas were made now, it must be arbitrary in some degree; but if we carry our ideas forward to the end of several years, it must be still more arbitrary. To attempt a settlement of accounts subject to after revision, and after determination, is still worse; for it is liable to every objection, which lies against leaving them unsettled, to every difficulty, which could attend the final settlement, and has the additional evil, that by placing the several precise balances immediately before the eyes of Congress, they could take no step, which would not be charged with partiality. I will dwell no longer on this subject, for I trust the United States in Congress will agree with me in one leading position, that after taking a general view of the past, from the commencement of the war to the present moment, a certain rate or quota should be established for each State of the whole expense now incurred, excepting the public debt of the United States. I will presently assign the reasons for this exception; but that general position which I have advanced is the corner stone; without it nothing can be done, at least such is my conviction. Hence we have the irresistible conclusions,

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1st. That while a demand of Congress is the mere request of a loan, instead of a complete appointment of — it will not be attended to.

2dly. That while from the unsettled state of public accounts, the individual States are led to suppose that there is a balance in their favor, by superior exertions for which they neither have, nor are like to have any credit, they will relax their efforts.

3dly. That the final settlement of these accounts cannot take place until the quotas be finally adjusted.

4thly. That a settlement of accounts, which is not final will [blank in the manuscript.]

I feel, therefore, a demonstration, that the past circumstances and situations of the several States should be candidly reviewed, that the apportionment of all the past expenses should be made now, and that it should be final. Thus, if the whole expense be stated at one hundred, each State would be declared chargeable with a certain number of parts of that hundred, and thus a standard will be established by which to determine the proportion, let the amount be what it may. I know it is not possible to do strict justice, but it is certain that less injustice will be done in this mode than any other, and that without adopting it nothing effectual can be done.

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After the proportion is fixed the principles on which to admit the various charges will next come into consideration. I know it will be difficult to draw such a line as will apply to all cases, or which will be absolutely just even in those to which it does apply. Yet neither of these objections ought to prevent Congress from laying down these general rules, which shall on the whole appear to be most equitable. The various requisitions have been made payable at certain days. The value, therefore, of the demand ought to be estimated at the day of payment fixed by each, and the proper mode of doing this would be by the table of depreciation, formed the 29th day of July, 1780, in pursuance of the Act of Congress of the 28th day of June preceding. It is possible that this table is not perfect; but we must remember, that it has been fixed by the authority of the United States, and acted upon. It ought, therefore, to be adhered to; for there is always less of inconvenience and danger in pursuing an established rule, than in the frequent change of rules; because the former is at the worst only a partial, but the latter is a general evil. Assuming then this table as a standard, the account of the requisitions previous to the 18th of March, 1780, will stand thus; by the resolutions of the 22d of November, 1777, there is payable as follows.

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	dollars.	ninetieths.
January 1st, 1778, 1,250,000 dollars, equal to	857,222	20
April 1st, 1778, 1,250,000 dollars, equal to	621,423	55
July 1st, 1778, 1,250,000	412,864	52 4
October 1st, 1778, 1,250,000	268,472	2
By the resolutions of January 2d, 1779, and May 21st, 1779, there is payable by January 1st, 1780, 60,000,000 dollars, equal to	2,042,500	
By the resolution of October 6th, 1779, payable by February 1st, 1780, 15,000,000, equal to	451,041	60
March 1st, 1780, 15,000,000, equal to	401,450	30
	5,054,982	39 4

Thus the whole demand made on the States, from the beginning of the war to the 1st of March,

1780, is but little more than five millions of dollars. And yet this demand, moderate as it is, has not been complied with.

By the various resolutions of Congress on the subject of requisitions it is provided, that interest at six per cent shall be charged on the sums due, and allowed on the sums paid. The sums paid do, in no instances, amount to the value of the demand, but each State has an account against the Union for advances, by supplies furnished of various kinds, and by payments made to militia. As no taxes were laid by the States, the sums they expended were procured partly from the continental treasury and partly by the emission of State currency, which tended to depreciate the continental paper, and impede its circulation. A consideration of the mischiefs arising from this circumstance will much diminish the merit, which is assumed from those advances. If the State paper had not been issued, the same services might have been performed by an equal sum of continental money, and the general torrent of depreciation would then have swept away those expenditures, which now exist as State charges. From hence it might in strictness be inferred, that the continent should not be charged for the amount of State paper advanced, and that amount be estimated at its value when redeemed by the State, especially as Congress have not only urged the States not to emit money, but even to call in what they had already emitted. But this inference would perhaps be rather too strong. No such idea has been formerly advanced by Congress, and therefore the States, not having had due notice, might conceive the determination at this late period to be inequitable.

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On the whole, therefore, it may be proper to estimate the sums paid by them according to the rule already noticed, especially as the method of redeeming the old continental money formerly adopted, will, if pursued, work some degree of equality. For it will create a demand for the old money in those States, which, by the amount of their own emissions, have expelled it from themselves and forced it upon their neighbors. There must, however, be a distinction made in the advances of the several States; much of them has been for the pay and support of the militia, and much of that for the private defence of particular States, and of that again a part has frequently been unnecessary. To go, at this late period, into a close investigation of the subject, is impracticable, and perhaps dangerous. Neither would it answer any valuable purpose. Some general rule, therefore, must be adopted, and propriety seems to require, that credit should be given only for those expenditures on militia, which were previously authorised and required by express resolutions of Congress. With respect to all other articles, there is also to be noted a distinction between those which were furnished by the several States previously to the 22d of November, 1777, when the first demand of money was made, and those made subsequently to that period. I would propose that the former, as also the militia expenses not expressly authorised as above mentioned, should be taken together into one account, and the specie value of the whole estimated. That the amount of both, throughout America, should be apportioned by the same standard with the other expenses. And that the several actual expenditures of each State should be settled and liquidated with its proportional part of the whole, and the several balances carried to their respective debits and credits in the general accounts. These balances should bear interest at six per cent to the 18th of March, 1780. Thus, suppose the whole of those expenses should amount to one million of dollars, and that the State A be held to pay nine, and the State B ten parts out of every hundred; the State A would be accountable for ninety thousand dollars, and the State B for one hundred thousand dollars. And if it should appear, that the former had paid one hundred thousand, and the latter only ninety thousand, the former would be credited, and the latter debited ten thousand dollars, with six per cent interest.

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I would propose, that the advances made by the several States, subsequent to the 22d of November, and prior to the 18th of March, 1780, excepting those to militia not authorised, should be estimated as aforesaid, and carried to account regularly upon the advances of money made to each from the Continental treasury, and the apportionment of the several demands made by Congress, in like manner with the moneys paid to their order. And that interest, at six per cent, should be charged or credited upon the several balances, until the 18th of March, 1780.

I would further propose, that on this day these balances, and those before mentioned, should be liquidated together, and the final capitals be considered as principal sums, bearing interest at six per cent. Thus, supposing the State A, in one account, to be credited ten thousand dollars, amounting, with interest, to eleven thousand, and debited in the other account five thousand, amounting, with interest, to six; in that case, the final balance, on the 18th of March, would be a credit of five thousand dollars.

On the 18th of March, we come to a new and more enlightened era of public accounts. The appointment formerly mentioned as preliminary to a settlement, will determine the quota due by each State for the two hundred millions of old Continental money, valued at forty for one. These resolutions of the 18th of March, 1780, not having been fully complied with, there appears to be a propriety in the following plan.

1st. To charge the several States with their proportions of it at that rate.

2dly. To fix some future day for the full compliance with the resolution.

3dly. To receive old paper at the rate of forty for one, in discharge of those proportions, until that day; and,

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4thly. To charge the balances then unpaid in specie, with a debit and credit of interest at six per

cent in the manner before mentioned.

I am sensible, that many persons now condemn the resolutions of the 18th of March, and among these are found some of those who warmly advocated it previously to that period. It is not my business to enter into arguments on the subject. Be those resolutions wise or unwise, they are acts of the sovereign authority, which have been obeyed by some, if not by all, and therefore those who have obeyed ought not to suffer by their obedience. They are acts for the redemption of bills issued by that sovereign, and they have formed the standard of public opinion with respect to those bills. If, therefore, for argument's sake, it were admitted, that the measure was impolitic and unjust, yet, now that it has taken place, there would certainly be both injustice and bad policy in altering it. The respective States have either obeyed it in the whole, or in part, or have totally neglected it. The first have a right to insist upon a compliance with it. The second must have so far accommodated themselves to it, as that interior mischiefs would arise from changing the system. And the last, whatever may be their claim to superior wisdom, will at least acknowledge, that the precedent of disobedience once established, our Union must soon be at an end, and the authority of Congress reduced to a metaphysical idea. Besides, the claim of such States must ultimately rest on the foundation of their own neglect; and as this will always be in their own power, it will be sufficient to rear any argument for any purpose.

By the resolutions of the 18th of March, 1780, ten millions of dollars of new paper were to have been issued, whereof four millions were to be at the order of Congress. By the resolutions of the 26th of August, 1780, three millions more were demanded. By the resolutions of the 4th of November, 1780, besides the specific supplies, an additional demand was made of one million, six hundred and fortytwo thousand, nine hundred and eightyseven and two thirds dollars in money; and by the resolutions of the 16th of March, 1781, six millions more are required. These sums amount in the whole to fourteen millions, six hundred and fortytwo thousand, nine hundred and eightyseven dollars and two thirds. A very small part of this sum has yet been paid; but admitting that there may have been circulated by the United States two millions, six hundred and fortytwo thousand, nine hundred and eightyseven dollars and two thirds, twelve millions would still remain due. If from this we deduct the whole of the new emissions, it would leave a balance of two millions. I propose, therefore, the following plan.

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1st. That no more of these new emissions be used on any pretence.

2dly. That as fast as the old Continental money is brought in, the several States be credited for the new emissions to have been issued as specie, agreeably to the several resolutions of Congress upon that subject; and,

3dly. That on all those requisitions last mentioned, the money of the new emissions of any particular State be received as specie.

It is true that these propositions are liable to exception, but they have the great advantage of being consistent with former resolutions of Congress, which should always be attended to as much as possible. I am sure that Congress must be convinced of this, for they are not to learn, that authority is weakened by the frequent change of measures and pursuits; that such changes injure the reputation of supreme power in public opinion, and that opinion is the source and support of the sovereign authority. It is further to be observed, that the motives for complying with the resolutions of the 18th of March, will, if the above plan is adopted, become very strong; for in that case, every forty dollars of old Continental, paid by a State, will produce to the credit side of its account three dollars in specie; because in the first place, the whole proportion of old Continental being changed at forty for one, and receivable until a certain day at the same rate, that payment will so far operate a discharge of one dollar; and in the second place, it will entitle the State to two dollars of the new emission, which not being issued, will also be carried to its credit upon its several requisitions.

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It will be in the wisdom of the United States, in Congress assembled, to determine whether after the expiration of the day to be fixed for the above purpose, they will permit the possessors of the old Continental money to bring it in loan at the rate of forty for one. It is true, that this might operate against those States, who have not complied with the resolutions of the 18th of March, 1780, and who have not now the old Continental to comply with it; but it is entirely consistent with the former resolutions of Congress, and the States are themselves blamable for the neglect. Besides, those who now hold the Continental do it either from choice, because of their confidence in Congress, or from necessity, because it has been poured in upon them from those places where it was of inferior value, and this inferiority was owing to the neglect of those States in not passing the laws which Congress recommended. There is, therefore, a degree of justice and firmness in that measure, which will create confidence in the future acts of the United States.

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Whatever principles may be established for settling these accounts, and however just they may be, many doubts will arise in the application of them. It must always be remembered, that the States are independent; and that while they are pressed to a compliance with their duty, they must have full evidence, that Congress act fairly. It might therefore be proper, that for the settlement of their accounts, Commissioners should be chosen as follows; one by the State, one by the United States, one by the other two, and the decision of the majority to be final.

Hitherto I have taken no notice of the specific supplies called for from the several States. Many of these have been furnished, and many remain to be provided. I would exclude them entirely from

the other public accounts; but as the apportionment so often mentioned, will give a rule to go by, I shall continue to press for the supplies; or where they are not wanted, make such composition with the States in lieu of those which remain to be furnished, as the public service shall render most eligible.

I have observed, that the public debts ought to be excepted from the apportionment of past expenses. The reason is clear. Those debts, or at least a great part of them, may subsist until the relative wealth of the States has entirely changed. Those who are now most rich, may become poor, and those who are poor, may become rich. This is not all; these debts are hitherto unfunded. The creditors have indeed the general promise of government, and some of them have certificates as evidences of that promise; but until measures are taken to provide solid funds for the final payment, the public credit must languish. To an enlightened mind, it is needless to debate on the advantages resulting from national credit. Congress will doubtless pursue the steps necessary for its perfect establishment. And this cannot be otherwise accomplished, than by raising taxes in hard money from sources which must be productive and increasing. Those taxes must be so bound to the public creditors for the debts due to them, that the produce cannot be diverted. These taxes ought to be raised from the same articles, at the same rates, and in the same manner throughout the whole confederation; and consequently, a present apportionment of the public debts will be as unnecessary as it would be unjust.

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I think it my duty, while I am upon this subject, to mention my opinion, that in addition to the five per cent called for on articles imported, and on prizes and prize goods, it would be proper to appropriate to the payment of the public debts, a land tax, a poll tax, and an excise on spirituous liquors. I readily grant that neither of these taxes would be strictly equal between the States, nor indeed can any other tax be so, but I am convinced, that all of them taken together, would be as nearly equal as the fluctuating nature of human affairs will permit. I am, however, to observe in addition, that the land tax should be laid at a certain rate per acre, because the superior certainty of such a tax will give it the preference of others, although it cannot perhaps be so great as might have been expected. Whatever inequalities may remain, must be adjusted among individuals, by the several States in raising their quotas, and although those quotas will be most considerable during the war, yet it must be remembered, that after the conclusion of it, such sums will be necessary for the establishing a marine and other national purposes, as will still enable the States to continue their interior regulations for equalizing the general taxes.

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Among the public debts, there are a considerable number of certificates given by public officers to the citizens of the several States for articles occasionally taken for the public use. With respect to these certificates, it is unnecessary to mention, that they have anticipated the revenue, and brought us to the brink of destruction. But it is time to pay a particular attention to them. Many ways may be fallen upon for their liquidation, all of which are perhaps justly exceptionable.

1st. They may be consolidated with the rest of the public debt, and be made payable at a future period; but this could only be by forcing a loan from the people, many of whom are unable to make it, and of consequence it would be a hard measure, if not an unjust one. Perhaps it could not be executed, for laws repugnant to the general feelings of mankind are only a dead letter. 2dly. Another mode is by receiving them in taxes, but this is very dangerous for several reasons, among which, the two following are cogent. The public revenue will not bear such a heavy deduction at those certificates would create, and the collectors of taxes would be liable to be defrauded themselves, or the remedy for that would give them opportunities of defrauding the public, which considering the natural bent and disposition of many men, ought to be carefully provided against. A third mode would be, by turning over the holders of these certificates to their respective States, and giving credit for them on account of the specific supplies. This may in some degree become necessary in cases where the negligence of the States on the one hand, and the necessities of the army on the other, have compelled to seize by force what ought to have been collected by law. But in many cases it cannot be done, and it would be improper in many others where it is practicable.

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Among the bad consequences, which attend the present mode of supplying our armies, or rather leaving them to supply themselves, it is one of no small magnitude, that the officers who are compelled to the melancholy duty of plundering their fellow citizens, endeavor by the sum of their certificates, to compensate for the manner of taking as well as for the value of the thing taken. Nor is that all; where there is a disposition for fraud, an ample opportunity is afforded to commit it. Whatever may be the cause, I am informed, that these certificates are for sums vastly beyond the value of the services and articles obtained for them. The respective States would naturally be led to give to these certificates their specified value, and it cannot be expected that they will scrutinise them so rigidly as they ought, if they are to be accepted in discharge of demands existing against the particular State. To all these modes there are also some further objections. Among which it is my duty to state the following. The accounts of the several staff officers still remain unsettled. The certificates given by them, if they are to be paid by the public, ought to be carried both to the debit and credit of their cash accounts, and the articles obtained carried to their debit in the account of expenditures. Of consequence the amount of these last debits must depend much upon the amount of the certificates, and therefore either the certificates given should be known, and the accounts settled with those charges, or the account should be settled, and no other certificates allowed but such as are charged in it.

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A further mode of liquidating these certificates would be, by purchasing them from the holders; but it is needless to state any other objections to it than the want of money, which is felt through

all our operations. There still remains this method.

1st. That at present those certificates should neither be receivable in taxes nor transferable.

2dly. That they should be taken up and examined in the course of settling the public accounts.

3dly. That they should be brought to the amount in specie, which the article procured, or service performed, was reasonably worth.

4thly. That where the sum due to any person on certificates is small, a bill for the amount should be given, payable at the distance of a year.

5thly. That where the sum is large it should be divided into five different parts, and bills given payable in one, two, three, four, and five years, calculating on each part an interest of six per cent, and adding it to the amount. As if for instance, the sum were one hundred pounds, then the bills would be for twentyone pounds four shillings, twentytwo pounds eight shillings, twentythree pounds twelve shillings, twentyfour pounds sixteen shillings, and twentyfive pounds.

6thly. That these bills should be drawn payable to the bearer, and in such form as not to be counterfeited without great difficulty.

7thly. That they should be receivable in continental taxes, within any of the States, as cash, at the times when they are respectively due, or if not so received, payable by the continental treasurer, or any receiver of the continental taxes, on demand, after collecting the taxes, in which they were respectively receivable.

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In this way a credit would be obtained not only without injury, but probably with advantage to the individual. The anticipation of the public revenue would not be very great, and, as a list of these notes would be kept, the amount of every year's anticipation would be accurately known. Exceptions may probably be found even to this mode, but unfortunately for us, we have only an alternative of difficulties. All which human prudence can do in such cases is to choose the least.

I have the honor to be, Sir, &c.

ROBERT MORRIS.

TO THE GOVERNOR OF MARYLAND.

Office of Finance, Philadelphia,]
August 28th, 1781.

Sir,

Whilst I was at Head Quarters, near Dobbs's Ferry, the determination was taken by his Excellency the Commander in Chief, to send a very considerable force against the enemy's troops under Earl Cornwallis in Virginia; and immediately on my return hither, I did myself the honor to address your Excellency, respecting the specific supplies due from the State of Maryland to the United States, upon the requisitions of Congress, of the 25th of February and 4th of November, 1780, well knowing the whole balance due on these calls of Congress would, now become absolutely necessary to the intended operations.

I am very sensible that your government have upon all occasions executed demands of Congress with a decision and vigor, which does them honor, and on that account I should decline saying anything calculated to stimulate their present exertions, did I not know, that everything depends thereon. Virginia, North and South Carolina, have long subsisted large armies, and that expense of provisions must come to their credit. The New England States, New York, New Jersey, and Pennsylvania, have supported, and must continue to support, the main army. Pennsylvania will also contribute towards the support of the southern army, and her supplies will be directed both ways, as circumstances may require. Delaware and Maryland must chiefly be depended on. Virginia and North Carolina will, I hope, continue to do all they can. But your Excellency must be perfectly sensible, that I have not any funds wherewith to purchase supplies; no State in the Union has hitherto supplied me with money, except Pennsylvania. But as the money of that State is (in consequence of plans adopted for that purpose) very rapidly rising in value, it would be improper to call it into circulation at present, when it is at the rate of only two for one, though it has been as low as seven, because the public interest would thereby be injured, and indeed I might be charged with defeating the measures I myself had taken, in the very moment when they bid fairest for success.

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The security of your State, the safety of individuals and their property are so immediately connected with the present operations, that I persuade myself your Excellency will receive every aid and support in your exertions, that you can wish, both from public bodies and individuals. My dependence therefore, on receiving the supplies from your State seems well founded.

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I have the honor to transmit your Excellency herewith a letter from the Commander in Chief on

the same subject, which will add weight to my entreaties. I have written to Donaldson Yeates, Quarter Master of the States of Maryland and Delaware, to procure immediately as many craft or vessels suitable for transporting the troops from the head of the Elk to Virginia, as will carry about seven thousand men, with the necessary provisions and apparatus. I have written to Mr Ridley, William Smith, and some others in Baltimore, to assist in procuring these vessels, and should any application to your Excellency be necessary on this subject, I persuade myself, that the authority of the government or weight of its influence will be brought in aid of the Quarter Master's endeavors to procure the shipping. I have also written to Mr Calhoun to know what part of the specific supplies he has ready, and what prospects for the remainder. He must bestir himself, as indeed must every person on whom the procuring of these articles depends.

While the demands for the campaign are constantly transmitted to me, and so much depends upon the measures I am constantly taking to economise the public funds and facilitate our military operations, your Excellency will perceive that full, early, and accurate intelligence upon the various objects of my Department is of the utmost importance. I must, therefore, reiterate my requests for it. To act from necessity and on the spur of occasion is not only the source of waste and extravagance, but frequently defeats plans otherwise the best concerted, while on the other hand, that timely forecast and early provision, which complete knowledge of circumstances can alone permit of, will save much public money, and go very far to insure victory to our arms.

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I am, with great respect, &c.

ROBERT MORRIS.^[42]

FOOTNOTES:

[42] *August 30th.* Went out to meet his Excellency General Washington, who arrived in this city about one o'clock, amidst the universal acclamations of the citizens, who displayed every mark of joy on the occasion. His Excellency alighted at the City Tavern, received the compliments of many gentlemen, who went out to escort him, and of others who came there to pay him their respects, and then adjourned to my house with his suit, Count de Rochambeau, the Chevalier Chastellux, General Knox, General Moultrie, and others, to dinner. The owners of several ships in the harbor ordered them out into the stream, and fired salutes, whilst we drank, The United States, His Most Christian Majesty, His Catholic Majesty, The United Provinces, The Allied Armies, Count de Grasse's speedy arrival, &c. &c. *Diary.*

CIRCULAR TO THE GOVERNORS OF THE STATES.

Office of Finance, September 4th, 1781.

Sir,

I do myself the honor to enclose the plan of a National Bank, which I laid before the United States in Congress assembled on the 17th day of May last, and which was adopted by them on the 26th. I have now the pleasure to inform your Excellency, that an election for Directors will be held in this city on the 1st day of November next.

It is important that the execution of this plan be facilitated as much as possible, and particularly that of it which relates to the currency of the bank notes. The inhabitants of the United States already suffer from the want of a circulating medium. Of consequence the taxes must soon press heavily on the people. My feelings conspire with my duty in prompting me to alleviate those burdens. Therefore I pray the speedy attention of your Legislature to that resolution, by which the notes are to be receivable in payment of all taxes, duties, or debts due, or that may become due or payable to the United States.

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I do not doubt either the credit or currency of bank notes, but I wish to render them equally useful to America in the individual as well as collective capacity, and to supply the necessities of the husbandman as well as the merchant. I shall not at present mention the other articles to be attended to; nor will I adduce any arguments in favor of my present proposition, as it is evidently calculated for the ease and benefit of the people you preside over. I hope, however, that your Legislature will not only pass the proper laws to make bank notes receivable in the manner mentioned in the resolution, but that it will be done soon.

With all possible respect, &c.

ROBERT MORRIS.^[43]

FOOTNOTES:

[43] *September 5th.* The Commander in Chief having repeatedly urged, both by letter and in

conversation, the necessity of advancing a month's pay to the detachment of troops marching to the southward, under the command of Major General Lincoln, and my funds and resources being at this time totally inadequate to make that advance, and at the same time answer the various demands that are indispensable, I made application to the Count de Rochambeau for a loan of twenty thousand hard dollars, for such time as his military chest could, without inconvenience, spare that sum, promising repayment at the time he should name.

I was desired to meet the Count at the Chevalier de la Luzerne's house, which I did on Wednesday the 5th instant, where I met the said Minister, Count de Rochambeau, and General Chastellux. They informed me of their strong desire to comply with my request, but that their treasury was at present not well filled, considering the daily drains upon it, and that although they had money arrived at Boston, it would require six or eight weeks to get it from thence, that although they expected money by the fleet of Count de Grasse, yet it was not then arrived, and of course that supply was less certain than the other; that the Intendant and the Treasurer were set out for the head of the Elk, and their consent was necessary however, they concluded this subject with requesting that I should ride down to Chester, where we should overtake those gentlemen, and if it were possible on consideration of all circumstances they would supply the money required.

General Washington was extremely desirous, that the troops should receive their month's pay, as great symptoms of discontent had appeared on their passing through this city without it. This affair being considered of great importance, I desired Mr Gouverneur Morris, my assistant, to accompany me, on account of his speaking fluently the French language. We set out at three o'clock for Chester, and on the road met an express from General Washington, who left us in the morning to join his troops at the head of the Elk, with the agreeable news of the safe arrival of Count de Grasse and his fleet in the Chesapeake. This news I received with infinite satisfaction on every account, and among the rest one reason was the facility it would give the French treasury in complying with my views, and this I found was actually the case, as Count de Rochambeau very readily agreed at Chester to supply at the head of the Elk twenty thousand hard dollars, to such person as I should appoint to receive them. I engaged to replace the same sum in their treasury by the 1st day of October next.

On Thursday forenoon I returned to this city about twelve o'clock having been impeded in my journey by meeting the last division of the French army, their artillery, and baggage on the road. On my return I immediately despatched Mr Philip Audibert, Deputy Paymaster General, to the head of the Elk, with orders to receive the money, pay the troops, &c. agreeably to instructions given him in writing. In the conferences with Count de Rochambeau and General Chastellux, they asked whether, if upon any occasion their treasury should stand in need of temporary aids, I thought they could procure loans in this city. I answered, that money is very scarce, that the people who have property generally keep it employed, and that no certain dependence can be placed on any given sums, but that I knew the people to be very generally disposed to assist our generous allies, and should such occasions offer, I was certain they would exert themselves; and as to my own part they might on every occasion command my utmost services, assistance, and exertions, both as a public officer, and as an individual. I mentioned to them again the affair of exchange, showing that they had reduced the price below what it had been raised to by my measures, and requested that in future when they expected to raise money by bills, they should in good time previously lodge them with the Minister, and that on his giving me timely notice, I would cause the most advantageous sale to be made of them, and deliver him the money without any other charge or deduction, than the expense of the brokerage.

I observed, that this mode of proceeding was now became essentially necessary, as there is no general market for bills of exchange to the southward, but that Philadelphia, in that respect, is as Boston to the eastern States. They answered, that they expected to procure their supplies with money, without occasion to draw bills, but if it happened otherwise they would pursue my advice. In regard to the articles of provisions, forage, wood, transportation, &c. necessary for their army, and which, when at camp, I had offered to procure for them on the same terms as for the continental army, by contract, I proposed to postpone that matter, as it might be best to continue their present method of supplies during the active scenes they are likely to be engaged in, as their Agents have given satisfaction, and are acquainted in the country where they are going, and that I could advertise for proposals to supply them the ensuing winter, and lay before them such offers or proposals as I should receive. This appeared very satisfactory, and here that subject rests for the present. *Diary.*

TO THE COUNT DE ROCHAMBEAU.

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Office of Finance, September 6th, 1781.

Sir,

In consequence of the conversation I had the honor to hold with your Excellency yesterday, and your promise to supply the United States with the sum of twenty thousand dollars, for an immediate purpose, to be replaced on the 1st day of October next, I have directed Mr Philip Audibert, the bearer of this letter, to wait upon you. I shall be much obliged to your Excellency if you will be pleased to direct, that the above sum be paid to Mr Audibert, and that duplicate

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receipts be taken of him, one of which I pray may be transmitted to me. I will take care that the money be replaced at the time agreed upon. With every wish for the most brilliant success to the allied arms, and for your own personal glory, I am, very respectfully, &c.

ROBERT MORRIS.

TO GEORGE WASHINGTON.

Chester, September 6th, 1781.

Dear General,

Permit me most sincerely to congratulate you on the arrival of the French fleet, and to express my warmest wishes for the success of your future operations.

As soon as I arrive at Philadelphia, I shall give directions for the Deputy Paymaster to repair to the head of the Elk, and make the payment of a month's pay in specie to the detachment under the command of General Lincoln. I wish the States had enabled me to do more, but it is to be lamented, that the supineness of the several Legislatures still leaves the servants of the public to struggle with unmerited distresses.

It shall, however, be a part of my business to rouse them into exertion, and I hope soon to see the army better paid than heretofore, and I confide, that your Excellency will, with every other public officer, exert your influence to aid me in this necessary task.

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With the greatest respect, &c.

ROBERT MORRIS.

GEORGE WASHINGTON TO ROBERT MORRIS.

Head of the Elk, September 6th, 1781.

Dear Sir,

Every day discovers to me the increasing necessity of some money for the troops. I hope by this time you are provided to give a month's pay. I find it of the last importance to hasten forward myself to join the Marquis de Lafayette as soon as possible. I may leave this in a few hours; I cannot do it, however, without entreating you in the warmest terms to send on a month's pay at least, with all the expedition possible. I wish it to come on the wings of speed.

I am, Dear Sir, &c.

GEORGE WASHINGTON.

GEORGE WASHINGTON TO ROBERT MORRIS.

Head of the Elk, September 7th, 1781.

Dear Sir,

I have received your two favors of yesterday. I find myself so pressed by circumstances, that it will be impossible for me to stay at this place till the payment of the money committed to Mr Audibert can be effected. I must leave the head of the Elk this afternoon or early tomorrow morning. I shall however leave instructions with General Lincoln to do all that is necessary on the occasion.

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The sum of twenty thousand dollars will fall much short of the sum necessary.

The five hundred guineas on my own account I have received.

I have the honor to be, &c.

GEORGE WASHINGTON.

TO GEORGE WASHINGTON.

Dear Sir,

The sole intent of this is to acknowledge the receipt of your two letters of the 7th instant; that which related to the month's pay you would see was answered by the steps previously taken, but I am a good deal disappointed and put to inconvenience by the money at the Elk falling short of the object, which obliges me to send money thither that was absolutely necessary to fulfil my engagements here. I must struggle through these difficulties, but the doing so requires that attention and time, which ought to be bestowed upon greater objects.

The letter respecting the criminal was too late, the poor fellow was gone. I am sorry for it, and remain your Excellency's most obedient, &c.

ROBERT MORRIS.^[44]

FOOTNOTES:

[44] *September 18th.* Several members of Congress and others called on me last evening, desirous to know the reasons for my writing to Mr Jay a letter of the 15th of August last, which being intercepted, Rivington has published, and graced with his remarks, wherein I direct Mr Jay to protest certain bills of exchange drawn by authority of Congress. The explanation is easily given, as the ship on board which I had remitted these bills was taken. The moment I knew her fate, I judged it proper to stop payment of the bills, lest the enemy, with their usual cunning, might attempt to procure the money; but I am now of opinion, that the Captain sunk them when captured. *Diary.*

B. FRANKLIN TO ROBERT MORRIS.

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Passy, September 12th, 1781.

Dear Sir,

I have received your letters of July 13th, 14th, 19th, and 21st, all at once, by way of L'Orient. The originals of those you mention to have sent by Major Franks are not yet come to hand, nor have I heard of his arrival in Spain.

Your letters of June 6th and 8th were remarkably lucky in getting to hand. I think I have received seven of the copies you had the precaution to send of them. I enclose copies of my answers.

I have now the pleasure to acquaint you, that I have obtained a promise of the sum I wanted to pay the bills I had accepted for the purchases made in Holland; so that your supplying me with remittances for that purpose, which I requested, is now unnecessary, and I shall finish the year with honor. But it is as much as I can do, with the aid of the sum I stopped in Holland; the drafts on Mr Jay and on Mr Adams much exceeding what I had been made to expect.

I had been informed, that the Congress had promised to draw no more bills on Europe, after the month of March last, till they should know they had funds here; but I learn from Mr Adams, that some bills have been lately presented to him, drawn June 22d, on Mr Laurens, who is in the tower, which makes the proceeding seem extraordinary. Mr Adams cannot pay these bills, and I cannot engage for them; for I see by the minutes of Congress you have sent me, that though they have stopped issuing bills drawn on the Ministers at Madrid, and the Hague, until they shall be assured that funds are provided for paying them, they have left open to be sold those drawn on their Minister at Versailles, funds or no funds; which, in the situation you will see I am in by the letters of the Count de Vergennes, terrifies me; for I have promised not to accept any drafts made on me by order of Congress, if such should be after the time above mentioned, unless I have funds in my hands, or in view, to pay them. After its being declared to me, that such bills could not be provided for, and my promise not to engage for them, it will be impossible to ask for the money, if I should accept them; and I believe those bills of Mr Ross must go back protested.

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The projected loan in Holland has of late some appearances of success. I am indeed told it is agreed to by the States; but I do not yet think it so certain as to venture, or advise the venturing, to act in expectation of it. The instant it is assured, I will send you advice of it by every opportunity, and will, from time to time, send parts of it in cash by such ships of war as can conveniently take it.

I cannot write to you fully by this opportunity. I will not, however, delay acquainting you, that having the fullest confidence in your assurances of enabling me to pay them, I shall cheerfully accept your bills for four hundred thousand livres.

Captain Gillon has sailed from Holland, without taking under his convoy the two vessels that were freighted to carry the goods purchased by Captain Jackson, in Holland. There has been

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terrible management there; and from the confusion in the ship, before and when she sailed, it is a question if she ever arrives in America.

They are hard at work here, in providing the supplies to replace those lost in the Marquis de Lafayette.

With best wishes of success to you in your new employment, and assurances of every aid I can afford you, I am, Dear Sir, &c.

B. FRANKLIN.

TO M. DE LA LUZERNE.

Office of Finance, September 20th, 1781.

Sir,

His Excellency the Count de Rochambeau having generously made me a very considerable advance of money, I was thereby enabled to give the detachment of our army under General Lincoln, one month's pay, which was earnestly pressed upon me by the Commander in Chief. I promised M. de Rochambeau, that I would replace the sum borrowed, on the first of next month, wherever the army should then be.

The movement which lately took place to the southward, has been attended with a variety of expenses, which have been very heavy, and have absorbed all the money I could command, notwithstanding which many demands still remain unsatisfied, so that I cannot obtain the sums necessary for the service from any ordinary means.

As it is probable that the moneys which the Count de Grasse has brought, will prevent any immediate want by the fleets or armies of his Most Christian Majesty in the States of Maryland and Virginia, I am induced to believe, that no inconvenience would arise from delaying the payment, until the money in Boston shall be brought forward, which will be speedily, as a very active person has gone for it, who will lose no time in the business committed to him.

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Should your Excellency be of this opinion, I shall be glad if you will signify it to me, and if that be in your power, that you will extend the time when payment is to be made. But if you think the money must be forwarded to Virginia immediately, you may depend that I will instantly endeavor to procure it, and although that cannot be done but with great difficulty and much loss, yet nothing shall deter me from complying with my engagements.

I have the honor to be, &c.

ROBERT MORRIS.

TO THE PRESIDENT OF THE COUNCIL OF PENNSYLVANIA.

Office of Finance, September 20th, 1781.

Sir,

I am honored with your Excellency's letter of this date, and most sincerely wish my situation was such as to justify a promise of aid, equal to the present necessities; I mean the necessities that will be created by the call of the militia at this time, but unluckily the late movements of the army have so entirely drained me of money, that I have been obliged to pledge my personal credit very deeply in a variety of instances, besides borrowing money from my friends, and advancing, to promote the public service, every shilling of my own. In this situation I was preparing an application to the honorable Council and Assembly for relief from my advances, from the State of Pennsylvania, and this will be the more necessary, as this alarm whilst it lasts will cut off all possibility of recruiting the treasury. Those who possess hard money will keep it, and those who have demands will become more eager for payment, therefore, all I can promise is the use of my credit, and an exertion of any influence I may have in favor of such measures as may be deemed necessary. At the same time I do not recede from my first opinion, that the enemy do not meditate any attack on this city.

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I have the honor to be, &c.

ROBERT MORRIS.^[45]

FOOTNOTES:

[45] *September 21st.* At one o'clock I waited on the President of the State of Pennsylvania, at his house in Market Street, and met there Mr Peters and Mr Cornell, of the Board of War, General St Clair, General Irvine, and General Irwin, of the militia. This conference lasted a considerable time, and in its consequences took up the rest of the day. I gave it as my opinion, that Sir Henry Clinton did not intend for this city, nevertheless, as the inhabitants are alarmed and uneasy, I agreed to the propriety of being prepared, although I lamented the expense such preparations would put us to. I advised the placing a garrison at Mud Island, and putting that place in a posture of defence, and mentioned the plan proposed to me by Mr Paine, of collecting immediately one quarter's rent from all the houses in Philadelphia, in order to have an immediate supply of money to defray the expenses, &c. *Diary.*

TO M. DE LA LUZERNE.

Office of Finance, September 25th, 1781.

Sir,

I received last night your Excellency's billet requesting to be informed of the amount of the bills drawn by me; as Superintendent of the Finances, on Messrs Le Couteulx & Co. of Paris, under the sanction of your engagements.

This communication I intended making to your Excellency in consequence of the conversation that passed between us a few days since; but it was only yesterday that I completed the delivery of such bills as had been sold previous to that conversation, which amounted to fiftyseven thousand seven hundred and eighty livres; and now on summing up the whole I find, that I have drawn one hundred and eightyone sets of bills, all at sixty days' sight, in favor of various persons to whom they have been sold, amounting to nine hundred and one thousand and eighteen livres, four sous, and eight deniers tournois; of these bills three hundred and seventysix thousand one hundred and twentytwo livres, ten sous, have been sold at five shillings and six pence for five livres, and five hundred and twenty four thousand eight hundred and ninetyfive livres, fourteen sous, eight deniers, at six shillings for five livres; by which it appears the discount does not exceed sixteen and five eighths per cent on the value in Europe; and were this money to be imported I suppose the freight and insurance might amount to nearly the value of that discount; if so, this mode of bringing it into use is not a bad one. Besides I must again observe, that by a union of management in the sale of bills drawn for the service of his Most Christian Majesty's fleets and armies, and those drawn for account of the United States, still better prices might be obtained, nay, I should not despair of trying to raise the price of exchange to par, by means of partial importations of money, and passing bills before the expenditure thereof, so that necessity might not have any influence in fixing the price.

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What your Excellency has said to me respecting the advances made this year by his Majesty to the United States, has left on my mind those impressions you intended to make. You may depend, Sir; that it is my wish, and shall be a part of my study, to render these States as little troublesome to his Majesty as possible, and I shall probably have many opportunities to convince you, that it is a fixed point with me, that the United States, to become truly independent, must trust more to their own exertions, and lean but lightly on their allies. But, Sir, you must remember the situation, in which I found their affairs; you are not ignorant, that although I have cut off entirely many sources of expense, and curtailed others, yet that I have not been able to obtain either supplies of money or permanent revenue from the States, which however I attribute chiefly to the recess of the several Legislatures during the greatest part of the time that I have been in office, for I hope and expect that they will severally attend to the calls upon them, when they shall come to know their real situation.

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But in the meanwhile, what am I to do if the means of supplying indispensable wants are cut off? The important operations now carrying on by General Washington depend so materially on the performance of my engagements, that the most fatal consequences may ensue from any breach of them. Your Excellency well remembers, that you thought yourself justifiable, in giving me assurances, that Messrs Le Couteulx & Co. should be supplied with one million five hundred thousand livres tournois, to answer my drafts to that extent; the produce whereof to be employed in the service of the present campaign. You will also recollect, that previous to my journey in August to camp, I judged it necessary to know, whether that sum was the whole on which I could place dependence, because, as the General's operations would in a great measure depend on the aids I could afford him, it was absolutely incumbent on me to be informed of their extent in every channel, through which I expected them to flow.

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Your Excellency, convinced of the propriety of my observations, and of the actual necessities of our situation, ventured the assurance of another million of livres. Therefore, whilst I was at camp, during the consultations on the measures, I gave his Excellency reason to believe, that the amount of two millions five hundred thousand livres of bills on France, in conjunction with the resources provided by Congress, should be brought to the support of his operations. Counting upon this as certain, General Washington has taken his measures accordingly.

It has been my study to make the bills as productive as circumstances would permit, and to apply the money to the purposes for which it was granted, under the most scrupulous and assiduous attention to the principles of economy, and I may hazard the opinion, that no money has been more frugally or usefully expended by the United States during the war, without the least danger of being put in the wrong.

You are sensible that the money which arrived with Colonel Laurens, although landed on the Continent, cannot be brought into use until its arrival here; and although I have sent for it, yet it is but now on the road, and the General cannot stop his operations, nor can I refuse or defer compliance with my engagements until its arrival. The ruinous consequences that would follow, must appear too strong and clear to a gentleman of your reflection and information, to need any other demonstration than the bare mention of the facts. Consequently your Excellency will be well convinced of the absolute necessity of permitting me to draw to the extent agreed upon, and I hope his Majesty's Ministers will be too strongly impressed with apprehensions of the fatal consequences that would follow any neglect of my bills, to suffer the least inattention to them; and as the sum in total will not be of such magnitude as to occasion great inconvenience, I hope his Majesty will find cause to applaud your zeal and attention upon the occasion.

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A committee of Congress have laid before me the communications your Excellency has lately made to Congress, which will claim my utmost attention, and your Excellency will do me the justice to believe that my most strenuous endeavors shall be to promote what is so strongly urged by his Majesty's Ministers, the most spirited exertions of these States to drive the enemy from our country. And that my affection for, and gratitude to France, are unalterably fixed, as is also my respect and esteem for your Excellency's person and character. Being, Sir, your most obedient, &c.

ROBERT MORRIS.

P. S. Upon a more exact calculation of the sale of bills, a few of which were sold a little higher than the rest, I find that nine hundred one thousand and eighteen livres, four sous, eight deniers, produced fiftytwo thousand two hundred and eleven pounds, ten shillings and ninepence, Pennsylvania currency; which is equal to one hundred twentyfive thousand three hundred and seven French crowns, and seven tenths of a crown, at eight shillings four-pence, Pennsylvania currency, for a crown; and the same number of livres reduced into crowns at six livres each crown, is one hundred fifty thousand one hundred sixty-nine and four sixths crowns. Consequently the discount is little more than sixteen and a half per cent.

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TO THE SPEAKER OF THE ASSEMBLY OF PENNSYLVANIA.

Office of Finance, September 28th, 1781.

Sir,

As the Honorable House of Assembly are now sitting, and have before them the several letters which I had the honor to write during their recess to his Excellency the President in Council, I shall now endeavor to state, in a short manner, the situation of accounts depending between Pennsylvania and the United States, and propose such measures, as, I think, will lead to a speedy and satisfactory settlement of them.

In the treasury books of the United States, there is an account current open for transactions commencing with the revolution, and continuing to the 18th of March, 1780, wherein the State of Pennsylvania stands charged with advances, made at different periods during that time, to the amount of four millions four hundred and fortyfour thousand and seven hundred dollars, and has credit to the amount of one hundred and thirtysix thousand and ninetyeight dollars. Most of these advances were made whilst money was valuable; but I expect that the expenditures of the State on behalf of the United States kept pace with the advances made, and that, probably, when this account comes to be settled, there may be no great balance either way; but in this respect, I do not pretend to speak with certainty. However, I must here observe, that every State in the Union has an account of the same sort depending; wherefore, I propose that Congress should fix such general principles as will tend to do justice on the settlement of the whole, and appoint immediately Auditors to go through the whole; so that when the balance of each shall be justly ascertained, it may be paid or received, according as the same shall happen to be due, to or from the United States, and this will put every State on an equal footing so far.

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You will find by the resolution of Congress of the 22d of November, 1777, Pennsylvania is called on to pay, in four quarterly payments, commencing on the 1st day of January, 1778, the sum of six hundred and twenty thousand dollars. By the resolutions of the 3d and 5th of January, 1779, Pennsylvania is called on to pay, during that year, the sum of one million nine hundred thousand dollars. By the resolution of the 21st of May, 1779, Pennsylvania was called on to pay, by the 1st of January, 1780, the sum of five millions seven hundred thousand dollars. By the resolutions of the 6th and 7th of October, 1779, a monthly tax of fifteen millions is called for, of which the proportion of Pennsylvania is two millions three hundred thousand dollars, making for the two months payable the 1st of February and the 1st of March four millions and six hundred thousand

dollars. Thus the whole of these requisitions appears to have amounted to twelve millions eight hundred and twenty thousand dollars, of which there appears to have been paid on different drafts to the amount of six millions four hundred and fifty four thousand one hundred and fourteen dollars and two thirds, leaving a balance still due of six millions three hundred and sixtyfive thousand eight hundred and eightyfive dollars and one third, of the old emissions.

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By the resolution of the 10th of March, 1780, the fifteen millions of monthly taxes is continued so as to include thirteen months, making for the proportion of Pennsylvania twenty nine millions nine hundred thousand dollars; of which sum ten millions six hundred thousand dollars have been paid into the Loan Office; of consequence, there remains due nineteen millions three hundred thousand dollars.

By the resolutions last mentioned, new money was to be issued, at the rate of one for every twenty of the old; of which new money Congress had reserved four tenths to their disposal, and the Treasury Board have already issued warrants to the amount thereof. The State paper being of equal value with the new emission, and the former not bearing interest, I have thought it most for the benefit of this State and of the United States, to draw from the treasurer a sum of the new State paper equal to the balance of those four tenths, and have accordingly done so.

By the resolution of the 26th of August, 1780, the States are called on to pay into the treasury by the last day of December then next ensuing, three millions of dollars, of which the quota of Pennsylvania is four hundred and sixty thousand dollars.

By the resolution of the 4th of November, 1780, Pennsylvania is called upon to pay two hundred and seventythree thousand eight hundred and thirtytwo dollars and two thirds, in quarterly payments, commencing the 1st day of May last; and by the resolution of the 16th of March, 1781, Pennsylvania is called upon to pay one million and fiftynine thousand eight hundred and sixtythree dollars, in quarterly payments, commencing the 1st day of June last. All these are payable in the new emission, or specie. Thus the whole of the requisitions will, on the 1st day of March next, amount to one million seven hundred and ninetythree thousand six hundred and ninetyfive dollars and two thirds. Of this sum there appears to have been paid seventeen thousand seven hundred and forty dollars; wherefore, there will still remain a balance of one million seven hundred and seventyfive thousand nine hundred and fiftyfive dollars and two thirds.

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By a note from David Rittenhouse, I find that he has in his hands one hundred and thirtyeight thousand nine hundred dollars of the new emission, and fourteen millions one hundred and fortyfive thousand six hundred dollars of the old, in which latter sum, nevertheless, is included some State money received at seventyfive for one, the amount of which cannot be determined until it is sorted and counted; wherefore, the old emission may be estimated at about fourteen millions.

On this state of things, I take the liberty of proposing to the honorable House, that all the old money be immediately paid in, and the new taken out, which will be about seven hundred thousand dollars, and that, with what is now in the Treasurer's hands, will make eight hundred and thirtyeight thousand nine hundred dollars. I further propose, that this be paid to me, as Superintendent of Finance, on account of the above balance of one million seven hundred and seventyfive thousand nine hundred and fiftyfive dollars and two thirds, which will then be reduced to nine hundred and thirtyseven thousand and fiftyfive dollars and two thirds. I further propose, that the remaining sums of old continental, due from the State, be collected and paid as soon as possible, which, besides discharging that demand, will also enable the State to receive the further sum of two hundred and sixty thousand dollars of the new emission, and that, being paid in as before, will still further reduce the balance against the State to six hundred and seventytwo thousand and fiftyfive dollars and two thirds. There are at present in circulation of the new emission three hundred and ninetyone thousand one hundred dollars, which ought certainly to be brought in as soon as possible, and applied to the same purposes already specified; by which means the eventual balance payable in specie, would be two hundred and eighty thousand nine hundred and fiftyfive dollars and two thirds; to which must be added, thirteen thousand three hundred and thirtyfour dollars, required by Congress on the 8th day of January last to be paid in specie; being together one hundred and ten thousand three hundred and fiftyeight pounds, twelve shillings and sixpence. To explain all which more fully, I enclose the accounts, number one, two, and three, to which I pray leave to have reference.

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The specific supplies will still remain to be provided for, in order that all the demands of Congress may be fully answered; but I hope that the specie tax now collecting will go a great way towards the accomplishment of this necessary object, and at any rate, as the state of paper, notwithstanding every effort, has not yet appreciated to par, I would propose that no more of it be issued from the treasury, except as equal to gold and silver, and then the collection of the present, taxes will at least prevent any depreciation, and in the meantime, the fund on which it was emitted, become more productive. The next Assembly will be able to take such additional measures as may be necessary, further to raise the value of it. This can only be done by holding it up from circulation, on the one hand, and on the other, by raising taxes, in which the public receive it as equivalent to the precious metals.

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It is my determination, as Superintendent, to deposit all the money of the new emission, which shall be received from the several States, in the Continental Treasury, and not to issue one shilling of it, unless compelled by absolute necessity; which, I hope, will not be the case, if the

States take measures to pay in the eventual balances.

Whether the House will find it consistent with the situation of their constituents to lay an additional tax this session, is for them to determine; but it is my duty to mention it, which I do from a conviction that it is necessary. They will perceive, that very great arrearages are due, and they must be sensible, that taxation alone can support the public credit, or enable government to carry on the war.

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

ROBERT MORRIS.

TO THE COUNT DE ROCHAMBEAU.

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Office of Finance, October 1st, 1781.

Sir,

This being the day agreed upon for repayment of the moneys your Excellency was so kind as to advance me, I do myself the honor of assigning to you the reasons why it is not done. I had determined to make every effort and every sacrifice for the sake of complying with my engagements. But his Excellency, the Minister of France, perceiving that it would be very inconvenient to me, and being convinced that you were not in immediate want of it, was so kind as to assure me, that he would write to you on the subject, and that, in the meantime, I might delay the payment until the arrival of money from the eastward. I shall then take care to have your advance replaced.

Being convinced, Sir, that M. de la Luzerne has already made the proper representations to you upon the subject, I should not have troubled you with reading this letter, but that I feel a pleasure in seizing every opportunity to express my wishes for your success and glory, as well as to assure you, that I am, &c.

ROBERT MORRIS.

TO MAJOR GENERAL GREENE.

Office of Finance, October 3d, 1781.

Sir,

I have received your letter, dated the 18th of August last, at the high hills of Santee, and am now to thank you for it. Your observations on public affairs are, I fear, too just, but I hope that when our situation is thoroughly perceived by the people, they will adopt those effectual remedies, which every friend to his country ought to wish. That more power ought to be given to Congress is evident now to many, and will, probably, become soon very apparent to all. The disobedience of many States, and the partial obedience of others, discontents every one of them, and that will, in itself, be a reason for enabling the sovereign representative to exact a compliance with its requisitions; but, as you justly observe, all these things are in the womb of time, which can alone disclose the events we plague ourselves with guessing at.

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From the latter part of your letter, I perceive that you greatly misunderstood me. When I requested you to draw on me, I meant to extend those drafts so far as might be necessary for secret service money, and the like small, but indispensable occasions. I well knew that you could not, by bills of exchange, supply the wants of your army, and, if I had thought it practicable, I should have been more explicit, for I could not then have paid the bills you would have drawn.

To give you an idea of my situation as to money, I think I need only inform you, that since I have been in office, I have only received the sum of seven thousand five hundred pounds, Pennsylvania money, from the Treasury of this State, and that was in part payment of advances made for them. This is all I have received from the funds of America. It is true, that Colonel Laurens has lately arrived, and brought with him a sum of money from France. And it is also true, that I have made use of a very limited credit given me on France, by drawing bills of exchange; but both of these resources, taken together, are vastly short of what is necessary, though they have contributed to the present operations.

I have lost no occasion of showing to the several States their situation, but hitherto without success; and, unless some unforeseen event turns up very speedily, it is impossible to say what may be the consequences. However, it is our business to hope all things, and that Providence, who has hitherto carried us through our difficulties, will, I trust, continue his bountiful protection.

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Your circumstances have long been arduous, but you have hitherto risen so superior to them, that we should be almost as much surprised now, if you should be unsuccessful, as we formerly were at your successes. I wish I could contribute to render you more easy. As far as my abilities extend, I shall do it most cheerfully; but they unfortunately are very limited. Accept, I pray you, my good wishes, which are almost all I have to give, and believe me to be, &c.

ROBERT MORRIS.

TO THE COMMISSARY GENERAL OF PURCHASES.

Office of Finance, October 4th, 1781.

Sir,

I have received your letters, dated at Alexandria the 19th, and Williamsburgh the 23d of September last.

I am very glad that you push hard upon the States for supplies. It is, I find, necessary that you and I should understand each other on the subject. The General will, I dare say, take care to have as few unnecessary mouths as possible; but, after all, a certain quantity of provisions is indispensably necessary. Now this quantity must be furnished by the States of Virginia, Maryland, and Delaware. If you rely on my exertions, you will, probably, be disappointed. Should the operations against Cornwallis fail for want of supplies, the States must thank their own negligence. If they will not exert themselves on the present occasion, they never will. As to all that can be said about the failure of the one or of another kind of money, it is left to themselves. Let them tax in money which will not fail. It is their business to provide supplies and money too. If they neglect or omit this necessary duty, I again repeat, they must answer for the consequences.

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I shall be glad at all times to hear from you very particularly, with all such information as you shall think necessary. But do not lean too hard upon me. Do not expect too much help from me. You will be deceived and disappointed if you do. Urge the States. Urge Delaware in particular. When I do furnish anything, it must be money. Let some of your people, therefore, apply when you intend applications. I cannot run about the city to purchase articles. That is the duty of an assistant Commissary; and my time is too much, and, I hope, too well employed, to permit it.

I am, Sir, &c.

ROBERT MORRIS.

TO MESSRS LE COUTEULX & CO.

Office of Finance, October 12th, 1781.

Gentlemen,

In consequence of a new arrangement taken with his Excellency, the Chevalier de la Luzerne, Minister Plenipotentiary of France, a further sum of money will be deposited with you, subject to my drafts on behalf of the United States of America, so that I shall continue those drafts, as occasion may require, until, in the whole, they amount to one million two hundred thousand livres tournois, where I shall stop, unless circumstances should happen to induce an extension of this operation, of which I will advise you; and whenever it is completed, I shall require an account current from you for the whole. I have not yet had the pleasure of receiving from you any letters directed to me in my official capacity, but I doubt not your punctual care and attention to discharge all my drafts as they fall due.

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I have the honor to be, &c.

ROBERT MORRIS.

TO THE LOAN OFFICERS OF THE STATES.

Office of Finance, October 13th, 1781.

Sir,

As the organization of the Treasury Department will soon be completed, it becomes my duty to inform you of that circumstance, and to request that you will prepare for a full settlement of your accounts. I must also request, that you will be pleased to make out and transmit to me an

accurate list of all the certificates issued, with their dates, sums, and the persons to whom they were given. It will be necessary that an account of the public debt be prepared for the public inspection. This cannot be done until the proper materials be obtained from the several offices; wherefore, I make no doubt that you will exert yourself to comply with my request. As I am informed that the late Treasury Board gave orders for sending back the blank certificates, I suppose they are now on the way hither; but, if that should not be the case, I must require an immediate performance of the directions given by the Board, and I must insist that no more certificates be issued on any pretence whatever.

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

ROBERT MORRIS.

TO THE GOVERNOR OF VIRGINIA.

Philadelphia, October 16th, 1781.

Sir,

I would willingly write you an official letter by this post, on the subject of supplies for the year 1782; but I must decline it, until I can obtain the proper estimates, which are now preparing. In the meantime, as I learn that your Legislature are now sitting, I write you this private letter on that subject.

My former public letters will fully have stated my ideas as to the present demands on the existing requisitions of Congress. I hope and expect, that those requisitions will be immediately complied with. It is my decided opinion, founded on the best observations I have been able to make, and the most accurate and extensive information I could possibly obtain, that paper emissions will no longer answer the purpose of carrying on this war, and experience must by this time have convinced every dispassionate observer, that specific supplies are at once burdensome to the people, and almost useless to the government.

It is unnecessary to draw the conclusion, which I am sure will strike your mind, that a revenue in hard money must be obtained; but I will observe to you, that the present moment is very favorable to that object in your State. While the war is in your country, the expenses of it will be so diffused as to possess its inhabitants of specie, and should it be happily removed to a distance, your commerce will bring in resources equal to your necessities.

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I take the liberty to request that you will communicate these sentiments to my worthy friend Colonel Harrison, and I pray you to believe me very sincerely your friend, &c.

ROBERT MORRIS.

TO THE PRESIDENT OF CONGRESS.

Office of Finance, October 18th, 1781.

Sir,

The honorable committee, on the letter of the Board of War of the 11th instant, have favored me with a perusal of it. I think it my duty, on this occasion, to express my approbation of that attention the Board of War have paid the public service. That letter has opened a subject, which had pressed itself strongly on my mind, and which I had determined to mention to Congress, but was restrained by the hope, that a review of their own proceedings, and a sense of our difficulties would soon have rendered it unnecessary.

This matter being now before them, it would be unpardonable in me not to enforce those sentiments, which I myself am most deeply affected with. I am convinced, that a slight view of the situation, in which their finances now are, will give a strong impression of the necessity there is to guard against pecuniary solicitations from every quarter. If the revenue were equal to the demands upon it, nothing can be more simple and clear, than that all those demands should be speedily and punctually paid. Unfortunately this is far from being the case. I believe much further than many are aware of. When I say, that I cannot command more than one twentieth of the sum necessary for the current service of the year, I am within the strictest bounds of truth. It is with equal truth that I assure you, that I have not since my appointment received one shilling from any State in the Union, Pennsylvania excepted. And from Pennsylvania I have received paper money to the amount of the four tenths due to the United States, the appropriation whereof Congress must be thoroughly acquainted with, and seven thousand five hundred pounds in specie, which is applied to the payment of contracts within the State, and still leaves a balance against them for articles of their specific supplies which I have furnished.

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The moneys drawn for by permission of the Minister Plenipotentiary of his Most Christian Majesty have been already applied to the public service, and the engagements I have entered into amount to a very considerable sum.

I enclose a few out of many articles, which immediately suggest themselves to me. Had I sought for the smaller instances they would have been numerous, and of course weighty. Instead of this, I have omitted many considerable articles, such for instance, as expense of stores for the hospitals, much of which is now due, and more to be immediately provided for. You will perceive, that I have not even mentioned the expense of transporting military stores, such as shot, shells, &c. to the camp before York, which the Board of War assure me will be very great, and indeed it must be so. Neither have I mentioned the expense of transporting money, clothing, medicines, arms, &c. from Boston to this place, and hence to the southward. Besides all this, I am told it will be necessary to procure ten thousand suits of clothes for the ensuing winter. If this be so, that article alone will amount to at least two hundred thousand dollars.

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I might go much further, but I shall only observe, that exclusive of all these things the enclosed estimate amounts to above two hundred thousand dollars. Yet attention must be paid to the wants of three large armies. Congress know the extent of my means.

In this situation of things, it is proper to ask on every occasion, before private grants of money are made, whether the public service will not suffer by it. But this is not all, I am bound to observe, that the expectations of our troops now in the field may be much disappointed, and that they will conceive it unjust to dispose of any moneys, which might be spared, unless as an equal division among them. To press this point any further, would imply a want of that confidence, which I really have in the wisdom and discernment of Congress. They will see, that while the indispensable calls for money to forward general operations continue to be so loud as to draw from me all my private funds, it cannot be expected, that I shall pay warrants in favor of individuals. I am sure they will feel for me, when I mention the pain I suffer from being compelled to refuse money on their resolutions. A regard for their honor is the second motive of my conduct. I hope it is unnecessary to say, that a regard for the public interest is the first. I am far from wishing to insinuate a line of conduct to Congress; but I must place before their eyes those facts, which it is for their honor and their interest to be informed of. They will draw the proper conclusions.

With the most perfect respect, I am, &c.

ROBERT MORRIS.

ESTIMATE.

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	Dollars.
Due to the French Treasury for so much borrowed of them at Chester, delivered at the head of the Elk,	26,000
Due to the French army, a quantity of flour exchanged in the State of New York, to be replaced at the southward, which will require	10,000
Due for transports hired in the Delaware and Chesapeake,	15,000
For flour now purchasing to supply General Heath's army,	10,000
Horses purchased last summer for the Quarter Master General, and shortly to be paid for,	4,000
To recruit and mount Colonel Armand's Legion,	50,000
Saddles and accoutrements for General Greene's army,	14,000
Flour lately purchased in Virginia for General Washington's army, and now due,	5,000
Articles necessary for General Greene's army and the transportation of articles to him, and money for essential services,	5,000
Clothing purchased on a credit for Fort Pitt and Wyoming,	5,000
Estimate from the Navy Board at Boston,	40,000
Rum now sending on to General Washington's army,	5,000
My own money already advanced for the public service,	12,000
	\$201,000

CIRCULAR TO THE GOVERNORS OF THE SEVERAL STATES.

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Office of Finance, October 19th, 1781.

Sir,

I am now to address you on a subject of very great importance. I have to detail some facts, which will demand the most serious attention from every Legislature, and from every public officer in the United States. It is my determination to administer the affairs intrusted to my care according to plans, which are founded in sincerity and truth. Convinced of the folly of our enemy, in supposing that any considerable body of men in the United States are opposed to the Revolution, I am persuaded that, in order to remove the greater part of our difficulties, the first proper step is to state them fully to the people through their representatives. It shall, therefore, be a part of

my study to prepare every transaction for the public eye, so that the meanest individual may be in due time informed of those affairs, in which, as a free citizen, he is interested. The various reports, which have been circulated, the publications in the several gazettes, and even letters from some who ought to have known better, all these things have conspired to infuse an opinion, that every power in Europe is favorable to us; that great sums of money are already advanced to us, and that still greater may be obtained. Whatever may be the fate of my administration, I will never be subjected to the reproach of falsehood or insincerity. I, therefore, take the earliest moment, in which I am permitted, to make those communications, which will give an insight into our real situation.

With respect to the situation and politics of Europe, it is neither my business to detail them, nor am I in a capacity to do it with certainty. But this, at least, is certain, that the disposition of the European powers, however friendly, has been too much relied upon. As a proof I need only observe, that not a single State has acknowledged our independence except France, although our alliance with that respectable monarchy has now subsisted nearly four years. Yet that monarchy is certainly the first in the world. It is in the closest connexion with Spain. Spain has long been engaged in the war, and still longer solicited to form a union upon the basis of the treaty with France. The armed neutrality, which gave such splendid hopes to many, has not yet produced the benefits expected. I will not proceed on the ground of conjecture, nor is it necessary for me to dwell longer on our political state with respect to foreign powers. But as there is little reason to expect, so I hope there is no American, who would wish an alliance with any empire on earth, until they shall be so sensible of our importance, as to treat on principles of equality.

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The public opinion, as to the conduct of other Princes and States, has greatly injured us by relaxing our exertions. But the opinion as to pecuniary aid has been still more pernicious. People have flattered themselves with a visionary idea, that nothing more was necessary, than for Congress to send a Minister abroad, and that immediately he would obtain as much money as he chose to ask for. That, when he opened a loan, hundreds would run to see who should have the honor of subscribing to it, and the like. But surely a moment's reflection should have convinced every reasonable man, that, without the clear prospect of repayment, people will not part with their property. Have the efforts in this country been so successful as to ground any hopes from abroad? Or, is it to be supposed, that foreigners will interest themselves more in our prosperity or safety, than our citizens? Or, can it be believed, that credit will be given abroad before solid funds are provided at home? Or, could it be imagined, that the disorders necessarily incident to a great revolution, would be considered as a better source of trust and confidence, than the regularity and consistency of ancient establishments?

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The Congress, conformably to the public wish, have appointed Ministers, requested grants, and opened loans. In Holland they have got nothing, and in Spain but very little. Loans were expected from individuals in Holland, but nothing of that sort has been, or probably will be, obtained. Loans were not expected in Spain, unless from the King, and from him they have been solicited with but little success.

The distressed situation of public affairs forced the Congress to draw bills of exchange on their Ministers. Some were drawn on France, some on Spain, and some on Holland. The first were honored and paid, the others were accepted, but recourse was finally had to the Court of France for the payment of those also. They were drawn at long sight. The sales were slow. They were remitted from time to time, and every opportunity afforded the Ministers of the United States to obtain the moneys for discharging them, but in vain. Of consequence, these bills have been regularly referred to the Court of France for payment; and this has done us injury, by anticipating the aid, which France has been disposed to afford us, and at the same time has justly alarmed and greatly embarrassed the French Ministry.

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These things it appears necessary that you should know, and your Legislature will undoubtedly draw the proper inferences. They will see how much has been suffered by delaying to call forth the resources of our own country, and relying on the empty bubbles of hope, instead of the solid foundations of revenue. They will, I trust, clearly see, that all their hopes and expectations are narrowed down to what France may give or lend. But here, as in other cases, delusion takes place of reality. We flatter ourselves with ideal prospects, and are only convinced of our folly, by the fatal crisis of national distress. In order that you may clearly understand the succor afforded by France, I enclose an account extracted from a statement lately, furnished to Congress by the Minister Plenipotentiary of his Most Christian Majesty.

You will observe that his Majesty granted to the United States a subsidy for the current year of six millions of livres; and on a representation of our distresses, he was pleased to become security for a loan to be opened on our account in Holland. And when it appeared, that there was but little probability of obtaining any money there in season, he further agreed that the sum to be borrowed should be advanced for us, in the first instance, from the royal treasury. Thus the gift and the loan together amount to sixteen millions of livres, which would, if in this country, be equal only to two millions nine hundred and sixtytwo thousand nine hundred and sixtytwo dollars, although at the rate of estimating dollars in France, it is there equal to three millions and fortyseven thousand six hundred and nineteen dollars. But at the highest rate of exchange, which has hitherto taken place, this sum if drawn for, would have amounted to no more than two millions five hundred and sixty thousand dollars. I have been thus particular with respect to the amount of this sum, because the difference of currencies very often tends to deceive those to whom their real value is not a familiar subject of attention.

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The enclosed account is in livres, and the two first articles contain the total of the grant and loan, amounting to sixteen millions of livres. The remainder contains the deductions to be made; the two first articles whereof, amounting to two millions three hundred thousand livres is for the payment of the bills drawn on France, Spain, and Holland, which I have already mentioned, the produce of the sales whereof had been applied to the public service long before my appointment. The next article, being two millions of livres, is appropriated to the payment of the interest bills; wherefore, no part of it can be applied to other purposes. The fourth article, I need say nothing of here, as it has long been in the mouths of everybody. The fifth and sixth articles are for those stores, which were laden on board of four transports by order of Colonel Laurens, three of which have safely arrived, and the other put back in distress. The seventh article, is in consequence of the loss of that valuable ship, the Marquis de Lafayette, which contained a great number of public stores, the replacing of which is necessary for the army and its operations, and which will amount to that sum.

The last article contains the amount of moneys deposited to answer my drafts, which have been made from time to time, and the produce appropriated to the service of the current year. On the whole, there remains a balance of three millions and sixteen thousand four hundred and ninety-nine livres. This, with the sum brought by Colonel Laurens, may be considered as of the value of about one million of dollars, which is the utmost; for it would exceed that only by twenty-one thousand five hundred and seventy-four dollars, if it were now in this country.

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Thus then you see the extent of that pecuniary succor, which has filled the minds of all with such teeming expectation, is narrowed down to one million of dollars. But by the best accounts and estimates I have been able to procure, this war has hitherto cost about twenty millions annually. I do indeed expect that the future expenditures will be greatly curtailed; but it must be remembered that the most rigid economy has its bounds, and that it cannot exist without the punctual performance of those engagements, on which the first steps towards it must depend. As soon as the proper estimates for the next year can be made out, the demands founded upon them will be stated, and I shall shortly advertise for contracts, as the most effectual mode of husbanding our resources. I feel it to be my duty, however, to observe, that a note this day sent to Congress, of some of my principal engagements for money, amounts to upwards of two hundred thousand dollars. Yet the calls for it from every quarter are incessant.

I would gladly quit the subject of foreign supplies and expectations here, but it is necessary that the States should know all, and I should not answer the views of Congress, if I did not add, that the Court of France place the aid now afforded us among the number of those extraordinary efforts, which cannot be repeated. The declaration, that no more pecuniary assistance can be afforded to us, is as plain as language will admit of; and although the applications may, and probably will, be made by our Ministers to the Court of Versailles, yet surely no prudent man would form any reliance on such applications, in the face of such a pointed and express assurance to the contrary; and especially, when, to every request a short answer can be made, by asking what we have done for ourselves. Sir, I must speak to you most plainly. While we do nothing for ourselves, we cannot expect the assistance of others.

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This is a very painful subject to dwell upon, but a consideration of great magnitude remains behind, and sooner or later it must come forward. Prudence, therefore, bids us examine it now, and provide for it in season. The neglect in funding the public debt, has introduced a practice of issuing Loan Office certificates, for the interest due on other Loan Office certificates. This I have absolutely forbidden, nor will I ever consent to it. Such accumulation of debt, while it distresses the public, and destroys its credit, by no means relieves the unfortunate individual, who is a public creditor; for if revenue is not provided, increasing the certificates would only lessen their value. This would be such a fraud as would stamp our national character with indelible marks of infamy, and render us the reproach and contempt of all mankind. It is high time to relieve ourselves from the ignominy we have already sustained, and to rescue and restore the national credit. This can only be done by solid revenue. Disdaining, therefore, those little timid artifices, which, while they postpone the moment of difficulty, only increase the danger and confirm the ruin, I prefer the open declaration to all, of what is to be expected, and whence it is to be drawn. To the public creditors, therefore, I say, that until the States provide revenues for liquidating the principal and interest of the public debt, they cannot be paid; and to the States, I say, that they are bound by every principle held sacred among men to make that provision.

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I have gone through the task, which I proposed to myself in writing to your Excellency this letter, which I pray you to communicate to the Legislature of your State. I hope the Congress will soon be able to transmit their requisitions, and I shall endeavor that those be as moderate as possible. But I must pray that every man, whether in public or private life, will seriously consider the importance of complying with these requisitions. It is not by the brilliant successes of war, the splendor of conquest, or the shouts of victory, that a wise ministry are to be affected. The superiority of national resources is the sure ground on which to hope for success, and that superior resource steadily and perseveringly applied, must eventually attain its objects. It is for these reasons, that the enemy have hoped everything from the derangement of our finances; and on the other hand, as I am well informed, it is from the establishment of a national bank, and the forming of contracts to supply our armies, that they have the greatest apprehensions. By the bounty of the Almighty, we are placed in a situation where our future fate depends upon our present conduct. We may be happy or miserable, as we please. If we do our duty now, the war will soon be brought to a close; if not, it may last for many years, and what will then be its

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termination, it is not in human wisdom to foresee. Thoroughly convinced that the enemy must ask for peace, when we are in a condition vigorously to prosecute the war, and that we shall be in that condition, whenever our affairs are reduced to order, and our credit restored, and that for these purposes, nothing more is necessary than a proper system of taxation; I cannot avoid expressing my sentiments on the subject in all the warmth with which they flow from my heart. I hope and pray that the facts, which I have stated, may meet that calm attention, which is due to their importance, and that such measures may be taken as shall redound to the honor and interest of our country.

With all possible respect, I have the honor to be, &c.

ROBERT MORRIS.

TO MAJOR GENERAL GREENE.

Office of Finance, November 2d, 1781.

Sir,

Your favor of the 17th of September last has been delivered to me by your Aid, Captain Pierce. Your recommendations and his own character, give him a double title to every mark of attention.

I hope it is unnecessary to make assurances of my disposition to render your situation both easy and respectable. I am sure it is unnecessary to remark, how inadequate the provisions have been, which the States have hitherto made. At least, it is unnecessary to you. Much less need I display the detail of expenditures, which have been requisite for the accomplishment of that happy event, which has taken place in Virginia.

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I have neither forgotten nor neglected your department. I have done the utmost to provide clothing, arms, accoutrements, medicines, hospital stores, &c.; and I flatter myself that you will, through the different departments, receive both benefit and relief from my exertions. I have detained Captain Pierce a day, in order to make up with infinite difficulty, one thousand pounds Pennsylvania currency in gold, which he is the bearer of, and which will, I hope, be agreeable and useful. You have done so much with so little, that my wishes to increase your activity have every possible stimulus. I hope soon to hear that you have gathered fresh laurels; and that you may wear them as long and as happily as they have been speedily and worthily acquired, is the earnest wish of yours, &c.

ROBERT MORRIS.

END OF THE ELEVENTH VOLUME.

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Omitted words, shown as blank spaces in the original, have been transcribed as four hyphens ('—').

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