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# THE DIPLOMATIC CORRESPONDENCE OF THE AMERICAN REVOLUTION.

## VOL. II.

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.

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# THE CORRESPONDENCE OF ARTHUR LEE,

COMMISSIONER FROM THE UNITED STATES  
TO THE COURT OF FRANCE.

ARTHUR LEE was a native of Virginia, and born on the 20th of December, 1740. His early education was finished at Eton College, in England, whence he proceeded to Edinburgh, with a view of preparing himself for the medical profession. Having gone through with the usual courses, he took the degree of doctor of medicine. After leaving Edinburgh, he travelled in Holland and Germany, and then returned to Virginia, where he commenced the practice of physic. Not well satisfied with this calling, he resolved to abandon it, and apply himself to the study of the law. He went over to London, and became a student in the Temple, about the year 1766.

From this period till the beginning of the Revolution, Arthur Lee held a correspondence with his brothers, and several other persons in America, respecting the political state of things in England, and the transactions relating to the Colonies. He was warmly attached to the interests of his country, and was appointed by the Assembly of Massachusetts to be Agent for that Colony, as successor to Dr Franklin, who left England in the spring of 1775. In December, of the same year, the Committee of Secret Correspondence requested Mr Lee to act as their secret agent in London, and to transmit to them any information, which he might think important. He wrote to the Committee several letters, while acting in this agency.

When Commissioners to the Court of France were appointed, Mr Jefferson, one of the number, declined accepting the appointment, and Arthur Lee was put in his place, October 22d, 1776. He proceeded from London to Paris, where he met the other Commissioners. In the spring of 1777 he went to Spain, by the advice of his colleagues, with the design of procuring aid from the Spanish Government for the United States, in which he was partially successful. On his return to Paris, he made a short tour to Vienna and Berlin for similar purposes, and maintained for some time a correspondence of a political nature with Baron de Schulenburg, one of the Prussian Ministers. Meantime he received from Congress the appointment of Commissioner to Spain, but he never went out of France while acting under this commission. It expired when Mr Jay was made Minister Plenipotentiary to that Court.

Arthur Lee returned to the United States in September, 1780, and the next year he was chosen a Representative to the Assembly of Virginia. By this body he was sent a Delegate to Congress. While in that capacity, he was made one of a commission to form treaties with the Indians on the Northwestern frontiers, and was occupied several months in the duties of that expedition. He died in Virginia, after a short illness, on the 12th of December, 1792.

FROM THE COMMITTEE OF SECRET CORRESPONDENCE TO ARTHUR LEE.

Philadelphia, December 12th, 1775.

Sir,

By this conveyance we have the pleasure of transmitting to you sundry printed papers, that such of them as you think proper may be immediately published in England.

We have written on the subject of American affairs to Monsieur C. G. F. Dumas, who resides at the Hague. We recommend to you to correspond with him, and to send through his hands any letters to us which you cannot send more directly. He will transmit them via St Eustatia.

Mr Story may be trusted with any despatches you think proper to send us. You will be so kind as to aid and advise him.

It would be agreeable to Congress *to know the disposition of foreign powers towards us*, and we hope this object will engage your attention. We need not hint that *great circumspection and impenetrable secrecy* are necessary. The Congress rely on your zeal and abilities to serve them, and will readily compensate you for whatever trouble and expense a compliance with their desire may occasion. We remit you for the present £200.

Whenever you think the importance of your despatches may require it, we desire you to send an express boat with them from England, for which service your agreement with the owner there shall be fulfilled by us here.

We can now only add, that we continue firm in our resolutions to defend ourselves, notwithstanding the *big threats* of the ministry. We have just taken one of their ordnance storeships, in which an abundance of carcasses and bombs, intended for burning our towns, were found.

With great esteem, we are, Sir, your most obedient humble servants,

B. FRANKLIN,  
JOHN DICKINSON,  
JOHN JAY.

TO BENJAMIN FRANKLIN.

London, February 13th, 1776.

The enclosed will easily explain itself. The intelligence you should observe, and take measures

accordingly. A fund for necessary expenses should be fixed here, in such hands as can be confided in. You know who is to be trusted. From experience I can say, (though without any connexion or commerce with them) the New England men are fittest to be trusted in any dangerous or important enterprise. Show this only to R. H. L.<sup>[1]</sup> of Virginia, and he will *guess* from whence it comes.

The intelligence, if it gets to hand in time, should be communicated as soon as possible to every part of America, that she may be prepared.

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TO LIEUTENANT GOVERNOR COLDEN.<sup>[2]</sup>

[Enclosed in the foregoing.]

London, February 13th, 1776.

Dear Sir,

Your letter of the 30th of November, 1775, announcing the appointment of a Secret Committee reached me a few days since. Miscarriages will be manifold indeed, if you have not frequently heard from me. All my solicitude has been about my letters reaching you; every disguise was necessary to effect that. I am, however, much obliged to the General for the step taken to secure me.

You will be curious to know what are the ministerial intentions, and their force for the next campaign. The following is their army upon paper,—Hessians, 12,000; Brunswickers, Woolfenbutlers and Waldeckers, 5000; six regiments under Lord Cornwallis, 3000; eight more to sail in the spring, 4000; Highlanders, 2000; now in America, 8000.

The sailing and destination of this armament is thus. Those under General Lord Cornwallis are now embarked at Cork, and wait for sailing orders, their destination, Virginia. By the treaty just now signed, the Germans are to be ready on the 27th of this month to march to the seacoast and embark, but for what part of America is not exactly known; the march by land is near six weeks, so that they cannot sail before April. The second embarkation from Cork will be about the same time, and it seems probable that their destination will be against Canada, under General Burgoyne, who is soliciting that command. In the meantime, the 29th regiment, with General Carleton's brother, is to sail from hence immediately to reinforce Quebec, supposing that they can get high enough up the river, as far as the Isle of Orleans, to make good their march by land. The regiments under Lord Cornwallis are the 37th, 33d, 54th, 15th, 28th, 46th. Those for the spring are the 34th, 53d, 62d, 3d, 9th, 11th, 20th, 24th. Lord Howe is appointed to the command at sea, but the commander on land is not known; certain however it is, that there are two Lieutenant Generals, and one of them old, that go with the Germans, so that it must be one of great reputation and old in the service to command over them. It is therefore conjectured Count de Lippe will be the man. He commanded the army in Portugal during the last war. They are taking up East Indiamen for the transport service, supposing they will be able to beat off the cruisers. A great number of artillery and waggon horses are to be sent, and a train of large battering cannon is preparing, which it would seem can only be intended against Quebec, should it be taken by General Montgomery.

The English and Irish troops go with infinite reluctance, and strong guards are obliged to be kept upon the transports to keep them from deserting by wholesale. The Germans too, I am well informed, are almost mutinous, but the Landgrave of Hesse is an absolute tyrant, and must be obeyed. It is therefore conceived, that if the Congress have proposals prepared in English and German, to distribute among them when they land, which no precautions can prevent, multitudes will desert.

Upon the whole, the ministry, if every thing favors them, may have about thirty thousand men in America by the latter end of June. They will have no horse but two regiments of light dragoons, that are now there, and Burgoyne's, which is to go. If the Americans have horse well trained to the woods, it will harrass such an army infinitely; and if they act upon the defensive, entrench well, harrass them continually, cut off their convoys, and if ever they hazard an engagement, make their push upon one wing; it is imagined here, that no General on earth can make the campaign decisive, and it is hardly possible this country can stand another. They have found it impossible to recruit in England, Ireland, or Scotland, though the leading people of the last are to a man violently against America. They have therefore been obliged to draft from the other regiments to complete those which are going, so that when the whole are embarked, there will be scarce 2000 men remaining in Ireland, and as many in England, besides the foot guards and cavalry. I am well assured, that the French Government will wink at the exportation of arms and ammunition. A General of the first abilities and experience would go over, if he could have any assurance from the Congress of keeping his rank; but that being very high, he would not submit to have any one but an American his superior, and that only in consideration of the confidence due to an American in a question so peculiarly American.

Let me have your opinion of all these things. The opposition gains ground, and the nation begins to feel; but America must trust to her own arm and Heaven for protection. The resolutions of January the 2d<sup>[3]</sup> do you infinite honor, and will undoubtedly serve the cause. Your conduct, I trust, will be noble, as that is great and good. I know your attachment to the country you have adopted. Prince Ferdinand's recommendation of the General mentioned above is in these words. "As to experience, intelligence and valor, I do not know whether another can be found to equal him." Your letter of the 30th of November, 1775, cost 19s. 6d. postage, there was so much

superfluous paper; would not a packet sent to some of the Canary Islands, and committed to proper care, reach us safest and soonest? If there is any friend there to be trusted, the opportunities from thence hither are frequent. Cover mine and address it to John Horsfall, Treasurer, Middle Temple.

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TO LIEUTENANT GOVERNOR COLDEN.

London, February 14th, 1776.

Dear Sir,

The enclosed list is the ministerial army upon paper. In effect it will amount to about 15000 Germans and 18000 British; their destination I can now give you with some certainty; 4000 Brunswickers and Waldeckers, with 500 Hessians from Hanan, are now at Stade, a port in Hanover, ready for immediate embarkation and destined for Canada, to be joined by the twentieth regiment, and 1000 drafted from the Foot Guards, under Colonel Matthews. There is to be another embarkation in the spring from Ireland for Canada, and the whole is to be commanded by General Burgoyne, and Carleton I believe recalled.

The second body, being Hessians, are to march this day for Stade, and the third on the 14th of next month; these are for Boston. Lord Cornwallis, with six regiments, to sail immediately from Cork for Virginia, where General Clinton is to take the command. They have certain assurances of being joined by the Scotch in Virginia, and those on the borders of North Carolina under the command of one M'Donald. In the mean time, they have been directed to protect themselves under a treaty of neutrality. Besides this land force, Lord Howe is to have a fleet of seventytwo sail to block up the coast. For this purpose large ships are to be stationed at the mouths of the great rivers, and the rest are to cruise at some distance from the coast three deep, but not in file, so as to render it more difficult to cross them. They are to get possession of New York and Hudson's river, so as to cut off all south and north communications, and they have some idea of attacking Canada too, by Montreal. Halifax is to be their naval magazine.

The Germans are commanded by two Lieutenant Generals, of whom the eldest is named De Heister, who has some military character. This is the favorable review of their plan. On the contrary, the whole army, native and foreign, is averse to the service, so that it is much apprehended, that if the provincials are dexterous in throwing among them advantageous propositions, and faithful in performing them, the desertion will be immense. The British troops have not one in five that is a soldier, the rest are boys and debilitated manufacturers, just recruited, at the reduced standard of five feet four inches. A vast number of the best subaltern officers have quitted the service. It is thought they will make Howe commander in chief, which must disgust the German generals, who are much older. The expense will be immense, the difficulty of providing magazines immense, and another campaign hardly possible. Lord George Sackville is the minister, with absolute and hated authority even in the Cabinet.

Great expectations too are entertained from treachery in the provincials. Dr Church was in league with others, particularly Flemming the printer.<sup>[4]</sup> This I have from ministerial authority, which may be depended on. They will also endeavor to depreciate the Congress paper, by throwing in forged notes. A general of the first rank and abilities would go over, if the Congress would authorise any one to promise him a proper reception. This I had from Mr Lee, agent for Massachusetts, but it must be secret with you, as I was not to mention it.

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TO LIEUTENANT GOVERNOR COLDEN.

April 15th, 1776.

Dear Sir,

On the 7th ult. the Snow, Dickinson, Captain Meston, consigned to Messrs Montandouine & Frere at Nantes, was brought into Bristol by her crew, and delivered up with all her papers. From these the ministry are apprized of all the ships, which have been sent to the different ports of France, and cruisers are despatched into the Bay of Biscay to watch them. John Sands, mate of the Dickinson, had made memorandums long before he left Philadelphia of every material transaction, which shows a premeditated plan of treachery. The proceedings of the ministry, relative to this proof of the French interposition, have not yet transpired, but France does not seem to be settled or spirited enough to enter into a war, should England resent this business.

On the 5th of this month, a fleet sailed with 2000 Brunswick troops and General Burgoyne; it is therefore understood that they are gone to succor Quebec. Six regiments, about 4000 effective men, made up with German recruits, are now ready for sailing orders at Cork. It is probable that they are destined to Quebec. The first divisions of the Hessians are not yet arrived, so that it is not likely the whole of them will sail till the latter end of May. They are, by stipulation, to serve altogether, and therefore, will go to Boston or Long Island. It is supposed the provincials will possess the strong posts on Elizabeth River, which, if in the enemy's hands, will give them the command of Jersey, Staten Island, &c. If the provincials always have redoubts in the front and flanks of their army, it is the opinion of the ablest in the profession, that they will be better than entrenchments or lines, and will foil the regulars by breaking their line, or forcing them to sacrifice a number of men, which they cannot afford.

People here begin to feel the matter as very serious, since the publications of Dr Price and Lord Stair have convinced them, that new taxes must be imposed for supporting this armament,

which it is certain will cost upwards of twelve millions. The ships sent out are exceedingly ill manned, and there is such a disposition to desertion among the German troops, that if proper offers are made to them, the ministerial people are much afraid they will desert in great numbers. They have hopes, however, that divisions will take place among the provinces, and in the Congress, as they are satisfied that firmness and unanimity will force their own terms.

The city of London has addressed the throne for an avowal of the conditions on which peace is to be restored. The answer was in effect unconditional submission. You may reckon that in July the troops will be arrived, so as to enable General Howe to take the field. Lord Howe, though he has accepted the command, is not yet sailed; he goes in the Eagle, of sixtyfour guns. He is a brave man, but has a very confused head, and is therefore very unfit for an extensive command. As there will not be above two line of battle ships, if the Congress could procure five line of battle ships from the French and Spaniards, they might destroy or drive the whole British fleet from their coasts. Adieu.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.<sup>[5]</sup>

June 3d, 1776.

Gentlemen,

The desire of the Court of France to assist may be depended on; but they are yet timid and the ministry unsettled. Turgot, lately removed, was the most averse to a rupture with England; his removal is of consequence. The contention for the lead now is between Count de Vergennes and the Duke de Choiseul; both are friends to you and for vigorous measures. The disposition in France may for these reasons be relied on. Spain is more reserved, but surely when France moves Spain will co-operate. The clear revenue from the farm of tobacco is twentyfour millions of livres to France. It has been hinted to me, that she is likely to tell Great Britain, that if England cannot furnish it, she will send for it herself. You may judge, therefore, what an important instrument that is in your hands. A Scotch banker, Sir Robert Herries, proposed to the Farmers in France to supply them at the home price here, that is, with the duty, to which they agreed. He then applied to this government for leave to import it upon paying the duties, which was refused.

In the last debate, Lord George Germain, who is undoubtedly minister, affirmed that no treaty would be held with you till you had laid down your arms. My opinion is, that independency is essential to your dignity, essential to your present safety, and essential to your future prosperity and peace. Some of the Congress correspond with Mr Jackson, of the Board of Trade, and with Mr Molleson, a Scotch merchant; the intelligence they give goes directly to the minister.

The young gentleman who will deliver this is of great worthiness, and deserves much of his country for his fidelity and zeal. Six thousand of the Hessian troops sailed last month, the remainder is not yet arrived here, so that it may be September before they reach you. In the mean time, it may be Howe's plan to amuse you with a negotiation, which may also furnish an opportunity of feeling some pulses among you, as to the efficacy of money and promises. Beware of Joseph Reed<sup>[6]</sup> of Philadelphia. One Brooke Watson, who was permitted to travel last year from New York to Quebec, gave in a plan to the ministry for attacking Canada, and is with the invaders.

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*Record of the Committee of Secret Correspondence.*<sup>[7]</sup>

Philadelphia, October 1st, 1776.

Mr Thomas Story, (who had been sent by the Committee of Secret Correspondence, December 13th, 1775, to France, Holland, and England) reported verbally as follows. "On my leaving London, Arthur Lee requested me to inform the Committee of Correspondence, that he had several conferences with the French ambassador, who had communicated the same to the French Court; that, in consequence thereof, the Duke de Vergennes had sent a gentleman to Arthur Lee, who informed him, that the French Court could not think of entering into a war with England; but that they would assist America, by sending from Holland this fall two hundred thousand pounds sterling worth of arms and ammunition to St Eustatia, Martinique, or Cape François; that application was to be made to the governors or commandants of those places, by inquiring for *Monsieur Hortalez*, and that, on persons properly authorised applying, the above articles would be delivered to them."

The above intelligence was communicated to the subscribers this day, being the only two members of the Committee of Secret Correspondence now in this city; and on our considering the nature and importance of it, we agree in opinion, that it is our indispensable duty to keep it a secret, even from Congress, for the following reasons.

First. Should it get to the ears of our enemies at New York, they would undoubtedly take measures to intercept the supplies, and thereby deprive us, not only of these succors, but of others expected by the same route.

Secondly. As the Court of France have taken measures to negotiate this loan and succor in the most cautious and most secret manner, should we divulge it immediately, we may not only lose the present benefit, but also render that Court cautious of any further connexion with such unguarded people, and prevent their granting other loans and assistance that we stand in need of, and have directed Mr Deane to ask of them; for it appears from all our intelligence that they are not disposed to enter into an immediate war with Great Britain, though disposed to support

us in our contest with them; we, therefore, think it our duty to cultivate their favorable disposition towards us, and draw from them all the support we can; and in the end their private aid must assist us to establish peace, or inevitably draw them in as parties to the war.

Thirdly. We find, by fatal experience, that the Congress consists of too many members to keep secrets, as none could be more strongly enjoined than the present embassy to France, notwithstanding which, Mr Morris was this day asked by Mr Reese Meredith, whether Dr Franklin and others were really going ambassadors to France; which plainly proves, that this Committee ought to keep this secret, if secrecy is required.

Fourthly. We are of opinion, that it is unnecessary to inform Congress of this intelligence at present, because Mr Morris belongs to all the committees that can properly be employed in receiving and importing the expected supplies from Martinique, and will influence the necessary measures for that purpose; indeed, we have already authorised William Bingham to apply at Martinique and St Eustatia for what comes there, and remit part by the armed sloop Independence, Captain Young, promising to send others for the rest.

Mr Morris will apply to the Marine Committee to send other armed vessels after her, and also to Cape François, (without communicating this advice), in consequence of private intelligence lately received, that arms, ammunition, and clothing can now be procured at those places.

But should any unexampled misfortune befall the States of America, so as to depress the spirits of Congress, it is our opinion, that, on any event of that kind, Mr Morris (if Dr Franklin should be absent) should communicate this important matter to Congress, otherwise keep it until part or the whole supplies arrive, unless other events happen, to render the communication of it more proper than it appears to be at present.

B. FRANKLIN,  
ROBERT MORRIS.

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FROM THE COMMITTEE OF SECRET CORRESPONDENCE TO ARTHUR LEE.

Philadelphia, October 23d, 1776.

Sir,

By this conveyance we transmit to Silas Deane, a resolve of the Honorable the Continental Congress of Delegates from the thirteen United States of America, whereby you are appointed one of their Commissioners for negotiating a treaty of alliance, amity, and commerce with the Court of France, and also for negotiating treaties with other nations, agreeably to certain plans and instructions of Congress, which we have transmitted by various conveyances to Mr Deane, another of the Commissioners. We flatter ourselves, from the assurances of your friends here, that you will cheerfully undertake this important business, and that our country will greatly benefit of those abilities and that attachment, which you have already manifested in sundry important services, which at a proper period shall be made known to those you would wish.

ROBERT MORRIS,  
B. FRANKLIN.

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TO LORD SHELburnE.

Paris, December 23d, 1776.

My Lord,

A very few hours after my last letter to your Lordship, brought me the desire of my country to serve her in a public character. Your Lordship, I hope, thinks too well of me to suppose I could hesitate a moment. In fact, almost the same minute saw me bid adieu, perhaps forever, to a country where from choice I had fixed my fortunes, and to a people whom I most respected and could have loved. But the first object of my life is my country; the first wish of my heart is public liberty. I must see, therefore, the liberties of my country established or perish in her last struggle.

In truth, I have long despaired even of a struggle for liberty in England; I will not insult Scotland with the idea. It is not the subtle Weddeburne, poisoning the fountain of public security, nor the ruthless Thurloe, deliberately butchering the liberties of his country, that make me despair; but yet, perhaps, the people are only not virtuous, and America may yet, with a sort of filial piety, reanimate her expiring constitution.

Our *Pater Patriae*, with whom and Mr Deane I am joined in power, is in good health and spirits. If fate will have it, that America, as she has reared her temples and her altars to liberty, must furnish her victims too, I know not where she can find a sacrifice more respectable.

Should the event of this measure be found fatal to England, it is the perfidy of her Ministers which compels it, and to which the consequences are justly imputable.

I beg your Lordship to remember me as one, who can never cease to have the most perfect esteem for you. I have communicated to the Abbé Raynal all the facts I could collect, in answer to his questions. He will write to you soon.

May I beg to be remembered to our friends in the college and to those out of it, who I hope will always do me the honor of remembering me; Colonel Barré, Mr Dunning, Dr Priestly, Dr Price, &c.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Paris, January 3d, 1777.

Gentlemen,

I had the honor of receiving your favor, announcing to me my appointment as one of the Commissioners from the Congress of the United States of America.

I cannot express how greatly I am obliged to that most respectable body, for giving me an opportunity of showing how much I prefer the service of my country, and of her present cause, to every other pursuit and situation in life.

I had the happiness of joining Dr Franklin and Mr Deane, the day after the arrival of the former at this place.

We have employed every moment in preparing the way for fulfilling the purposes of our mission. It is impossible to say yet, in what degree we shall be able to accomplish our instructions and our wishes.

The politics of this Court are in a kind of trembling hesitation. It is in consequence of this, that the promises, which were made to me by the French agent in London, and which I stated to you by Mr Story and others, have not been entirely fulfilled. The changing of the mode of conveying what they promised was settled with Mr Deane, whom Mons. Hortalez, or Beaumarchais, found here upon his return from London, and with whom therefore all the arrangements were afterwards made.

I hope you will have received some of the supplies long before this reaches you; infinitely short as they are of what was promised in quantity, quality, and time, I trust they will be of very material service in the operations of the next campaign. It is that, to use the words of our arch enemy, to which we must look forward, and no exertions in preparing for it can be too great, because the events of it must be very decisive.

I have the honor of being, &c.

ARTHUR LEE.

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FROM THE COMMISSIONERS IN PARIS TO COUNT DE VERGENNES.

Paris, January 5th, 1777.

Sir,

The Congress, the better to defend their coasts, protect their trade, and drive off the enemy, have instructed us to apply to France for eight ships of the line, completely manned, the expense of which they will undertake to pay. As other princes of Europe are lending or hiring their troops to Britain against America, it is apprehended, that France may if she thinks fit afford our Independent States the same kind of aid, without giving England any first cause of complaint. But if England should on that account declare war, we conceive, that by the united force of France, Spain, and America, she will lose all her possessions in the West Indies, much the greatest part of that commerce, which has rendered her so opulent, and be reduced to that state of weakness and humiliation which she has, by her perfidy, her insolence, and her cruelty, both in the east and the west, so justly merited.

We are also instructed to solicit the Court of France for an immediate supply of twenty or thirty thousand muskets and bayonets, and a large quantity of ammunition and brass field pieces, to be sent under convoy. The United States engage for the payment of the arms, artillery, and ammunition, and to defray the expense of the convoy. This application has now become the more necessary, as the private purchase made by Mr Deane of those articles is rendered ineffectual, by an order forbidding their exportation.

We also beg it may be particularly considered, that while the English are masters of the American seas, and can without fear of interruption, transport with such ease their army from one part of our extensive coast to another, and we can only meet them by land marches, we may possibly, unless some powerful aid is given us, or some strong diversion be made in our favor, be so harassed and be put to such immense distress, as that finally our people will find themselves reduced to the necessity of ending the war by an accommodation.

The Courts of France and Spain may rely, with the fullest confidence, that whatever stipulations are made by us, in case of granting such aid, will be ratified and punctually fulfilled by the Congress, who are determined to found their future character with regard to justice and fidelity on a full and perfect performance of all their present engagements.

North America now offers to France and Spain her amity and commerce. She is also ready to guaranty in the firmest manner to those nations all her present possessions in the West Indies, as well as those they shall acquire from the enemy, in a war that may be consequential of such assistance as she requests. The interests of the three nations are the same. The opportunity of cementing them and of securing all the advantages of that commerce, which in time will be immense, now presents itself. If neglected, it may never again return. And we cannot help

suggesting, that a considerable delay may be attended with fatal consequences.<sup>[8]</sup>

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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THE COMMISSIONERS TO M. GERARD.

Paris, January 14th, 1777.

We thank M. Gerard for the polite and explicit manner in which he has communicated his Majesty's message.

We beg to return our most grateful sense of the gracious intentions, which his Majesty has had the goodness to signify to our States, and to assure his Majesty that we shall ever retain the warmest gratitude for the substantial proofs he has given us of his regard, and that we will endeavor in due time to impress our constituents with the same sentiments.

We feel the strength of the reasons his Majesty has been pleased to assign for the conduct he means to hold; and the magnanimity of his motives. We beg leave to assure his Majesty, that we shall at all times and in all things endeavor to conform ourselves to the views he has opened for us, as nothing is further from our intentions than to precipitate his Majesty into any measures, which his royal wisdom and justice may disapprove. And if in anything we should contravene those purposes, we shall always be happy and ready to amend it according to the advice and direction of government.

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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THE COMMISSIONERS TO COUNT DE VERGENNES.

Paris, February 1st, 1777.

Messrs Franklin, Deane, and Lee, Ministers from the Congress of the United States, beg leave to represent to his Excellency the Count de Vergennes, that besides the general alarming accounts of the success of the English against their country, they have just received authentic intelligence from England that eight thousand men, chiefly Germans, under the command of General Burgoyne, are to be sent early in the spring to America, and to be employed, with some ships of war, in the invasion of Virginia and Maryland.

That if not by some means diverted from their design, it will be in their power to destroy a great part of those States, as the houses and estates of the principal inhabitants are situated on the navigable waters, and so separated from each other as to be incapable of being defended from armed vessels conveying troops, the place of whose landing cannot be foreseen, and consequently force cannot be assembled in all places sufficient to oppose them.

That great danger is also to be apprehended from the blacks of those States, who, being excited and armed by the British, may greatly strengthen the invaders, at the same time that the fear of their insurrection will prevent the white inhabitants from leaving their places of residence and assembling in such numbers for their own defence against the English, as otherwise they might do.

That the greatest part of the tobacco of those States is probably collected as usual in the warehouses of the inspectors, which are also situated on navigable waters, and will be liable to be taken and destroyed by the invaders; that the destruction of these two States probably may make a great impression on the people in the rest, who, seeing no prospect of assistance from any European power, may be more inclined to listen to terms of accommodation.

That the supplies of arms and ammunition of war, which they have been made to expect from France, having been by various means delayed and retarded, are not likely to arrive before the commencement of the next campaign, and may perhaps be despaired of, especially if those supplies are to be carried first to the French islands.

That notwithstanding the measures taken to convince the Court of Britain that France does not countenance the Americans, that Court, according to our information, believes firmly the contrary; and it is submitted to the consideration of your Excellency, whether, if the English make a conquest of the American States, they will not take the first opportunity of showing their resentment, by beginning themselves the war that would otherwise be avoided; and perhaps beginning it as they did the last, without any previous declaration.

That upon the whole, we cannot on this occasion omit expressing our apprehensions, that if Britain is now suffered to recover the Colonies, and annex again their great growing strength and commerce to her own, she will become in a few years the most formidable power, by sea and land, that Europe has yet seen, and assuredly, from the natural pride and insolence of that people, a power to all the other States the most pernicious and intolerable.

We would therefore with all deference submit it to the wisdom of his Majesty and his Ministers, whether, if the independence of the United States of America, with the consequent diminution of British power, and the freedom of commerce with them, be an object of importance to all Europe, and to France in particular, this is not the proper time for effectual exertions in

their favor; and for commencing that war, which can scarcely be much longer avoided, and which will be sanctified by this best of justifications, that a much injured and innocent people will thereby be protected and delivered from cruel oppression, and secured in the enjoyment of their just rights; than which, nothing can contribute more to the glory of his Majesty and of this nation.

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Nantes, February 11th, 1777.

Gentlemen,

I received the enclosed despatches at this place on my way to Spain. By the information I have from London, which I think may be depended upon, the plan of operations is for Howe and his recruited army to act against New England, while Carleton makes his way over the lakes to keep the middle Colonies in awe; and Burgoyne, with an armament from England of ten thousand, if it can be procured, invades the South, probably Virginia and Maryland.<sup>[9]</sup>

The intelligence from England is, that ten thousand Germans are actually engaged; while the French Minister and the Spanish Ambassador both assure us, that it is with very great difficulty the enemy can procure the recruits necessary to keep up the number formerly stipulated. That the force of their different armaments will fall greatly short of what they intend, I believe, but it seems to me almost certain that the three attacks will be made.

That their utmost efforts will be made this campaign is infallible, because nothing is more certain, than that the present state of Europe forbids every expectation of their being long unemployed nearer home. If, therefore, they do not succeed this year against us, there is an end of their prospects of ravage and revenge. Even at this moment, they have put every thing at hazard; England, Ireland, and Hanover being left almost defenceless by their efforts against us. I should submit whether it is not fit that it should be made known to the army, that the forces to be sent this year, both from England and Germany, are new raised, and therefore totally undisciplined. Because the attacking such troops on their first arrival, would be taking them in their weakest state, and they ought not to carry with them the terror of disciplined troops, which, in fact, they are not, and of which it would encourage their opponents to be apprized.

The French Minister told me when I took leave, that the king of Great Britain had endeavored in vain to get troops in Germany to supply the place in Hanover of those whom he sent to garrison Gibraltar. All these things concur to show, that they are pressed on every side to make the last effort against our liberties, which I trust will be met with proportionable exertions on our part, and under the providence of Heaven defeated.

The losses, which the enemy's West India trade has suffered by captures this year, have determined the government to make provision against it in future, by sending a number of armed cutters, which will take the small cruisers which have hitherto been so successful against their West Indiamen. These too are to be armed as in time of war; I therefore submit to your consideration the propriety of marking out another line of cruising for the small privateers, and sending such only into the Gulf as are of force to drive off the cutters, and make prize of the armed West Indiamen.

Whatever orders you have for me will be forwarded from the ports of Spain, and I must beg a few blank commissions for privateers, as it will be one part of my endeavors to excite merchants in Spain to cruise against our enemies.

We have been so repeatedly warned of bad arms being sent from hence, that I cannot help mentioning the necessity of having the muskets proved wherever it can be done before they are paid for. This too suggests the propriety of not advancing money for goods, since though the very capital merchants in France are men of honor, and will not impose, yet the middle and lower orders of them are often directly the reverse.

Bewick & Co. at Cadiz will not pay the proceeds of the Sally to Mr Schweighauser, upon a pretence of not having any order so to do; but it seems their real design is to keep the money in their hands for what they pretend is due to them from Messrs Willing, Morris & Co. I shall endeavor to have them compelled to do justice in this business, and you will determine how far they are to be trusted for the future. A large cargo of woollens, linen, cordage, and sailcloth, will be despatched from hence in three weeks, which I hope will reach their destination in time.

I could have wished that my present destination had been specifically ordered by you, with regard to the Court, as that would have imported a respect and consideration for them, which might have greatly facilitated my object, which I apprehend will meet with some obstacle in the umbrage, that the want of such attention, and the apparent preference given where it is perhaps less deserved, may possibly occasion. Perhaps that may yet be remedied by some such power, if it should seem proper to you.<sup>[10]</sup>

The Corporation here have lowered the city duty on tobacco, brought from America into this port, in order to encourage a commerce with us, for which I have thought it my duty to return them thanks.

Upon examination, I find your commercial connexions here greatly deranged. It appears to

have been the first plan of the Committee to place Mons. Schweighauser as a check over Mons. Penet. The established character and credit of the former were to control the confidence reposed in the latter, who, the Committee say, "had not such recommendations as they could wish." For this purpose the consignments were to be made to Mons. Schweighauser, out of which he was to pay Mons. Penet for such goods as were shipped on your account, after being inspected and approved by the former. This was certainly a wise plan and a necessary precaution. In my humble judgment, it still continues to be absolutely necessary; but instead of the consignments having been made to Mr Schweighauser, they have been chiefly addressed directly to Penet; in consequence of this, the latter has not submitted the goods sent to the inspection of the former, and Mr Schweighauser has reason to complain of his being neglected, after an express promise given him of your consignments, without his being able to conceive in what he has offended. These are facts which I think it my duty to state to you. Mons. Montandaine and Mons. Schweighauser are certainly the first in rank and reputation here. It is of much more consequence, that merchants of this description should be your correspondents here, than it is in England, because they have an influence with government which those of an inferior order have not. Of this order is Mr Gruel, and still lower M. Penet; but the credit and character of the former are exceedingly well established.

The rigor of the season, the badness of the roads, and the slowness of conveyance in Spain will protract my journey miserably, but you may depend upon my using every diligence to reach my destination in time to make the best advantage of the present critical situation of affairs.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Nantes, February 14th, 1777.

Gentlemen,

The enclosed book is esteemed a work of genius, and as such I have thought it proper to be sent to you. We were acquainted with the author in Paris, who is a man of very high character and so strongly our friend, that I have no doubt if the want of his second volume, which is not yet published, should render any explanation necessary, he will give it with pleasure.

Since I had the honor of writing yesterday, Mr Thomas Morris has informed me of the agreement, which he has just concluded with the Farmers-General for all the tobacco that shall arrive here on your account, at seventy livres a hundred. It was probably in contemplation of this, that they refused to sign the treaty with us, after they had pledged their word for it. Our object was to interest government here through them in our commerce, so much as to secure their utmost protection of it; to insure the exports of our produce, which we apprehended the scarcity of shipping and sailors would render impracticable in our own bottoms, and to command a considerable advance of ready money for a full supply of arms, ammunition, rigging, &c. which we might convey with more certainty under their protection. To compass these objects we were induced to offer them such tempting terms. The price they have now agreed to give is certainly a good one, but I fear it will not retrieve us from our difficulties, as there is no advance stipulated, and the difficulty of exportation seems to increase daily.

Our latest intelligence from England informs us, that a bill is now passing for granting letters of marque against you, or rather for repealing so much of their former act, as confined it to the navy. The press there still continues very violent, but not equally productive; that, together with the great preparations of France and Spain, seems to render the continuance of peace for many months impossible. From every thing that I can learn, their armaments against you will be very late, if the situation of Europe will suffer them at all; but it is best to prepare for their plan, as if it would be executed in its fullest extent, for it is impossible to have such reliance upon the politics of Europe, as would justify the hazarding much upon their issue.

I believe you have not yet been apprized of what it may be material for you to know, which is, that the British government offered to deliver the prisoners, taken on Long Island, to the East India Company to be sent to their settlements, if the Company would send for them to Gibraltar. This proposition is upon record in the Company's books, a general court having been held expressly upon it.

I have the honor of being, &c.

ARTHUR LEE.

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FROM JAMES GARDOQUI TO ARTHUR LEE.

Madrid, February 17th, 1777.

Sir,

My person and house, in the commercial way, are well known in the American Colonies, not only on account of our long standing correspondence of thirty to forty years, but also on that of the true affection with which we have endeavored to serve them. I am lately arrived at Madrid on some particular affairs, which have occasioned my treating with the ministers of State, who have honored me with their especial favors and trust, and of course this has led me into the bottom of the principal affairs of Europe, among which I have talked about your coming from Paris to

Spain, undoubtedly with the design of treating on the subject of the Colonies, as I judge they have already done, and continue doing at Paris. But I have heard that in such a small place as Madrid it would be absolutely impossible to remain incog, either by your own or any other name, and you would of course be spied by the gentlemen here who have a real interest therein, and consequently you could not treat with the ministers without hurting the Colonies in the highest degree by your own doings; and, besides, you would set this Court at variance without success. I judge you will improve the opportunity which offers by chance, and I think is an excellent one, and have therefore no objections to hint it to you; being fully assured that it will cause no displeasure here.

The Marquis of Grimaldi intends to set out soon for Biscay, and I propose to do the same for my house at Bilboa, all which we shall so manage as to meet one and the other at Vitoria, where we shall tarry under some good disguise until our mutual arrival; and as this noble minister has had to this day the entire direction of all affairs, and is of course fully acquainted with his Majesty's intentions, I believe he is the most proper person with whom you may treat either in said place, or some country house that might be picked up for the purpose, and thereby avoid the inconveniences which must inevitably follow by your coming to Madrid. By the aforesaid belief I have given you a further proof of my attachment to the Colonies, and I must also add with all truth, that the principal persons here are of the same opinion, although the present state of affairs obliges them to make no show thereof. In short, Sir, I hope you will approve of my proposed method being the safest and most natural to carry on the views of both parties, I beg you will give me an answer through the same hands, as will deliver the present to you, not doubting that you will tarry at Vitoria until we get there, and you will also observe that you will be at full liberty to proceed to Madrid if you should judge proper, after you have talked over the matter with the said nobleman.

I have the honor to subscribe myself, &c.

JAMES GARDOQUI.

*P. S.* Having considered upon the properest place for our meeting, we have settled it on that of Burgos instead of Vitoria, which pray note accordingly, and I hope to meet you there.

[In a letter dated at Burgos, 28th February, 1777, Mr Lee replied to the above as follows. "I have the honor of yours of the 17th, and agreeable to your request will wait for you at this place."]

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Bordeaux, February 18th, 1777.

Gentlemen,

On my arrival here, on my way to Madrid, I found a letter dated February 2d, from a confidential correspondent, which contains the following passages. "Ten thousand Germans are already engaged, and ships sent to convey them; the number of British cannot exceed three thousand, and those very indifferent; but much is expected from their being sent early. Boston is certainly to be attacked in the spring. Burgoyne will command. Howe will probably attack Philadelphia. The government expect great advantage from dissensions in Pennsylvania."

Finding that our commerce here labors under great difficulties from the heavy duties laid on fish, oil, wax, &c., I have directed an account of it to be transmitted to your Commissioners at Paris, together with an estimate of the imports and exports during the last year from the United States, that they may be better enabled to negotiate an alleviation or removal of the duties, which were originally intended to discourage the British commerce.

I had the honor of stating to you a year ago, that tobacco was the most weighty political engine we could employ with the French Court. It is absolutely necessary to the Farmers-General, and the Farmers as absolutely necessary to government.

Mr Delap informs me that there are several more cargoes belonging to the Congress, in the hands of merchants in Spain, the proceeds of which cannot be obtained. I have written to Mr Morris, at Nantes, begging the favor of him to send me a proper account of them, that I may complain of those merchants at the Court of Spain. There is a ship at Nantes, totally deserted by her crew, which has been lying there many months unregarded, at an expense to the Congress of one hundred dollars per month. I have advised Mr Schweighauser to consult with Mr. Morris about selling her, which ought to have been done as soon as her crew quitted her.

The ship too, which was intrusted to Mr Myrkle, is lying here at a considerable charge, and no appearance of her return.

I enclose you Captain Cleveland's account of Mr Myrkle's conduct, which he wishes may be offered in his justification. I have referred him to Dr Franklin for advice.

I have the honor of being your obedient servant,

ARTHUR LEE.

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TO THE COMMISSIONERS IN PARIS.

Vitoria, February 26th, 1777.

Dear Sirs,

I am thus far safe on my journey, which by the spur of six pistoles more I am to finish two days sooner than was at first agreed. Therefore, if no accident happens, I shall reach my destination the 6th of next month. In the Committee's letter of the 23d of October to me, it is said, "we are to negotiate with other nations agreeable to certain plans and instructions transmitted to Mr Deane." I have none with me, nor do I remember to have seen any, but those which relate expressly to France, and that plan has already been transmitted where I am going. Nothing is more likely than my being asked what I have to propose, particularly relative to this meridian. This question was put to us on our first visit to — — —. [11] But the same answer will not serve here. I must entreat you, therefore, to favor me with your ideas upon this particular. What alteration would you think proper in that plan, when applied to this country? It is best to be prepared for every favorable moment that may offer. This must plead my pardon for urging as speedy an answer as possible. It would grieve me to be put to the alternative of letting a favorable opportunity pass unembraced, or of hazarding a measure of so much moment to the public, upon my weak judgment and very limited information.

With my best wishes for your health and success, and begging to be remembered kindly to our friends, I have the honor to be, with the greatest esteem, dear Sirs, your obedient servant,

ARTHUR LEE.

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MEMORIAL,

*Delivered by Arthur Lee to the Marquis de Grimaldi.*

Burgos, March 5th, 1777.

Upon maturely weighing what his Excellency the Marquis de Grimaldi had the goodness to communicate from his Majesty, Mr Lee feels himself obliged (notwithstanding his earnest wish to coincide with his Majesty's views, and conciliate his amity to the United States) to beg his attention to the following considerations.

1st. Were it the question now, whether Mr Lee being at Paris should come to Madrid, he might do it or not without any material consequences, but it being known, that he was deputed upon that business, and upon his way, his return without going to Madrid will beget an opinion, that Spain has renounced the States of America, in refusing to receive their deputy. For the fact of his return being notorious, and the reasons for it necessarily secret, it will make the same impression as if no such reasons existed.

This opinion will very materially injure the credit of the States in France and Holland, and it may have a very unfavorable effect in America. For it must be considered, that the fact will reach America by a thousand channels, while the reasons for it can pass through one only, and that too from the situation of things in obscure hints.

Mr Lee therefore hopes, that his Majesty will weigh these reasons before he determines finally upon a measure, which may be deemed ungracious to the Congress, and highly detrimental to their interests.

2dly. Mr Lee cannot conceive on what pretence of reason, right, or law, the English Ambassador, or his Court, can take exception to his Majesty's receiving a deputy from the United States, since the right of a neutral Court so to do is clearly established by the unquestioned practice of all times, and recognised by the best writers on the laws of nations. Neither has the English Ambassador at Paris, or his Court, taken any exception to it there.

3dly. That it will be so far from preventing the execution of any gracious intentions his Majesty may have of assisting the States, that the best and safest channel of conveying that aid is from one from which Mr Lee's being at Madrid will rather divert than direct the attention of England. Next to an immediate declaration, a supply of money to support the credit of the States, and pay for what is necessary, is the most effectual aid. The support of this contest calls upon the Congress for considerable funds. The means of establishing them by the export of their produce are slow and uncertain. This obliges them to have recourse for assistance to the powers that are friendly to their cause; among whom they have the greatest reliance upon his Majesty the king of Spain. This purpose will be answered by his Majesty's ordering his Ambassador at the Hague, to authorise Sir George Grand of Amsterdam to pay the sum destined to this use to the order of B. Franklin, Silas Deane, or Arthur Lee. Sir George Grand is fixed upon as one, who has been already trusted by the Court of France in this business, and on whose attachment they can depend.

Mr Lee must beg leave to wait his Majesty's pleasure at Burgos, or Vitoria, not at Bayonne, because he is persuaded, upon reflection, that he should incur the highest displeasure of his constituents, if he were to leave Spain without a definitive answer to the object of his mission.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Burgos, March 8th, 1777.

Gentlemen,

A person of high rank having been sent to confer with me here, I am authorised to assure you, that supplies for the army will be sent to you by every opportunity from Bilboa. I can say with

certainly, that a merchant there has orders for that purpose; he is now here with me to have a list from me, and to contract for blankets, which are manufactured in this part of the country. I am also desired to inform you of ammunition and clothing being deposited at New Orleans and the Havanna, with directions to *lend* them to such American vessels as may call there for that purpose.

I am trying to get a sum of money put into our hands immediately, that we may the more assuredly answer your bills, should you find it necessary to draw, and may pay for some ships of war in Europe. It will also be my endeavor to procure some able veteran officers from the Irish brigades in this service.

From the best authority here I am told, that the German agreement is for seven thousand recruits, and eight hundred Hessian Chasseurs. They are to sail from some German port towards the end of this month.

News is just arrived here of the death of the king of Portugal. Considerable bodies of troops have been for some time marching from Madrid towards the frontiers of that kingdom.

I have the honor to be, &c.

ARTHUR LEE.

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MEMORIAL,

*Presented to the Court of Spain.*

Burgos, March 8th, 1777.

The present state of the dispute between America and Great Britain does not seem to be so fully understood, as to render a clear representation of it unnecessary.

America has declared herself independent, and has defeated all the efforts of Great Britain to reduce her during two campaigns. In this resistance she has hitherto stood alone and almost unassisted. Her infant and unprepared state has been compensated by her ardor, her indignation, her enthusiasm.

Great Britain, however, is determined to redouble her efforts to make this campaign decisive of the fate of America. In this situation, America offers her commerce and her friendship, which she has withdrawn from Great Britain, to Spain and France. This offer ought to be deemed of double value, because it takes from their rival and foe, what it gives to *them*. It is, therefore, taken for granted, that this is an object of the first magnitude, and worthy of the highest attention of both these Courts. It is also taken for granted, that Spain and France do not wish Great Britain should prevail in the contest, or regain America by conquest or conciliation. There remains, therefore, but this single question; whether it be more politic for the two powers to declare immediately, or to wait the event of the next campaign?

To judge of this, it will be necessary to consider what will be the probable event of the next campaign. As Great Britain is resolved to put forth her utmost strength, it is probable that the event will be, either the total reduction of America, or an accommodation founded upon a mutual conviction of each other's strength; and this accommodation must be hastened by America being left destitute of any material assistance from Europe.

It is manifest, that the neutrality of Spain and France leaves the field open to the operations of the British force, and to the production of one of those events, either of which must be highly prejudicial to both nations and advantageous to their enemy. If Great Britain should be victorious, America will become a powerful instrument in her hands, to be wielded at her will against these countries; and that it will not remain long unemployed, no one will doubt, who knows that the Court of Great Britain is well informed of the countenance, at least, given to what they call a most dangerous rebellion, and that the head of that Court is of a temper that never forgives or forgets.

If an accommodation should produce a reunion, the same advantages will be lost, and almost all the same consequences are to be feared. The end of the campaign cannot, therefore, promise so favorable a moment for the interposition of Spain and France as the present; and in all human probability it will be then fruitless.

In truth, what moment can be wished more favorable than the present, when Great Britain is so equally matched by what were her Colonies, that the scales hang doubtful? Nor can it be questioned, that the interposition of Spain or France, and much more of both, would make that of America decidedly preponderate, and separate her from Great Britain forever. And what object can be more important, than to deprive her of this great and growing source of her commerce and her wealth, her marine, and her dominion?

There is nothing of which the Court of Great Britain is more persuaded, than that the loss of America would be the inevitable consequence of a war in Europe; nor is there a man in the nation that is ignorant of it; hence it is, that the king finds himself obliged, in all his speeches, to assure his Parliament of the tranquillity of Europe, that they may be emboldened to support his war against America. Hence it is, that they have labored to prevent a rupture between Spain and Portugal, and have, at length, renounced the latter. It is therefore certain, that Great Britain would endure any insult, short of an open and outrageous act of hostility, rather than engage in a European war during her contest with America.

During the last war, America contributed twelve thousand seamen, and twenty thousand

troops to the assistance of Great Britain. These are now tripled against her. The commerce of America, according to the declaration of Mr Pitt, who conducted it, carried Great Britain triumphantly through it. The full tide of that commerce is now turned against her. From America, all the expeditions against the islands of Spain and France were then supplied. Now these supplies are ready to assist in seizing her islands.

Deprived of all those aids, which ministered to her success and her triumphs during the last war, what could prevent her now from experiencing the bitter reverse of her former fortune? What policy can withhold two Sovereigns, whose prosperity is incompatible with her power, to let slip such an opportunity of humbling her as may never return?

If Great Britain should be again united to America by conquest or conciliation, it would be in vain to menace her with war. America has been felt like Hercules in his cradle. Great Britain, knit again to such growing strength, would reign the irresistible, though hated arbiter of Europe. This then is the moment in which Spain and France may clip her wings and pinion her forever. One of the most respectable bodies in England told their Sovereign some two years since, with a kind of prophetic spirit, that his Ministers were precipitating his dominions into a situation in which their existence would depend upon the forbearance of their enemies. That situation is now certainly occurred. The rest as certainly remains in the arbitration of Spain and France.<sup>[12]</sup>

ARTHUR LEE.

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ANSWER,

*To the Memorial, by the Marquis de Grimaldi at Vitoria.*

You have considered your own situation and not ours. The moment is not yet come for us. The war with Portugal,—France being unprepared, and our treasure from South America not being arrived,—makes it improper for us to declare immediately. These reasons will probably cease within a year, and then will be the moment.<sup>[13]</sup>

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TO THE COUNT DE FLORIDA BLANCA,  
MINISTER TO THE KING OF SPAIN.

Vitoria, March 17th, 1777.

Mr Lee wishes to state to his Excellency, the Count de Florida Blanca, what he has understood from his Excellency, the Marquis de Grimaldi, to be the intentions of his Majesty relative to the United States of America.

That for very powerful reasons his Majesty cannot at this moment enter into an alliance with them, or declare in their favor; that nevertheless, they may depend upon his Majesty's sincere desire to see their rights and liberties established, and of his assisting them as far as may be consistent with his own situation; that for this purpose the house of Gardoqui at Bilboa would send them supplies for their army and navy from time to time; that they would find some ammunition and clothing deposited for them at New Orleans, the communication with which would be much secured and facilitated by their taking possession of Pensacola; that their vessels should be received at the Havanna upon the same terms with those of France, and that the Ambassador at Paris should have directions immediately to furnish their Commissioners with credit in Holland. The Marquis added, that his Majesty would do these things out of the graciousness of his royal disposition, without stipulating any return, and that, if upon inquiry any able veteran officers could be spared from his Irish brigade, the States should have them.

These most gracious intentions Mr Lee has communicated to the Congress of the United States, in terms as guarded as possible without mentioning names, so that the source of those aids, should the despatches fall into the enemy's hands, can only be conjectured from the matter, not determined from the manner in which they are mentioned. And for further security, the captain has the strictest orders to throw the despatches into the sea should he be taken.

Mr Lee is sensible that these intentions are measured by the magnanimity of a great and opulent prince, and becoming the character of so illustrious a monarch as the king of Spain. He is satisfied they will raise the strongest sentiments of gratitude and veneration in the breasts of those whom they regard. At the same time he trusts, that the Spanish nation will receive no inconsiderable retribution from the freedom of that commerce, the monopoly of which contributed so much to strengthen and aggrandize her rival and her foe; nor can anything give more lasting satisfaction to the royal mind, than the reflection of having employed those means which God has put into his hands, in assisting an oppressed people to vindicate those rights and liberties, which have been violated by twice six years of incessant injuries and insulted supplications; those rights which God and nature, together with the convention of their ancestors and the constitution of their country, gave to the people of the States. Instead of that protection in these rights, which was the due return for the sovereignty exercised over them, they have seen their defenceless towns wantonly laid in ashes, their unfortified country cruelly desolated, their property wasted, their people slain; the ruthless savage, whose inhuman war spares neither age nor sex, instigated against them; the hand of the servant armed against his master by public proclamation, and the very food which the sea that washes their coast, furnishes, forbidden them by a law of unparalleled folly and injustice. *Proinde quasi injuriam facere id demum esset imperio uti.* Nor was it enough that for these purposes the British force was exhausted against them, but foreign mercenaries were also bribed to complete the butchery of their people, and the

devastation of their country. And that nothing might be wanting to make the practices equivalent to the principles of this war, the minds of these mercenaries were poisoned with every prejudice, that might harden their hearts and sharpen their swords against a people, who not only never injured or offended them, but who have received with open arms and provided habitations for their wandering countrymen. These are injuries which the Americans can never forget. These are oppressors whom they can never again endure. The force of intolerable and accumulated outrages has compelled them to appeal to God and to the sword. The king of Spain, in assisting them to maintain that appeal, assists in vindicating the violated rights of human nature. No cause can be more illustrious, no motives more magnanimous.<sup>[14]</sup>

ARTHUR LEE.

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TO THE COMMITTEE OF SECRET CORRESPONDENCE.

Vitoria, March 18th, 1777.

Gentlemen,

I had the honor of writing to you on the 8th from Burgos, since which I have had another conference at this place for greater secrecy and despatch.

In addition to the supplies, which I informed you were to be furnished through the house of Gardoqui by every opportunity, and the powder and clothing which are at New Orleans, and will be advanced to your order, I am assured of having credit from time to time on Holland, and that orders will be given to receive your vessels at the Havanna, as those of the most favored nation, the French, are received. They have promised to examine whether there are any veteran Irish officers fit for your service, and if there are to send them.

I have avoided stipulating any return on our part.

As to an immediate declaration in your favor, they say this is not the moment, and for reasons, which, if I might venture to commit them to this paper, I think you would deem satisfactory. The same reasons render an explicit acknowledgment of your independency, and a treaty of alliance with you, inadmissible at present; but I am desirous to assure you of their taking a sincere and zealous part in the establishment of your liberties, which they will promote in every way consistent with their own situation.

I cannot help thinking that the postponing of a treaty is happy for us, since our present situation would raise demands, and perhaps enforce concessions, of which we might sorely repent hereafter. I am sensible, that in consequence we shall be obliged to make greater exertions, and to search deeper for resources within ourselves; but this must in the end be highly beneficial to a young people. It was in this manner the Roman republic was so deeply rooted; and then *magis dandis, quam accipiendis beneficiis, amicitias parabat*. The liberties and benefits which are hardy earned will be highly prized and long preserved.

In conformity with the above arrangement, I have settled with M. Gardoqui, who now is with me, and from whom I have received every possible assistance, to despatch a vessel with all possible expedition, laden with salt, sail and tent cloth, cordage, blankets, and warlike stores, as he can immediately procure, and an assortment of such drugs as I think will be necessary for the three prevailing camp diseases. Those who furnish these supplies are very desirous of an expedition being ordered against Pensacola, in order that the possession of that place may render the communication between the Southern Colonies and New Orleans, from which they would wish to succor you, more sure and secret. The captain has my directions to make for Philadelphia, or any port to the southward, and wait your orders. At Mons. Gardoqui's desire, I have given him a recommendation to all the American captains, who may sail from Bilboa, whether in public or private service, to receive such stores as he shall send them for your use.

When this is arranged, I am to return to Paris, where the business of the credit upon Holland is to be settled, and of which you shall have notice by the first opportunity.

In my former letters from Bordeaux and Nantes, I took the liberty of remarking upon the deranged state of your commerce. I find here that you have not sent any vessels to Bilboa, though as being the most convenient, it is most frequented by private vessels. It is a free port, has no custom-house, and therefore business is despatched with more secrecy and expedition. Rice, indigo, tar, pitch, and turpentine, bear a good price there, and fish in Lent. By the provincial laws of Biscay, tobacco is prohibited, but it may be landed at the port of St Sebastian, some fourteen leagues distant; and it sells well in Spain; but it must be strong Virginia tobacco for this market. The house of Gardoqui has promised to collect from other places, such things as I have informed them will be proper for your service. As Mons. Montandauine and Mons. Schweighauser at Nantes, and the Messrs Delaps at Bordeaux, are the best and most respectable merchants, so the Gardoquis are at Bilboa. Their zeal and activity in our cause were greatly manifested in the affair of the privateer; they are besides in the special confidence of the Court, and one of them has been employed as interpreter in all our business.

If touching upon commercial subjects, which are somewhat out of my province, should be of any use, that will be my excuse; if not, I hope the expectation of its being useful will plead my pardon. I mentioned in my last, that the Germans, intended to be sent the latter end of this month through Holland, were to consist of seven thousand recruits and eight hundred Hessian chasseurs; but from the best accounts I can get, they will neither be so forward nor so numerous as was intended. To retard them the more, I have proposed to the Commissioners at Paris, to

remonstrate with the States-General against granting them a passage, which is to expedite their embarkation, and I have written to Holland to have the account of the captivity of their countrymen and the refusal to exchange them and settle a cartel, distributed among the troops, in German, before they embark.

I have sent copies of General Washington's letter, and such an account as I could collect from the newspapers, of the success of your arms all over Europe; since that, I find by the enclosed Gazette, that the Court of Great Britain have already published their account of it. It is lamentable to observe, to what unworthy means of flattering the vices of princes the human mind will stoop. The Carletons, the Howes, and the Perceys call themselves honorable men; yet, because they know nothing pleases the king of England more than the grossest abuse of the Americans, they let slip no opportunity of accusing and traducing them. That these charges may not fall into the hands of future historians uncontradicted, I could wish, since it has now become a public accusation by General Howe, that General Washington might write him a letter, stating the injustice of the charge, and mentioning the instances, such as the burying Captain Leslie with the honors of war, in which the troops under his command have manifested a disposition directly opposite to that of which he has accused them; this would go down to posterity as an authentic vindication. I am as jealous of the honor of our name as desirous of the success of our arms.

I mentioned in my former letters their plan of sending out cutters of twelve and fourteen guns, commanded by lieutenants of the navy, to cruise on your coast, chiefly in the Gulf, and that the West India ships were to be armed. On the other hand we are assured, by both France and Spain, that such a disposition of their fleets and forces will be made as ought to persuade England, that she cannot sustain the war against you as she has planned. Your wisdom will direct you how far to trust to these assurances, or their expected consequences, when our stake is so precious, that the most ardent and unremitting exertions cannot be too great; not that I suspect the sincerity of these assurances, but the effects they are to produce; for I know the nature of the king of England to be such, that nothing but personal fear, which the quietism of the people is not likely to produce, will restrain him from the most desperate attempts to injure and enslave us; besides, the state of Europe is such as to render it morally certain, that a war in Europe will relieve you from these extraordinary exertions before a year has passed away. The death of the king of Portugal is too recent for any certain judgment to be formed of its consequences; probably however it will produce an accommodation with Spain, but should it extinguish this spark of a war, it will leave Spain more at liberty to aid us, and awe, if not attack Great Britain. The situation of the enemy seems to be this. Great Britain and Ireland exhausted, the difficulties of recruiting for the ensuing campaign, from Germany, great and notorious, though the demand was proportioned to the prosperous state of their affairs; from this quarter therefore they have little more to hope; to Russia alone they may apply if the cloud that is rising from Constantinople should blow over, without which it is impossible they should have any aid from thence; but if this should happen it will be our endeavor, and I hope we shall succeed in raising the opposition of other European Powers to that measure. I mean to propose on my return to Paris, the sounding both of the emperor and the king of Prussia on this subject. The one wishes to promote the port of Ostend, the other of Emden, and by these we may perhaps work them up to our wishes.

It is upon this view of things, that I found my hopes of the next campaign being the last struggle of any importance, which the enemy can make against us. The distress of their finances and the difficulty of raising the supplies are great. It is certain, that the Dutch, on whom they so much depend, withhold their money as far as they can find Spanish paper to vest it in. The degree of their alarm from France and Spain may be seen from their embodying the militia; and their expensive preparations by sea; that this alarm will not be suffered to subside I believe. Their divisions at home are apparent from the suspension of the habeas corpus act, which will probably realise their apprehensions of domestic troubles.

I find that in consequence of my application to the Count d'Aranda in Paris, he had written to his Court here concerning the detention of the proceeds of some of your cargoes, by the merchants of Cadiz. As soon as I can get an accurate statement of that affair from Mr Thomas Morris, it will be put in a train of certainly obtaining justice. There are some, I am informed, in the same situation at Lisbon, and I think we may feel the pulse of the new government there, by applying to that Court for justice.

I subjoin an estimate of the current prices of several American articles at Bilboa, and have the honor of being, &c.

ARTHUR LEE.

Flour 16 pistareens per hundred weight.—Rice from 20 to 22 do. per do.—Fish 22 to 30 do. per quintal.—Beeswax from 212 to 215 do.—Fine common Sugars from 49 to 54 do. per do.—Large brown Cocoa 6 bitts per lb.—Indigo from 7 to 10 pistareens per lb.—Masts, Yards, and Spars in great demand. Furs the same. Tobacco lower in Spain than lately in France.

*P. S.* As well as I can collect from the foreign papers, they have passed a bill in England to enable the King to commit to *any* prison such persons as he *suspects* of favoring America, and to fix the crime of piracy on all those who are taken at sea with your commission. In some former resolution, you declared that retaliation should be made on those, who were suspected of favoring the measures of the British Government in

the States; and hitherto the American privateers have permitted the subjects of Great Britain to depart in peace. Our enemies are determined to show how unworthy they are of such lenity, as several individuals besides Captain Ross have done. They will compel you to make it a war of revenge, not of redress.

It would not, I think, be difficult to negotiate a loan of money for the States of Virginia and South Carolina, through the Havanna; if you think this would be useful, please to give your directions in it by the first opportunity. The present disposition to oblige us may not last forever.

A. L.

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FROM B. FRANKLIN TO ARTHUR LEE.

Passy, March 21st, 1777.

Dear Sir,

We have received your favors from Vitoria and Burgos.

The Congress sitting at Baltimore despatched a packet to us the 9th of January, containing an account of the success at Trenton, and subsequent events to that date, as far as they had come to knowledge. The vessel was obliged to run up a little river in Virginia to avoid some men of war, and was detained there seventeen days, or we should have had these advices sooner. We learn however through England, where they have news from New York to the 4th of February, that in Lord Cornwallis's retreat to New Brunswick two regiments of his rear guard were cut to pieces; that General Washington having got round him to Newark and Elizabethtown, he had retired to Amboy in his way to New York; that General Howe had called in the garrisons of Fort Lee and Fort Constitution, which were now possessed by our people; that on the New York side, Forts Washington and Independence were retaken by our troops, and that the British forces at Rhode Island were recalled for the defence of New York.

The Committee in their letters mention the intention of Congress to send ministers to the Courts of Vienna, Tuscany, Holland, and Prussia. They also send us a fresh commission, containing your name instead of Mr Jefferson's, with this additional clause, "and also to enter into, and agree upon a treaty with His Most Christian Majesty, or such other person or persons as shall be by him authorised for that purpose, for assistance in carrying on the present war between Great Britain and these United States." The same clause is in a particular commission they have sent me to treat with the Court of Spain, similar to our common commission to the Court of France,<sup>[15]</sup> and I am accordingly directed to go to Spain; but as I know that choice was made merely on the supposition of my being a little known there to the great personage for whom you have my letter, (a circumstance of little importance) and I am really unable through age to bear the fatigue and inconveniences of such a journey, I must excuse myself to Congress, and join with Mr Deane in requesting you to proceed in the business on the former footing, till you can receive a particular commission from Congress, which will no doubt be sent as soon as the circumstances are known.

We know of no plans or instructions to Mr Deane but those you have with you. By the packet, indeed, we have some fresh instructions which relate to your mission, viz. that in case France and Spain will enter into the war, the United States will assist the former in the conquest of the British sugar islands, and the latter in the conquest of Portugal, promising the assistance of six frigates manned, of not less than twentyfour guns each, and provisions equal to 2,000,000 dollars; America desiring only for her share, what Britain holds on the continent; but you shall by the first safe opportunity have the instructions at length. I believe we must send a courier.

If we can, we are ordered to borrow £2,000,000 on interest. Judge then, what a piece of service you will do, if you can obtain a considerable subsidy, or even a loan without interest.

We are also ordered to build six ships of war. It is a pleasure to find the things ordered, which we were doing without orders.

We are also to acquaint the several Courts, with the determination of America to maintain at all events our independence. You will see by the date of the resolution relating to Portugal, as well as by the above, that the Congress were stout in the midst of their difficulties. It would be well to sound the Court of Spain on the subject of permitting our armed ships to bring prizes into her ports, and there dispose of them. If it can be done openly, in what manner can we be accommodated with the use of their ports, or under what restrictions? This government has of late been a little nice on that head; and the orders to L'Orient have occasioned Captain Wickes some trouble.

We have good advice of our friend at Amsterdam, that in the height of British pride on their summer success, and just before, they heard of any check, the ambassador, Sir Joseph Yorke, had been ordered to send a haughty memorial to the States, importing that notwithstanding their promises to restrain their subjects from supplying the rebels, it was notorious, that those supplies were openly furnished by Hollanders at St Eustatia; and that the governor of that island had returned *from his fort the salute of a rebel ship of war with an equal number of guns*; that his Majesty justly and highly resented these proceedings, and demanded that the States should by more severe provisions restrain that commerce; that they should declare their disapprobation of the insolent behavior of their governor, and punish him by an immediate recall; otherwise his

Majesty, who knows what appertains to the dignity of his crown, would take proper measures to vindicate it; and he required an immediate answer. The States coolly returned the memorial with only this answer, that when the respect due to sovereigns was not preserved in a memorial, it ought not to be expected in an answer. But the city of Amsterdam took fire at the insolence of it, and instructed their deputies in the States to demand satisfaction by the British Court's disavowal of the memorial, and the reprimand of the ambassador. The States immediately demanded a number of men of war ships to be in readiness. Perhaps since the bad news has come, England may be civil enough to make up this little difference.

Mr Deane is still here. You desire our advice about your stopping at Burgos. We are of opinion that you should comply with the request. While we are asking aid, it is necessary to gratify the desires and in some sort comply with the humors of those we apply to. Our business now is to carry our point. But I have never yet changed the opinion I gave in Congress, that a virgin State should preserve the virgin character, and not go about suitoring for alliances, but wait with decent dignity for the applications of others. I was overruled; perhaps for the best.

With the greatest esteem, I am ever, dear Sir, your most obedient humble servant,

B. FRANKLIN.

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THE COMMISSIONERS AT PARIS  
TO BARON DE SCHULENBURG,  
MINISTER TO THE KING OF PRUSSIA.

Paris, April 19th, 1777.

Sir,

We received the letter, which you did us the honor to write to us of the 15th ult. and should earlier have replied particularly thereto, but from the daily expectation we had of receiving orders from the Congress of the United States on this important subject. We have their commands to inform his Prussian Majesty's Ambassador here, that they propose to send a minister to your respected Court with all convenient expedition, properly empowered to treat upon affairs of importance, and that we are in the mean time instructed and authorised by Congress to solicit the friendship of your Court, to request that it would afford no aid to their enemies, but use its good offices to prevent the landing of troops by other powers to be transported to America for their destruction, and to offer the free commerce of the United States to the subjects of Prussia.

We have taken the earliest opportunity of obeying these commands. But considering the great importance of establishing a free commerce between the two countries as soon as possible, and confident that every objection may be obviated, and the wished for intercourse opened and established on the most certain and beneficial grounds to promote the interest of both countries, we propose that one of us shall wait on your Excellency as soon as conveniently may be done, to explain personally the situation of America, the nature, extent, and importance of its commerce, and the methods by which it may be carried on with Prussia to mutual advantage. In the proposed interview, we are confident the difficulties mentioned by your Excellency may be surmounted, and a very considerable part of American commerce be turned to Prussia by measures neither dangerous nor expensive.

We have the honor to be, &c.

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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JAMES GARDOQUI TO ARTHUR LEE.

Madrid, April 28th, 1777.

Dear Sir,

The 24th instant, I had the pleasure to pay my last compliments to you, enclosing twenty second bills, amounting to 81,000 livres French money, as per duplicates herein to serve in case of need; and being still without your favors, I have only to forward you a further sum of 106,500 livres, in sixteen bills, as per memorandum at foot hereof, with which I beg your doing the needful as usual, and pass the same to my credit, advising me of it in due time, by which you will oblige him who longs for the pleasure of hearing from you, and is with very unfeigned esteem and respect, &c.

JAMES GARDOQUI.

*A Minute of the sixteen enclosed Bills, viz.*

Livres 6000 drawn by P. Joyes & Sons, on Tourton & Baur.

|      |    |    |
|------|----|----|
| 6100 | do | do |
| 6150 | do | do |
| 6200 | do | do |
| 6250 | do | do |

|             |   |    |
|-------------|---|----|
| 6300        | do  | do |
| 6400        | do  | do |
| 6600        | do  | do |
| 5900        | " by F. Vre. Gorvea, on Tassin, Father & Son. |    |
| 6000        | do  | do |
| 6500        | do  | do |
| 6800        | do  | do |
| 7000        | do  | do |
| 7500        | do  | do |
| 8000        | do  | do |
| <u>8800</u> | do  | do |

106,500 in sixteen second bills, all at 90 days date, with which pray procure the first accepted, acknowledging receipt as soon as possible.

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TO JAMES GARDOQUI AT MADRID.

Paris, May 8th, 1777.

Dear Sir,

I received yours of the 24th ultimo, with its enclosures, which I have disposed of as the enclosed receipt will show. It is taken for granted, that they are for the purposes settled at Vitoria, and to such the produce of them and of the rest will be applied.

I beg you will express my warmest sense of this assistance, where you know the expression of it is due. The business in which we have engaged in Holland will be much more expensive, than the estimate, which is too often the case. Assistance therefore comes very apropos. As I am obliged to make another little journey, I must beg you for the future to correspond with Dr Franklin, and substitute his name for mine on the paper. He will do every thing that is necessary, and correspond with you in my place. You are not likely to be a loser by the change.

We have not had any express lately from America, but expect one every moment. Our enemies have had several, and as they choose to be perfectly silent as to their contents, and leave the public to reports and conjectures, it is presumable that at least nothing favorable has happened on their side. The Congress is certainly returned to Philadelphia, which is an unquestionable proof of the security in which our late advantages have placed that city. We have lost within these two months four very valuable rice, indigo, and tobacco ships by treachery and capture. But in return, one week's advices of the captures we have made, according to the estimate in London, exceeds £200,000 sterling, in British goods. Indeed, common sense might have forewarned them of this, because they have twenty ships at sea for one of ours, and the number of privateers is always in proportion to the temptation, that is, to the probability of making prizes. Without the second sight, therefore, of their Scotch advisers, they might have foreseen that their commerce would suffer infinitely in this foolish and wicked war.

I have the honor to be, &c.

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Paris, May 8th, 1777.

Sir,

In consequence of the letter, which, in conjunction with my brother Commissioners, Dr Franklin and Mr Deane, I had the honor of writing to your Excellency, I intended to depart from hence for Berlin before this time. But an accident having happened, which inevitably prevents me from setting out, I am under great anxiety, lest your Excellency should impute my delay to a want of that perfect respect, which I ought to feel for your Excellency's Court and character.

I must, therefore, entreat you, Sir, to believe, that nothing can be more painful to me, than the necessity which delays and will delay me for some days longer, and that I will not intentionally lose one moment in preparing to testify in person, with what entire respect and consideration,

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, May 13th, 1777.

Gentlemen,

I am happy to enclose you the proofs, that our friends are not unmindful of their promises.<sup>[16]</sup> I have given Dr Franklin a power of attorney to endorse any future bills that may arrive, and to dispose of the money. When the flotilla arrives, which may be in about two months, then will be the time to press for the loan you desire.

I am now at liberty to pursue my purpose at the Court of Berlin, for which I shall set out in a few days; as I shall be obliged to make a tour, the direct road lying through the territories of all the hostile princes, it will of necessity protract my journey. Mr Sayre, late sheriff of London, is to accompany me as secretary, Mr Carmichael having refused to go unless the Commissioners would give him a commission, which we did not think ourselves authorised to do. This has unavoidably delayed me some days.

From every information I am able to obtain, our enemies are much pressed to make a tolerable appearance this campaign. Something extraordinary must happen to enable the king of Great Britain to continue the war, should this campaign fail. Whatever a man, impelled by so inimical a disposition can do, may be expected from him. It is certain, he has made some concessions in the fishery to this Court, in hopes of keeping them quiet; but we need not be much afraid about the effect of them. Our ground here is firm, and though not so ample as our wishes, yet I trust it will be equal to our wants.

I beg the favor of having my utmost duty and respect presented to Congress, and have the honor to be, &c.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, May 20th, 1777.

Sir,

I have been informed by the letter, which you did me the honor of writing to me the 8th instant, that in consequence of the one sent me the 19th of last month, on the part of Messrs Franklin, Deane, and yourself, you were on the point of coming here, but for an unforeseen accident, that prevented you.

My answer of the 11th instant will acquaint you, Sir, that I still apprehend difficulties which may interfere, in the present circumstances, with the establishment of a direct commerce between his Majesty's subjects, and the Colonies of North America, and that I consider our correspondence on this subject rather as preliminaries to what may come to pass, than as negotiations from which any immediate advantages may be expected.

This leads me to believe, Sir, that you have no reason to distress yourself on account of this delay to your journey, and that you cannot be reproached with want of zeal for the interests of your constituents, when you defer for some time an affair, the success of which cannot most probably but be slow, to manage other matters more important and pressing.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO THE COMMISSIONERS AT PARIS.

Vienna, May 27th, 1777.

Dear Sirs,

I reached this in three days from Munich, and in expectation of hearing from you tomorrow, I shall not proceed till the 29th. Dresden will be my next stage.

There is a cold tranquillity here, that bodes us no good. It is not possible to quicken this German indifference. From what I learn, we need be under no apprehensions from Russia.

I hope you will not forget to sound the two Courts, whether they will join Prussia in declaring us independent. I am afraid this latter will not be obtained, unless they are in our favor.

I am, dear Sirs, &c.

ARTHUR LEE.

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TO BENJAMIN FRANKLIN.

Vienna, May 28th, 1777.

Dear Sir,

The post is in and nothing from you. I therefore shall proceed tomorrow, and hope to reach my destination in eight days.

The chief purpose for giving money, stated in my Memorial,<sup>[17]</sup> was to pay the interest of our loans and support our funds. I added the paying for the ship we were obliged to build in Holland, in lieu of those requested. To these purposes therefore they will expect the money will be applied.

Yours, &c.

ARTHUR LEE.

TO BARON DE SCHULENBURG.

Berlin, June 5th, 1777.

Sir,

In consequence of the letter, which I had the honor, in conjunction with the other deputies of Congress in Paris, of writing to your Excellency, on the 19th of April, I arrived here last night.

I take the earliest opportunity to inform you of my arrival, and to request your Excellency to have the goodness to inform me, when I may have the honor of an interview with you, on the subject of this letter.

I have the honor to be, &c.

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Berlin, June 7th, 1777.

Sir,

I have the honor of sending to your Excellency lists of the commodities on both sides, which will be the most suitable for the commerce which is projected. As to the exact price of the different articles, I cannot speak. But as European commodities are very dear in America, and our own are cheap, while at the same time they bear a high price in Europe, commerce on this footing cannot but be advantageous to Europeans. A musket, for example, which costs here twentytwo French livres, can be sold in America for at least fifty. With these fifty livres two hundred weight of tobacco can be bought, which in Europe will bring two hundred livres.

It seems to me, that the mode of carrying on this trade with the greatest security will be, to fit out vessels for the Island of St Eustatia. Then a skilful captain can set sail directly for America, and having a calculation of his voyage made for the express purpose of showing, that he was driven from his course by the violence of the winds, if he should meet any vessel of war on the American coast, he can offer his excuse, and, under the pretence of being in want of water, enter the nearest port. Thus, in going, the risk will not be great; and in returning, it can always be known when the coast is clear, and with a good wind at first, a vessel is soon out of danger.

It will be expedient for this trade, that the vessels engaged in it should be the best sailers possible, since much will depend on that. At Emden or at Hamburg, it cannot be difficult to find captains or sailors who can speak English.

At first it will be better to send the vessels to the continental commercial agent, since there is one in each of the principal ports. The principal ports are Newburyport, Salem, and Boston in Massachusetts; New London in Connecticut; Baltimore in Maryland; York, Hampton, and Alexandria, in Virginia; Charleston, in South Carolina; and Savannah, in Georgia. These are the principal ports, as you go along the coast from North to South. In order to arrive at the ports of Virginia and Maryland, it is necessary to enter Chesapeake Bay, into which all the rivers of the two States empty. I shall write to our agents directing them to give all possible facilities to your commerce in these ports. I have omitted the ports of Rhode Island and Philadelphia, because they are direct objects of the war, and they may be in the possession of the enemy. It will therefore be better to avoid them in the present state of affairs.

I hope your Excellency will do me the justice to believe, that if I had known his Majesty's pleasure before my departure, I should have acted in conformity to it. And if my residence here as a traveller should give the least uneasiness to your Court, I rely upon your Excellency's informing me of it; since nothing could be more disagreeable to me, than to cause the slightest uneasiness where I owe the highest respect.

I have the honor to be, &c.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, June 9th, 1777.

Sir,

I have received the letter, which you did me the honor of writing to me yesterday, and I imagine from its conclusion, that on account of the difference of language, you did not perhaps take in the true sense some of the expressions which I used in our conversation.

I lose no time, therefore, to assure you, Sir, as I did in the letter, which I addressed to you at Paris, that your residence at Berlin will not be at all disagreeable to the king, provided you live here as an individual, and without assuming a public character.

As to the information you give me with respect to commerce, you will be pleased, Sir, to add a memorandum of the places where insurance can be effected on vessels destined for America, and the premiums of insurance to be paid. I will then examine your propositions, and will soon be able to inform you whether we conceive it possible to make an experiment of the kind with success.

I have the honor of being, &c.

BARON DE SCHULENBURG.

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TO BARON DE SCHULENBURG.

Berlin, June 10th, 1777.

Sir,

By the accounts received a little before I left Paris, the premium on insurance to America at Cadiz was twelve and a half per cent. At Bordeaux it was forty per cent to and from America. A scheme was then forming for the establishment of very considerable and responsible companies of insurance at Rouen and Nantes. But I am apprehensive there will be some difficulty about insuring any but French property.

I should, therefore, conceive your Excellency would do best to have it tried at Amsterdam, where one would imagine that forty per cent, which is infinitely beyond the risk, would be an irresistible temptation.

If the insurance to America were made here, the Congress might insure back. There is, however, an obvious objection to this, arising from their want of funds in Europe to answer the loss. This objection would not now have existed, had not our commerce with Europe been so much discouraged by an almost universal concurrence of its powers in prohibiting our being supplied with arms and ammunition, things essentially and immediately necessary to our defence and existence. The European ports being also shut against our vessels of war, it is impracticable to contrive convoys for our trade, and it is thus exposed to the enemy.

These, and the thousand other delays and difficulties, to which the present cautious system of Europe subjects us, give every possible opportunity to Great Britain to recover that commerce, which her unwise and unjust conduct has obliged us to withdraw from her, and offer to the rest of Europe. An open acceptance of that offer would have settled the question at once. I may not presume to doubt the wisdom of that policy, which prefers the chance of gleaning our fields after they have been spoiled and laid waste by a mercenary and enraged army, to the certainty of reaping the full harvest of an unravaged country. Undoubtedly there are better reasons for it than I can devise. This is, however, most clear, that if the commerce of America were a thing not valuable, or rather noxious to the European powers, they could not give Great Britain a fairer opportunity of cutting it off from them forever, by retrieving the monopoly, or of greatly diminishing its sources by destroying our cities and laying waste our country with mercenary arms. We are left, like Hercules in his cradle, to strangle the serpent that annoys all Europe.

I beg your Excellency will accept my thanks for the satisfactory explanation you were so good as to give me yesterday of what I confess was not clear to me before.

Permit me to suggest, that as it is probable your captains will not be able to provide themselves with marine charts of the American coast, it would be proper to order some of the best of them from London. If in any thing your Excellency should think I can be further useful, you will do me the honor to command me.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Berlin, June 11th, 1777.

Gentlemen,

In pursuance of the plan, which I had the honor of mentioning in former letters, I arrived here the 4th of this month. Mr Sayre accompanies me in the place of Mr Carmichael, who after promising refused to go.

The king being absent in the review of his troops, I have only had some conversation with his Minister relative to their beginning a commerce with you in their own bottoms. This I have reason to think will take effect; but there seems to be a system of great caution here, which will cramp whatever they attempt.

I have good reasons for assuring you, that Russia will send no troops against us. The consequence of the Prince of Hesse's conduct is beginning to be a lesson to the other German princes, so that it is not probable they will draw any more supplies from them. The country of Hesse is depopulating so fast from the apprehension of being forced into this service, that the women are obliged to cultivate the lands. At present, therefore, the foreign resources of Great Britain seem to be exhausted, nor is there any human probability of their reinstating their army, should this campaign materially diminish it, except it be with Catholics from Ireland. I have a plan for rendering that of little effect, which I hope will succeed.

Upon your maintaining your ground this campaign, the question of acknowledging your independence will become very serious next winter among the European powers; but until the events of this summer are decided, their conduct will remain the same, and no open act of interference is likely to take place. Till that time too they should not wish to receive commissioners, as it subjects them to the complaints of the English Court.

A transaction has lately happened in England, which, notwithstanding appearances speak otherwise, makes me believe that our enemies expect some further and considerable assistance from Hesse. It is their paying an old rejected claim to the Landgrave of £41,000. I know the British Court too well to believe they would do this from any other motive, than the expectation of future favors, and to soften the sense of shame and loss, which, already sustained by the Landgrave, would prevent him from furnishing them further. But whether the object is merely to quicken him in supplying the stipulated recruits, or to get some of his old regiments, I cannot learn. A letter, which I have read, from the agent of that Prince at the Court of Great Britain to his Minister, upon the very subject of this claim, grounds it only on the necessities of England for troops to carry on this war, without mentioning that he had stipulated anything specially on his part in return. You may, however, depend upon my endeavors to get the most speedy and accurate information on this subject, and to raise every obstacle that can come from this and the imperial Court.

I expect to have finished what I can do here in ten days, when I shall set out on my return to Paris, whence the conveyance being safer, I shall write you more particularly.

I have the honor to be, &c.

ARTHUR LEE.

*P. S.* I see by the English papers, that a motion by Lord Chatham for an address of the House of Lords to the king, to begin an accommodation by a cessation of hostilities, and an offer of a full redress of grievances, supported by Lords Shelburne and Camden, was rejected by 100 to 28. This motion was made on the 30th of last month, and the chief objection on the ministerial part was, that it would stop the career of their success that must soon reduce you.

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TO THE COMMISSIONERS AT PARIS.

Berlin, June 15th, 1777.

Dear Sirs,

I had the honor of writing to you from Munich and Vienna, from the last of which I arrived here the 4th of this month. The letters you have received from hence will show you how the wind blows here; I have tried all in my power to make it change, hitherto in vain. In ten days I shall set out on my return. There cannot be a state of more perfect quiescence than prevails in this place; what is merely commercial is planned, but whether it will be adopted remains to be determined.

I have the honor of being, &c.

ARTHUR LEE.

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TO GEORGE WASHINGTON.

Berlin, June 15th, 1777.

Dear Sir,

It has been with uncommon satisfaction, that I have seen you in a situation in which I long ago hoped you would be, if we were forced to dispute the great question, which in my own judgment I was satisfied would happen. I never forgot your declaration, when I had last the pleasure of being at your house in 1768, that you were ready to take your musket upon your shoulder whenever your country called upon you. I heard that declaration with great satisfaction. I recollect it with the same, and have seen it verified to your immortal honor, and the eminent advantage of the illustrious cause in which we are contending.

I have the pleasure of assuring you, that your conduct against General Howe has been highly approved by the principal military men here and in France. That approbation has been increased in those, to whom I have had an opportunity of stating the great inferiority of the troops you commanded to those of the enemy, in number and in every necessary provision for war.

The Prussian army, which amounts to 228,000 horse and foot, are disciplined, by force of hourly exercise and caning, to move with a rapidity and order so as certainly to exceed any troops in Europe. When the king reviews an army of 40,000 men, not a man or horse, though the former in full march and the latter in full gallop, is discernibly out of the line. The regiments here are in the field every day, where, besides the general exercise, every man is filed off singly and passes in review before different officers, who beat his limbs into the position they think proper, so that the man appears to be purely a machine in the hand of a workman.

The improvements of utility, which I have been able to note, are these. The ramrod is thicker all the way than ours, and enlarged at each end as ours are at one; the advantage of this is, that, to ram down the charge they do not turn the rod, but raising it to the muzzle plunge the lower end into the barrel, and then raising it up return it straight, without the necessity of turning it as formerly. This saves two very awkward motions for turning the rammer, and a great deal of time. The mouth of the loops, that receive the rammer is very large, so that there is much more readiness in hitting them than formerly, which also expedites the important business of charging the musket. To compensate the increase of weight, the musket is shortened two inches in the barrel. When they present, instead of levelling their firelocks, they are taught to slant them down, so that a point blank shot from them so depressed would strike the ground at about ten

yards distance. And this depression is found necessary to counteract the elevation, which the act of firing gives inevitably to the musket. And even when a ball does strike the ground, it generally rises and may do execution; but if directed too high, it is lost irretrievably.

These are alterations, which seem to me of great utility; and I wish they may appear so to you.

It is my intention, when I have leisure, to write the history of this civil contention. The share you have had in it will form an interesting and important part. It will be in your power to preserve a variety of most material papers and anecdotes for such a work. May I venture to hope, that you will think me so far worthy of your confidence, and fit for such a work, as to preserve them for me? Dubious parts of history can be cleared by such documents only.

The resources of our enemy are almost annihilated in Germany; and their last resort is to the Roman Catholics of Ireland. They have already experienced their unwillingness to go, every man of a regiment raised there last year having obliged them to ship him off tied and bound. And most certainly, they will desert more than any other troops whatsoever. They themselves rely upon the present campaign, so that if it should not produce something very decisive in their favor; which God forbid, we may depend upon their efforts being in the wane.

With the most ardent wishes for your success, safety, and happiness, I am, &c.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, June 18th, 1777.

Sir,

After having duly examined the propositions, which you have been so kind as to address to me, respecting the establishment of a direct commerce between his Majesty's States and the English Colonies of America, I am of opinion with you, Sir, that it is very probable, that even with paying the highest premium of insurance, the scarcity and dearness of our merchandise in America, added to the abundance and low price of your productions, which can be advantageously sold in Europe, would render this commerce very profitable to the two nations. Nothing remains, therefore, but to make the essay; but a difficulty almost insurmountable presents itself, which is, that never having gone as far as your country, we want vessels as well as captains, pilots, and sailors, who could or would go to such distant seas. Besides, the vessels we have are necessary for the interior commerce between his Majesty's different provinces, and for that which we carry on with France, England, and Spain. We can only therefore try and see if there are any proprietors of vessels in Holland or Hamburg, that in consideration of a suitable freight, will load with and carry our merchandise; and in the second place, if insurance can be effected.

We will endeavor to obtain information on these two points, and if it is possible to succeed by these means, after having removed some other difficulties of less consequence, we may be able to derive some benefit from the information, which you have been so kind as to furnish me.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO BARON DE SCHULENBURG.

Berlin, June 20th, 1777.

Sir,

I had the honor of receiving your Excellency's letter of the 18th this day. Upon trial, I hope the difficulties will not be found so great as your Excellency seems to imagine.

When I had the honor of conversing with your Excellency, I mentioned, that the admission of our cruisers into his Majesty's ports to supply themselves with necessaries, careen, and sell their prizes in a secret manner, would be attended with great advantages. It is the only method of establishing a commerce, at present, from America hither, in the commodities and vessels of the States; for the privateers take in a light cargo from America, which they bring to the ports where they are permitted; this they exchange for necessary supplies, and then make a cruise, by the profits of which they are enabled to purchase a cargo of such manufactures as are wanted in America, with which they return.

If I had his Majesty's permission to signify, that our cruisers would be received in his ports upon this footing, as they are in the south, I can have no doubt but that this species of commerce would soon take place; and most assuredly, the advantages of it to those ports, and consequently to his Majesty's kingdom, would be very considerable. Without such permission, our cruisers will be obliged to send the prizes they make in the northern seas to the south, or directly to America, and will have no means of commerce or communication with his Majesty's dominions.

In about two days I purpose quitting Berlin on my return, before which I hope to hear from your Excellency on this important subject.

I have the honor to be, &c.

ARTHUR LEE.

BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, June 26th, 1777.

Sir,

After having testified to you, in my letter of the 18th instant, the inclination we have to establish a direct commerce with the Colonies of North America, provided we can succeed in surmounting the difficulties which are in the way, it only remains for me to answer you respecting the free admission of your privateers into our ports, of which you wrote me in your letter of the 20th. I can assure you, Sir, that the king is very much disposed to please your constituents; but, on the other hand, his Majesty in the present circumstances, as you well know, cannot embroil himself with the Court of London. Moreover, our ports have ever hitherto received only merchant vessels, and no ships of war nor privateers have ever entered there, so that the officers established in our ports would be embarrassed how to conduct themselves on such an occasion, the usages customarily observed in this respect being totally unknown to them.

We must therefore inform ourselves, in what manner the Courts of France and Spain act, and of the formalities they observe towards your privateers, and how they grant free admission to the latter, consistent with the connexions of friendship, which they at the same time support with Great Britain. The result of this information will decide whether, and on what conditions, the desired permission can be granted, and it will afford me pleasure, Sir, to inform you as soon as possible of the measures his Majesty shall think proper to adopt.

I have the honor of being, &c.

BARON DE SCHULENBURG.

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TO THE COMMISSIONERS IN PARIS.

Berlin, June 28th, 1777.

Dear Sirs,

I have not yet received a line from you. It is not easy to divine the reason for so long a silence.

There are for sale here, and deliverable in any port in France, fourteen thousand weight of brass cannon, at six guineas the quintal, and six thousand to be melted down at five guineas and a half. They are six, twelve, and twentyfour pounders. The expense of freight and insurance to Nantes or elsewhere will be added to this price.

Two days ago, while I was at dinner, my bureau was broken open, and some papers stolen out, which were in my *porte-feuille*. The English Ambassador happened to be in the hotel where I lodge, when I discovered the robbery. Upon being informed that I was gone to the Governor, and that the suspicion fell upon one of his servants, he went away in great confusion, and in half an hour the *porte-feuille* with all the papers were laid down at the door, and the person ran off undiscovered. The examinations that have been taken charge his servant with having repeatedly told the servants of the hotel, that his master would give two thousand ducats for my papers. The landlord, who charged his servant with it before him, deposes, that he said he would send the servant to answer for himself, but the servant never appeared. Prince Colberg, who was also present, deposes, that he immediately quitted the room in the greatest confusion. The whole is before the king. The return of the papers, (those which he particularly wanted not having been left in the bureau,) disappointed him of his object, while the whole odium rests upon him.

I shall leave this on Thursday next, and expect to be at Strasburg in twelve days from thence, so that a letter will meet me there by return of post.

I am, with the greatest esteem, &c.

ARTHUR LEE.

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TO THE KING OF PRUSSIA.

Translation.

Berlin, June 29th, 1777.

Sire,

The singular wisdom, by which your Majesty has raised your kingdom to so flourishing a state, the wise measures, which have carried the prosperity of your dominions to a truly astonishing degree, do not prevent me from being so bold, as to say to your Majesty, that there are yet means of increasing the number and the wealth of your subjects.

Nothing is more true, than that the wealth of kings depends upon the number of their subjects. Ancient and modern history will show, without an exception, that commerce is the mother of population. There is no need of citing proofs of this to the most learned king that ever lived. Such is the fact, and the reason is plain. It is then reasonable to say, that the king, who is desirous of increasing as much as is possible the number of his subjects, should establish and encourage commerce in his dominions.

Your Majesty's dominions are admirably situated for commerce. Three large rivers, which run

through them, must furnish the greatest facilities for it. What then is wanting? Merely an object sufficiently distant to form sailors, and sufficiently extensive to establish and support trade. Such an object is America; and the unexpected events, which have made the trade of that country free, afford inducements for it. The monopoly of this trade, which, in the opinion of that great and wise man, Mr Pitt, supported the power of England, no longer exists, and, without a miracle, will never exist again. The nations that shall endeavor to obtain a part of it for themselves, by furnishing to a young and grateful people the means of resisting their oppressors, will be very successful. But those, who wish to await in tranquillity the event of this war, ought not to expect to turn trade from the course, in which custom and gratitude, before that time, will have fixed it. The present, therefore, is the proper time for those to begin, who wish to enjoy for the future the commerce of America.

But there are obstacles to this trade; for, in the first place, you have no vessels of war to cause your flag to be respected. But, Sire, you have the best regiments in the world; and Great Britain, destitute as she is of wise counsels, is not, however, so foolish as to incur the risk of compelling your Majesty to join your formidable forces to those of her rival. Besides, such is the present weakness of England, so pressed and exhausted is she by the war with America, that she is obliged to blind herself to still harder things, which are carried on immediately before her eyes.

Secondly. It is not practicable to have at the same time an army so numerous as that of your Majesty, and a respectable fleet, since the latter would require too many men, and destroy the country. This reasoning would be sound, if population were diminished by commerce. But the contrary is the fact. In place of diminishing, it increases it. Thus the most commercial countries are always the most populous. Population is always proportioned to the means of living. Commerce, by increasing these means, increases the population. Instead therefore of increasing the consequences of a numerous army, commerce is their most certain remedy.

Thirdly. Sailors are wanting for the enterprise. It is the enterprise itself that must form sailors. A handful of experienced sailors are enough to encourage others; and the matter once put in a good train will go on successfully by itself. If your Majesty's ports were open for the entrance of our armed vessels, if they could there deliver their cargo, refit, and sell their prizes secretly, then the instructions and the encouragement, which they would give to your sailors, and particularly if some of them were allowed to make a voyage in our vessels, would in a short time form sailors of your own subjects, and would draw a number of them from other countries into your ports, by the desire of going on a cruise to America.

But it may be said, this would be taking an active part in the affair, and deciding for the independence of America.

Not more than it is already decided by the fact, nor more than is authorised by the laws of nations, founded on the just interests and the wants of a State. The fact is, that we have the sword in our hand and that we are making war openly. Are there more convincing proofs of actual independence? We are in the possession of the country, the articles of commerce are the produce of our labors, and belong to us. They are ours by right and in fact, and it belongs to us alone to dispose of them. Is it necessary then, that other nations should wait and suffer the most pressing want, while the English are using their utmost exertions to ruin us, and to wrest from us our property in order to sell it to them? Or can they not go there, buy the commodities of which they are in want, and with which the English can no longer furnish them, without violating the character of neutral nations? It is not difficult to say which is most agreeable to reason, and consequently to the rights of nations. Neutral nations, in carrying on this trade, decide as to the fact, and not as to the right. This is the distinction which the laws of England make; since the English are allowed to obey the actual, or *de facto* power, although it should not be so by right, or *de jure*. Besides, the English acknowledged the Duke of Braganza as king of Portugal, and received his Ambassadors, in the year 1641, for this reason, that he had been called to the crown by the unanimous consent of the people. Congress is established on the same foundation. The assemblies of the States choose the members of Congress, and empower them annually; and these assemblies are chosen by the whole people. Can there be a consent more unanimous, or more maturely given? Will your Majesty allow me here to adduce some authorities on this subject?

Charles, Duke of Sudermania, having been crowned king of Sweden at the commencement of the 17th century, sent James Vandyck into France, and offered to Henry the Great the renewal of the treaties and alliances, which had before been made between these two powers. Vandyck showed, that the advantages which France would derive from the commerce of Sweden would be so considerable, that the king listened to the proposals of this Minister, and was desirous to conclude a treaty with him. There was nothing to prevent him from doing it, except that the action of Charles, who had usurped the crown from Sigismond, his nephew, after the latter had been chosen king of Poland, was the more odious, as the pretext of religion was the cause of the revolution. It was also taken into consideration in France, that the king of Denmark, who was no friend to Charles, might form an alliance against him with his brother in law the king of England. But notwithstanding all this, M. de Villeroy, in writing to Jeannin, April 8th, 1608, speaks plainly, and says; "All these reasons and considerations would not prevent the king from making a treaty with Charles, if he should find it for his interest, and that of his kingdom to do so."—*Wickfort*, p. 26. The example of Henry the Great is worthy of a prince, who has no less claim to this title.

Vatel, in examining the same question, says; "Foreign powers conform in this case to the possession, if the advantage of their own affairs incites them to do so. There is no rule more certain, more conformable to the right of the people, and to the independence of nations. Since foreigners have no right to concern themselves with the domestic affairs of a people, they are not

obliged to examine and to search into their conduct in these same affairs, in order to determine the justice or injustice; of it; they can, if they think proper, suppose that the right is annexed to the possession."

The advantages, which your Majesty's dominions would derive from the commerce of America, cannot but be very great. It would be a new market, and one always increasing with the rapid increase of population in America, for woollen and linen cloths, porcelain, and all sorts of manufactures in iron. The returns would be in tobacco, indigo, linseed, cotton, and peltry.

It is true, that these advantages will be very much diminished by the ravages of the English and their mercenaries, if we are to contend alone against their whole force, with the immense difficulty of obtaining from Europe arms and ammunition, after a thousand evasions, great risk, and loss of time. It is for your Majesty, in conjunction with some other European powers, to put a stop to these ravages by a commercial alliance with the United States.

There is no name so highly respected among us as that of your Majesty. Hence there is no king, the declaration of whose friendship would inspire our people with so much courage, and add so much force to our cause.

I rely on your Majesty's goodness to pardon me for entering into this long detail, and for suggesting thoughts so unworthy of your attention, and so badly expressed in a language which I have but cursorily learnt.<sup>[18]</sup> But I prefer writing incorrectly, to communicating to any one what I have the honor of offering to the consideration of your Majesty.

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

ARTHUR LEE.

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TO THE KING OF PRUSSIA.

Berlin, July 1st, 1777.

Sire,

Having been robbed in your city of Berlin, in a most extraordinary manner, I have thus far relied on the common police. But as it seemed very probable, that the individual who committed this robbery cannot be prosecuted by the common police, I am obliged to disturb your Majesty's quiet, and to request that an audience may be granted to me, in order to make my complaint, and to say some things thereupon, which it is impossible to commit to paper, or to confide to any one but your Majesty.

I am, Sire, &c.

ARTHUR LEE.

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THE KING OF PRUSSIA TO ARTHUR LEE.

Translation.

Potsdam, July 2d, 1777.

The King having received Mr Lee's letter, dated Berlin, 1st July, and his complaint of the robbery that has been committed, is pleased to return him for answer, that his Majesty has just ordered his Minister of State, Baron de Schulenburg, to hear what he has further to offer on the subject; that for this purpose Mr Lee may communicate to the said Minister without reserve every thing he may wish to inform his Majesty of, who assures him through the present letter, that an inviolable secrecy and profound silence shall be observed, respecting the overtures he may think proper to make through this channel.

FREDERIC.

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TO THE COMMISSIONERS IN PARIS.

Berlin, July 6th, 1777.

Gentlemen,

I informed you in my last of the 28th, of my having been robbed of my papers and having retrieved them in a few hours. Whether they were read I cannot ascertain, but I think they would never have returned them had they known their contents. My journal book, which was among them, contains all our transactions in France and Spain. You will therefore judge whether it be proper to guard those Courts against any complaints from England. As they have returned the evidence of what they will allege, it may well be treated as a forgery.

I have just learnt, that the Envoy has despatched his Secretary to London, but whether to guard against the storm, which he expects his indiscretion will excite from hence, or to give the intelligence he obtained, or both, I know not. I have thought it prudent to wait here some days, to see whether the ill humor he has excited will furnish a favorable opportunity of obtaining something, but I shall leave this place next week, unless something from you should stop me; hitherto I have not been favored with a single line. I see in the English papers, that cruisers are sent to the Baltic, which I am afraid are against Wickes. Perhaps you will think it proper to change the name of Boux's ship, to embarrass their complaints to the States, should they make any. I enclose you the price of several articles we want, and which seem to be cheaper here than

## TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, July 29th, 1777.

Gentlemen,

I had the honor of informing the Committee of my proceedings at Berlin, in a letter from thence dated 11th of the last month. On my first interview with his Excellency, the Baron de Schulenburg, he informed me that upon receiving information of my intending to come to Berlin, he had written to signify the king's resolution not to receive me as a public Minister, but that he should be glad to receive any information relative to the proposal of carrying on trade with us. I urged the example of civil wars both in England and Holland, during which public Ministers were received from them by neutral powers, without its being deemed as an infringement of their neutrality, with many other similar instances of great authority. He answered, that his Majesty had pledged his honor to the king of Great Britain, not to interfere in this dispute; he therefore wished I would confine myself entirely to the subject of trade, as he could not hear any further propositions.

As I had not been expressly commissioned by Congress to the Court of Berlin, I thought it not prudent to insist upon this point; I therefore gave him what lights I could touching the proper articles of commerce, the best ports in America, and the safest means of conducting the trade. I trusted, that I should find an opening for going further upon better acquaintance and opportunity; accordingly I ventured in a little time to propose the opening of their ports to our cruisers, and allowing the sale of prizes. I was assured in answer to this proposition, that they would inquire upon what footing this was done in France and Spain, and inform me whether the same would be admitted in their ports.

Whilst I was at dinner one day, some person contrived to get into my chamber, which was locked, and break open my desk, from whence he took all my papers. I soon discovered the robbery, and alarmed the police. The English Envoy, who happened to be on a visit in the hotel when the alarm was given, immediately went home, and in a few minutes the papers were all returned, apparently unopened. The Envoy went to the king next day to excuse himself, but was not admitted. It appeared upon examination, that his servant had frequently offered a large sum to the servants of the house if they would steal my papers; but as I never went out of my room, upon the most trifling occasion, without locking them up, they were obliged to have recourse to violence. The resentment of every one at so outrageous an act was soon lost in contempt of the Envoy's folly, for returning what he had incurred so much odium in acquiring. The Minister of State told me, they could do nothing more than to insist upon his recall, which he imagined the Envoy, considering the unfavorable light in which this action had placed him, would do himself.

I thought this a favorable opportunity of pressing for aid from the King, in artillery, arms, and money, of which I was well informed he had a considerable sum in his treasury; but I could obtain nothing but assurances of his desire to serve us if it were in his power. Upon taking leave, the Baron de Schulenburg delivered me a message from his Majesty, desiring me to assure my constituents that nothing would give him more pleasure, than to hear of their success, and that he wished whatever good news I received might be communicated to him. I did not omit to press his interposition relative to German and Russian auxiliaries. In answer to this, the Minister assured me, that we had no reason to apprehend any thing either from one or the other in future. What I have collected from various sources upon the subject is this. The German princes who have hired their troops, besides having rendered themselves exceedingly odious, have suffered greatly, and are still suffering, by the emigrations of their subjects, for fear of being forced into this service, which is excessively unpopular and odious through all Germany; under these circumstances, those princes are neither much inclined nor at all able to furnish new supplies; the troops already sent were their utmost exertions, and in all probability will be their last.

The situation of the Empress of Russia is not more favorable; she is under a constant alarm for the internal quiet of her kingdom, in which there are every where the seeds of great and dangerous discontent. A considerable force is required to preserve the acquisitions she has made in Poland. The peace with the Porte is an armed truce, which threatens to break out into action every moment. The first and most sacred principle of the Mahometan religion is the union of all Mussulmans; the dividing the Crimea from them is for this reason a mortal wound to their religious principles, and renders the late peace universally odious. Perpetual obstacles are therefore raised to the execution of it; and the Turks are openly preparing to avenge their late defeats. So circumstanced, it is certain the Empress is herself in great need of assistance, instead of being in a condition to give it; which, were she able, it is conceived she would never stoop to do as a *subsidiary* of Great Britain in such a contest, and in such company as the little German princes. What is further security against their future efforts, is the deficiency of funds on the part of our enemies. I found their credit in Germany had been at no time lower than it is now. We have good intelligence from Holland of its falling there apace. In England men ruminate every day more deeply on the dark and ruinous prospect before them, and most assuredly their credit there is already stretched to its utmost. All this may be well conceived, from the light in which the contest has been always viewed. In England it was regarded as *unwise*; in every part of Europe as *unwise and unjust*. Nothing but the most brilliant and immediate success could have prevented the consequence of these opinions. That has not happened, and therefore they now begin to

experience the bitter effects of their folly and injustice. Every day confirms me more and more in the opinion, that our enemies cannot continue the war another campaign with any effect, and that the acknowledgment of your independency will be a serious subject of deliberation among the powers of Europe the ensuing winter.

Yours, &c.

ARTHUR LEE.

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TO M. GERARD, SECRETARY TO COUNT DE VERGENNES.

Paris, August 1st, 1777.

Sir,

Understanding that his Excellency Count de Vergennes was in Paris, I took that opportunity of endeavoring to pay my respects to him, without the parade of coming to Versailles, which, in the present state of things, may be troublesome. But if his Excellency has any desire to know what I transacted at Berlin, I shall receive his commands to attend him at Versailles with pleasure. My instructions having been to do nothing there, that might be disagreeable to this Court, I have endeavored to follow them precisely.

I beg, Sir, you will accept personally my respects, and I have the honor to be, &c.

ARTHUR LEE.

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COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.

Philadelphia, August 8th, 1777.

Sir,

We have to acknowledge yours of March 18th from Vitoria in Spain, and another of May 13th from Paris. The first falls particularly under the notice of the Committee of Commerce to whom it has been referred.

You could not, at the time of writing it, have been certified of the arrival of some interesting despatches from Congress to your colleagues in France on the 10th of that month, which might have occasioned a very considerable alteration in the politics of the Court of Versailles, which would consequently influence those of the Court of Madrid.

The intelligence contained in your last is a most pleasing confirmation of the hopes, which you had given us of pecuniary aid from Spain. Whatever tends to establish the value of our paper currency is most highly important to us. Congress will immediately go into a consideration of the several hints for this purpose given by you and Messrs Franklin and Deane. The unpleasing events in the northern department have so far engaged the attention of all public bodies, that it has been impossible for Congress to decide upon the subjects mentioned to them by you, early enough for us to forward their determinations by the present opportunity.

By our several letters despatched in the armed sloop Independence from hence, or by duplicates and gazettes sent by Mr M'Creary from Baltimore, you will know by way of Paris the history of our military affairs in a regular detail. We are at this time altogether uncertain as to Mr Howe's destination, his fleet not having been seen since the 1st of this month. Indeed, we shall leave you for the most part to get information of our operations from the gentlemen at Paris, to whom we shall have the most direct opportunities of conveyance.

We wish you success on the embassy you are now engaged in; and we are pleased that you are so agreeably connected with Mr Sayre, whose attachment to the cause of liberty and this country has been manifested.

We are, with much regard, Sir, your friends and humble servants,

BENJAMIN HARRISON,  
ROBERT MORRIS,  
JAMES LOVELL.

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TO THE BARON DE SCHULENBURG.

Paris, August 13th, 1777.

Sir,

Upon inquiry I find the plan for establishing assurance companies at Rouen, Nantes, and Bordeaux is not yet carried into execution, and that it respects French subjects only. At Cadiz they confine themselves to forty thousand livres in one bottom.

I am satisfied, Sir, upon the maturest reflection and consultation with my brother Commissioners, that the opening of your ports to our cruisers is the only way of commencing a commerce with effect.

Some management, which this Court thinks necessary to use with that of England, has thrown a temporary difficulty on the admission of our cruisers and prizes into the ports of France. The great profit made by privateering is an irresistible temptation to seamen, which, together with the greater demand for our navy, will render it impossible for merchant vessels to find hands to

navigate them.

We have received no direct intelligence from America for two months. The English Court conceal what they receive. This however is certain, that General Howe, unable to make his way to Philadelphia through the Jerseys, has embarked his troops for some other expedition. As far, therefore, as we can judge, the campaign is not likely to be quite so brilliant as was expected.

I have the honor to be, &c.

ARTHUR LEE.

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TO JAMES GARDOQUI, AT MADRID.

Paris, August 18th, 1777.

Sir,

My return from Berlin gives me an opportunity of renewing our correspondence. By what I learn from Dr Franklin, our affairs with you have taken a sudden turn, for which I am at a loss to account. If the reason be not a secret of State, that may not be communicated, you will oblige me much by letting me know it. Perhaps it may be founded on some misapprehension, which on being made known may be removed.

I was in great hopes of succeeding in my endeavors to procure the admission of our armed vessels into some northern ports, but the late manœuvres of this Court I am apprehensive will prevent it. We should by that means have relieved our southern friends from part of the burthen, which has hitherto rested on them alone, and turned both the observation and the complaints of Great Britain into another channel.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO MR GRAND.

Translation.

August 21st, 1777.

Sir,

Your idea has been thought a just one, but as it cannot as yet operate effectually, it is conceived best to reserve the execution of it until such time as will produce more desirable sensations.

The news from Holland, that certain persons of distinction are sent to America, is not confirmed from any quarter. The news from London made no mention of it. There is no doubt but that England is desirous of peace. The Minister himself wishes it, but I do not imagine that it is upon the same conditions as America. Your friends are neither just nor reasonable, if they complain of the bounds that it is necessary to set to the enterprises of their privateers. They have been informed of what can be granted to them, they have been entreated to conform to our obligations. We have exerted a patience, which they had no right to expect; but when matters are carried to excess, it is necessary to convince them that we are not insensible of it. We cannot allow the privateers of any nation whatever to come in and go out of our ports as they would their own. This is a duty imposed on us by treaties. Neither can we permit the sale of prizes. In every other respect we have shown the greatest compliance; we have even gone further than was reasonably to be expected.

It has been with the greatest regret, that some severity has been shown in a few instances, although the occasions have been many. Moreover, if I am written to on the subject, and in a suitable manner, I will give an answer; but as to what you say respecting the disposition of your friends, I perceive that sentiments of friendship have not made a deep impression on them. M. de Chaumont has informed us of their intention of selling their privateers here. Should they prefer to go away with them, let them explain themselves. I will willingly endeavor to obtain immediate permission for them, on positive condition that they will not return again. With regard to Hodge, you well know what he promised; I know not whether such tricks are allowed in America, but in France and Europe it is a very serious fault to tell the king a falsehood, which he did when he affirmed and gave security, that the vessel which sailed from Dunkirk was not designed as a privateer.

DE VERGENNES.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 9th, 1777.

Gentlemen,

I have not heard from Berlin, relative to their determination about opening their ports to our cruisers.

The Abbé Raynal, who is just returned from a tour in England, tells me that nothing disgusts the English nation so much with the continuance of the war, as the seeing their ports filled with French ships, to carry on their commerce with other nations. Their merchants are obliged to have

recourse to this expedient to screen their merchandise. I say screen, because they cannot expect, that according to the law of nations, it will be a protection when discovered. They have been driven to this necessity by the number and success of your cruisers in and about the Channel; which has raised insurance so high, that their manufactures are in danger of being augmented thereby in their price too much for the European markets.

I thought it would be useful to inform you of these facts, to show the utility of continuing and encouraging cruisers in these seas, as they may perhaps be so discouraged with the late measures in this country, which I trust will not be of long continuance, as to confine their course to the American seas.

I have the honor to be, &c.

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Paris, September 21st, 1777.

Sir,

I have the honor of enclosing to you some reasons drawn up by Doctor Franklin, for our conceiving that loans to us are more eligible on the part of the lender, than to our enemies.

Your Excellency's determination, relative to the admittance of our armed vessels into your ports, has been waited for with great anxiety; for the most favorable season for commencing such a commerce comes on so fast, that there will be danger of its passing away unemployed, should the determination be longer delayed.

I have the honor to be, &c.

ARTHUR LEE.

---

TO JAMES GARDOQUI AT MADRID.

Paris, September 25th, 1777.

Sir,

I have now before me your favors of May 5th and 29th, together with the last, of the 4th of this month.

By this time I expect you have been apprized, or upon applying to those who gave you the orders you will be informed, that with regard to what has been remitted, both in money and effects, no return is expected, agreeably to what you know passed at Vitoria, and of which I informed both your Minister and my constituents in the letters, which I had the honor of reading to you at that place. It gives me great satisfaction, that every thing is thus arranged and settled; and I am relieved from the embarrassment of appearing to have understood so ill what passed, or so greatly to have misrepresented it.

We are now to begin on a new footing, and I shall take care that my constituents be duly informed, that for all the aids they receive hereafter from your quarter; they are to make returns in tobacco, pitch, tar, &c. to your house, agreeably to your letter. I beg to know by your next, whether the same arrangement is to take place for the future with regard to the deposits at the Havanna and New Orleans, or whether nothing further is to be transmitted through those channels, that if so, the trouble of sending thither and the disappointment may be prevented.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, October 6th, 1777.

Gentlemen,

From Berlin, on the 11th of June, and from this place, 29th of July, I had the honor of informing you at large of my proceedings in Prussia. Not having received an answer from that Court, relative to the reception of our privateers and their prizes in Prussian ports, I have written lately to press for one, which I hope will be favorable, as I left so friendly a disposition there, that I was desired to communicate his Majesty's warmest wishes for our success. I mentioned too the improbability of our enemy's receiving assistance from Russia for the next campaign, and how much their resources were exhausted in Germany.

By Captain Young I received the commands of Congress, in their commission for me to the Court of Spain. As Dr Franklin had announced his appointment, with an assurance of his readiness to repair to Madrid, as soon as that Court thought proper to receive him, it seemed unnecessary to apprise them immediately of the new appointment. During my absence in Germany, a letter was received from Monsieur Gardoqui at Bilboa, intimating an expectation of returns from you, for what was transmitted to you through their house. But upon application to his Court I am again authorised to assure you, that for the supplies already sent no return was expected, but in future, that remittances of American produce were expected for supplies through the house of Gardoqui. It is impracticable to bring them to such an explanation, as to

know with certainty whether they mean this in earnest, or only as a cover, should the transaction transpire; I am inclined to think the latter; however, I wrote to M. Gardoqui in consequence, as follows. "We are now to begin on a new footing, and I shall take care that my constituents be informed, that for all the aids they receive hereafter from your quarter, they are to make returns in tobacco, pitch, tar, &c. to your house. I beg to know by your next, whether the same arrangement is to take place for the future with regard to the deposits at the Havanna and New Orleans, or whether nothing further is to be transmitted through those channels; that if so, the trouble of sending thither and the disappointment may be prevented. As the winter campaign is approaching fast, in which blankets are of the greatest utility, I wish you to send as many of them as possible."

Upon this subject of returns, I think it my duty to state to you some facts relative to the demands of this kind from Hortalez. The gentleman, who uses this name,<sup>[19]</sup> came to me about a year and a half ago in London, as an agent from this Court, and wishing to communicate something to Congress. At our first interview he informed me, that the Court of France wished to send an aid to America of £200,000 sterling in specie, arms, and ammunition, and that all they wanted was to know through which island it was best to make the remittance, and that Congress should be apprized of it. We settled the Cape as the place, and he urged me by no means to omit giving the earliest intelligence of it, with information, that it would be remitted in the name of Hortalez. At our next meeting he desired me to request, that a small quantity of tobacco, or some other production, might be sent to the Cape, to give it the air of a mercantile transaction, repeating over and over again, that it was for a cover only, and not for payment, as the remittance was gratuitous. Of all this I informed Dr Franklin, Chairman of the Committee, by sundry opportunities. At the same time, I stated to Monsieur Hortalez, that if his Court would despatch eight or ten ships of the line to our aid, it would enable us to destroy all the British fleet, and decide the question at one stroke. I repeated this to him in a letter after his return to Paris, to which the answer was, that there was not spirit enough in his Court for such an exertion, but that he was hastening the promised succors. Upon Mr Deane's arrival the business went into his hands, and the aids were at length embarked in the Amphitrite, Mercure, and Seine. The Minister has repeatedly assured us, and that in the most explicit terms, that no return is expected for these subsidies.<sup>[20]</sup>

I have the honor to be, &c.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, October 8th, 1777.

Sir,

I should not have deferred thus long answering the two letters, which you did me the honor to write me the 13th of August and 21st of September last, if I could have announced anything favorable to your wishes. But the King, notwithstanding his good inclinations towards your nation, not judging it suitable to grant to your privateers a free commerce with his ports, at a time when even France, notwithstanding the considerable benefits she begins to derive from the trade with America, has thought proper to pay a deference to the representations of the English Ministers, I imagined, that you would have inferred from my silence, Sir, that what I had to say would not correspond with your views. We must wait for more favorable circumstances to begin a commercial connexion between the two people, which his Majesty will receive great pleasure in seeing increase, whenever it will not engage him in measures contrary to his principles. In the mean time, Sir, I shall always be very happy in receiving any information from you concerning the situation of your affairs.

I am under many obligations to you, Sir, for the Memorial which you were so kind as to send me. I find it very well written, and it will no doubt make a proper impression in those countries, where it is an object of speculation to put out money with foreign nations.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO BARON DE SCHULENBURG.

Paris, October 23d, 1777.

Sir,

I had the honor of receiving your favor of the 8th a few days since. I cannot express my regret at not having been able to form a connexion between those, whom I represent, and a monarch whom I know my countrymen respect as the first in Europe, for wisdom and valor. Any instance of friendship and approbation from a prince so respected, would have added lustre even to the illustrious cause in which we are contending.

On a subject of such dignity, I should have been happy to see his Majesty give, not receive, an example from the rest of Europe. It is not fit that the timid should lead the brave, or the weak direct the wise. Satisfied, as I am, of his Majesty's good disposition towards the United States, I trust the motives which oppose a declaration of it will not outlast a conviction, that our enemies

cannot with all their exertions wrest from us the sword, the possession of which is the most substantial proof of independency.

In the meantime, I cannot help so far presuming upon his Majesty's graciousness, and your Excellency's goodness, as to hope that you will enable me to inform my constituents, if there is any likelihood of our enemies drawing recruits or reinforcements from Germany, Russia, or Denmark for the next campaign. It is to that we must now look, the present not promising anything decisive, and the malignity of our enemies urging them to continue injuring us, though at the hazard of their own ruin. If your Excellency, therefore, will have the goodness to inform me whether we have anything, and what, to fear from those quarters, it will be remembered with the greatest gratitude. At the same time, give me leave to hope, that his Majesty will use his influence to prevent the success of their applications on this subject.

With respect to France having yielded to the representations of the English Ambassador, the fact is, that she adheres to her treaties with England, which admit not our armed vessels to stay in her ports, except in case of necessity, where reparations are requisite and indispensable. And as it is both the interest and inclination of our cruisers to keep the sea as long as they are able, the acting consistent with their treaties is sufficient for us. We meant to ask no more of his Prussian Majesty; nor that the sale of prizes should be openly practised, so as to give just cause of complaint.

Two packets have arrived here without their despatches, having been obliged to throw them overboard by being closely pursued. We are, therefore, without any late authentic intelligence; the immediate communication of any such as reaches us your Excellency may rely upon.

I have the honor to be, &c.

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Paris, November 13th, 1777.

Sir,

Since I had the honor of answering your Excellency's favor of the 8th of October, a commission has been received, appointing William Lee Commissioner of Congress to the Court of Berlin, with powers to negotiate a treaty of amity and commerce with the king of Prussia. The great knowledge of this gentleman in commerce will enable him to throw far more light on that object, than I was able to communicate.

I am persuaded, Sir, that with the assistance he can give, a happy foundation at least may be laid for effectuating his Majesty's wishes on that subject. At the same time, he will be better able to show the value and importance of that commerce to the subjects of his Majesty, and to the prosperity of his kingdom.

Your Excellency will have the goodness to communicate to us his Majesty's pleasure relative to this Commissioner's coming to Berlin, in which he will entirely conform himself to the King's sentiments.

The entire discomfiture of General Burgoyne, and the northern expedition, as well as the untruth of what was circulated about General Howe's success, with the sole view of diverting the public attention from the ill success of the Canadian armament, is now universally acknowledged in England. We have received no despatches on the subject. But from the place he is in, we are satisfied General Howe will meet with a manly opposition.

I have the honor to be, &c.

ARTHUR LEE.

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TO MESSRS GARDOQUI AND SONS  
AT BILBOA.

Paris, November 15th, 1777.

Gentlemen,

I have learnt from America, that there was a difficulty on the arrival of the supplies sent to America through your house, in knowing whether they were for Congress, or for Mr Gerry, to whom they were consigned. Possibly you explained that to Mr Gerry, and his absence might have occasioned the doubt. At all events, you will have the goodness in future to write so clearly as to prevent any mistake of that kind.

When any prize, made by any continental armed vessel in the service of the United States, is sent into Bilboa or the adjacent port, you have my authority to sell her to the best advantage, reserving half the proceeds for the Congress at my disposal, as their representative in Spain. The other half is the property of the captain and the crew.

I beg you will inform me, by return of post, what interest you give for money put into your hands. They give here at the rate of six per cent, on condition that it be not drawn out of their hands under one month's notice. If your terms are as good, I should prefer depositing what I have with you.

I have the honor to be, &c.

## TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, November 27th, 1777.

Gentlemen,

Since writing the enclosed, I received a letter from the king of Prussia's minister, informing me that his Majesty cannot at present open his ports to American armed vessels and the sale of their prizes, as he finds it is not permitted in France. I have apprized the minister of the late appointment by Congress to his Court, and do not think it improbable but that the king will in a little time be prevailed upon to wink at the above measure being executed, though he will not openly approve of it till an arrangement is made for acknowledging your independency. This will probably come under serious consideration before the winter ends, if General Howe should not be successful.

The last letter I received from the Prussian Minister contains the following paragraph.

*November 6.* "As to the reinforcement of troops, which Great Britain will receive from the other powers of Europe for the approaching campaign, I can assure you, Sir, that your nation has nothing to fear either from Russia or Denmark, and that even Germany will furnish only a few hundred men, whom the Duke of Brunswick, the Landgrave of Hesse, and the Margrave of Anspach, in conformity with their treaties, are obliged to send annually to recruit the troops, whom these princes maintain in America in the pay of England. It is with sincere satisfaction that I give you this consoling intelligence."

Our friends in Spain had been prevailed upon to renew the order for sending you supplies, but before anything was done, a suspension of it was occasioned by an American privateer making prize of a French ship coming from England with Spanish property on board. Proper measures have been taken to explain this proceeding, so as to appease the complaints it excited; and I have reason to hope, that we shall soon see the former good will towards us restored, with further proofs of its sincerity.

I have mentioned the little probability our enemies have of obtaining troops for another campaign. Nor will their difficulties be less in raising supplies. Their credit falls so fast in Europe, that unless the most brilliant and effectual success of this campaign should retrieve it by rendering the conquest of America probable, they cannot sustain another. *Stat magni nominis umbra* may almost now be said of Great Britain; and the decisive weight, a weight derived from her connexion with America in the balance of Europe which she has long held, will assuredly fail with the failure of this year's expectations.

It is with pleasure I inform you that the conduct of your Generals, and the bravery of your troops and seamen, have entirely effaced through Europe the unfavorable impressions made at first by the scandalous reports of our enemies. At the same time, there is a great desire to have authentic accounts from us, which unhappily we are not able to gratify, having received no despatches since the retreat of the British army from the Jerseys. I have imputed it to the chances of the sea and of war, and to the arduous attention of Congress to the arrangement and defence of a young government, pressed on all sides by a powerful enemy. The king of Prussia is particularly anxious on this subject, as you will judge by the following extract from his Minister's letter.

"The king has been surprised to learn by the letter, which you have done me the honor to write to me, that you have received no news from America, since the public papers are filled with different kinds of intelligence, especially respecting the entrance of General Howe into the Chesapeake Bay, and the check given to Burgoyne by General Arnold. As I am persuaded the king would take pleasure in the confirmation of this last intelligence, on account of the interest his Majesty takes in the events which are advantageous to your cause, I shall be greatly obliged to you if you will communicate to me the authentic details on this subject, as soon as they come to your hands, for it is extremely difficult to tell what degree of confidence is to be placed in relations, the greater part of which is dressed up and published by the spirit of party."

I enclose you the king of Great Britain's speech to his Parliament, with remarks on it by one who was present. My private letters say the Ministry are exceedingly dispirited. The following is a picture of the public, drawn by an able hand and in a high station. "This poor country is fallen into a state of lethargy, from which all efforts to rouse her are ineffectual. The single loss of Minorca drove the people of England almost to madness; now thirteen provinces dismembered from the British empire, scarcely excite a murmur except among the few who dare to love their country, even at this disgraceful period. The Parliamentary campaign will soon open, but nothing is to be expected. Corruption, like a Scotch mist, has spread over and pervades every thing." It is certain that France and Spain are arming with uncommon diligence and to a great extent. The States of Holland have ordered ten men of war as a convoy for their West India trade, and will not permit any interruption of it by our enemies.

Yet with these circumstances to oppose it, the impracticability of obtaining any adequate number of troops, the lowness of their credit, the probability of an European war, the carrying on of their commerce by the ships of their rivals, the impossibility of success, and I may add with certainty their own conviction of it, I am clear in my opinion that they will attempt another campaign, and that every man and every shilling they can procure will be devoted to the desolation of our country.

The privateer, which gave so much offence by taking a French ship, *La Fortune*, with Spanish property on board, is called the *Civil Usage*. Since that the Portsmouth privateer from Portsmouth, Captain Hart, has taken an English merchantman in the mouth of the Garonne. These captures have given great offence to the two Courts; to remove which we have promised to warn all American captains to desist from such conduct, till the pleasure of Congress is known. The following is a copy of the letter I have sent to the different ports of Spain for that purpose.

*To all Captains or Commanders of Ships of War, armed Vessels and Privateers from the United States of North America.*

Gentlemen,

Complaint having been made of violence done by American armed vessels to neutral nations, by seizing ships belonging to their subjects and under their colors, and in making captures of those of the enemy, when under the protection of neutral coasts, contrary to the usage and custom of nations; this is therefore to warn and request you not to commit any such violation of the law of nations, but (according to the powers given in your commission) to confine yourselves to the capture of the enemy's vessels, when not within sight of a neutral coast, and of all others whatsoever that shall be carrying soldiers, arms, ammunition, provisions, or other contraband goods, to any of the British armies or ships, employed against the United States. And that in other cases you will treat all neutral ships with the utmost kindness and friendship, for the honor, of your Country and of yourselves.<sup>[21]</sup>

There remains nothing for me to add at present, but to assure you, that I have neglected no opportunity of writing to you, and giving a full account of my proceedings in Spain and Prussia.

I have the honor to be, &c.

ARTHUR LEE.

*P. S. November 30th.* I have written to Spain for ten thousand blankets to be sent to you immediately, which order, as I have also remitted the money, will I hope be executed.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, November 28th, 1777.

Sir,

As to the commission of Mr William Lee, the King having repeatedly declared his sentiments respecting the actual difficulties attending a commercial connexion with America, notwithstanding his constant good disposition towards the Colonies, cannot possibly conjecture, as circumstances have not changed, what proposition Mr Lee can make more acceptable to his Majesty, nor consequently what can be the object of his mission.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO DR BERKENHOUT.<sup>[22]</sup>

Paris, December 3d, 1777.

Sir,

My last might serve as an answer to yours. We have powers to receive, but not to make overtures. *Voilà la difference*. We have as much dignity, and I hope more reason on our side. If they, therefore, stay for overtures from us, I promise you they will not receive them, till their faith can move our mountains. I hoped something from this negotiation, and therefore more willingly lent myself to it; but I now see too well their abundant pride and folly, to think the public will derive any advantage from it. They are determined to make us a great people, by continuing a contest which forces us to frugality, industry, and economy, and calls forth resources, which, without such necessity, would never have been cultivated. I have long thought, that if they intended us the benefits their conduct will bring us, we should owe them statues of gold. As you love me, do not fail endeavoring to learn to whom I am indebted for reporting the difference between Dr Franklin and me, which you mention. It concerns me infinitely to know it. Adieu.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 8th, 1777.

Gentlemen,

Since my last to you, I have seen your despatches of the 6th of October. The answer relative to

the Havana will be obtained as soon as possible; but I think such a connexion will in a short time take place between the two countries, as will put that matter out of all doubt.

I received yesterday a letter from the Messrs Gardoqui at Bilboa, containing the following passage.

“Our worthy friend, Elbridge Gerry, thinking that the goods shipped per Captain Hodges to his address were on his account, he wrote us that he would place the amount thereof to our credit; but as we have answered him, that this remittance, as well as the rest that followed through the same channel, were on account of Congress, and of consequence out of our power, as he will have seen by the sundry letters written to him since, we doubt not that he will of consequence conform thereto, and we assure you, that in future all possible means will be used to prevent mistakes of this kind.”

By a letter from Holland we are assured, that the king of Prussia has announced to the States his having refused a passage through his territories to German troops hired by Great Britain. The West India fleet from Amsterdam, &c. is to be convoyed by six men of war. I cannot be more explicit than to assure you, that the prospect of our enemies is as gloomy here as with you, and that I am not mistaken in what I formerly wrote you, that the confirming our independence would be matter of serious consideration among the powers of Europe this winter.

I have remitted Mons. Gardoqui money for ten thousand blankets, which he promises to send with all possible expedition.

I have the honor to be, &c.

ARTHUR LEE.

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THE COMMISSIONERS IN PARIS TO COUNT DE VERGENNES.

Paris, December 8th, 1777.

Sir,

The Commissioners from the Congress of the United States of North America, beg leave to represent to your Excellency, that it is near a year since they had the honor of putting into your hands the propositions of Congress for a treaty of amity and commerce with this kingdom, to which, with sundry other memorials, requesting the aid of ships of war and offering engagements to unite the forces of the said States with those of France and Spain, in acting against the dominions of Great Britain, and to make no peace but in conjunction with those Courts, if Great Britain should declare war against them; to all which they have received no determinate answer; and apprehending that a continuance of this state of uncertainty with regard to those propositions, together with the reports that must soon be spread in America of rigorous treatment met with in the ports of these kingdoms, may give advantage to our enemy in making ill impressions on the minds of our people, who, from the secrecy enjoined on us, cannot be informed of the friendly and essential aids that have been so generously, but privately afforded us; the Commissioners conceive, that, the present circumstances considered, the completing of such a treaty at this time must have the most happy effect, in raising the credit of the United States abroad, and strengthening their resolution at home, as well as discouraging and diminishing their internal enemies and confirming their friends who might otherwise waver. And the Commissioners are further of opinion, that the aid of ships desired might at this juncture be employed with great advantage to America, which when honored with a conference they can more particularly explain. They therefore request your Excellency most earnestly to resume the consideration of those affairs, and appoint them some speedy day of audience thereupon.

They pray also, that their grateful acknowledgments may be presented to the king, for the additional aid of three millions, which he has been graciously pleased to promise them; and that his Majesty may be assured whatever engagements they may enter into in behalf of the United States, in pursuance of the full powers they are vested with, will be executed with the most punctual good faith by the Congress, who, believing their interest to be the same, and that a sure increase of the commerce, wealth, and strength of France and Spain will be one consequence of their success in this contest, wish for nothing so much, after establishing their own liberty, as a firm and everlasting union with those nations.

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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TO COUNT D'ARANDA.

Paris, December 9th, 1777.

Sir,

I have the honor of enclosing to your Excellency a copy of a Memorial presented to his Excellency Count de Vergennes, by the Commissioners of Congress for this Court. The knowledge I have of the great veneration entertained by the United States for the king of Spain, and affection for the people, enables me to assure your Excellency, that nothing will give them greater joy than the happy conclusion of a firm and lasting treaty of amity and commerce between the two nations.

Permit me therefore to hope, that your Excellency will co-operate with the favorable

disposition of this Court, in bringing the treaty formerly proposed to a speedy conclusion.

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

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Paris, December 11th, 1777.

Sir,

I have the honor of enclosing to your Excellency a detail of the operations in the North, in addition to what I sent on the 4th. Since that time, I have been honored with yours of the 28th of November.

I have apprized my brother, the Commissioner, of his Majesty's pleasure. He desires me to say, that whenever the king thinks his coming to Berlin will be of any utility he hopes your Excellency will inform him of it. Till that time arrives, he would not wish to give trouble, or excite suspicions by coming, even in a private character. We have heard reports of his Majesty's gracious interposition, relative to the march of troops hired against us, which I hope are well founded.

I have the honor to be, &c.

ARTHUR LEE.

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THE COMMISSIONERS IN PARIS TO LORD NORTH.

Passy, December 12th, 1777.

My Lord,

From motives of duty and an earnest desire of mitigating the calamities of war, we proposed near a year since, to the king of Great Britain's Ambassador here, an exchange of prisoners in Europe. The answer we received must have been made known to your Lordship, and the world will judge of its decency. It would have been honorable for that noble lord, and happy for thousands who have since suffered unnecessarily, if he had considered that moderation is a mark of wisdom, and humanity an ornament to the highest station. These are the sentiments at least, which have governed the Congress and people of the United States. They have wished that this war, into which they entered with reluctance, might be distinguished by the humanity with which it was conducted; and that compassion might heal the wounds that were inflicted. The records of Congress, my lord, are filled with proofs of tender care and attention, not only to the wants, but to the comforts and accommodation of their prisoners.

We have wished in vain to find such instances in the acts of the British government, for unhappily all we have seen on this subject, is the public declaration of the governor and general, who was chosen to commence this war, that the American officer and soldier should be treated with equal indignity, and all devoted without distinction to the most ignominious fate, in terms too low for us to repeat. We have never heard of this proceeding having been censured by the government from which he derived his authority. Neither has the invitation to the Indian savages, at a public treaty, to drink the blood and feast upon the bodies of those, whom you called your subjects, been ever disavowed.

It is a universal complaint, that the practices of those in authority under you have been conformable to the principles of those public acts. Colonel Parker, a gentleman of rank, was thrown into a common jail in Boston, covered over with wounds, where he perished unpitied for want of the common comforts, which his situation and humanity required. Colonel Ethan Allen was dragged in chains from Canada to England, from England to Ireland, and from Ireland to Carolina, and from thence to New York, at a time when the officers taken from you in the same expedition were treated not only with lenity but with every possible indulgence. The barbarous treatment of Mr Lovell in Boston has no parallel. Of the prisoners made in Fort Washington, two thirds of them perished by the unexampled cruelty and rigors of their captivity. Even in England, the severities which the American prisoners suffer are, according to the testimony of every one we have seen, of the most grievous kind. Stripes have been inflicted on some to make them commit the deepest of all crimes, that of fighting against the liberties of their country. And numbers are now groaning in bondage in Africa and India, to which they are compelled by menaces of an immediate and ignominious death, as contrary to every rule of war among civilized nations, as to every dictate of humanity.

It is with the greatest regret we mention these cruelties. For the honor of humanity, we hope they will not be committed again. Your Lordship must know, that it is in the power of those we have the honor to represent, to make ample retaliation upon the numerous prisoners of all ranks in their possession; and we warn and beseech you not to render it their indispensable duty. Upwards of five hundred British seamen have been generously treated, set at liberty by our cruisers in those seas, and sent at the public expense to their country. We trust you will think yourselves bound to dismiss an equal number of seamen, taken in the service of the United States.

We also desire, that a person appointed by us may have permission to furnish the citizens of the United States, who are in your prisons, with the necessaries they may want from time to time; and that a general cartel may be immediately settled, by which the unfortunate on both sides may

be relieved as soon as possible from the miseries of imprisonment.

We must beg a speedy answer, that we may transmit Without delay the determination of your Court to our constituents.

We have the honor to be, with the highest respect, my Lord, your Lordship's obedient servants,

B. FRANKLIN,  
SILAS DEANE,  
ARTHUR LEE.

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TO LORD SHELBURNE.

Paris, December 14th, 1777.

My Lord,

I have the honor of enclosing to you a copy of a letter, transmitted at the same time to the First Lord of the Treasury. The honor of the nation, and the rights of humanity, are too much interested in the object of it, not to receive your Lordship's advocacy.

The enclosed papers contain the principal transactions between the northern armies. The burning of defenceless towns, and of every thing before him, as General Clinton has done, will probably draw upon him and his government the vengeance which such enormities deserve, in spite of all the efforts of Congress to prevent any hasty retaliation. The South Carolina Gazette mentions the arrival of an American captain, who had been taken by Captain Jarvis, and who mentions with the highest praise the generous and humane treatment he received from that officer. We have had from other prisoners accounts equally to his honor, which I am sure will give your Lordship pleasure. Captain Jarvis may be assured, that such conduct will command from us the praise and esteem, which are always due to a generous enemy.

The necessity, which has made us enemies for a time, and separated us forever from the same government, has not altered the esteem I felt for the good and wise in England. Among those, I hope your Lordship and your friends will accept an assurance of my respect and friendship. I condole most sincerely with the family at Combwood for the misfortune at New York.

I have the honor to be, with the greatest respect and esteem, your Lordship's humble servant and friend,

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, December 18th, 1777.

Sir,

A few days after the departure of my last of the 13th inst. in which I requested you to give me authentic intelligence concerning the progress of General Howe, of which the English Ambassador had received an account, I learned by the letter you did me the honor to write on the 4th of this month, that these advantages, far from being so considerable as they were thought to be, are more than balanced by the surrender of General Burgoyne, and by the liberty which the troops under Arnold will have of acting where they shall be most wanting, which may very much harass General Howe.

I am much pleased, Sir, with these favorable events, and as from the situation in which affairs were when your despatches were sent, other events of consequence are to be expected before the end of the campaign, or even during the winter, I hope you will continue to communicate, without delay, all the authentic advices you may receive.

The King, who always graciously receives the news you send me, and expresses his satisfaction when it is in your favor, has seen the passage of your brother's letter, and I can assure you, Sir, that his Majesty will not be the last power to acknowledge your independency; but you must feel yourself, that it is not natural that he should be the first, and that France, whose commercial and political interests are more immediately, connected with yours, should set the example.

I have the honor to be, with distinguished consideration, Sir, your very humble servant,

BARON DE SCHULENBURG.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 19th, 1777.

Gentlemen,

Our joint despatches will inform you of the forwardness in which things are here towards the desired conclusion. In three weeks we shall hear from Spain, and all will I hope be settled. The late intelligence from America has staggered and confounded our enemies, as much as it has elated and decided our friends. Should they at length resolve to continue in rage and despair

what they commenced in wickedness and folly, and venture upon a general war, by which they must be overwhelmed, their principal efforts will be pointed against us, unless your being in a respectable state of preparation should deter them. In that case they will probably confine themselves to a piratical coasting war, and preying upon our commerce. I have directed all the naval stores that are collected at Bilboa to be shipped forthwith, the moment the Court of Spain agrees to furnish the money. To accelerate this material supply, I proposed to my colleagues to remit the money from our funds here, but they did not think it advisable.

Should Congress want any person to serve them in a public character in Europe, I am authorised to say, that Edmund Jennings, now in London, will obey their commands. His abilities, attachment, and respectable character are well known. It has also fallen very particularly within my knowledge, that Mr Thomas Digges, of Maryland, has exerted himself with great assiduity and address, in gaining intelligence and doing other services in England.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, December 23d, 1777.

Sir,

I received the letter, which you did me the honor to write to me the 11th of this month, and I give you many thanks for the detail of operations in the north of America, which you were so kind as to add. I will not fail to acquaint Mr William Lee, as soon as the king shall judge that his arrival at Berlin can be of mutual utility, and I assure you, Sir, that the information which you have had, that his Majesty has refused a passage to the auxiliary troops of Germany destined for America, is strictly true.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 5th, 1778.

Gentlemen,

My despatches by Captain Young, and since by Mr Deane, Jr, will have informed you of whatever has happened worthy of your attention in the departments of Spain and Prussia. The latter is now resigned to the care of the Commissioner appointed to it, who will inform Congress (as he is instructed) of the assurance from Baron de Schulenburg, Secretary of State to the king of Prussia, that his master will not be the last to acknowledge your independency. This may show you the favorable disposition of that monarch, who I believe waits only for the example of this Court. That example, I trust, will not be long delayed.

I have received a complaint from St Sebastian, of the imprisonment of the sailors who carried in a prize made by an American privateer, and the seizure of the prize. This passed previous to the news of Burgoyne's surrender, and General Washington's having given battle to the British army. As this news has made a strong sensation in our favor, I am in hopes the representations I have made will not only relieve them, but prevent any violence of this kind in future.

It would seem, that the Court of Spain will not enter into any negotiation, till we have concluded the business here. But I shall hold myself ready to execute that duty, in obedience to the commands of Congress, the moment it is permitted. I expect every day to hear, that the blankets and stockings ordered from Bilboa are shipped.

I have this moment received the letter, of which I enclose an extract.<sup>[23]</sup> It proves the sincerity of those professions I had the honor of receiving from his Prussian Majesty, and as he is in great esteem with the Empress of Russia, I think we may be satisfied that he will use all his influence to prevent our enemies from succeeding in their solicitations with her.

There appears no reason to alter my opinion of the obstinacy with which our enemies are determined to pursue the war. Their ill success has produced a disinclination in the public to persevere, which gives them some alarm. I have secret and sure information, that in order to overcome this reluctance, by the hope of a speedy end to the war, they mean very soon to lay before Parliament a plan of accommodation. Under the delusion of this hope, they expect to pass easily over the inquiry into the state of the nation, and to have its force continued another year under their direction.

Mr Stevenson, who will have the honor of delivering you this, was a merchant in Bristol, whom I have long known to be zealously attached to the cause of his country.

The British Court are greatly alarmed about Canada, for the defence of which, they are informed eight thousand men at least are necessary. I hardly think it will be possible for them to procure anything like that number. The refusal of a passage by the king of Prussia will embarrass and impede their German supplies as stipulated; and I have good intelligence that it was done with the approbation of the Emperor, and that he will use his influence to prevent any future supplies.

I beg the favor of having my duty and respects recommended to Congress, and have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 15th, 1778.

Gentlemen,

I have the pleasure to inform you, that our friends in Spain have promised to supply us with three millions of livres in the course of this year. I should be happy that immediate and precise orders were sent from Congress for the appropriation of it; which will prevent it from being expended in a manner, perhaps, less useful than the purposes they may wish to fulfil.

My last advices from Bilboa assure me, that they are shipping the blankets and stockings I ordered. The enemy are raising men in England and Scotland with great industry; but their best stock (the 3 per cent consols) has fallen 7 per cent.

I have the honor to be, &c.

ARTHUR LEE.

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BARON DE SCHULENBURG TO ARTHUR LEE.

Translation.

Berlin, January 16th, 1778.

Sir,

In answer to the letter, which you did me the honor to write me the 28th of December last, I begin with remarking, that before this last, I have received two letters from you, viz. of the 4th and 11th of the same month; but as you say that you have written twice to me since the 4th of December, this expression may leave some doubt, whether the letter of the 4th is comprehended in these two or not; in the latter case, one of your letters must be lost. With respect to myself, Sir, since my letter of the 13th of December, the receipt of which you acknowledge, I have sent you two answers, dated the 18th and 23d of the same month, which, as I hope, have reached you. I address this, as you desire, to the care of Mr Grand, banker, Rue Montmartre, and to be certain in future, that none of our letters miscarry, I propose to you, Sir, to number yours as I shall do mine, beginning with the present.

Your reflections concerning the present state of American affairs are very just, and we can perceive that General Howe's situation must be very difficult and embarrassing. Time must discover how he will extricate himself, and whether he will choose and maintain his quarters with more prudence and good fortune than he did last year.

As the events of this war become daily more interesting, I must again request, Sir, that you will be kind enough to communicate to me regularly the advices you may receive. The king interests himself very much in them, and his Majesty wishes that your generous efforts may be crowned with success; and as I have already advised you, in my letter of the 18th of December, he will not hesitate to acknowledge your independence whenever France, which is more interested in the event of this contest, shall set the example. His Majesty would not, moreover, make the least difficulty in receiving your vessels into his ports, were it not that he has not a fleet to resent the affronts, which might be shown there to your ships; the port of Emden, however fine and secure it is, has not even a fort to defend it. He will not, therefore, expose himself to the disagreeable consequences.

As to the muskets and other arms of our manufacturing, you shall be at liberty, Sir, to purchase or to command them; and the Bankers, Spittgerber, contractors for the manufacture of arms, have received orders to deliver such as you may demand. I enclose you a memorandum of their prices, which are the same as the king pays, and I add, that the muskets for the infantry can be delivered at a lower price, if you will be content with the solidity of the work, without being so exact as to their similarity, as the king requires.

I have the honor to be, &c.

BARON DE SCHULENBURG.

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TO MESSRS FRANKLIN AND DEANE.

Challiot, January 30th, 1778.

Gentlemen,

More mature consideration, and fuller lights upon the subject have satisfied me, that I was wrong in receding from my opinion against the admissibility of the 12th article in the proposed commercial treaty. I should, therefore, think myself neglectful of the duty I owe the public, if I did not endeavor yet to prevent that measure before our signature has rendered it irrecoverable. And certainly nothing short of totally preventing the treaty from being concluded will prevail upon me to sign it, if that article is to stand.

What has thus confirmed me in my former sentiments is this. At the conclusion of M. Gerard's

observations upon what we proposed, he said they had no design to lay any duties upon their molasses, nor was it compatible with their policy. Dr Franklin informed me yesterday, that a substitute had been found in America for molasses, procurable from a substance which is the growth of the country, and of infinite plenty. A prohibition on the export of their molasses will effect every purpose, which we are providing against by restraining the imposition of duties.

From these considerations it seems clear to me, that molasses are not such an important object as was stated; that the demand is more likely to diminish than increase; that there is no sound reason for apprehending that without any restraint, duties will be imposed upon that article; that if there were the strongest reasons for that apprehension, the sacrifice proposed does not secure us from the evil it is intended to prevent.

If these arguments are not utterly fallacious, we are by the article proposed really tying both our hands with the expectation of binding one of their fingers. The principle, too, is, and the effect of this measure must be, the encouragement of commerce at the expense of agriculture, which, whatever temporary advantages it may give, will be permanently pernicious to the peace and real welfare of our country.

Nor is it an argument of little weight with me, that we are binding our constituents forever in a point on which they have not had an opportunity of giving their instructions, concerning which, how far it is within the limits of our power and our discretion, I am extremely doubtful. I would therefore propose to you, Gentlemen, that, upon the ground of the article not having been in the plan given for our guidance, and of doubts, which have arisen among ourselves about the approbation it might meet with, if it should be unrejected by the Court here, that we should propose that both the articles be left open to be rejected or admitted by Congress, without affecting their ratification of the rest of the treaty. This exception will, it seems to me, refer the decision to that arbitration, which ought to determine it, and free us from any possible imputation of having acted wrong or exceeded our powers.

I am willing, that whatever charge of levity may arise from this resuming the negotiation may be wholly visited on me. Though, indeed, as I think we are treating with gentlemen of sense and candor, I am under no apprehension, that they will view in any such light an anxiety to act with the utmost circumspection in a business of great moment and doubtful effect.

As this is a matter that admits of no delay, I must beg, Gentlemen, an immediate consideration of what I propose; and that you will do me the favor of apprizing me of your determination as soon as you have made it.<sup>[24]</sup>

I have the honor to be, &c.

ARTHUR LEE.

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MESSRS FRANKLIN AND DEANE TO ARTHUR LEE.

Passy, February 1st, 1778.

Sir,

We have maturely considered your letter of the 30th past, and though we cannot see the mischievous consequences of the 12th article which you apprehend, yet, conceiving that unanimity on this occasion is of importance, we have written to M. Gerard this morning, that we concur in desiring that article and the preceding to be omitted, agreeable to his first proposal.

We have the honor to be, &c.

B. FRANKLIN,  
SILAS DEANE.

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MESSRS FRANKLIN AND DEANE TO M. GERARD.

Passy, February 1st, 1778.

Sir,

Mr Lee having signified to us, that on further consideration he has changed his sentiments relating to the 12th article, and that he cannot join in signing the treaty if that article remains in, and as unanimity on this occasion is of some importance, and the articles 11th and 12th seem not perfectly consonant with the declared spirit of the treaty, which is to leave each party free in its regulations of commerce, we concur in requesting (if it can be done without occasioning delay) that these two articles be omitted, agreeable to your own first proposition.

We have the honor to be, &c.

B. FRANKLIN,  
SILAS DEANE.

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M. GERARD TO THE COMMISSIONERS.

Translation.

Versailles, February 2d, 1778.

Gentlemen,

I have acquainted his Majesty's Ministers with the fresh demand respecting the 11th and 12th articles of the Treaty of Commerce. The king having approved these two articles, agreeable to your unanimous wishes, they cannot be submitted to a new examination without inconvenience and considerable delay.

I am, therefore, charged to send you the French copies of the two treaties, that you may have them transcribed side by side with the English translation, and when this is done, I trust you will give me notice.

The only remark, which I have to offer, is on the 6th article of the Treaty of Alliance. It stands the same as when it was read, with the addition of the Bermudas, concerning which there was a question in our last conference. I have found another change in one of the sheets of observations, which have been sent to me. I should wish that the object of this addition should be treated in a conference. I have been charged to explain to you the reasons, which prevent the Ministers from agreeing to it, and I am ready to fulfil this object.

I have the honor to be, &c.

GERARD.

*P. S.* The translation of the two treaties appears to me well made, and I have no remarks to add in regard to it.

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TO BARON DE SCHULENBURG.

February 2d, 1778.

Sir,

I was honored with yours of the 16th of January some few days since, and have delayed an answer in hopes that despatches from America would have enabled me to give your Excellency some acceptable intelligence. But in this I am disappointed, so that we have nothing but the relations of the enemy to direct our judgment of the present situation of things in and near Philadelphia. There is one thing, however, that must strike your Excellency in General Howe's narration, which is that in attempting to make his forward movement, he was constantly attacked instead of attacking, and however well he might have defended himself, he was obliged to measure back his ground, and put his army into winter quarters. His tranquillity, or even safety there, will depend much upon the mildness of the winter, and the equipment of the army of the United States for a campaign in that rigorous season. If the winter is severe, and General Washington's army tolerably provided, it seems to me that General Howe's situation will be far from being that of security.

Congress have approved of the Convention with General Burgoyne. The enemy is driven back entirely into Canada, after blowing up the works of Ticonderoga; and New York is pressed on all sides.

The 4th and the 11th were the letters I referred to, and I have had the honor of receiving those your Excellency mentions.

I hope the period for executing his Majesty's most gracious purpose towards us is not remote, as well as that of the reduction of the British power within the limits of due respect for other powers.

I thank your Excellency a thousand times for the facilities you have procured us in the supplying of ourselves with arms. But I find things must be more arranged before we can avail ourselves of your goodness. The enemy's preparations are more sounding than substantial. They mark a radical weakness, and will certainly be impotent when we are fortified with alliances.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, February 10th, 1778.

Gentlemen,

The enclosed Memorial and letter to Count de Florida Blanca,<sup>[25]</sup> will inform you particularly of my proceedings in Spain, with the reasons of the cautious conduct of that Court, which I did not think it safe to communicate before. France is now prepared, the war with Portugal is happily concluded by her accession to the family compact, and there remains only the hazard of the treasure at sea, which is expected in April next. When that arrives, I have no doubt of their acceding to the treaties signed here, and joining in the war, which it seems probable will be declared before that time between France and England.

From the enclosed accounts you will also see what has been sent from the house of Gardoqui, in pursuance of orders from the Spanish Court, and what by my order, which I am to pay for out of the fund remitted me from Spain of 170,000 livres. This fund would have been applied in time to have had the blankets, &c. with you for the winter's campaign, but for the following reason. On my return from Germany in August, I found that from various expensive purchases, not only all our funds from our friends here had been exhausted, but we also involved in a considerable debt, and not half of your orders fulfilled, nor any fund to answer your draughts. It was therefore

thought prudent to retain that sum, till we were sure of an additional supply from hence. The moment this was secured, I sent orders for the shipping of blankets and stockings, which are certainly cheap, and I hope will be of use. Upon this mercantile subject, I must beg leave to observe, that I have had nothing more to do with the proceedings of that kind here, but signing my name to contracts made by my colleagues, or rather by Mr Deane. You will, I presume, be able to judge, by the manner in which near five millions of livres have been expended, whether it is wise to unite the political and commercial characters.

I am given to understand, that Spain will wish to have the possession of Pensacola secured to her in the treaty. I shall hope to receive the commands of Congress upon that point as soon as possible. Perhaps Congress may think that circumstances are materially changed, since the passing the Resolve on this subject, December 30th, 1776;<sup>[26]</sup> and that the Mississippi is likely to be the only permanent boundary between the two people.

I beg the favor of having my duty recommended to Congress and have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, February 15th, 1778.

Gentlemen,

I have before written to you the reason I had to conceive, that M. de Beaumarchais' demands of payment for the supplies furnished in the Amphitrite, Mercury, and Flammand are unjust. The following testimonial from Count Lauragais will corroborate what I informed you, relative to his having himself proposed the supplies to me as a subsidy from the Court. Mr. Wilkes knows it more accurately, but his situation prevents him from giving it under his hand. The ministry, as you will see by our joint letter, have often given us to understand that we are not to pay for them, yet still M. de Beaumarchais, with the perseverance of such adventurers, persists in his demand. He alleges some promise or agreement made with Mr Deane. I should suppose Mr Deane would have apprized you of it, if any such exists. But certainly Doctor Franklin and myself are kept so much in the dark about the existence of such agreement, as to expose us to much unnecessary plague from this M. de Beaumarchais, who I cannot think has any right, to make the demand in question.<sup>[27]</sup> A copy of the following declaration has been given to Count Maurepas, but I have not heard his sentiments upon it.<sup>[28]</sup>

I have the honor to be, &c.

ARTHUR LEE.

*Testimonial of Count Lauragais.*

I was present in Mr Arthur Lee's chamber in the temple, London, some time in the spring of the year 1776, when Caron de Beaumarchais made offers to Mr Lee to send supplies of money and stores through the Islands to the Americans, to the amount of two hundred thousand louis d'or, and he said he was authorised to make those proposals by the French Court.—Paris, February 8th, 1778.

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TO MESSRS FRANKLIN AND DEANE.

Chaillot, February 26th, 1778.

Gentlemen,

The return of our despatches by Mr Simeon Deane appears to me to be an event, from which great public consequences may flow. I therefore feel it the more extraordinary, that you should have taken any steps in it without a consultation with me. And this more especially, after I have so lately remonstrated against a similar conduct. I was silent upon it today, when Dr Franklin mentioned that Mr Deane was gone upon this business to Versailles without my knowledge, not because I did not feel the impropriety of it, but because I do, and have always wished, to avoid the indecency of a personal altercation.

In my judgment, the failure of our despatches is an event which will warrant our desire to be immediately acknowledged by this Court, and such acknowledgment will have a powerful effect in preventing the success of the overtures from England, and securing the peace and independency of America. The strong impression of the unfavorable disposition of this Court towards us, which former proceedings made on every mind, will reach America by a thousand channels. Our contradiction of it being unfortunately frustrated, will possibly commit our countrymen into measures, which a knowledge of the true state of things would have prevented. A public acknowledgment of us would reach America by numberless ways, and give them a decided proof of the sincerity and determination of France. Our despatches are a private and single channel, and may fail or arrive too late. With respect to us, the covert proceedings of France leaves them too much at liberty to renounce us, on any unfortunate event, and is a situation in which I think it neither for our honor nor safety to remain. These are sentiments which I submit to your better judgment, and beg we may have a consultation on the subject as soon as possible.

I have the honor to be, &c.

ARTHUR LEE.

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MESSRS FRANKLIN AND DEANE TO ARTHUR LEE.

Passy, February 27th, 1778.

Sir,

The greater the public consequences that may flow from the return of our despatches, the more necessary it seemed the Court should be immediately acquainted with it, that the miscarriage might as soon as possible be repaired. It was near nine at night when the news arrived, and Mr Deane set out immediately. If we could have imagined it necessary to have a consultation with you on so plain a case, it would necessarily have occasioned a delay of that important business till the next day. He has been at Versailles, and obtained an order for another and larger frigate, and an express to be immediately sent off, carrying that order, that she may be ready. We think that Mr Deane deserves your thanks, and that neither of us deserves your censure. We are at present both engaged in copying the treaties, which will employ us closely till Sunday. After they are gone we shall be ready to enter into the consultation you propose, relating to our being publicly acknowledged here.

We have the honor of being, &c.

B. FRANKLIN,  
SILAS DEANE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, February 28th, 1778.

Gentlemen,

Our joint despatches of the 28th of December, 1777, informed you, that Spain had promised us three millions of livres, to be remitted to you in specie, through the Havanna. This information we had through the French Court. We have since been informed through the same channel, that it would be paid to our Banker here in quarterly payments. Of this I apprized you in my letter of the 15th of January, 1778. Finding however that no payment was made, I applied lately to the Spanish Ambassador here for an explanation. From him I learned, that by order of his Court, he had informed the Court of France, that such a sum should be furnished for your use; but in what manner he was not instructed, nor had he received any further communication on the subject. He promised to transmit my application to his Court without delay.

The balancing conduct, which these Courts have until very lately held towards us, has involved us inevitably in continual contradictions and disappointments. It is in this respect fortunate, that so many of our despatches have miscarried, otherwise you would have been equally vexed, embarrassed, and disappointed.

The chief reason that induced Spain to temporise subsists still; except the war with Portugal, which is happily concluded by her accession to the family compact. Our general despatches will convey to you the bills, as they are now passing in the Parliament of Great Britain, for appointing Commissioners to negotiate with *their deluded subjects, and declaring in what manner they will be graciously pleased to exercise in future* their right of taxing us. It would not be doing justice to these bills to attempt any comment upon them; they speak for themselves, and loudly too. But the ministers of England give out, that they have despatched half a million of guineas to pave the way to a favorable acceptance of their propositions. And I know from the best authority here, that they have assured Count Maurepas of their being secure of a majority in Congress. By such arts do they endeavor to sustain their desperate cause. France has done us substantial benefits, Great Britain substantial injuries. France offers to guaranty our sovereignty, and universal freedom of commerce. Great Britain condescends to accept of our submission and to monopolise our commerce. France demands of us to be independent; Great Britain, tributary. I do not comprehend how there can be a mind so debased, or an understanding so perverted, as to balance between them.

The journies I have made, both north and south, in the public service, have given me an opportunity of knowing the general disposition of Europe upon our question. There never was one in which the harmony of opinion was so universal; from the prince to the peasant there is but one voice, one wish—the liberty of America and the humiliation of Great Britain.

The troubles, which the death of the Elector of Bavaria was likely to excite in Germany, seemed to have subsided, when, of late, the movements of the king of Prussia threaten to excite a general war. Great Britain, whose expiring hope sustains itself on every straw, finds comfort in the expectation, that this will involve France, and divert her from engaging in our war. But in my judgment, it is much more likely to operate against her in Russia, than against us in France.

I beg the favor of having my duty laid before Congress, and have the honor to be, &c.

ARTHUR LEE.

---

TO THE PRESIDENT OF CONGRESS.

Paris, March 19th, 1778.

Dear Sir,

I congratulate our country on your filling so distinguished and important an office in her service. Her prosperity will always depend upon the wisdom of her choice.<sup>[29]</sup>

Before this can reach you, the treaties concluded here must have arrived. I am sensible they will admit of very useful additions. But we were bound by the plan given us for the one; and by the critical situation of affairs, admitting of no delay, in the other. These things being considered, I hope what defects are found will be excused.

It is altogether uncertain when it will be convenient for Spain to accede to the alliance; and I am apprehensive that the war, which is likely to break out in Germany, will prevent the king of Prussia from declaring so soon, and so decidedly, as he promised. The Court of Spain will, I apprehend, make some difficulties about settling the dividing line between their possessions, and those of the United States. They wish to have the cession of Pensacola. I have written for, and hope to have the instructions of Congress on this head. If anything should strike you on the subject, the communication of it will infinitely oblige me. The high opinion I have of your abilities, and zeal for the public good, will always render your advice a favor to me; and the acquaintance I have had the honor of having with you, makes me hope I may ask it without offence. I beg to be remembered to your son, and have the honor to be, with the greatest esteem and respect, dear sir, your most obedient servant,

ARTHUR LEE.

*P. S.* Tomorrow we are to be presented to the king of France, and the English ambassador quits this Court without taking leave. War must immediately be the consequence, as these movements have been determined on, from the treaty of amity and commerce, which we have concluded with this Court, having been announced in form to that of London. The consequence of this, in relieving our country from the chief weight of the war, cannot but follow, and therefore I congratulate you upon it most sincerely. In my judgment, a year or two must reduce Great Britain to any terms the allies may think proper to demand.

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TO BENJAMIN FRANKLIN.

Chaillot, March 27th, 1778.

Dear Sir,

In consequence of what you mentioned to me relative to the German Courts, I consulted the Spanish Ambassador, whether it could be determined with any degree of certainty, how long it would be before the business I am pledged for with his Court would require my presence. His answer was, that it was altogether uncertain. In this situation, it appeared to me, that under my present engagements I could not venture to so great a distance. My brother has, therefore, set out on his original plan that was settled at Versailles.

Mr Grand has not yet returned me the account completed. The moment I receive it, I will wait upon you to settle the business of the loan bills.

I have the honor to be, &c.

ARTHUR LEE.

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TO MESSRS FRANKLIN AND DEANE.

March 31st, 1778.

Gentlemen,

The reports I hear of Mr Deane's intending soon to leave Paris, oblige me to repeat the request I long ago and repeatedly made, that we should settle the public accounts relating to the expenditure of the money intrusted to us for the public. And this is the more absolutely necessary, as what vouchers there are to enable the Commissioners to make out this account are in Mr Deane's possession. I therefore wish that the earliest day may be appointed for the settlement of these accounts; which appears to me an indispensable part of our duty to the public and to one another.

ARTHUR LEE.

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JAMES GARDOQUI & CO. TO ARTHUR LEE.

Bilboa, April 1st, 1778.

You will see by this invoice, that agreeable to what you are pleased to communicate to us in your very esteemed favor of the 6th instant, we have reduced our commission to 3 per cent. But, dear Sir, besides our being allowed 5 per cent by all the American friends we have worked for in the present troublesome times, several of whom have been, and actually are, eye witnesses of our troubles, as those blankets must be collected in the country round about Palencia, and the money must be remitted in specie there long beforehand for the purpose, we are not only obliged to pay the freight thereof and run the risks of it, but also to make good to the persons employed in their collection, their expense and trouble; the whole out of our commission, so that at present we

reckon that half of it will be our profit.

We are, &c.

JAMES GARDOQUI & CO.

*Invoice of seventyfive Bales of Merchandise shipped on board the George, Captain Job Knight, for Cape Ann, consigned to Elbridge Gerry, on Account of Arthur Lee.*

|  |                 |                 |
|--|-----------------|-----------------|
| No. 1 to 75.—75 bales containing 1926 fine |                 |                 |
| large Palencia blankets, at 27 riales,     |                 | 52,002,00       |
|  | <i>Charges.</i> |                 |
| To 413 vares of wrappers, at 2 riales,     | 826             |                 |
| To packing, lighterage, &c.                | <u>750</u>      | <u>1,576,00</u> |
|  |                 | 53,578,00       |
| Commission, 3 per cent,                    |                 | <u>1,607,11</u> |
|  | Riales of V.    | 55,185,11       |

Placed to the debit of Arthur Lee.

Bilboa, the 28th of March, 1778.

*Errors excepted.*

J. GARDOQUI & CO.

April 1, 1778.—Number of blankets sent from Bilboa for Congress, since January, 1778.

|             |
|-------------|
| 1586        |
| 615         |
| 550         |
| 1695        |
| 2296        |
| <u>1926</u> |
| Total, 8668 |

M. GERARD TO ARTHUR LEE.

Translation.

Versailles, April 1st, 1778.

Sir,

I called at your house, to have the honor of your commands to the country where you know I am sent. Not having the honor of finding you at home, and my time pressing me, allow me the honor of taking my leave by writing, and requesting the favor of your commissions for America. You will truly oblige me, Sir, if you will charge me with letters for some of your connexions or friends, especially those who are members of Congress.

My acknowledgments shall equal the considerations of regard with which I have the honor of being, &c.

GERARD.

TO M. GERARD.

April 1st, half past one o'clock, 1778.

Sir,

I had the honor of receiving your favor this moment, which is the first intimation I have received of what you mention. By six o'clock I will send you the letters you desire. I did intend to have spoken to you more upon what passed between the Spanish Ambassador and myself, which gave you uneasiness. But I must repeat, that I only related to him what I heard from Mr Deane, as coming from you, and what we in consequence of that information have written to Congress. Be so good as to accept of my best wishes for the happiness and success of your voyage.

I have the honor to be, &c.

ARTHUR LEE.

M. GERARD TO ARTHUR LEE.

Translation.

Versailles, April 1st, 1778.

Sir,

I have received the letter you did me the honor to write to me, as also the packets you send by me. I shall carry them with a great deal of pleasure, and am much flattered with your confidence. I must inform you, Sir, that notwithstanding the public nature of my mission, I do not avow it, and the confidence I place in you in this respect will, I hope, be considered by you as a proof of the regard, with which I have the honor to be, &c.

GERARD.

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TO BENJAMIN FRANKLIN.

Chaillot, April 2d, 1778.

Sir,

It was with the utmost surprise, I learnt yesterday, that M. Gerard was to set out in the evening for America, in a public character; and that Mr Deane was to accompany him, without either you or Mr Deane having condescended to answer my letter of the preceding day.

That a measure of such moment as M. Gerard's mission should have been taken without any communication with the Commissioners, is hardly credible. That if it was communicated, you should do such violence to the authority which constituted us, together with so great an injury and injustice to me as to conceal it from me, and act or advise without me, is equally astonishing. If success to the mission and unanimity on the subject were your wish, with what propriety could you make it a party business, and not unite all the Commissioners in advising and approving a measure, in which you wished their friends and constituents might be unanimous?

I do not live ten minutes distance from you. Within these few days, as usual, I have seen you frequently; particularly on Monday I was with you at your house for some time. I asked you about the sailing of the ships at Nantes, expressing my desire to know when we should have an opportunity of writing. You said you did not know when they sailed. I asked if there were no letters, none but one from M. Dumas having been shown to me for some time. You answered no. I had at a former meeting asked you whether it was not proper for us to send an express to give intelligence of such consequential events, as our being acknowledged here, and the treaty avowed. You told me it would be sufficient to write by the ship at Nantes, (for it was afterwards you mentioned there were two,) as the news being public would find its way fast enough.

Upon Mr Amiel, who came to my house from yours, having mentioned on Tuesday, that Mr Deane was to go away in a few days, I wrote to you and him to repeat what I have so often requested, that the public accounts might be settled, for which Mr Deane had taken possession of all the vouchers, and that the public papers might be delivered to us before his departure. You made me no answer. I sent my secretary again yesterday to desire an answer; you sent me a verbal one, that you would settle accounts with me any day after tomorrow. Your reason for not doing it before was, that it was not your business. *Now* it seemed your business only, and Mr Deane has no concern with it. The delivery of the public papers, which are the property of all, not of any one of the Commissioners, though you and Mr Deane have constantly taken them to yourselves, was too immaterial for you to answer.

During all this time, and with these circumstances, you have been totally silent to me about the present opportunity of writing to Congress concerning the important public measure in agitation, and about Mr Deane's departure. Nay more, what you have said, and the manner in which you have acted, tended to mislead me from imagining that you knew of any such thing. Had you studied to deceive the most distrusted and dangerous enemy of the public, you could not have done it more effectually.

I trust, Sir, you will think with me, that I have a right to know your reasons for treating me thus. If you have any thing to accuse me of, avow it, and I will answer you. If you have not, why do you act so inconsistent with your duty to the public, and injurious to me? Is the present state of Europe of so little moment to our constituents, as not to require our joint consideration and information to them? Is the character of the Court here, and the person sent to negotiate with our constituents of no consequence for them to be apprized of? Is this the example you in your superior wisdom think proper to set of order, decorum, confidence, and justice?

I trust, Sir, you will not treat this letter, as you have done many others, with the indignity of not answering it. Though I have been silent I have not felt the less the many affronts of this kind, which you have thought proper to offer me.<sup>[30]</sup>

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, April 2d, 1778.

Gentlemen,

The conclusion of the treaties here has ended the powers of our commission. Whatever character it may please Congress to give to their representatives in future must be specified by new powers, and letters of credence to the Sovereign, with whom they are to act. The first example of this kind will be material, in determining the future rank of the United States of America among other sovereign nations. Since the treaty of Munster, Venice and the United Provinces have had their rank as crowned sovereigns. I presume the United States of America will not think a lower rank competent to their dignity, and to the importance they must command in the balance of European power. For I am satisfied, that in a few years that balance must be in their hands. Whatever orders Congress are pleased to give on this subject, their Ministers must support with firmness and inflexibility, *at first*, to prevent any disagreeable disputes for the future.

By the enclosed copies of letters, I hope to give you a distinct view of what passed in Spain and Prussia. I have never been able to learn, to what was owing the sudden change in the favorable disposition of the Spanish Court during my absence in Germany. Whether it arose from the proceedings at Dunkirk, &c. which produced such rigor on the part of France, they will not inform me. But it is clear from Baron de Schulenburg's letter, that the conduct of France, in consequence of the Dunkirk business, prevented Prussia from adopting what I proposed.

I have written to Messrs Gardoquis about their charging five per cent commission, which appears to be exorbitant, because I remit them the money before they lay it out.

My brother William Lee is gone to Germany in pursuance of the commands of Congress. The war, that is kindling between the two Powers to whom he is destined, makes it hardly possible to hope that he can succeed with both. If one is disposed to form an alliance with us, the other will probably, for that reason, refuse it. I observe it was the desire of Congress that we should keep an account of our expenses. I have done so as minutely as the nature of things would admit; and they have not exceeded, including my two journies, the sum allotted by Congress. I shall endeavor to continue within those bounds, though the being acknowledged will necessarily augment the expense.

The Messrs Gardoquis have transmitted to me regularly the accounts of what they shipped on the public account; copies of which I have in the same manner sent to you. This I conceived to be the usual course of business, and necessary for the due information of all concerned. For this reason it was my wish, that the same might be done with regard to the public money expended here. My colleagues have not thought proper to concur with me. The Committee and Congress will order, if they think it proper, what I have not only requested in vain, but to my utter astonishment, have given very great offence in requesting.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, April 5th, 1778.

Gentlemen,

Having pressed the matter of supplies from Spain, I received an answer yesterday, that endeavors would be used to send you succors through the Havanna. The present critical situation of that Court renders them averse to being more particular, or to have applications made to them, but I think they will not long remain under this embarrassment.

Dr Franklin and I are now settling the accounts as well as we can, from the papers Mr Deane thought proper to leave in Dr Franklin's hands. How orderly and adequate they are, you will judge yourselves from the list, which I shall take care to transmit to you. I am obliged to say, that this gentleman took to himself the entire management of the business, in which I could obtain no share without a quarrel; that my advice and assistance were always rejected, and he never would settle accounts. Whether he has conducted it well, you will have the means of determining by what you have received, compared with the sums expended, which I shall make it my duty to transmit to you.

I cannot venture to detail to you the plans of this Court relative to the conduct of the war in your quarter. You will probably see the commencement of them before this reaches you. I enclose some additional, and as I conceive necessary articles, which I shall endeavor to obtain if Congress approve of them. I also send an accurate list of the actual and intended force of Great Britain.

With my utmost duty and respect to Congress, I have the honor to be, &c.

ARTHUR LEE.

*P. S.* Being obliged to send this by post, the articles must be deferred as being too voluminous.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, April 8th, 1778.

Gentlemen,

Whether there were any public despatches for you by the opportunity that carries Mr Deane,

the late Commissioner, I do not know, because my colleagues concealed his departure from me. I trust you will think it proper to desire the reason of such conduct, the tendency of which is too plain and too pernicious not to require censure, if it cannot, as I conceive it cannot, be justified by stronger reasons of utility.<sup>[31]</sup>

Great Britain has not yet thought proper to declare war in form against France, but the vessels and sailors of each nation are reciprocally seized in their ports, and a French frigate has lately made prize of an English privateer. Both are preparing with all possible despatch, and both waiting for your decisive declaration with an anxiety proportioned to their conviction of that declaration deciding the fate of the war.

As far as I can venture to judge of Courts and Ministers, those of this country seem cordially disposed to co-operate with you in driving the English entirely out of America. But from what I could observe during the conference on the treaty, they seem to have some wishes relative to the islands of the fishery, which are not altogether compatible with the system laid down by Congress.

The war between the Emperor and the King of Prussia seems inevitable. It will be a war of giants and must engage all Germany. Three hundred thousand men, the best disciplined and the best led that ever made war, are ready to dispute the question on each side. Russia is sufficiently occupied by her own situation in regard to the Porte. The North is therefore no longer a subject for your apprehension. The whole house of Bourbon will certainly join in the war against England. Holland, therefore, seems the principal object of negotiation now; because, if the enemy should be deprived of her amity, they soon must be reduced to a *carte blanche*.

This is the present situation of Europe. I enclose you a Memorial,<sup>[32]</sup> which I wrote last year, and have now sent to Holland to promote the disposition we are informed they entertain at present in our favor. In the additional articles I sent for your consideration, there are some not very materially different, but as they are expressed in a different manner, I thought it might be of use to submit the choice to you.

The enclosed report<sup>[33]</sup> is what I received from the Court of Spain, in answer to an application in behalf of the people, who have involved themselves in this unfortunate situation.

It is proper to inform you, that the department of Spain, to which it has pleased Congress to destine me, is the most expensive of any, because the Court pass different parts of the year at four different places, at which every public Minister is obliged to reside, and consequently to have a house, which augments very much his expense. As I wish to avoid all occasion of blame, I mention this circumstance that I may not appear to be extravagant, should my expense increase on going thither.

You will greatly oblige me by presenting my duty to Congress, and believing me to be, with the greatest respect, &c.

ARTHUR LEE.

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#### MEMORIAL FOR HOLLAND.

When the ancestors of the present inhabitants of the United States of America first settled in that country, they did it entirely at their own expense. The public of England never granted one shilling to aid in their establishment. Had any such grants existed, they must have been upon record. The state of England, therefore, could not justly claim the benefit of an acquisition which it never made.

Upon this principle the first settlers conceived they had a *right to exchange and sell the produce of their labor to all nations without control*. This right they actually enjoyed unquestioned till the year 1652; then it was that the English, in violation of every principle of justice, usurped and established a monopoly of the American commerce, which they maintained till the rigor of their domination compelled the Americans to reclaim their ancient unalienable rights, by declaring themselves free and independent States. In consequence of this, all nations are restored to the participation of that commerce, from which the monopolising spirit of the English had unjustly excluded them.

No nation is more interested in this event than the Dutch, because it was against them that the establishment of the monopoly was chiefly intended. The great object of commercial policy with the States of Holland was and is the *carrying trade*. In consequence of this, when the commerce of America was free, the Dutch vessels in the American ports outnumbered those of England. But in the year 1651, a quarrel arose between the States of Holland and the then republic of England. The English, jealous of their naval power, resolved to destroy their American commerce, which contributed so much to its support. To effect this, the Council of State projected and passed on the 1st of December, 1651, the navigation ordinance, by which the carriage of American produce was prohibited except in English bottoms. The Dutch foresaw the intention, and felt the effects of this measure. Their resentment of it added fuel to the war, that raged from that time to the year 1654 with so much fury.

Their success, however, was not sufficient to re-establish what had been thus violently wrested from them. In negotiating the peace that concluded that war, De Witt labored with his usual abilities to obtain an abolition of the act, but all his efforts were ineffectual. Cromwell, who was not his inferior in acuteness, maintained the usurpation, and under Charles the Second it received the form and sanction of an act of Parliament. Thus in despite of all their efforts, this

valuable branch of commerce was wrested from the Dutch, and monopolised by the English.

But what neither the uncommon talents of De Witt, nor the struggles of an obstinate and bloody war could effect, the course of human events has produced. The wealth and power arising from this very monopoly so intoxicated Great Britain, as to make her think there were no bounds to the exercise of the control she had usurped. Not content, therefore, with thus restraining the Americans for her own emolument in the mode of acquiring money, she arrogated to herself the right of taking that which was obtained under those restraints. The natural consequence of thus urging her domination, and adding a new usurpation to the former, was the abolition of the whole. America has, in form, renounced her connexion with Great Britain, and is maintaining her rights by arms.

The consequence of her success will be the re-establishment of commerce upon its ancient, free and general footing; all nations are interested in this success, but none so much as the Dutch. From them, therefore, America *in a most special manner looks for support. Resentment of an ancient injury, the policy of their ancestors, their present interest*, unite in calling upon them for a spirited avowal and support of the independence of America. They will not forget the blood, that was spilt in endeavoring to vindicate their right when it was first invaded. They will not forget the insolence and injustice with which Great Britain harassed their trade during the late war, by means of that very naval strength which she derived from her usurped monopoly. They cannot but feel at this moment the insult and indignity from the British Court, in presuming to forbid them that free participation of commerce which America offers.

The extraordinary remittances, which the people of America have made to the merchants of Great Britain, since the commencement of this dispute, is a proof of their honor and good faith; so much more safe and advantageous is it to trust money with a young, industrious, thriving people, than with an old nation overwhelmed with debt, abandoned to extravagance and immersed in luxury. By maintaining the independence of America, a new avenue will be opened for the employment of money where landed property, as yet untouched by mortgage or other incumbrances, will answer for the principal, and the industry of a young and uninvolved people would insure the regular payment of interest. The money holder would in that case be relieved from the continual fears and apprehensions, which every agitation of the English stocks perpetually excites. He might count his profits without anxiety, and plan his monied transactions with certainty.

*These* are the *substantial objects* of advantage, which America holds up to the people of Holland; and *this* the moment of embracing them.

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TO COUNT DE VERGENNES.

Chaillot, April 24th, 1778.

Sir,

Since I had the honor of seeing your Excellency, I have learnt that Mr Hartley in conversing with French people, whose opinions he thinks may have weight, insinuates to them, that engaging in a war in our favor is very impolitic, since you can expect nothing from us but ingratitude and ill faith, with which we have repaid Great Britain. To us he says, the French have done nothing for you, they can never be trusted, no cordial connexion can be formed with them, therefore you had better return back to your former connexions, which may be upon your own terms if you will renounce France. This gentleman and the wise men who sent him, have so high an opinion of our understandings, that they flatter themselves these insinuations will succeed.

I have also been informed, that besides their commissioners, the ministry have despatched two persons to America to work privately as Mr Hartley is doing. One of them is an American. I know them, and both the size of their understandings and the degree of their influence. There is nothing to apprehend from either. These are the little projects of little spirits, and will be attended with proportional success. They show the imbecility and distress of our enemies, and will only change the detestation of America into utter contempt.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, April 24th, 1778.

Sir,

I am obliged to you for your attention in communicating Mr Hartley's insinuations, as well to yourself as to such other persons as he may suppose he can influence in this country. I doubt that he finds easier access to you, than he will surely find with us; and I can assure you, that he will not find us accessible to the prejudices he may wish to inspire us with.

I conclude, being obliged to attend the Council, requesting you to accept of the assurances of the perfect respect, with which I have the honor, &c.

DE VERGENNES.

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Paris, May 9th, 1778.

Gentlemen,

No declaration of war in Germany or England. All things are preparing for it. Count d'Estaing had not passed Gibraltar the 27th of last month, contrary winds having prevented his passing the Straits. About thirty sail of the line are assembled at Spithead, under Admiral Keppel, but are not yet in a state for action. They are arraying their militia, and the chief object of their attention now seems to be their own defence. As far as I can judge, the King and his Ministers are not now sincere in their propositions, even such as they are, of peace and accommodation.

I have not yet obtained any light on Folger's affairs. The enclosed copy of a letter from Count de Vergennes will show you the train in which I have put the inquiry. But I have reason to apprehend, that persons are concerned, who will have address enough to frustrate it. The blank paper substituted for the letters taken should be preserved, and compared with the paper of all the letters received by the same vessel. Some discovery may be pointed out by that. Mr Deane and Mr Carmichael should be examined, and their accounts transmitted here to be compared with those of others.

Spain and the German powers are yet undecided with regard to us. I do not think our enemies will succeed with Holland. We shall endeavor to establish a fund for the purposes you desire.

I have the honor to be, &c.

ARTHUR LEE.

*P. S.* By the banker's accounts it appears, that the following sums were paid from December, 1776, to March, 1778, to the private disposition of the Commissioners.

|                 | Livres.       |
|-----------------|---------------|
| To Dr Franklin, | 65,956 3 13   |
| To Silas Deane, | 113,004 12 13 |
| To Arthur Lee,  | 68,846 2 16   |

In my sum is included the additional expense of my journies to Spain and Germany.

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COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.

York, May 14th, 1778.

Sir,

Your several favors of October 6th, November 27th, and December 8th, were delivered to us on the 2d instant, the despatches by Mr Deane and those by Captain Young arriving on the same day. We had before received your short letter of the 1st of June, but are yet without that of the 29th of July, in which you had informed us "at large of your proceedings in Prussia." Its contents would have proved highly agreeable to us in these months, when we were quite uninformed of the proceedings and prospects of your colleagues at Paris. Impressed with the sense of the value of the King of Prussia's "warmest wishes for our success," we give assurances of equal wishes in Congress for that monarch's prosperity. We have little doubt of open testimonies of his Majesty's friendship in consequence of the late decision of the king of France.

Your information in regard to our connexion with the fictitious house of *Roderique Hortalez & Co.* is more explicit, than any we had before received, but we further expect that all mystery should be removed. Surely there cannot now be occasion for any, if there ever was for half of the past. Our commercial transactions will very speedily be put under the direction of a Board consisting of persons not members of Congress, it being impracticable for the same men to conduct the deliberative and executive business of the Continent now in its great increase. It has been next to impossible to make remittances for many months from the staple Colonies, their coasts having been constantly infested by numerous and strong cruisers of the enemy. We hope the alliance of maritime powers with us will remove our embarrassments, and give us opportunity to carry into effect our hearty wishes to maintain the fairest commercial reputation.

There will be great impropriety in our making a different settlement for the supplies received from Spain, from that which we make in regard to those received from France. We are greatly obliged to the friends, who have exerted themselves for our relief, and we wish you to signify our gratitude upon every proper opportunity. But having promised to make remittances to the house of *Hortalez & Co.* for the prime cost, charges, interest and usual mercantile commission upon whatever is *justly* due to that house, we must keep the same line with Messrs Gardoqui. On the one hand, we would not willingly give disgust by slighting princely generosity, nor on the other submit to unnecessary obligations.

The unanimity with which Congress has ratified the treaties with France, and the general glad acceptance of the alliance by the people of these States, must shock Great Britain, who seems to have thought no cruelty from her would destroy our former great partiality in her favor. What plan she will adopt in consequence of her disappointment, time only can discover. But we shall aim to be in a posture, either to negotiate honorable peace, or continue this just war.

We stand in need of the advice and assistance of all our friends in the matter of finance, as the quantity of our paper currency necessarily emitted has produced a depreciation, which will be ruinous if not speedily checked. We have encouraging accounts of the temper of the Hollanders of late, and expect that we may find relief from that quarter among others.

A few weeks, if not a few days, must produce fruitful subject for another letter, when we shall, in our line of duty, renew our assurances of being, with great regard,

Sir, your affectionate humble servants,

RICHARD H. LEE,  
JAMES LOVELL,  
ROBERT MORRIS.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, May 23d, 1778.

Gentlemen,

In consequence of your despatches by my colleague, Mr Adams, I lost no moment to press the renewal of the order for the supplying you with such stores as you want, and as that country affords, from the Court of Spain. I have the satisfaction to inform you that such orders are given, and I am assured will be carried into execution as speedily as possible.

We mean to apply for the loan desired to the monied men of Holland, and in my particular department, I shall endeavor to take the favorable opportunity of the arrival of the flotilla to urge the same in Spain.

War is not begun in Germany or Great Britain; but it seems to be inevitable.

I have sent orders to all the ports in France and Spain to communicate the account of the sailing of a fleet of thirteen ships from England against America, to all the captains who sail for the United States or the French islands. This I conceived would be the most certain means of communicating the alarm, and preventing surprise.

The ministry here are also to convey a letter from us, by every opportunity, to the same purpose.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, June 1st, 1778.

Gentlemen,

The hurry in which the last despatches went away, prevented me from being so particular about them as I wished. Nos. 7, 8 and 9 were omitted, being newspapers, and too voluminous for the conveyance. M. Monthieu's papers were sent to show you the demands that are made upon us, and the grounds of them. You will see that they are accounts, which Mr Deane ought to have settled. It is this sort of neglect, and a studied confusion, that have prevented Mr Adams and myself, after a tedious examination of the papers left with Dr Franklin, from getting any satisfaction as to the expenditure of the public money. All that we can find is, that millions have been expended, and almost everything remains to be paid for. Bargains have been made of the most extravagant kind with this Mr Monthieu and others. For example, the uniforms that are agreed for at thirtyseven livres might have been had here for thirtytwo livres each, and equally good, which, being five livres in every suit too much, comes to a large sum upon thousands.

Of the 100,000 livres advanced to Mr Hodge, there appears no account. I have been told that Cunningham's vessel cost but three thousand pounds sterling; for what purpose the overplus was given to Mr Hodge, how the public came to pay for her refitting, and at length the vessel and her prize money made over to Mr Ross and Mr Hodge, without a farthing being brought to public account, it rests with Mr Deane or Mr Hodge to explain. I have enclosed you all the receipts found among those papers, the sending of which has been neglected. Of the triplicates and duplicates an original is sent, and copies of those that are single. You will see that my name is not to the contracts. In fact they were concealed from me with the utmost care, as was every other means of my knowing how these affairs were conducted; and as both my colleagues concurred in this concealment, and in refusing my repeated requests to make up accounts and transmit them to Congress, it was not in my power to know with accuracy, much less to prevent, this system of profusion. I was told that Mr Williams, to whom I knew the public money was largely intrusted, was to furnish his accounts monthly, but they were never shown me, and it now appears, that for the expenditure of a million of livres he has given no account as yet, nor can we learn how far what he has shipped is on the public, how far on private account. We are in the same situation with regard to Mr Ross. This indulgence to Mr Williams,<sup>[34]</sup> and favoring M. Chaumont, a particular friend of Dr Franklin, is the only reason I can conceive for the latter having countenanced and concurred in all this system. You will see a specimen of the manner of it in the enclosed copy of a letter from Dr Franklin to his nephew, which the latter sent me as an authority for his doing what the commercial agent conceived to be encroaching on his province. I have done my utmost to discharge my duty to the public, in preventing the progress of this disorder

and dissipation in the conduct of its affairs. If it should be found that my colleagues have done the same, I shall most cordially forgive them the offence and injury so repeatedly offered me in the manner of it. I do not wish to accuse them, but excuse myself; and I should have felt as much happiness in preventing, as I have regret in complaining of this abuse.<sup>[35]</sup>

The appearance of things between this country and Great Britain, and the Emperor and the King of Prussia, has been so long hostile, without an open rupture, that it is not easy to say when either war will begin. The King of Prussia has found it so necessary to cultivate the aid of Hanover, Hesse, Brunswick, &c. that he has declined receiving your deputy, or following the example of France as he promised. It remains therefore to try the Empress, who, independent of the present crisis, was much less inclined to our cause. It seems to be the settled system of northern politics, that if a war should happen, the Empress of Russia will assist the King of Prussia, as far as the Porte will permit her.

In this country, the appointment of Marechal de Broglie commander of the army on the sea coast, and the Duc de Chartres, son to the Duc d'Orleans and Prince of the blood, going on board the fleet at Brest, announce designs of some dignity and magnitude.

I am of opinion, with our colleague Mr Adams, that it would be better for the public, that the appointment of your public ministers were fixed, instead of being left at large, and their expenses indefinite. From experience I find the expense of living in that character cannot well be less than three thousand pounds sterling a year, which I believe too is as little as is allowed to any public minister above the rank of a consul. If left at liberty, I conceive that most persons will exceed this sum. Neither do I perceive any adequate advantage to be expected from having more than one person at each Court. When things take a more settled form, there will be little need of that check, which is the chief utility of it at present.

The mixing powers too, and vesting them in several persons at the same time, give ground for disputes, which are disgraceful as well as detrimental to the public. This has been much experienced in the case of the commercial agents, and the agent of the Commissioners, who have been clashing and contesting till the public business was almost entirely at a stand. For the present, however, we have settled this matter, by directing all commercial business to be put into the hands of those appointed by the commercial agent, till the pleasure of Congress is known.

Two more ships have been lately sent to Newfoundland, and two to the Mediterranean, which, with thirteen detached under Admiral Byron to reinforce Lord Howe, leave seventeen of the line and eight frigates for Admiral Keppel, and these very ill manned. I have exceeding good information, that their plan of operations for America is as follows.

General Howe is to evacuate Philadelphia, sending five thousand of his troops and two ships of war to Quebec; the rest of the troops with the fleet are to return to Halifax, where the latter being joined by Admiral Byron will, it is presumed, maintain a superiority in those seas over the allied fleet.

I wrote you before, that the lowest estimate given to the English Ministry for the defence of Canada was eight thousand men, and that their actual force there was about four thousand; the five thousand added will, in their opinion, be sufficient, with their superiority at sea, for its protection. I cannot learn that any but some German recruits are to be sent out this year, and from the situation of things they are more likely to recall a great part of their troops, than to reinforce them.

Our friends in Spain have promised to remit me 150,000 livres more, which I shall continue to vest in supplies that may be useful to you.

I hope, in consequence of what I formerly wrote, to have the express order of Congress relative to the line they would choose to fix between the territories of the United States, and those of the crown of Spain. The privileges to be enjoyed by the subjects of the United States, settling for the purposes of commerce, and the regulation of port duties, remain yet to be settled in both nations. But I foresee that if they are left unregulated, they will be the source of complaints and disagreements.

The flotilla is not yet in port, which retards the operations in Europe. I could have wished that the great object of having a superior naval force in America, had not been left to the uncertain issue on which it was placed by other advice than mine. Had the Brest and Toulon fleets, which were equally ready, been ordered to sail at the same time, that which met immediately with favorable winds to go on, and the other to return, one of them would probably have been upon your coast before this time, that is, before the English fleet could possibly have sailed to reinforce and save Lord Howe; and as having a superior force in America was the great object, together with that of taking the Howes by surprise, they should have made as sure of this aim as possible. And indeed, had it been executed with address, the war would have been ended.

M. Penet has proposed to me the collecting and carrying over a number of workmen to establish a foundry of cannon, and a manufactory of small arms. It is to be at his expense, under the protection of Congress. As this seems to me much more likely to answer your purposes than our sending them, I have ventured to give him my opinion, that it will be acceptable to Congress. We have found such a universal disposition here to deceive us in their recommendations, that it is ten to one, if workmen chosen by us in such a circumstance were skilful.

The disposition in Holland seems to be favorable to us, but I apprehend it is not warm enough to produce any decided proof of it, till they see Great Britain more enfeebled. M. Dumas has published a Memoir I sent him on the subject, which he thinks will have some effect.

With my humble duty to Congress, I have the honor to be, &c.

ARTHUR LEE.

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TO M. DUMAS.

Chaillot, June 4th, 1778.

Dear Sir,

It gave me great pleasure to receive the key to the treasure you sent us before in Dutch, my unacquaintance with which having prevented me from knowing how much I was obliged to you, for the improvement made in the little essay I had the honor of sending to you. *Felix faustumque sit*. May it open the eyes of your people to their own interests, before a universal bankruptcy in England, and a compelled frugality in America, have deprived them of the golden opportunity of extricating themselves from bad debtors, and connecting themselves with good ones.

So fair an opportunity of sharing in the most valuable commerce on the globe, will never again present itself; and, indeed, they are greatly obliged to the noble and disinterested principles of the Court of France, which prevented this country from attempting to possess itself of the monopoly, which Great Britain had forfeited. In truth, they were great and wise principles, and the connexion formed upon them will be durable. France, and the rest of Europe, can never pay too large a tribute of praise to the wisdom of The Most Christian King, and his Ministers, in this transaction.

You are happy in having the esteem and counsel of the Grand Facteur, who seems to have equal good sense and good intentions. Our enemies seem embarrassed in their operations. As far as we can learn, their fleet has not yet sailed for America to save the Howes from the fate that hangs over them. We have no intelligence on which we can rely.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, June 9th, 1778.

Gentlemen,

My last of the 1st, informed you of Admiral Byron, with thirteen sail, being ordered against you, of which we sent notice by every way most likely to warn the States of their danger.

We have now certain advice, that this fleet having put into Plymouth is there stopped, their remaining fleet being found too weak to protect them at home. I enclose you a late account of their force and the disposal of it; and nothing seems more certain, than that the naval and land force now employed against you will be diminished, not augmented. However, I have now settled such means of intelligence, that you will be apprized if any alteration should happen.

All our intelligence announces the utmost confusion in Great Britain and Ireland; such as will infallibly find them employment at home, independent of France and Spain. Their councils are so fluctuating in consequence of the variety of their distress, that advices of them cannot be given with certainty; that is, without being frequently subject to appear premature.

The British Ministry have agreed to an exchange of prisoners with us, by which we shall immediately release upwards of 200.

War is not commenced in Germany, but is talked of as inevitable. The deputy of Congress for Vienna is at his destination to feel the disposition of that Court. But I understand, that their attention is so engaged with the approaching war, that other propositions proceed slowly. As the King of Prussia contends against the Empress and the House of Austria, in maintenance of the treaty of Westphalia, which is the great bulwark of German rights, it is therefore necessary, that he should league himself with the German Princes, among whom the King of Great Britain, as elector of Hanover, bears so much sway, that he could not hazard the turning his influence against him by entering into an alliance with us. To cultivate and encourage the favorable disposition towards us in Holland, we have sent them the treaty concluded here, and we shall follow it by proposals for a loan, as soon as Dr Franklin (to whom the digesting of the plan, and having the proposed bills printed, is left) has prepared the business for execution.

Mr Williams has at length given in his accounts, from which it appears, that upwards of forty thousand suits of the soldiers' clothes ordered, and twenty thousand fusils, have been sent from Nantes and Bordeaux; and the present exhausted state of our finances will not permit us to fulfil them further. The ships of war sent hither are an enormous expense to us; hardly any of them less than 100,000 livres, and things have been hitherto so managed, that their prizes produce us little or nothing. This seems to have arisen from the variety of agents employed, the confusion of their provinces, and the loose manner in which the public accounts have been kept. To remedy this, we have to simplify the business of expenditure, by directing the whole to be discharged by the two deputy commercial agents appointed by my brother, in the interval of his negotiation in Germany. By this we expect to avoid the infinite impositions arising from a connexion with a multiplicity of merchants, many of whom, supposing us to know no better, will endeavor to deceive us. They, as merchants, know how to check the others, and are themselves ultimately responsible to us.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT DE VERGENNES.

Chaillot, June 14th, 1778.

Sir,

It was with great pleasure I heard the explanation, which your Excellency did me the honor to give me yesterday relative to the 12th article of the Commercial Treaty; that it was meant to comprehend only provisions, and not the whole of our exports to his Majesty's Islands, and that *denrées*, the word employed, signifies eatables, not merchandise. It relieved the apprehensions I had entertained, that the having set in that article the whole of our produce against one of your productions would seem unequal, would therefore give uneasiness in Congress, and prevent that unanimity in their approbation of the treaty, which the wise and liberal principles on which it is planned deserve; and which I most sincerely wished it might receive.

Upon referring, however, to the words of the treaty, I find they are *denrées et marchandise*, so that the words appear, by I know not what accident, to have been different from, and to mean more than you intended. I lament extremely that nothing of this explanation passed in our conference and correspondence with M. Gerard on this and the preceding article. Yet I am not without hope, that Congress will rather trust to the equity of your Court for reducing the article to its intended equality, than gratify our enemies by an appearance of dissension in ratifying the treaties.

Reciprocity and equality being the principles of the treaties, and duration the object, your Excellency will, in my judgment, have an opportunity of strengthening the confidence and ties between us, by offering to remove words of a latitude not intended, and of an inequality, which must be seen and create dissatisfaction.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, June 15th, 1778.

Sir,

I received with pleasure the letter you did me the honor of writing to me yesterday. We shall not be long probably before we receive news from your constituents, and their judgment of the act which you signed here in conjunction with your colleagues. Should they demand any éclaircissements, we shall not refuse to make them. You know our principles, and I think we have given proofs of our disinterestedness.

I see with pleasure, Sir, that you are satisfied with the proofs of the Prince de Montbaray's zeal in procuring you the articles you requested from him.<sup>[36]</sup> You will always find us disposed to do everything, that may concern the welfare of the United States of America.

I have the honor to be, &c.

DE VERGENNES.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, June 15th, 1778.

Gentlemen,

I find I was mistaken in saying in my last, of the 9th, that twenty thousand fusils had been shipped from Nantes and Bordeaux; upwards of ten thousand remain unshipped, at Nantes. Upon the strength of the promised remittance from our friends in Spain, and near one hundred thousand remaining in my hands, I have desired the Gardoquis to continue shipping blankets and strong shoes from Bilboa; twenty thousand livres worth of drugs, and salt to be shipped by Mr Cathatan of Marseilles; a thousand suits of soldiers' clothes from Bordeaux, by Mr Bonfield; and six hundred fusils, of the Prussian make, from Berlin, that you may judge on arming a corps with them whether they are preferable to others.

My brother writes me from Vienna in a late letter, that Colonel Faucit is using the utmost endeavors to raise German recruits; but from the present state of things, I do not imagine he can succeed; and the North, that is Russia and Denmark, are not likely to give our enemies any assistance. As far as I can judge, their efforts against us, except a sort of piratical war, are exhausted. The same ministry continues. The House of Bourbon is certainly united against them. They have the same imbecility of council. Their enemies increase in proportion to the diminution of their means. The decay of their commerce, the distress of their people, the rapacity of their public officers, and the load of their debt and taxes, promise soon to bring upon them the most deplorable distress, and prevent them from being any longer a formidable enemy.

The flotilla is not yet arrived. The enclosed copies of Captain Jones' letters, and one<sup>[37]</sup> from the majority of his crew, make me apprehend, that the Ranger will share the fate of the Revenge. We have done all in our power to bring him and his officers into order, but hitherto in vain.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, July 1st, 1778.

Gentlemen,

I enclose you some extracts, by which you will see, that war is not yet declared, though on all hands it appears to be fast approaching.

The Spanish flotilla is not yet arrived, nor their fleet from South America. Since my last, a French frigate of twentysix guns was attacked by an English frigate of twentyeight, off Brest, and after an obstinate engagement the latter made off, and soon after sunk! This has given great spirits to the French marine and nation, and is more especially fortunate, as the English were the aggressors. Admiral Keppel is before Brest, with twentythree sail of the line, where I believe he will not remain long unattacked. Permission is given to French subjects to fit out privateers; and orders are sent to all the ports to prepare our prizes to be sold. From London, the Ministry have offered us an exchange of prisoners, which we are taking the necessary measures to embrace.

By some unaccountable neglect the person, to whom Dr Franklin committed the printing of the bills resolved on for the loan, has not furnished them, so that nothing further is yet done in that business. But I hope you will soon have news of its further progress, and that some event will happen to furnish us with a very favorable moment for its execution.

I have the honor to be, &c.

ARTHUR LEE.

Mr Lee presents his respects to his Excellency Count d'Aranda, and begs he will have the goodness to forward the packet, addressed to Count de Florida Blanca, which he has the honor of enclosing him, and which is on business of the last importance, by the first opportunity to his Court.

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TO COUNT DE FLORIDA BLANCA.

Paris, July 18th, 1778.

Sir,

I have the honor of transmitting to your Excellency the enclosed resolutions of Congress,<sup>[38]</sup> with my most earnest prayer, that they may be laid immediately before the King. Nothing but the uncommon exigency of the present war, attended with such peculiar circumstances with regard to the United States, would prevail upon them to press so much upon his Majesty's goodness. That necessity must also plead my pardon for entreating your Excellency to let me have as early an answer as possible. As the United States have the highest confidence in the friendship of the King, they promise themselves that his goodness will afford this loan as a relief to their most urgent distresses. With regard to the interest for the quantum of that, they refer themselves to his Majesty's justice. Five per cent is the legal interest with them, but I am authorised to give six, if his Majesty should desire it.

This interest will be most punctually paid; and they will neglect no means of liquidating the principle, if desired, sooner than the stipulated time, which will be easily accomplished, when peace or some other employment of the enemy's navy than that of preying upon their trade will permit the export of their produce to European markets.

Your Excellency will perceive, that this loan is appropriated to sinking the paper money, which necessity obliged Congress to issue. An infant and unprepared people, compelled to defend themselves against an old, opulent, powerful, and well appointed nation, were driven to this resource of issuing paper. They were to create armies and navies, to fortify towns, erect forts, defend rivers, and establish governments, besides the immense expense of maintaining a war, that pressed them powerfully on all sides. For these purposes they had neither funds established, taxes imposed, specie in their country, nor commerce to introduce it. In this exigency paper money was their only resource, and not having been able hitherto for the same reasons to redeem it, the depreciation, which necessarily followed, threatens the total destruction of their credit, and consequently their only means of maintaining their independence.

In this distress their hope is fixed upon his Majesty, and I most earnestly beseech your Excellency so to represent our situation to the King, as may move his royal benevolence to furnish the relief, which will raise an everlasting tribute of gratitude in the minds of the people of the United States.

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

ARTHUR LEE.

Paris, July 29th, 1778.

Gentlemen,

I enclose you a duplicate of the news of an engagement between the fleets of France and England. The particulars received since make the loss on board the French fleet very inconsiderable, and paint the behavior of the English to have been inexpert and dastardly. The repulsing them in the first engagement will probably lead to the defeating them in the next, for which purpose the fleet of our allies will go out in a few days.

The Empress and Emperor seem at length sensible of the impropriety of their conduct, and in consequence a truce for six weeks is agreed on, to give time for negotiation to prevent the effusion of blood.

The quadruplicate of the ratification reached us on the 3d in safety, as all the rest have done. The answer of Congress to the Commissioners was immediately sent to the ministers, and will, I am persuaded, give great satisfaction.

It has been forgotten, I believe, to mention both in our joint and particular letters, that we have attended to the plan proposed by the Committee of sending the frigates to cruise in the East Indies, and upon considering all things it seemed to us impracticable at present. Better order must be established in our marine, and the ships' companies better sorted, before it will be safe to attempt enterprises at such a distance, and which require a certain extent of ideas in the Captain, and entire obedience in the crew.

The authority of Congress for omitting the 11th and 12th articles of the Commercial Treaty, which was omitted in the other despatches, came safe in the last, and will be presented immediately to the minister, who has already agreed to have them expunged.

I enclose you our letter, and Mr Hodge's answer, concerning the money expended at Dunkirk, together with a particular account of what he has received from the public banker.

I have the honor to be, &c.

ARTHUR LEE.

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 JAMES GARDOQUI TO ARTHUR LEE.

Madrid, August 13th, 1778.

Dear Sir,

My last respects went to you under the 23d ult. and referring you to my sequels with regard to your desires of me in money matters, I must beg leave to inform you, that the proposal you have made for borrowing money through the hands of a nobleman at your place is received, and that your being served therewith would give your friends on this side a real pleasure, but I am sorry to tell you, that it is impossible for the present. You will please to observe and consider upon the immense charges occasioned within these two or three years, and that all is done merely on account of your present quarrel, as likewise that such formidable preparations have been and will still be of infinite service to the Americans; besides which, it is well known to yourself, and more so to your worthy constituents, that great succors have been sent forthwith through various channels, and that the same is continued to this day, and will be so in future as much as possible.

In short, it is not doubted but you will represent the whole to your constituents, looking upon all in its true light, and observing that if affairs should be accommodated to their satisfaction and that of this side, the means of succoring you would be facilitated.

I am, Sir, your most obedient humble servant.

JAMES GARDOQUI.

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 JAMES GARDOQUI TO ARTHUR LEE.

Madrid, August 20th, 1778.

Dear Sir,

I confirm my last compliments to you under the 13th inst, wherein I observed how difficult it would be to borrow the two millions sterling here, under the present circumstances, more especially while the enormous charges and fitting out of vessels are carried on merely to protect your colonies, which are besides assisted with effective succors, and will be so in future as much as possible. Since my letter, I have maturely considered upon the matter, and it has occurred to me, that if your government means by it to take up all the paper that has been laid out, perhaps the cession of Florida to Spain, (in case you could reduce it,) might at the conclusion of peace produce, if not the whole, at least a great part of the funds required.

You will no doubt consider, that I cannot penetrate the way of thinking of our Court in this and other entangled matters, but judging like a merchant, I think a negotiation of this kind might well take place, for I imagine it would be proper for both, that the frontier in question should not remain in future in the hands of enemies or suspicious powers. There is, besides, a further negotiation which might be added to the great benefit of your States and this Court, and that is, your providing this kingdom with good timber for the Spanish navy at commodious prices.

I hope, Sir, you will excuse my liberty in pointing out these hints, to which I am led by the honest principle of friendship, and by the wished for view that the interest of both countries may be united upon a sincere and lasting footing; therefore I hope you will weigh the same as you may think more convenient, observing that I suppose you will not propose it to our Court, before you know how the honorable Congress thinks upon both objects.

I am with unfeigned esteem, &c.

JAMES GARDOQUI.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, August 21st, 1778.

Gentlemen,

I wrote you on the 28th ult. of my having pressed for the loan directed by Congress. I have received an assurance through the Ambassador, that an answer will be given to my memorial as soon as possible.

I enclose you a memorial for the consideration of Congress, as we do not think ourselves authorised to act upon it without express orders. Could one be sure, that justice would be done to the public, it might be of advantage to adopt this scheme, for Congress must not trust to the success of a loan, which, for the following reasons, I apprehend will be found impracticable.

The war in Germany supervening on that between us and Great Britain, and the preparations for it by France and Spain, have raised and multiplied the demand for money, so as to give the holders of it their choice and their price. The Empress Queen has engrossed every shilling in the Netherlands. England has drawn large sums from the Hollanders, who cannot easily quit their former market. France is negotiating a loan of one hundred million livres, which will exhaust Geneva and Switzerland. The money holders regard the lending their money at such a distance, as Jacob did the sending Benjamin into Egypt, and it is time only will make them endure the thought of such a separation.

These are the difficulties which the circumstances of things oppose to our scheme of a loan, and render the aid of some other operation necessary for sinking the superabundant paper.

The Minister's answer relative to M. Holker was, that he had no authority from this Court, but on this our joint letter I expect will be more full. I have determined to write to you once a month or oftener, as opportunity offers, and as we do not write so frequently, I am tempted to mention things which should properly come from all the Commissioners, as they relate to the joint commission.

From the necessity of the case we have ventured to administer the oath of allegiance to those who desire passports of us, but I hope Congress will authorise their Commissioners to do so where it is necessary.

I have the honor to be, &c.

ARTHUR LEE.

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TO JAMES GARDOQUI.

Paris, August 27th, 1778.

Dear Sir,

I received yesterday your favor of the 13th. If I remember rightly what made me delay writing to you relative to the bills was my desire of informing you, at the same time, of their being accepted; and it was long before I could learn that myself, from the manner in which they were drawn. I am very sorry it did you any disservice.

I am neither unmindful of, nor ungrateful for, the support we have received from your quarter. The inevitable necessity, which compelled an application for more, gave me great uneasiness. I was sensible the sum desired was very considerable. But so are our wants. It is our misfortune, not our fault, that we are obliged thus to trouble and distress our friends. I trust they will consider it in that light. There is nothing more precarious and immeasurable than what influences public credit. The sum sought would have enabled Congress to call in such a quantity of the paper emitted, as must establish the credit and value of the rest in defiance of all the efforts of our enemies. And I think that if our friends could lend us even as much as would constitute a fund here, on which Congress might draw, so as to call in at once one or two million dollars, it would greatly raise the value of the rest. This would require about eight or ten million livres. When it is seen that the redemption is begun, hopes and expectations will be raised, and credit grow upon them. But emitting more, without redeeming any, makes people think that no redemption is intended, and consequently produces doubts and discredit.

It is long ago that I foresaw, and I had the honor of stating it at Burgos, the necessity of providing for the support of our funds, or rather funds themselves, by the assistance of our friends in Europe. I will venture to say, that one million sterling, furnished in this manner, would have been a more effectual aid than all the preparations that have or can be made, unless they go to actual hostilities. Have these preparations prevented twelve ships of the line from being sent on our coasts to augment enormously that naval force, which was already sufficient to stop our commerce and prevent us from sending our produce to procure funds in Europe? When we argue

against facts we deceive ourselves. The fact then is, that these preparations, however formidable, have had so little effect, that though our enemies were hardly a match for France alone at sea, they ventured, in the face of those preparations, to despatch a powerful fleet against us. Some how or other they did not believe those preparations were meant against them. Have they been deceived in the event? Has their temerity been chastised as it deserved? Has the fleet of Spain joined that of France to crush at one blow their divided naval power? I do not mean to question the goodness of the reasons for this; I mean only to state the fact. I mean to show too that it is not extraordinary, that we should desire other aid than that which, however well intended, does not effectually operate to the relief intended. It is our necessity, not our choice, that speaks. To make a diversion in our favor was benevolent, to send us clothing for troops and naval stores was generous and friendly, but if that diversion has not hindered our commerce from being obstructed by powerful fleets, if the utter discredit of our money for want of funds prevents soldiers, sailors, and others from engaging in our service, and exposes our country to the cruel depredations and devastations of an enraged enemy, can our friends think hardly of us, if we press them for that assistance which only can relieve our distress?

There is a passage in your letter, which, as I suppose it was not inadvertently inserted, I will give my opinion upon fully. It is "that if affairs should be accommodated to your and our satisfaction, the means of succoring us would be facilitated." There is nothing we wish more than such an accommodation, consistent with our engagements and our future security. I can assure you, that no people are more averse to war than those of the United States. Were peace once established upon wise principles, leaving us such neighbors as the Spaniards, whose fair and unencroaching dispositions would prevent any attempts to disturb us, I do not see any reason to suppose we should ever be engaged in a foreign war. A war of ambition I am sure we shall never have. No people were ever more sensible of the value of peace, or more disposed to enjoy themselves and let others enjoy in tranquillity the fruits of their labor.

We are a young people, and have had fourteen civil governments to settle during the heat and pressure of a violent war, accompanied with every possible circumstance, that could augment the expense and difficulty usually attending a state of warfare. It is in this moment of distress, that our real friends will show themselves in enabling us to prevent those calamities, which, though they cannot subdue, will yet injure us infinitely. Our industry, were peace and commerce once established, would soon enable us to repay them, and they would be sure of a gratitude more lively and lasting.

Be so good as to assure our friends, that I have not omitted, nor shall I omit the smallest circumstance of their friendship and generosity, which has passed through me. I hope for a speedy and favorable answer to transmit to my constituents.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, August 31st, 1778.

Gentlemen,

It has been hinted to me, that there will be two important subjects of negotiation with the Spanish Court, upon which I beg to have the orders of Congress.

1st. Providing the Spanish navy with masts at a stipulated and as reasonable a price as possible.

2d. The cession of Florida, should it be conquered, to them.

For this they would stipulate, whenever peace is concluded, to furnish the funds for redeeming all, or a great part of the paper.

I cannot presume to proceed at all on these propositions without express instructions. In the meantime, whatever further lights I can obtain shall be communicated immediately.

I have the honor to be, &c.

ARTHUR LEE.

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TO JAMES GARDOQUI.

Paris, September 1st, 1778.

Dear Sir,

I received your favor of the 20th ult. last night, and will trouble you in addition to what I wrote on the 27th. It depends on your side to begin a treaty, of which, what you mention must be a part. I have already signified my powers and my readiness to do my part, without receiving any answer. My powers by commission are full, and the ratification confirms them specially. Neither my constituents nor myself will be found unwilling to make every reasonable return for any aid given us. There are no neighbors we could prefer to you.

By the last accounts from America, the British army and fleet, after a bloody battle in the Jerseys, were blocked up in New York by General Washington and Count d'Estaing.

It is not improbable they may be forced to surrender before they are released.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 9th, 1778.

Gentlemen,

I enclose you copies of the accounts, bills of lading, &c. of the articles, which I before informed you I should direct to be shipped, and which I pay for out of the funds intrusted to me alone. The only error I find in them is the charge of five per cent commission, which I shall endeavor to have rectified. It will be easy to compare the uniforms at 32 livres, with those furnished by Mr Monthieu at 37 livres, according to Mr Deane's contract, and which Mr Williams reported to us ought to have been rejected; a report, which was concealed from me, as well as the contract.

I have before informed you of my having received remittances in bills, to the amount of 187,500 livres. As I knew it would not be necessary to expend this sum sooner than three months, I thought it better to get interest for it for that time, than let it lie idle. The enclosed receipt will show you, that I have succeeded with the first bill that was due, but I doubt if it will be practicable with the rest.

It may be proper to inform you, that I have dismissed my former secretary, Major Thornton, because it was verified to me, that he had received from Mr Wharton a note of hand for five hundred pounds, payable on war taking place in such a time. This afforded so strong a suspicion, that they who are now his accusers had seduced him into this gambling society, and probably for the purpose of betraying my secrets in the Spanish negotiation, that I thought it prudent to supply his place with another, and have chosen the Rev. Hezekiah Ford, of the State of Virginia, and chaplain to the 3d and 5th regiments of North Carolina troops, in the service of the United States. We have administered to him an oath of secrecy and fidelity, which from his character I have every reason to believe he will religiously observe. The present moment is as totally barren of news, as times of the most perfect tranquillity.

I have the honor to be, &c.

ARTHUR LEE.

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JAMES GARDOQUI TO ARTHUR LEE.

Madrid, September 28th, 1778.

Sir,

A severe illness, which almost reduced me to the last, has prevented my giving you punctual answers to your favors down to the 1st instant; but embracing the first moments of my recovery, I have to say, that I am afraid I did not explain my sentiments clearly in my last. The hints given you were purely mine, and as a friend who wishes the best to both, in order that you might make use of them as you thought proper, and of course I cannot say anything about your powers and treaties, being things out of my way, with which it would be improper for me to meddle. I wish most heartily, that things may be accommodated happily for both parties, so I pray consider this as such, as I should be sorry, that hints given you without either design or authority should be thought otherwise, or meet with results of consequence.

In this same light, and as a sincere friend, who wishes the best intelligence between your constituents and this side, I have now to add, that the capture of the Swedish ship, the Henrica Sofia, Captain P. Held, loaded with Spanish property, and bound from London to Teneriffe, by Captain Cunningham of the Revenge privateer, has occasioned the utmost disgust on this side. I would, therefore, recommend to you not only the immediate release of said vessel, but likewise to give the strictest orders to said Cunningham to pay more regard to the territories of this Kingdom, and to the Spanish flag, for there has been such complaints about his conduct, that I hear orders have been sent to the several ports to prevent his entry; besides which, there are rumors, that he is not properly an American privateer, being manned by French adventurers, who, with their commander, have acted contrary to the law of nations.

Some of my friends, with whom I tried to raise a sum for you, desire to know the length of time you want it, the interest you will allow, and whether you will pay said interest in tobacco, and at what price it will be reckoned in Bilboa, with all other particulars that may offer to you; so I wish you to let me know, if agreeable, that I may let them see it, observing, that I judge we may raise a part, though not the two million of livres, which you desired of me; I would also know whether you will want the money in France or Spain.

I am with sincere esteem, your most obedient humble servant,

JAMES GARDOQUI.

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TO COUNT DE VERGENNES.

Chaillot, September 28th, 1778.

Sir,

I had the honor of your Excellency's letter of the 23d. I should not trouble you with an answer, did it not appear to me necessary to show, that the blame it imputes to me is by no means merited. For that purpose your Excellency will permit me to remind you of what is the fact, that I was not present when the conversation relative to M. Holker, to which your Excellency refers passed between you and my colleagues. I imagine too it arose accidentally, as the intention of conversing on that subject was not communicated to me.

With regard to the duties, my knowledge of them arose from a transaction of my own as Commissioner for Spain, in which my colleagues had no concern. I have always been so sensible of the impropriety of one Commissioner acting, or being acted with, for the whole, in what regards their deputation here, as scrupulously to avoid setting the example. Therefore I entirely agree with your Excellency, that such a precedent should never be permitted.

It was not my intention to make any complaint about the duties, which were probably imposed for wise purposes, but to offer my opinion to your Excellency of what I conceived might be beneficial to that union, which my connexion and myself have always been most zealous in advising, and for the permanency of which, it is therefore natural that I should be particularly anxious.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 30th, 1778.

Gentlemen,

Since I wrote you the 9th of this month, no step has been taken either by our enemies or allies of moment enough to advise you of; nor has any material event happened in Europe, insomuch that times of the profoundest peace could not possibly be more barren. This arises from the general reluctance to war, which, though all are preparing for, no one seems to desire. The fate of this campaign with you will determine whether we shall have immediate offers of peace or continuance of war. If their fleets and armies maintain their ground, or gain any advantage, they will continue the war, and wait for something in the chapter of accidents, which is the sole resource of the Ministers.

I have the honor to be, &c.

ARTHUR LEE.

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TO JAMES GARDOQUI.

Paris, October 6th, 1778.

Sir,

I have not had the pleasure of any answer from you to mine of the 22d of August. I am afraid that the total silence of your friends about taking an open part with us, when all the impediments, which you know were stated, are removed, will make bad impressions on the minds of my countrymen, and transfer all their gratitude to those who have declared in their favor. And this more especially, as one of the English Commissioners, Governor Johnstone, had pledged his honor publicly to prove, that Spain disapproved of, and endeavored to prevent, the declaration of France in our favor.

If to stop the effusion of human blood, and all the shocking calamities attending a war like this, be worthy of a pious prince; if to prevent the chances of war from having any influence in preventing the dismemberment of the British Empire, and the humiliation of their pride be an object worthy of a political prince; if to drive the English immediately from America, and receive a portion of her independent commerce, be an advantage to the crown and people of Spain, this is the moment for its monarch to decide and enforce those events by an immediate declaration of our independency, and an union of force, which must be irresistible.

The last certain accounts from America announce preparations for an assault upon Rhode Island, on the 16th of August. It was already invested both by sea and land, and the enemy had been obliged to burn several of their vessels, and among the rest one of twentysix guns.

The report is, that the Island is taken, for a confirmation of which we wait with much anxiety. The loss of it would deprive the enemy of their port for wintering their navy, and oblige them to abandon New York.

I hope to receive good tidings from you soon, and have the honor to be, with great esteem, Sir, your most obedient servant,

ARTHUR LEE.

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TO COUNT DE VERGENNES.

Paris, October 12th, 1778.

Sir,

Your Excellency has seen in the separate and secret act, signed the 6th of February, 1778,

that I am charged with full powers to conclude a treaty with Spain. You are also acquainted with my having been in Spain, and having had conferences with the Marquis de Grimaldi on this subject.

All the objections, which were then alleged against an immediate declaration, are now removed. The consistency of our cause is unquestionable. France is ready, and has actually declared. Their treasure is safe, and the fleet from Buenos Ayres is in their harbors, yet we do not see the least movement on their part towards realising the hopes they gave us; but on the contrary such ostensible measures as they have taken must certainly give encouragement to our enemies. That Court has not thought proper to take the least notice of the ratification of the separate and secret article, which I announced to them. While we are therefore bound, they remain at liberty.

All this, Sir, gives me much uneasiness. I am apprehensive, that Congress will not think this mode of acting very satisfactory; and that the encouragement, that it must hold out to the Court of London, will prolong this pernicious war, and make it cost us much more blood and treasure than is necessary to tie the hands of our common enemy, and establish effectually the liberty, sovereignty, and independence, absolute and unlimited, of the United States.

In these very critical circumstances I must have recourse to the King and to your Excellency. Our cause is common, and it is my wish to conduct it by your experience, your lights, and your counsel, as to the measure I am to take, whether it be to act or to wait. This would always be my desire; but I consider it now as my duty; for it appears to be the mutual sentiment of your Court and of Congress, that the eventual treaty signed at Paris, the 6th of February, is now become actual, permanent, and indissoluble. The first article of that treaty says, "That if war should break out between France and Great Britain, during the continuance of the present war between the United States and Great Britain, his Majesty and the United States will make it a common cause, and will aid each other with their mutual good offices, counsels, and forces, according to the exigency of things, and as becomes good and faithful allies."

It is upon these principles, that I think it my duty to endeavor to place upon an equal footing the interests of France, and those of the United States; and therefore not to commence anything without the concurrence of your Court. Upon the same principles, I flatter myself with obtaining the aid and assistance of your wisdom and information, as to the moment of commencing the measures to be taken, and the means to be employed, with the Court of Spain.

I am persuaded, and always was so, that Great Britain cannot make head for a year against the united counsels and force of the House of Bourbon and the United States of America.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, October 17th, 1778.

Sir,

I have received the letter you did me the honor to write to me the 12th instant. I have examined its contents with that attention, which is due to the interest I take in every thing that respects the prosperity of the United States, and it is my opinion, that you will act prudently in suspending the measures you wish to take at the Court of Madrid, with the view of ascertaining its principles and resolutions with regard to America.

I have the honor to be, &c.

DE VERGENNES.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, October 19th, 1778.

Gentlemen,

Our affairs in Holland, both as to the treaty and loan, are in a promising state. The King of Naples and of Sicily has declared to us in form, by his Ambassador here, that his ports are open to all vessels belonging to the United States. As the success of our cause gains ground daily in the opinion of mankind, I imagine this winter will produce us some more declared friends among the European powers.

The enemy appears to have no system about continuing the war, or ending it on the terms which Congress has marked out to them. A little success in privateering, since the commencement of hostilities, has given a momentary exhilaration to their depressed spirits; and the expectation of a speedy peace, which is artfully circulated by Ministerial agents, keeps them from entirely sinking.

I find by a specimen, which did not reach me until the goods were shipped, that I have been most egregiously imposed upon in the fusils sent from Berlin. I mean to complain of it to the king of Prussia's Minister, as it was the king's contractor that furnished them by his order. The impositions, that we daily meet with, are in consequence of an opinion prevailing among

individuals, that as we are not acknowledged they may do it with impunity.

No movements yet on the part of Spain. I have consulted Count de Vergennes on the propriety of my taking any measures to bring that Court to a decision; his advice is in these words. "My opinion is, that you will act prudently to suspend the advances, which you desire to make to that Court, with the view of ascertaining its principles and resolutions with regard to America."

Agreeably to this advice, I shall wait the positive orders of Congress, unless some change of circumstances should make it evidently prudent and necessary for me to act before they arrive.

I beg my humble duty may be recommended to Congress, and have the honor to be, &c.

ARTHUR LEE.

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TO BARON DE SCHULENBURG.

Chaillot, October 21st, 1778.

Sir,

Your Excellency had the goodness to write me on the 16th of January last, in the following words. "As to the fusils and other arms of our manufacture, you will have liberty to purchase them, and the bankers Splittgerber, who have charge of the fabrication of arms, will be instructed to deliver to you whatsoever may be demanded on your part. I subjoin a note of the prices, which are the same as the king pays, and add, that the fusils for the infantry may be had at a little lower price, if regard is only had to the solidity of the work, without insisting on that exact uniformity which the king requires."

In consequence of this, I ordered eight hundred fusils for infantry, of the best kind, from the Messrs Splittgerber, and paid them their own price immediately. My intention was to arm a regiment, that the whole army might judge of the superiority of the Prussian model. The fusils were sent by Hamburgh to Bordeaux, and were shipped from thence to America, a case having previously been opened, and a fusil taken out and sent to me. By this specimen, I find that the fusils, so far from being of the sort at present used in his Prussian Majesty's army, are directly the reverse, and of the worst and most ordinary workmanship that can be imagined. I do assure your Excellency, that they are such as our militia would reject, and appear to me and others, who are competent judges, to be old rejected muskets. The ramrod is not a quarter of an inch in diameter, and the lock holes that receive it narrow and of the same diameter above and below; so that the Prussian manner of charging is impracticable with these fusils. The observation I made a thousand times over of the fusils, which the troops at Berlin used, enables me to assure you, that this is a most egregious imposition in being sent as the same, and I am sure they would not sell in Europe for six livres a piece.

My merchant at Bordeaux, the Commercial Agent of Congress, assures me that he took the fusil, from which I form my judgment, with his own hand out of one of the cases sent from Messrs Splittgerber, through the house of Chapeaurouge at Hamburgh.

I therefore entreat your Excellency to oblige these men to do me justice. I am not so much offended at the imposition, for the money it has defrauded me of, as for the disgrace it will bring on the manufactures of Prussia, and the disappointment of the plan I had formed to introduce them into the United States. The mildest reparation, which I conceive can be demanded of the Messrs Splittgerber, is that they send immediately to Bordeaux, at their own expense, eight hundred fusils, such as are ordered, that is, of the present Prussian form, and the best workmanship. Those, that they have sent, I will order to be sold in America, and the net amount of what they bring shall be paid to them.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, October 24th, 1778.

Sir,

I have received, with great sensibility, the news which you have obtained by the way of Spain. It is a very great fatality, that the unlucky gale of wind separated the squadrons just as Count d'Estaing had joined the English. He then had a superiority, which he must have lost, if the Admirals Byron and Parker have joined Lord Howe. We are very impatient to receive some direct accounts from our Vice Admiral. We flatter ourselves, that the favorable winds will bring some despatches from him. I request you, in the meantime, Sir, to communicate whatever news you may receive through other channels.

I have the honor to be, &c.

DE VERGENNES.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, November 4th, 1778.

Gentlemen,

I wrote you on April the 14th, May the 9th, 20th and 23d, June the 1st, 9th, 15th, 17th, July 6th, 16th, 20th, 28th, 29th, August 21st and 31st, September 9th, and 30th, October 5th and 19th, none of which have been acknowledged or answered. I usually send triplicates of my letters and of all the papers enclosed.<sup>[39]</sup>

Whether the British cabinet have yet determined upon relinquishing the war in America, I have not been able to learn. This is certain, that they have ordered considerable quantities of clothing and provisions to be made ready for that quarter, which looks as if they intended their fleet and army should winter with you. From their situation at present, and that of Europe, it appears improbable that they can reinforce, or even recruit their army to any effect. Their naval force is so exactly balanced in Europe by that of France alone, that they can hardly venture to detach any more of their fleet against you. It seems, therefore, that you have before you the utmost force that you are likely to contend with.

It serves the purposes of the enemy to propagate reports of aid from Russia, sometimes in ships, sometimes in troops. As far as there is any certainty in political events, you may be assured they will have neither. The plan they adopt for Parliament, which will meet the 26th, will, I imagine, depend much on the representations of Lord Howe and Governor Johnstone, who are both arrived in England.

Should their fleet and army winter in America, it will be a capital object to intercept their provision fleets. For this purpose I shall obtain and transmit to you, from time to time, intelligence of their being collected at Cork, from which you may judge what time they may be expected on the coast.

The whale fishery, which the enemy have established on the coast of Brazil, and which they carry on by men from Nantucket, is likely to become very valuable; and being totally unprotected, it might be destroyed at one blow.

The instruments for abolishing the 11th and 12th articles are exchanged, and that matter entirely settled.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, November 15th, 1778.

Gentlemen,

I am informed, that it is determined in the Cabinet of London not to recall their Commissioners this winter. Governor Johnstone has been very graciously received; Lord Howe not. He conducts himself as one that is discontented, and has not been at Court. It is given out, that Johnstone declares he is possessed of impeachable matter against both the Howes.

I before mentioned, that the enemy was preparing to send out provisions and clothing for their troops, as if it was intended they should remain in America. It is also certain, that they have contracted for twelve thousand tons of shipping for the beginning of next March. They talk of sending over either ten thousand British, or twelve thousand Russians, for the next campaign, which I am assured and believe they have determined to risk.

To sustain this, they affirm very confidently, that a triple alliance offensive and defensive is concluded between Russia, Prussia, and Great Britain. This I believe is at best anticipation. That such an alliance will be the subject of this winter's negotiation is very probable; perhaps too it may succeed, and that Denmark and Sweden may join. But the good effects of it in favor of our enemy are very problematical. It will inevitably draw forth Spain, which in our part of the question is of much more weight than all the rest. And as to the general war, the league that would be necessarily formed against the other, between the United States, the Empress, France, and Spain, would be the most powerful. I do not count upon Portugal, Naples, Tuscany, and Sardinia, which yet, in all human probability, will join our confederacy. The temper of Holland is such, that the junction of the United Provinces may well be expected, if England has not the wisdom to recede from her claims; and if she does, the Hollanders, having gained the points in trade which they contend for, will render their neutrality perhaps more favorable to us in matters of supply, than an actual confederation.

These are the plans, that must employ the negotiation of all Europe during this winter, which will produce either a general pacification or a general war. The latter is what our enemy is endeavoring to effect. In doing this, by the same fated perversion of understanding, which has happily prevailed in all their measures, they are laboring to secure what they wish to subvert, the absolute independency of America. For there never was a political event more manifest and sure, than that a general war must involve in it the independence of the United States, as an inevitable consequence.

The obtaining money in Europe is doubtful, though not desperate. But this seems very probable, that if the irritation and ill humor in Holland is continued by England's persisting in the interruption of their trade, they will lend us money out of revenge; and if England retracts, the Dutch will send us such plentiful supplies, and take in return our produce as in a great measure to compensate for the want of funds. The dispute seems to be in such a state, that there is no

medium. I am therefore in hopes, that if the war should continue, the distress of it will press with much more severity upon our enemies than on us.

I am informed, that a Swedish ship, the *Henrica Sofia*, Captain P. Held, loaded with Spanish property, bound from London to Teneriffe, has been taken by Captain Cunningham in the *Revenge*, which being considered in Spain as a violence done to them, has given great offence. I have assured them, that upon its being made to appear in the Admiralty Court in America, that the property is neutral, it will be restored, with such damages as are just. The Court of Spain is so much offended at Captain Cunningham's conduct before this, that they write me orders have been sent to all their ports to prohibit his entrance. From the beginning to the end of this business of Cunningham, it has been so bad, that Congress only can correct it, by punishing those who are concerned. It has cost the public more than one hundred thousand livres, and embroiled us both with the French and Spanish Courts.

The State of Virginia having sent for arms and artillery necessary for their defence, and some advances being absolutely necessary to obtain the supply, I ventured to advance fifty thousand livres out of the public funds in my hands. Had not this demand pressed so much, I certainly should not have done this without the permission of Congress. But as it is, and though I expect the reimbursement before the articles I have ordered for the public will call for payment, yet I think it my duty to communicate this transaction, and submit it to the censure of Congress. I expect a complete cargo is by this time shipped in my department, consisting of blankets, shoes, tentcloth, sailcloth, and rigging for a vessel of five hundred tons. This cargo, with what went before, should contain ten thousand blankets. I have ordered twenty thousand more, which, with half of the freight, I am obliged to advance for the above cargo, will more than employ all the funds in my hands.

I have the honor to be, &c.

ARTHUR LEE.

*P. S. November 18th, 1778.* Every hour's intelligence confirms the opinion, that the enemy will not obtain any Russian auxiliaries.

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TO JAMES GARDOQUI.

Paris, December 4th, 1778.

Dear Sir,

I wrote you on the 10th ult. and have not been favored with anything from you since. Upon a supposition, that I should have funds sufficient in my hands, I desired your house to collect 20,000 or 30,000 blankets, which I intended to pay for without troubling our friends with you. But I find the clothing, shoes and stockings, which I was obliged to send from hence, have consumed most part of the money remitted to me, so that I shall be unable to pay for those blankets. Yet they are an article most essential to our army both in winter and summer. I must therefore beg you to beseech our friends to extend their order to them, and have them shipped as fast as they are collected by your house, *on the old plan*.

In consequence of what passed when we were at Burgos and Vitoria, I wrote that our vessels would be received at the Havanna, as those of the most favored nation. It is desired to know whether, under this, the produce of the States may be carried thither for sale, and prizes sold there or in any other of his Catholic Majesty's ports in America. I shall be much obliged to you to get me an explanation on this head, as we would wish to avoid giving embarrassment or offence, by extending the liberty further than is meant. The ports being open in this manner would be certainly beneficial to both, but I am no judge how far it would be consistent with the policy of your commercial regulations.

Count d'Estaing's fleet was refitted, and ready to sail from Boston the 3d of November. His officers and sailors have behaved there with the greatest decorum, and rendered themselves exceedingly agreeable to the inhabitants. The fray, of which our enemies make so much, was entirely accidental, and owing to some privateersmen wanting to get biscuit for a cruise. The readiness of our enemies to hope, from every little incident, a dissolution of our foreign connexions, serves only to show how much they apprehend from a continuance of them.

There is no certain intelligence of the enemy's fleet or army.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 5th, 1778.

Gentlemen,

I had the honor of writing you on the 14th of April, May the 9th, 20th, and 23d, June the 1st, 9th, 15th, and 17th, July the 6th, 16th, 20th, 28th, and 29th, August the 21st, and 31st, September the 9th and 30th, October the 5th and 19th, November the 4th, 18th and 20th, with various enclosures, among which were triplicates of Mr Williams's accounts, and quadruplicates of the state of the Swiss militia.

From Lord Suffolk's speech on the address, it appears, that they have adopted a dernier plan

for conducting the war against you, which, I am informed, is to burn and destroy every thing they approach. The example of Colonel Butler is to be pursued on all the frontiers accessible to the Indians, to whom small bodies of regulars are to be joined. The fleet and armies are to lay waste the sea coast and its vicinities. Lord Suffolk is the mouth of the king of Great Britain, and his advisers, Lords Bute and Mansfield, and Mr Wedderburne. What he says may therefore be depended on as their resolution.

From the enclosed piece (copies of which have been sent from Holland) you will be able to judge of the nature and situation of the dispute in Holland. The friends to themselves and us are for augmenting their marine, the purchased advocates of England, and the dependants of the Stadtholder, are for increasing their army.

To make them and other neutral nations feel the necessity of supporting the privileges of their flags against the English, this Court has declared its determination to make prize of all goods belonging to the enemy, found in neutral ships, as long as the same is permitted to be done by the British cruisers, with regard to the effects of France in the same situation. This is such a blow to their interests as, it is imagined, must rouse the Dutch to vigorous exertions against Great Britain, in support of their privileges as common cruisers.

The Court of Spain has published its intention of admitting the sale of prizes, made by the French, and the entrance of all American vessels upon the footing of all other neutral nations.

The Empress of Russia has determined to take part with the King of Prussia in the German war, which the House of Austria seems resolved to support against their united forces. As Hanover, and the other German princes, are pledged to assist Prussia, our enemy can hardly expect any aid from thence. Though it is therefore impossible to conceive how they can maintain the war in their very exhausted state, and without one effectual ally, yet it is certain, that they mean to try another campaign.

I send you some charts of the Continent of America, and of the Islands, lately published, and reckoned extremely accurate, from which perhaps Congress may think proper to have others engraved for the use of the navy. They consist of three volumes folio, with a quarto volume of directions.

We are in daily expectation of the final pleasure of Congress, on the several important matters relating to our missions.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT DE FLORIDA BLANCA.<sup>[40]</sup>

Paris, December 17th, 1778.

Sir,

I have the honor of enclosing to your Excellency a true copy of a proclamation and manifesto lately issued in America by the British Commissioners. The plan of desolation and cruelty announced in it has been approved in Parliament, by one of his Britannic Majesty's principal Secretaries of State, the Earl of Suffolk; and a majority in both Houses of Parliament have given their sanction to the manifesto itself by refusing to disclaim it. Upon these grounds it may justly be considered the act of the nation.

The intentions of Great Britain, derogatory at once of all the sacred rights of humanity, and of the honor of God, and of the established laws of civilized nations, are thus declared in the manifesto. "The policy as well as the benevolence of Great Britain have thus far checked the *extremes of war*, when they tended to distress a people still considered as our fellow subjects, and *to desolate* a country shortly to become again a source of mutual advantage. But when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemy, the whole contest is changed, and the question is how far Great Britain may, by every means in her power, destroy or render useless a connexion contrived for her ruin, and for the aggrandizement of France. Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain; and if the British Colonies are to become an accession to France, will direct her to render that acquisition of as little avail as possible to her enemy."

The pretext here alleged for carrying war to all extremities, which the laws of humanity and of nations forbid, and of *desolating* merely for the purpose of desolation, is, that the country is to be monopolised by France. That this is merely a pretext is manifest from the treaty itself on which they ground it, in which it is declared, that the United States are at liberty to make the same treaty with all nations.

Your Excellency knows too, how unjust this imputation is in our most secret transactions. By one of those strange absurdities, into which men blinded by bad passions are often betrayed, they denounce this desolation against the people at large, who they in the same breath assert have not ratified the treaty. Thus, if we are to credit their own assertions, the ground of their rage is pretended, and the objects of it innocent.

It is therefore most clear, that the threatened cruelties are not out of policy, but out of revenge. And as nothing is more odious than this spirit, nothing more dangerous to all that is deemed dear and sacred among men, than an open avowal of such a principle, and an exercise of

the barbarities which it suggests, such a conduct ought to arm all nations against a people, whose proceedings thus proclaim them to be *hostis humani generis*.

It is not that they can add to the cruelties they have already exercised; desolation and massacre have marked their steps wherever they could approach. The sending of those captives, whom they pretend now to be their fellow subjects, into perpetual slavery in Africa and India; the crowding of their captives into dungeons, where thousands perish by disease and famine; the compelling of others, by chains and stripes, to fight against their country and their relations; the burning of defenceless towns; and the exciting of the savages, by presents and bribes, to massacre defenceless frontier families, without distinction of age or sex, are extremities of cruelty already practised, and which they cannot exceed. But the recovery of what they called their rights, and the reduction of those who had renounced as they alleged a just supremacy, was then avowedly the object of the war. These cruelties were, it was pretended, incidental severities, and necessary to the attainment of a just object. But now destruction alone is the object. It is not profit to themselves, but injuries to others, which they are pursuing. Desolation for the pleasure of destroying is their only purpose. They will sacrifice to disappointed vengeance what their injustice lost, and their power cannot regain.

There cannot be a greater violation of those laws, which bind civilized nations together, which are the general property, and which distinguish their wars from those of savages and barbarians, than this manifesto. All civilized nations are called upon, as well by their own interests as those of humanity, to vindicate its violated laws. Your Excellency will therefore permit me to hope, that so daring and dangerous a procedure will call forth a declaration from the king of Spain, whose pre-eminent character among princes for piety, wisdom, and honor, will render him a fit avenger of the common cause of mankind. It is not America only, that is wronged by this savage proclamation, but the feelings of humanity, the dictates of religion, the laws of God, and of nations.

Your Excellency will also give me leave to request, that this representation may be laid before his Majesty, and enforced with such arguments as your Excellency's greater knowledge, and the favor you have had the goodness to manifest for our just cause may suggest.

I have the honor to be your Excellency's very humble servant,

ARTHUR LEE.

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TO THE BARON DE SCHULENBURG.

Paris, December 25th, 1778.

Sir,

I had the honor of receiving your Excellency's favor of the 1st. I am extremely sorry for having troubled you with a representation, which seems to have given offence, instead of obtaining redress. Neither the character of a merchant, nor that of all the merchants of Europe, can weigh against the evidence of one's senses. I do assure your Excellency upon my honor, that the musket, which is the specimen of those sent for the best Prussian arms, and which have cost me five livres a piece more than the best arms in France, is one of the worst that I ever beheld. I have seen most of the troops in Europe, and I never saw such a musket in a soldier's hand. It has this remarkable in it, that it is neither of the old nor the new model; but seems to have been a barrel spoiled in attempting to new model it, and this put into a stock of such wood, and of such fashion, that nothing can be imagined worse. There is no mark upon it of its having been examined. In short, a mistake between the new and the old model is out of the question.

But your Excellency will give me leave to observe, that if my demand was not explicit, it is a little surprising, that the house of Splittberger, in the correspondence that passed between them and Mr Grand, before the order was executed, did not ask an explanation, whether the old or the new model was meant. They knew, though we did not, that there were different kinds of arms of the Prussian make, and therefore that a mistake might happen. As to myself, I had seen the troops at Berlin, and the arsenal furnished with arms of the new model. I had conversed with sundry officers upon the preference due to arms of the Prussian make, and never found any one who by that term did not understand those of the new model. Not knowing, therefore, that there was any possibility of mistake, I did not conceive I could be more explicit. Upon the whole, instead of the best arms in Europe, which I promised, I sent the worst, if the rest are like the specimen sent me.

I hope your Excellency will pardon me for having given you the pain of reading one letter on this subject, and I should not have added a second, but that there was a sort of censure thrown upon me, which I most assuredly did not deserve. I should have thought myself censurable, if I had concealed from your Excellency a proceeding on the part of those gentlemen, which appeared so flagrant to me. You thought I was alone to blame, in which I cannot in any degree whatsoever concur.

I have the honor of enclosing to your Excellency a copy of a manifesto, which the avowedly savage intentions of our enemies have compelled Congress to make. The previous resolution will show your Excellency with what reluctance Congress has adopted retaliation. As long as it was possible to impute the barbarities committed, to the unauthorised malignity of individuals, they entreated forbearance. But when a solemn avowal on the part of his Britannic Majesty's Commissioners, of their determination to exercise the extremes of war, and to desolate for the sole purpose of destroying, had deprived them of the apology they had too generously made for

the actions of their enemies, their duty to the people, to humanity, to the nations, called from Congress this resolution of retaliation.

This conduct of our enemies will, like all their other follies and persecutions, knit more firmly our confederation. The inhuman purpose of massacre and desolation, upon a pretext of our being mortgaged to France, which the very treaty to which they allude expressly contradicts, has armed every heart and hand against them. It has confirmed the wavering, animated the timid, and exasperated the brave. The laws of nations are the Common property of all civilized people. Our liberties, which *were* the object of the war, are secure; we are *now* fighting the battles of humanity and of nations, against the avowed and bitter enemies of both.

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

ARTHUR LEE.

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TO COUNT DE FLORIDA BLANCA.

Paris, December 27th, 1778.

Sir,

I have the honor of enclosing to your Excellency a manifesto from Congress, in answer to that of his Britannic Majesty's Commissioners. You have also enclosed a copy of a former resolution of Congress on this subject, from which it will appear how earnestly they have shunned this shocking extremity. As long as it was possible to impute the barbarities committed to the unauthorised intemperance of individuals, Congress exhorted the suffering people to lenity and forbearance. But when they became acts of authority, avowed and ordered, Congress must not only stand justified before God and man, but would have been culpable in the eyes of both, had they longer withheld the order for retaliation. Permit me to hope, that your Excellency will represent these things to his Majesty, and that they will produce an immediate declaration, which is most likely to arrest the sanguinary progress of our enemy, and compel them to relinquish the devastation of our country for the defence of their own.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT DE VERGENNES.

Chaillot, January 3d, 1779.

Sir,

I have the honor to send to your Excellency the copy of a letter, which I received yesterday. It is from the same person as the other, which I had the honor of communicating to you through Mr Grand. It is fourteen months since the writer has been proposing a rendezvous with Mr Franklin and myself, for the purpose of arranging the conditions of an accommodation. This gentleman, who is named Berkenhout, has since that time been sent to America with the British Commissioners. He has been imprisoned in Philadelphia on suspicion of the object of his mission, and released for want of proofs. He has again, as you see, returned to his country, and to his endeavors to seduce, by offers of emoluments and *titles of honor*, which we call in our language, *honors*.

If your Excellency is of opinion, that it would be of any utility to endeavor to obtain proofs of authority for what he offers, I will answer him accordingly; if otherwise, I will not return him any answer. This is also the opinion of my colleagues.

I have the honor to be, &c.

ARTHUR LEE.

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, January 4th, 1779.

Sir,

I did not find annexed to the letter you did me the honor of writing to me yesterday, the one from England, which you mentioned, and which you say is from Dr Berkenhout, who rendered himself suspected at Philadelphia. But without seeing this letter, I think, Sir, that after what has passed between Congress and the English Commissioners, it would be unbecoming the dignity of your commission to grant a rendezvous to agents, who did not bring the palm of sovereign independence in their hands. My opinion would be, therefore, that you should answer in plain terms to this agent, that unless he assures you of the most entire acknowledgment of your independence, and brings you propositions conformable to the fidelity, with which your nation and government glory in fulfilling their engagements, that you cannot consent to any interview with him, or with any other emissary. You and your colleagues both perceive, that these people wish to negotiate with you, not for the purpose of granting you suitable conditions, but to hold up an appearance that there is little agreement between you and us, by means of which illusion the purse of the English is drained.

I have the honor to be, &c.

DE VERGENNES.

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TO COUNT DE VERGENNES.

Chaillot, January 8th, 1779.

Sir,

I have the honor to send to your Excellency the answer, which I should have written to Dr Berkenhout, had I sent one. I have studied the Court of London and its agents very much, and for a long time, and I conceive, that it is most for our interest to treat them with pride, if not with an appearance of contempt.

I have the honor to be, &c.

ARTHUR LEE.

*P. S.* My letters from England announce, that a fleet of one hundred and twenty sail, with provisions for the English Islands, is to sail from Cork in a short time, with an escort of two sail of the line and one frigate.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 5th, 1779.

Gentlemen,

My despatches of April the 14th, May the 9th, 20th and 23d, June the 1st, 9th, 15th and 17th, July the 6th, 16th, 20th, 26th and 29th, August the 21st and 31st, September the 9th and 30th, October the 5th and 19th, November the 4th, 18th and 20th, and December the 5th, remain unanswered.

Nothing material has since happened in Europe. The late proceedings in Holland discover, that the English party have gained ground there. The truth is, that the English borrow their money and then bribe them with it; for it is so manifestly their interest to join against England, and their advantages from the trade of America, being free, are clearly so much greater than those of any other nation, that unless their rulers were blinded by some powerful application, it is impossible but that they should be active and earnest in promoting this revolution. The Court of France is acting with firmness and wisdom to restrain them by powerful motives of interest.

There does not at present seem any probability of an accommodation in Germany. The ordinary of the expense our enemy is to incur this year stands thus.

|                                 |                |
|---------------------------------|----------------|
| Exchequer bills to be paid off, | £ 2,500,000    |
| British troops,                 | 3,640,000      |
| Foreign do.                     | 713,000        |
| Navy,                           | 4,589,000      |
| Militia,                        | <u>700,000</u> |
|                                 | £12,142,000    |

|   |                  |
|---|------------------|
| To this add transport service and extraordinaries,<br>which cannot be less than | <u>5,000,000</u> |
|   | £17,142,000      |

|  | Troops.       |
|--|---------------|
| They purpose having on the British establishment | 82,744        |
| Foreigners,                                      | 24,800        |
| Augmentation to the British by new levies,       | 14,400        |
| Militia, including fencible men,                 | 39,701        |
| American Tories,                                 | 6,000         |
| Irish establishment,                             | <u>14,685</u> |
|  | 181,685       |

Though they will never be able to realise this number, or near it, yet the expense will not therefore be diminished. With their taxes doubled, and such an enormous increase of expense while her commerce is so greatly abridged, it may easily be judged how long Great Britain can continue so ruinous a contest. Nothing seems more sure, than that she will not get even the stipulated number of recruits from Germany; much less has she any chance of an augmentation.

Yet all the advices concur in assuring us, that the Cabinet is determined on pushing the war in America, for which purpose they propose sending the following regiments; 1st and 2d battalions of Royals; 3d, 11th, 13th, 19th, 25th, 30th, 32d, 36th and 69th. The 18th, 66th and 67th from Ireland. These fourteen regiments may contain from five to six thousand men. One of my correspondents, in whom I have much reliance, thinks they will be sent to the West Indies, and

not to the Continent. In truth, I believe they will wait till the operations of Count d'Estaing enable them to decide whether they can venture to send them to New York, or must necessarily re-enforce the troops in their islands in order to preserve them.

I send you copies of the bill of lading and the invoice of supplies shipped from Bilboa, which I hope will arrive safe. You also have an account of the money I have been intrusted with, and how I have expended it. The vouchers are the merchants' accounts, which I have regularly transmitted as I received them.

We wrote to M. de Beaumarchais upon our receiving your letter, and the agreement with his supposed company, that we were ready to settle accounts with him whenever he chose. He has made no answer. If your commercial agents do not keep an exact account of the marks of what they receive on the public account, and count or weigh what is delivered, you will want the means as we do, of checking the demands made. For example, M. Monthieu brings in an account to us for so many uniforms of blue cloth and so many pounds of rose copper; and Mr Williams, the agent, gives a receipt for so many bales of uniforms and so many casks of copper, without specifying the number, weight, or quality, so that we are as little able to judge whether what we are to pay for has been received, as if no receipt at all was produced. Nor is the receipt of the agent on your side of the water in the least more explicit.

I have the honor to be, &c.

ARTHUR LEE.

*P. S.* Circumstances are such, that it is not prudent to say much about my particular department, but I think Congress will have reason to be satisfied with that quarter. January 28th.

| <i>Public Money expended.</i> |   |                |
|-------------------------------|---|----------------|
|                               |   | Livres.        |
| 1777,                         |   |                |
| May 25th,                     | Power of Attorney to Dr Franklin to dispose of the first remittance,  | 9              |
|                               | Remitted to Gardoqui at Bilboa (for supplies sent to Congress) November 29th, 1777, 60,790; May 29th, 1778, 14,599; September 25th, 24,654; January 3d, 1779, 19,905; | 119,848        |
| 1778,                         |   |                |
| Feb. 7th,                     | Courier with despatches to Nantes,  | 120            |
| 20th,                         | A person's expenses to and from London, to get intelligence,  | 1,165          |
| March 30th,                   | Remitted to the prisoners at Portsmouth by Mr Thornton,   | 495            |
|                               | Advanced for the State of Virginia,   | 35,585         |
| June,                         | Cost and expenses of 800 fusils,  | 22,548         |
| " 10th,                       | Lieutenant Jones of the Providence, his expenses for bringing despatches,   | 347            |
| " 23d,                        | Mr Thornton's expenses to Portsmouth, &c.   | 480            |
|                               | My own expenses,  | 2,232          |
| Sept. 25th,                   | Mr Bonfield's accounts for supplies sent,   | 52,501         |
|                               | Banker's commission,  | 1,037          |
|                               | 30,000 blankets ordered from Bilboa,  | 210,000        |
|                               | Charges on them,  | <u>18,000</u>  |
|                               |   | 464,567        |
| <i>Public Money received.</i> |   |                |
| 1777, May,                    | Remittance from Spain,  | 187,500        |
| 1778, Oct.                    | Two do " do   | 187,500        |
|                               | Interest on the last for three months,  | <u>2,000</u>   |
|                               |   | <u>377,000</u> |
|                               | Debit,  | <u>87,567</u>  |
| January 1st, 1779.            | Livres  | 464,567        |

COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, January 10th, 1779.

Sir,

I received with the letter, which you did me the honor to write me the 8th, a copy of your

answer to Dr Berkenhout, which is noble and frank. These are not qualities the most cherished in England, but it is good that they should know there, that your intentions are not different from those of your constituents, and that they in vain attempt your and their fidelity. Agreeable to our advices from England, the gales of wind towards the end of last month have much disordered the numerous convoys, that were prepared for the two Americas. I am going to acquaint M. de Sartine of the one that is about sailing from Cork.

I have the honor to be, &c.

DE VERGENNES.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 15th, 1779.

Gentlemen,

Our enemies are in as much confusion and disorder as possible. Admiral Keppel's trial, which is considered as an assassination, has revolted all men's minds. Those of Sir Hugh Palliser and the Howes are soon to follow. The demon of discord has lighted among them his most destructive torch. They have made some attempts on the landed property in Wales, which is likely to raise that principality against them if they persist; and the king is not remarkable for the wisdom of retracting from what he has once commenced. It is at present by no means improbable, that they will have intestine commotions to employ them in the course of this year, and their possessions are every where so ill provided, that many of them must fall an easy prey to our ally. The parting proclamation and manifesto of their Commissioners has disgraced them much in Europe; and the counter manifesto of Congress is generally approved.

A large West India fleet and transport, victuallers of two hundred sail, with twentyfive sail of men of war to convoy them, were lately dispersed by a terrible storm in the channel. A most valuable East Indiaman was sunk to the bottom by the Russel, a 74 gun ship, which was greatly damaged. Many of their transports were forced into the harbors of France and captured. The loss, damage, and delay, are very considerable, and the more distressing to them, as they are with great reason under infinite apprehensions for the fate of their Islands. It is supposed, that only five of the men of war are to continue with them quite to the West Indies.

There are many doubts of their being able to raise the loan they want, and it certainly will not be procured but on most ruinous terms. In short, their distress begins to be proportioned to their deserts, and is only exceeded by the folly of their councils.

There is not yet any appearance of a pacification in Germany; and the city of Amsterdam is exerting its utmost to preserve the States-General in their neutrality.

I have the honor to be, &c.

ARTHUR LEE.

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DR PRICE TO ARTHUR LEE.

Newington-Green, January 18th, 1779.

Dear Sir,

Your most kind and excellent letter, together with the letter conveying the resolution of Congress, has made the deepest impression on my mind. I entreat you to accept yourself, and to deliver to Doctor Franklin and Mr Adams, my best acknowledgments. Though I cannot hesitate about the reply addressed to the honorable Commissioners, and through them to Congress, which accompanies this letter, yet so flattering a testimony of the regard of an assembly, which I consider as the most respectable and important in the world, cannot but give me the highest pleasure, and I shall always reckon it among the first honors of my life.

There is an indolence growing upon me as I grow older, which will probably prevent me forever from undertaking any public employment. When I am in my study and among my books, and have nothing to encumber me, I am happy; but so weak are my spirits, that the smallest hurry and even the consciousness of having anything to do which *must* be done, will sometimes distress and overpower me. What I have written on the subject of finances has been chiefly an amusement, which I have pursued at my leisure, with some *hope* indeed, but very little *expectation* of its being useful. Nothing can be more melancholy than to see so many great European States depressed and crippled by having debts, which have been the growth of ages, and which in the end must ruin them, but which a small appropriation, faithfully applied, might have always kept within the bounds of safety. This is particularly true of this country. Here our debts must soon produce a shocking catastrophe. The new world will, I hope, take warning, and profit by the follies, corruptions, and miseries of the old.

My pamphlets on the principles of Government and the American war, were extorted from me by my judgment and my feelings. They have brought upon me a great deal of abuse; but abundant amends have been made me by the approbation of many of the best men here and abroad, and particularly by that vote of Congress, to which I suppose they may have contributed. When you write to any of the members of that assembly, be so good as to represent me as a zealous friend to liberty, who is anxiously attentive to the great struggle in which they are engaged, and who wishes earnestly, for the sake of the world, that British America may preserve its liberty, set an example of moderation and magnanimity, and establish such forms of government, as may render

it an *asylum* for the virtuous and oppressed in other countries.

Tell Dr Franklin that he is one of the friends in whom, while in this country, I always delighted, and for whom I must ever retain the greatest esteem and affection. We are now separated from one another, never probably to meet again on this side the grave. My connexions and state of health and spirits are such, that I must stay in this country and wait its fate. I do this with a painful concern for the infatuation, that has brought it into its present danger, but at the same time, with indifference as far as my own personal interest is concerned, and a perfect complacency in the consciousness of having endeavored to act the part of a good citizen, and to serve the best of all causes. Will you further mention me particularly to Mr Adams, and inform him, that I greatly respect his character.

Some good friends of yours and mine are well, but I differ from them at present in opinion.

Under a grateful sense of your friendship, and with regard and wishes of all possible happiness,

I am, dear Sir, &c.

RICHARD PRICE.

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JOHN ADAMS TO COUNT DE VERGENNES.

Passy, February 11th, 1779.

Sir,

As your Excellency reads English perfectly well, my first request is, that you would do me the favor to read this without a translation, after which I submit it to your Excellency to make what use of it you shall think proper.

I have hitherto avoided in my single capacity giving your Excellency any trouble by letter or conversation; but the present emergency demands that I should ask the favor to explain my sentiments, either by letter or in person. If you will permit a personal interview, I am persuaded I can make myself understood. If you prefer a correspondence, I will lay open my heart in writing, before your Excellency.

It is the address to the people in America under the name of Mr Silas Deane, that has occasioned this boldness in me. It is to me the most unexpected and unforeseen event that has happened. I hope your Excellency will not conclude from thence, that I despair of the Commonwealth. Far otherwise. I know that the body of the people in the United States stand immovable against Great Britain; and I hope that this address of Mr Deane's (although it will occasion much trouble to individuals) will produce no final detriment to the common cause; but on the contrary, that it will occasion so thorough an investigation of several things as will correct many abuses.

It is my indispensable duty upon this occasion to inform your Excellency, without consulting either of my colleagues, that the honorable Arthur Lee was as long ago as 1770 appointed by the House of Representatives of the Massachusetts Bay, of which I had then the honor to be a member, their agent at the Court of London in case of the death or absence of Dr Franklin. This honorable testimony was given to Mr Lee by an assembly in which he had no natural interest, on account of his inflexible attachment to the American cause, and of the abilities of which he had given many proofs in its defence. From that time to the year 1774 he held a constant correspondence with several of those gentlemen, who stood foremost in the Massachusetts Bay against the innovations and illegal encroachments of Great Britain. This correspondence I had an opportunity of seeing, and I assure your Excellency from my own knowledge, that it breathed the most inflexible attachment, and the most ardent zeal in the cause of his country. From September 1774 to November 1777, I had the honor to be in Congress, and the opportunity to see his letters to Congress, to their committees, and to several of their individual members. Through the whole of both these periods, he communicated the most constant and certain intelligence, which was received from any individual within my knowledge, and since I have had the honor to be joined with him here, I have ever found in him the same fidelity and zeal; and have not a glimmering of suspicion, that he ever maintained an improper correspondence in England, or held any conference or negotiation with any body from thence, without communicating it to your Excellency and to his colleagues. I am confident, therefore, that every insinuation and suspicion against him of infidelity to the United States, or to their engagements with his Majesty, is false and groundless, and will assuredly be proved to be so.

The two honorable brothers of Mr Lee, who are members of Congress, I have long and intimately known; and of my own knowledge I can say, that no men have discovered more zeal in support of the sovereignty of the United States, and in promoting from the beginning a friendship and alliance with France, and there is nothing of which I am more firmly persuaded, than that every insinuation that is thrown out to the disadvantage of the two Mr Lees in Congress is groundless. It would be too tedious to enter at present into a more particular consideration of that address. I shall therefore conclude this letter, already too long, by assuring your Excellency, that I am, with the most entire consideration, your most, &c.

JOHN ADAMS.

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COUNT DE VERGENNES TO JOHN ADAMS.

Translation.

Versailles, February 13th, 1779.

Sir,

I have received the letter, which you did me the honor of writing to me the 11th instant, and agreeable to your desire I have not submitted its contents to the inspection of a translator. I am no less concerned than yourself, Sir, at the appeal, which Mr Silas Deane has made to the people of America. It does not belong to me to qualify this step; your respective sovereigns must judge of the measure, and decide the differences which have arisen between their Commissioners. The manner in which you have been treated here, conjointly and separately, must have convinced you, that if we had been informed of your disputes we should have paid no regard to them, and the personal esteem which we have endeavored to show each of the Commissioners is a proof, that we have not adopted the prejudices with which it seems it has been endeavored to inspire America, and the foundation of which is unknown to us.

Although this disagreeable disunion is foreign to us, and it becomes us by all means to refrain from taking part therein, I shall not be the less pleased to see you, Sir, and whatever day you fix will be agreeable to me. I only request you to acquaint me beforehand with the time you shall choose.

I have the honor to be, &c.

DE VERGENNES.<sup>[41]</sup>

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COUNT DE VERGENNES TO ARTHUR LEE.

Translation.

Versailles, February 15th, 1779.

The Count de Vergennes has the honor to present his compliments to Mr Lee, and to inform him, that if he will take the trouble of coming to Versailles on Wednesday or Thursday next, as shall be most convenient to him, he will be very glad to converse with him.

*Note by Mr Lee.*

Went next day to Count de Vergennes, showed him my books concerning the treaties, and the French and English propositions. It was agreed, that I should have the passages translated for him to lay before the King and Council. He said, that Mr Deane's charges were inapt, that it was surprising he should bring them into his personal dispute, that he had much wished Mr François to go as Minister to America. Upon my saying, the cause of Mr Deane's recall was his having sent over so many officers, he said it was what he always disapproved of, because he knew that multitudes of those who were applying were neither officers nor any thing else.

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BENJAMIN FRANKLIN TO ARTHUR LEE.

Passy, February 18th, 1779.

Sir,

I have the honor to communicate to you herewith copies of resolutions of Congress, of September the 11th and 14th, and October the 22d. I shall endeavor strictly to comply on my part with the commands of Congress contained in the latter, which are at the same time perfectly agreeable to my inclinations.

I have the honor to be, &c.

B. FRANKLIN.

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TO BENJAMIN FRANKLIN.

Chaillot, February 18th, 1779.

Sir,

I this moment had the honor of receiving yours of this date, containing copies of the resolutions of Congress of September the 11th and 14th, and October the 22d. I shall do myself the honor of paying my compliments to you on your appointment tomorrow about 12 o'clock.

Nothing can be more agreeable to me than your intention of cultivating the harmony recommended in the last resolve, because I always lamented the interruption of it as detrimental to the public, and dishonorable to ourselves.

I have the honor to be, &c.

ARTHUR LEE.

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BENJAMIN FRANKLIN TO ARTHUR LEE.

Passy, February 18th, 1779.

Sir,

I beg you will be pleased to send me by the bearer all the public papers in your hands

belonging to this department.

I have the honor to be, &c.

B. FRANKLIN.

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TO BENJAMIN FRANKLIN.

Chaillot, February 21st, 1779.

Sir,

Your grandson delivered to me, between 10 and 12 o'clock on the 19th, your letter dated the 18th, in which you desire I "will send, by the bearer all the papers belonging to this department."

I have no papers belonging to the department of Minister Plenipotentiary at the Court of Versailles. But if you mean, Sir, the papers relating to the transactions of our late joint Commission, I am yet to learn, and cannot conceive on what reason or authority any one of those who were formerly in that commission can alone claim or demand possession of all the papers evidencing their transactions, in which, if they should appear to have been equally concerned, they are equally responsible.

Of these papers Mr Deane, by his own account, took and secured such as he chose. The rest, a very few excepted, you have. Many of these I have never even seen, but have been favored with copies. Of the few originals in my possession, there are, I know, duplicates of the most part at Passy, because it was for that reason only that I took them. The rest are necessary evidence to answer Mr Deane's accusations.

If it were indeed agreed, that all the papers belonging to our late commission should be brought together, numbered, docketed, and deposited where the late Commissioners, and they only, might have access to them, I would very readily contribute the few I have. But on no other terms can I part with them, and must therefore desire you to command me in some other service.

Still, however, I am in the judgment of Congress, and if upon our mutual representations, should you think it worth troubling them with, they should be of a different opinion, I shall abide by their decision, and obey their orders.

I hope your gout is better, and have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, February 25th, 1779.

Gentlemen,

I received the remarks of Mr Deane, dated the 12th of October, 1778, on my letter of the 1st of June, 1778.<sup>[42]</sup>

Mr Deane endeavors to mislead Congress from the real point of my information, which is, that from the papers he left, no satisfactory account could be obtained of the millions that had been expended, to that of the banker's accounts, the fairness and validity of which, as far as they go, I never questioned.

The banker's account proves what I said, *that millions have been expended*; but it does not prove what I wanted to be satisfied of, that the value of this expenditure has been received by the Agents of Congress in Europe. Neither their receipts nor the bills of lading appeared among the papers he left at Passy. Upon a scrap of paper Mr Deane had left notes, that such and such sums were paid in general for such and such purposes. This was a manner of accounting equally mercantile and satisfactory. It was not even so explicit as the summary of the banker's account he has subjoined to the remarks I am answering. It never specified the quantity, and not often the quality, of what the sums were paid for. It was not accompanied with accounts and receipts from the persons, to whom the money was said to have been paid; nor the receipts of our agent, to whom the things must be supposed to have been delivered. It is manifest why the agent, Mr Williams, did not and will not to this moment give receipts, specifying the quantity and quality of what he received for the public use, because such receipts would make him responsible to the public for their contents; which now he is not.

This then is distinctly the subject of my complaint, that Mr Deane, who assumed to himself the management of those affairs, left them in such confusion, that neither was there any usual or satisfactory evidence of the thing said to have been delivered, nor were there any means left of knowing how to settle the accounts that remained unpaid, so as to do justice to the public. There were no books of accounts; nothing but a confused mass of motley refuse papers, without order, reference, or effect. I do not, nor ever did say, that Mr Deane has not these regular, responsible accounts and vouchers, but I said, and still say, he did not leave them with us. Perhaps they are among those he informs the public he had *placed in safety*; that is, in fitter hands than those of the Commissioners appointed by Congress.

Mr Deane informs us, that there are but two sides of an account; but he ought to know, that there also ought to be to every mercantile account, receipts, invoices, and bills of lading. Had he ever taken the pains to procure these and left them for our satisfaction, he would have saved himself much discredit, and me much trouble; the public would have been secured and satisfied.

Mr Deane lumps 244,285 livres, as had and expended in common by the Commissioners. But this is not the fact. I had nothing to do with what the other Commissioners received. What I took for my expenses I gave separate and distinct receipts for. By misstating what I say of my expenses, he would induce Congress to suppose, that I had half of that sum. This too is not a fact, as my receipts will show. When I said, that from my experience I judged a public minister could not live on less than three thousand a year, I did not mean that I had actually spent that sum; but that, as the expenses of a public Minister must be greater than those of a Commissioner, I could judge from my experience of the expense of the latter, what would be necessary for the former. I had not been a public Minister, and therefore could not speak from experience in that, or from any other judgment.<sup>[43]</sup>

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Nantes, March 7th, 1779.

Gentlemen,

I had not the honor of receiving yours of the 29th of October until the 13th of February. The two pieces it enclosed from Mr Deane, I suppose it is expected I should answer. And I shall do it probably by the next opportunity.

I hope it will not be expected of me to continue answering the assertions of Mr Deane. If he produces any evidence to support his assertions, they may be worth attention, but it is an endless as well as fruitless and unbecoming business, to be refuting all that such a man is capable of inventing.

On the 18th of February I received from Dr Franklin a copy of the resolution of Congress, appointing him Minister Plenipotentiary at the Court of Versailles, accompanied with an assurance, that the resolution of Congress recommending harmony and confidence among the Commissioners was agreeable to him.<sup>[44]</sup> I returned an assurance of my sentiments being the same. The next day I received a letter from him dated also the 18th, and demanding of me the immediate delivery of all the public papers in my possession. I replied, that as the papers belonging to the late Commissioners were, or ought to be, vouchers of their joint transactions, they should be equally accessible to them all; but that Mr Deane, by his own confession, had taken and secured to himself all that he chose, that most of what remained were in his (Dr Franklin's) possession, and of the very few that were in mine most of them were duplicates, and the remainder necessary for my defence against Mr Deane's accusation. But, however, I was in the judgment of Congress whether I ought to give them up, and should obey their orders.

I think it proper to inform you, that Dr Franklin, immediately upon the receipt of the resolution of Congress appointing him Minister Plenipotentiary, took into his sole management what was before under the Commissioners, without showing us any authority for so doing, or any revocation of our joint commission. To this we submitted without the least question, supposing it probable, that such was the intention of Congress, and believing that any dispute about it would destroy all possibility of harmony, and do more injury to the public than any possible good that could be derived from the contest.

It is supposed that peace is certain in Germany, and it has been procured chiefly by the mediation of this Court.

Our enemies have derived considerable credit from their late success in the West Indies, and their superiority there, which gives expectation of much greater. This has happened in a favorable moment for effecting their loan with great facility and success. The consequence will be their carrying on the war with new vigor; and you must therefore prepare for another, and perhaps another campaign. With regard to the rest of Europe, it remains as when I wrote you last.

It is probable, that the establishment of peace in Germany will produce some movements among them. But, at present, it is not possible to say with precision what they will be.

I have the honor to be, &c.

ARTHUR LEE.

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BENJAMIN FRANKLIN TO ARTHUR LEE.

Passy, March 13th, 1779.

Sir,

A severe fit of the gout, with too much business at the same time necessary to be done, has prevented till now my answering yours of the 21st past.

I did not imagine there would be any difference of sentiment between us concerning the propriety of returning to me the papers, which you have at various times taken from this house. When several persons joined in the same commission are to act upon papers, it seems necessary that they should be lodged in one place, where all the parties may be sure of finding them, and under the care of one person, who should be accountable for them; and if there were not some

particular reasons to influence another choice, I should suppose the first person named in the commission might with great propriety take charge of them; I am sure that if you had been that person I should have made no objection to it. Mr Adams having a room more convenient and more private than mine, and in which he lodged, I approved of his having the papers. He has voluntarily returned me all he had without asking, and I thought asking was only necessary to obtain the rest from you; for the whole business, which before was transacted by us jointly, being now devolved on me, and as there must be frequent occasion to look back on letters received, memorials delivered, and accounts given in, contracts made, &c. &c. which, if I cannot have the opportunity of doing, I must be frequently at a loss in future transactions, I did not imagine I should have any difficulty in obtaining them, nor had I the least idea that my asking for them would occasion any dispute.

I suppose that the papers Mr Deane mentions to have taken and secured were those only, that related to his separate commercial transactions for the public, before his appointment with us in the political commission. If he took away any of the papers we were jointly concerned in, I conceive he was wrong in doing so, and that his doing wrong would not justify the rest of us in following his example. I can have no desire to deprive you of any paper, that may be of use to you in answering Mr Deane's accusations, having no concern in them, nor interest in supporting them. On the contrary, if any papers remaining in my hands can be of such use to you, you are welcome to have authenticated copies of them (which shall on request be made out for you) as well as of any others "evidencing our joint transactions," which you may desire. On the whole, it seems to me that this matter may be reasonably settled by your keeping, if you please, all those originals of which there are duplicates at Passy, retaining for a time such of the rest as you desire to copy, which copies being compared by us with the originals, may be authenticated by our joint signatures, and returning immediately all the others docketed and catalogued as you please, so as that you may know what and where they are, and call for a copy of any of them you may hereafter have occasion for, which shall always be given you. If these propositions are agreed to, the affair may soon be settled; if not, I must wait the orders of Congress, and in the mean time do as well as I can with their business, which I think must often suffer by my want of the knowledge these papers might occasionally furnish me with.

I have the honor to be, &c.

B. FRANKLIN.

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ARTHUR LEE TO BENJAMIN FRANKLIN.

Paris, March 19th, 1779.

Sir,

I received the letter you did me the honor to write me on the 13th, relative to the few papers of our late joint commission remaining in my hands; they are confounded among a multitude of other papers. I will examine them soon, and if I find any that relate to public accounts remaining unpaid (which I do not believe I shall find) I will inform you of it, that copies may be taken of them.

You are pleased to say, that Mr Adams gave you the papers unasked. Mr Adams gave you the general papers, which no way related to him in particular, on your promise that you would have them arranged and kept in order. Mr Adams was not a calumniated person, nor were the papers he delivered to you necessary to justify him and prove the wickedness of his accuser. In circumstances so totally different I cannot imagine, Sir, that you can think we should act the same. Your pressing so earnestly to get from me a few original papers, which you only conjecture may be in some shape or other useful to you, after I have informed you that they are absolutely necessary to my vindication from an impeachment, that touches even my life and honor, gives me great uneasiness. Whether you are concerned or not in the accusations, it is equally necessary for me to refute them, and I am sure, Sir, you know that originals are better evidence than copies, however authenticated. On the contrary, copies are as adequate to the purposes you mention as originals, and I am most ready to give you copies sealed and authenticated of all, or any of the papers in my hands, as you may command. I beg, Sir, that you will have the goodness to believe, that when I give my reasons for my conduct, I do not mean to enter into or occasion a dispute.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, April 22d, 1779.

Gentlemen,

I enclose you copies<sup>[45]</sup> of a note and letter from me to the Marquis de la Fayette, to show the terms on which it seems to me we are most likely to obtain a loan from either France or Spain. If Congress approve of them, I should be glad of some instructions in conformity to them; if they are not approved of, I should wish to know it, that I may not repeat the proposal.

I cannot learn that England means to send out any considerable augmentation of their army with you. They have lately received despatches relative to the proceedings in Georgia, but it does not appear yet whether they will send a reinforcement thither from Great Britain, though I think

it probable they will.

I have not had a line from you since October last. The peace is not yet signed in Germany. The news of the taking of Pondicherry and other French settlements in India, by the English, together with their advantageous situation in the West Indies, has raised their funds, their credit, and their spirits.<sup>[46]</sup>

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, April 26th, 1779.

Gentlemen,

Since I had the honor of writing you last, on the 22d of April, nothing material has happened. An account of the signing of the peace in Germany is expected here daily.

The reinforcements sent and sending out to the army against you, amount to about 8000 in new Scotch levies, and British and German recruits. It is the plan of the British ministry, as far as I can learn, to make great exertions in this campaign, both against the United States and the French Islands. Their war against you will in all probability be in expeditions against different parts.

This will be delivered to you by Mr Hezekiah Ford, who has served me faithfully for eight months as Secretary. He will give you the best information in his power of the state of affairs here.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, May 21st, 1779.

Gentlemen,

It is now more than six months since I was honored with a line from you. I wrote you last on the 26th of April; since that time a solemn treaty of peace has been concluded, by the mediation of France, between the Porte and the Court of Petersburg. Though this may appear to leave Russia at liberty to assist Great Britain, I do not think you have anything in reality to apprehend from that quarter.

It is probable the German powers will soon be at peace, though it is not yet signed at Teschin. The effect of this will be to furnish Great Britain with a number of German troops, such as the free companies which are levied by different leaders in all German wars, and are dismissed when they end. These having once pursued the military life will the more readily engage, especially when tempted with good pay and promises of plunder. The King of Prussia and the Elector of Saxony are from interest inclined to our cause; but there are so many intermediate considerations, which retard an open declaration, that it is not possible to say when that will take place.

The House of Austria is in its politics inclined to England, and the Empress is personally so. The Emperor I think has different sentiments, but he is not the Sovereign. The Grand Duke, though much our friend, must follow the steps of his mother.

Spain, Portugal, and Naples are in perfect harmony. The first is more able to reduce Great Britain to terms of peace, by a full acknowledgment of our independency and sovereignty, than any power in Europe. Her ministers are able, her credit great, her treasury well supplied, her finances well administered, her commerce increasing, her fleet amounting to fifty sail of the line, and a proportionable number of frigates, fit for immediate service. In a word she is in a state to begin at a moment's warning a powerful war, and continue it for three years without borrowing a sol. She has made a noble motion to conclude what is stipulated in the treaty of alliance, and as I have not received one word of answer to my letters to Congress of the 10th of February, and 4th of April 1778, it is not easy for me to know how to act. I wish always to receive the instructions of my constituents, that I may pursue them to the best of my ability.

The States-General have at length resolved to grant convoys to their merchant ships, and support their commerce against the pretensions of England. Sweden and Denmark have determined the same; and all these governments are augmenting their naval force, so as to support these resolutions. I imagine this will, by degrees, let in the commerce of America, to which these powers will give every protection they can, short of open hostilities, and Great Britain will be obliged to wink at it.

In England the discontents in the army and navy are little short of disaffection. The Ministers are pursued with unremitting acrimony, and supported by the king with proportionable perseverance. The examination of the sea and land officers before the House of Commons, in the inquiry now making into the conduct of the Howes, with the correspondence between the Ministers and Generals, prove very satisfactorily, that both the Ministers and Generals exerted their utmost in the war against us; and that it did not fail from their fault, but from the

impracticability of the attempt. General Grey's decided opinion is, that the war can never succeed. Captain Hammond spoke highly of the behavior and utility of our row galleys and fire flats. The new recruiting scheme in England is very unproductive; they have not yet raised six thousand of the fifteen thousand they expected. Their expense is enormous, and the produce of their taxes, though they are increased in number, greatly deficient. Scotland is irritated by the countenance given to the Roman Catholics, and their highland levies have twice mutinied, so that there is little probability of that country, however hostile, supplying any more troops.

Ireland is nearly in the state we were in six years ago. The people are supplying themselves with arms, meeting and exercising, and the government not venturing to interpose. They have entered into a nonimportation agreement, and their spirit is in a train towards independency, which nothing but the most wise and healing measures will stop. General Clinton has thrice demanded his recall, and Lord Cornwallis will probably command in his place.

On the contrary, there is not the smallest abatement of the hostile intentions against us in the king and his Ministers. Nor will a change, if the king should be forced to it, make any difference, but that probably those intentions would be carried into execution with more wisdom. Our alliance with France has united all parties, in the resolution of prosecuting the war against us to the last extremity. Almost the whole of the French commerce, having fallen a prey to their privateers, has really enriched the nation and rendered the war popular. Their late successes, especially in India, have given them credit for this year and resources for the next, great and unexpected; the peace in Germany will supply them with men. Lord Shelburne's plan is, and he will make a point of it should he come in, to prevail upon Prince Ferdinand to take the command in America; trusting that his abilities, with the confidence and graciousness of his character among the British, as well as the German soldiery, will overcome all difficulties.

But what they rely upon most is the derangement of our finances, the depreciation of our paper, the divisions and discontents excited among us by the bad ambition of some, the criminal intrigues of others, and the unbounded avarice of many. They flatter themselves, that what has happened in all countries and at all times will be our fate, that public defaulters will, by the weight of their acquisitions, obtain an ascendancy which will either bring us to ruin by the prevalence of the evil, or betray us to our former domination, in order to keep possession with impunity of what they have acquired. If, by these instruments, they can loosen the ties, which by knitting the people and their leaders together have hitherto rendered them invincible, and withdraw their confidence from those who originally planned and have ably conducted them through this wonderful revolution, they hope to effect what they hitherto have attempted in vain,—to subjugate those *Quos neque Tydides, nec Larissæus Achilles, non anni domuere decem, non mille carinæ*. As far as I can learn, there is no probability of this Court's supplying any money. But of this you will be better informed by your Minister. This letter I expect will go by the Chevalier de la Luzerne, who succeeds M. Gerard. M. de la Luzerne's family is among the best and most honorable of this country. He has been Minister to the Court of Munich, and is a gentleman of honor and ability, insomuch that the Court of Versailles seems to me in nothing to have shown its wisdom more, than in sending at this important moment a Minister, whose conduct is likely to correspond with his rank and character, and who will not descend to anything that may either dishonor himself or disturb us.

The secretary to the embassy, M. de Marbois, is also a gentleman respectable for his character and abilities.

The sums of public money, which I have received for my expenses (my two journies included) from the bankers Sollier and Grand, from the 16th of December 1776, to the 20th of April 1779, amounts to 119,018 livres, 17 den. 17 sols. I observe that Mr Deane, in a summary laid before Congress on the 12th of October 1778, lumps a sum received by the Commissioners for their expenses, &c. from Mr Grand, only to the 30th of April 1778, and states it at 244,285 livres, 15, 11. But as I have no concern with what Dr Franklin and Mr Deane received, I desire that the accounts of the bankers, and not that of Mr Deane, may answer for me.

I have the honor to be, &c.

ARTHUR LEE.

*P. S. May 22d.* The treaty of peace in Germany was signed on the 13th. From some intelligence I have just received, though not from authority, I am inclined to believe we shall soon be satisfied with the conduct of Spain. Be pleased to enclose my letters, à Monsieur le Marquis de Malsherbe, Ministre d'Etat, Paris.

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TO THE PRESIDENT OF CONGRESS.

Paris, May 31st, 1779.

Sir,

I beg the favor of your Excellency to lay my respects before Congress, with a repetition of my most earnest request to be recalled.

I should most willingly continue to sacrifice, as I have hitherto done, my private interests to the public good; but I am satisfied that the dissensions raised concerning me will be continued, by a continuance of my commission, and will be of more injury to the public than I can be of service; and as the public good was the sole motive of my accepting the commission, the same reason now induces me to desire most earnestly to resign it.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT D'ARANDA.

Paris, June 7th, 1779.

Mr Lee has the honor to present his respects to his Excellency the Ambassador of Spain, and begs him to be pleased to transmit the letter accompanying this to his Court.

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TO COUNT DE FLORIDA BLANCA.

Paris, June 6th, 1779.

Sir,

I have the honor of enclosing to your Excellency a Memorial, which the opportunities I have had of knowing the temper and circumstances of Great Britain make me presume to submit to your consideration.

The earnest desire I have of rendering some service to Spain, and the common interest that must subsist in the success of the war, should it happen, are the motives and I hope will be the apology for what I offer.

I have the honor to be, &c.

ARTHUR LEE.

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MEMORIAL TO THE COURT OF SPAIN.

Paris, June 6th, 1779.

It is experience that teaches wisdom. The misfortunes of our friends carry this good with them, that they are a warning to us.

The present war between France and England has been conducted chiefly by the privateers of the latter. They have made a prey of almost the whole commerce of France. This, while it really enriched England, rendered the war popular. It has deeply wounded France in the loss of her sailors as well as of her property.

The cause of this misfortune is manifest. France permitted her trade to go on as in time of peace, as individuals pleased, and without convoy. It was thought better to employ their ships of war in cruising for the privateers, than in convoying and defending their vessels against them. It was not considered, that privateers always go single, that they are swift and small, that it is difficult to find a small and single ship at sea, and that an East or West India prize is worth fifty privateers. The consequences have been proportioned to the plan. France has captured some little privateers of England, the English the large and rich East and West India ships of the French. This is a misfortune, from which I would wish to warn and guard Spain.

The English have greater expectations of rich and numerous prizes in a Spanish than in a French war. If they are disappointed in this, such a war would soon become unpopular and unprofitable. Now the means of disappointing their expectations are, as I conceive, these. To lay an embargo on all the merchant vessels of Spain, both in Europe and America, at the commencement of hostilities. Not to suffer their merchantmen or galleons, which are the great objects of English avidity, to go out of their ports but with strong convoys. So secured, they could not be captured but by a fleet or strong squadron of the enemy. But fleets and large squadrons hardly ever make prizes; nor from their nature and circumstances can they do it. Privateers, frigates, and single ships of force, are those only which cruise with effect against merchantmen. Defended from these, the commerce of Spain will go safe and secure, the hopes of the enemy will be disappointed, they will sustain all the burthen of the war without reaping any of its expected benefits.

Such a war must soon become unpopular; and the wisest Ministers in the best of times cannot long sustain an unpopular war in England, much less can it be sustained in times of great and manifest difficulty and distress, and by Ministers who have not given the most distinguished proofs of their wisdom. There is no human event more sure than that Spain, if she secures her commerce from the depredations of the enemy, must soon reduce Great Britain to whatever equitable terms she pleases. Add to this, that if while the fleet of France keeps that of England in check in the channel and in the bay, the fleet of Spain should completely block up the Mediterranean, so as to intercept all communication with Gibraltar and Minorca, these strong holds must inevitably surrender in a few months.

I may, therefore, be now permitted to repeat with more confidence than ever, that it is in the power of Spain to clip the wings of Great Britain, and pinion her for ever.

ARTHUR LEE.

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JOHN ADAMS TO ARTHUR LEE.

L'Orient, June 10th, 1779.

Dear Sir,

I have the honor of your letter from Paris, of the 5th of this month, in which you inform me, that by advices from America your enemies are determined to impeach your attachment to our country and her cause, and in which you request my opinion on that point, from the knowledge I have had of your conduct, while we acted together in commission.

At the same time, that I lament the necessity of giving my testimony to a point, that ought to be so well established in every part of the world, I have great pleasure in declaring, that from my first knowledge of your fame to this hour, I have never entertained one moment's suspicion of your attachment to our country and her cause, but on the contrary through the whole course of that period, which I think is more than ten years, I have seen frequent proofs of your fidelity and zeal in it, oftentimes at a great expense of labor and care at least, and at great hazard; and particularly through the space of time I had the honor to serve with you in commission, I never saw or heard anything which gave me the least suspicion of the sincerity, fidelity, or zeal of your devotion to the sovereignty of the United States, but on the contrary, constant evidence of a warm affection for their honor, dignity, and prosperity.

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

JOHN ADAMS.

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TO THE PRESIDENT OF CONGRESS.

Paris, June 21st, 1779.

Sir,

I have the honor to inform Congress, that Spain has declared against Great Britain, and that their respective Ambassadors are recalled. A part of the Spanish fleet has joined that of France, which makes it outnumber that of England, amounting to thirtythree sail of the line, under Admiral Sir Charles Hardy, so that it is not very probable the latter will long hold the dominion of the sea.

Two motions in the House of Commons, one for offering us peace, the other for withdrawing all their force from America to withstand the House of Bourbon, have been negatived since the Spanish declaration was known to the Ministry of England. The ministerial arguments were, that neither they nor any other Ministry could consent to the independence of America, nor to the withdrawing their troops, without previous offers on our part. That the number of Americans in the King's service was equal to General Washington's army, with seven thousand of our sailors volunteers in his service. Lord George Germain said he knew, from undoubted intelligence, that Congress was divided into parties, and that it was only the fear of the army, that withheld a part of Congress from immediately offering terms to Great Britain. He added, that as the prohibitory act empowered the Crown to receive bodies, or individuals of America into the King's protection, and to grant pardons, this was sufficient. The majority of the House received this with acclamations of applause.

Parliament is to be prorogued on the 24th, having voted another million for this year's service.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT DE FLORIDA BLANCA.

Paris, June 27th, 1779.

Sir,

Your Excellency will permit me to lay before you, a statement of the late proceedings of the English in the southern parts of the United States of America, which, in their consequences, may be as injurious to his Catholic Majesty's possessions in that quarter as to those of the States. Should the measure proposed to prevent their success appear to your Excellency to be advisable, it cannot be executed too soon; because every day gives the enemy new strength in their stations, and enables them to do additional mischief by destroying whatever they can approach.

I have the honor to be, &c.

ARTHUR LEE.

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MEMORIAL TO COUNT DE FLORIDA BLANCA.

Paris, June 27th, 1779.

The English, having taken possession of Savannah in Georgia, are extending themselves in that State so as to form a connexion with, and establish an influence over, the Indian nations that border all that country. They design also to possess themselves of Port Royal in South Carolina, and if possible, of Charleston.

These acquisitions, if they are suffered, with their contiguous possessions, will give them such a command upon that coast and in the Gulf, as well as such means of exciting the savages, and seconding their enterprises against the neighboring territories of Spain, as may be difficult to resist if they are not prevented.

What renders it impracticable for the Americans to repel the enemy, is their superiority at sea, which, at the same time that it supports their posts on land, enables them to make diversions in various quarters so as to keep up a general alarm, and prevent our force from being united in any one point. With this view, they have very lately invaded the State of Virginia, in the Bay of Chesapeake, to withhold the aid which that State would send to South Carolina and Georgia.

In this situation it is in his Majesty's power to give very effectual assistance to the invaded States, and prevent the enemy from making such dangerous establishments and such an augmentation of their power. The naval force of the English in Georgia and South Carolina will consist of a fifty gun ship, the Experiment, lately sailed, and three frigates. In the Bay of Chesapeake, there are a sixtyfour and a fortyfour gun ship, with some armed tenders.

A small squadron, therefore, of three or four large ships and a few frigates, sent from the Havanna, would destroy the enemy's ships in Georgia, South Carolina, and Chesapeake Bay, and deliver their troops into the hands of the Americans.

The state of the enemy's fleets in Europe and the West Indies, will not permit them to augment their force on the coast of America. The squadron, actually sailed under Admiral Arbuthnot to New York, consists of four ships of the line and one frigate, viz. the Robust seventyfour, the Russel seventyfour, the Europe sixtyfour, the Defiance sixtyfour, and the Guadaloupe twentyeight. As this squadron must support the operations of their main army, and protect Halifax, Rhode Island, and New York, it is not probable they will detach any additional force from thence to the southward, so that their armament there, if not withdrawn, must necessarily fall a sacrifice to the Spanish squadron.<sup>[47]</sup>

ARTHUR LEE.

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COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.

Philadelphia, July 16th, 1779.

Sir,

Two days ago several of your letters came to hand, the latest being of April 6th; it is much to be regretted that this one in particular did not earlier arrive. The copy of its contents was sent immediately to Governor Trumbull, but alas, too late. Fairfield had been destroyed by the fire of the enemy. We are mistaken, however, if that enemy does not shortly find the unprofitableness of this kind of warfare towards their main purpose. America must be dead indeed to all proper spirit, if such doings will not render her both as vigilant and active as in the beginning of the contest. It is matter of much conjecture, why you have not been able, for some months back, to give us interesting accounts from Spain. All we know is through M. Gerard. We have sent so many sets of the journals of Congress, that you will doubtless get one. They are chiefly directed to Dr Franklin. You will find the parts in which you are personally interested to be under the following dates, viz.; April 6, 15, 20, 21, 22, 26, 28, 30; May 3, 22, 24, 25, 27; June 8.

We shall speedily write again; in the meantime be assured that we are with much regard,  
Your humble servant,

JAMES LOVELL,  
*For the Committee of Foreign Affairs.*

*P. S. September 16th.* It is probable, that all the papers sent by you, up to May 21st, have come safe, either in originals, duplicates or triplicates.

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COUNT DE FLORIDA BLANCA TO ARTHUR LEE.

Translation.

Madrid, August 6th, 1779.

Sir,

I duly received the two letters, which you were so kind as to write to me, dated the 7th and 25th of June last, in which you detail the critical circumstances of the affairs of England, and the system which you think suitable for the powers at war with her, and on this occasion you likewise mention some points relating to the present situation of the United Provinces of America.

I can assure you, Sir, that I read with the greatest pleasure your very wise and prudent reflections, of which I shall make a suitable use.

I avail myself of this opportunity to assure you of the perfect respect, with which I have the honor to be, &c.

COUNT DE FLORIDA BLANCA.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, August 10th, 1779.

Gentlemen,

Not being permitted to know whether there is any certain opportunity of writing, I must send

you by every probable way an account of the present situation of affairs, which is extremely interesting.

After a long delay through unfavorable winds, the Spanish and French fleets joined off Cape Finisterre the 26th of last month. On the 6th of this, they were off Ushant, making for the English channel. A courier that arrived yesterday left them in the same position, with the wind contrary on the 7th. The combined fleet consists of fifty ships of the line, with thirty odd frigates, bombs, and fire ships, under the command of the Count d'Orvilliers. The Spanish and French ships are mixed together, the former twenty and the latter thirty. Don Cardova commands a separate fleet of sixteen Spanish ships of the line, which attends the grand combined fleet as a *corps de r serve*. Don Ulloa cruises off the Canaries with four of the line, and six more block up the Bay of Gibraltar, while a Spanish army invests the town by land.

Between thirty and forty thousand French troops are ready to embark at Havre de Grace and at St Malo to invade England, the moment the combined fleet appears to protect them. Besides this, large corps of troops are assembled at Brest and Dunkirk, and transports preparing for them, so that they may be ready to support the others, according to the exigency of events and the place where they land.

The West India fleet, and that from the Baltic, got safe into the English ports to the amount of three hundred sail, the first of this month. This may enable them in a few weeks to add ten sail to their grand fleet, which at present consists of thirtyfive sail under Sir Charles Hardy, and is retiring up the channel. But it is to be hoped, they will feel some decisive blow before that augmentation.

I have the honor to be, &c.

ARTHUR LEE.

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TO BENJAMIN FRANKLIN.

Paris, August 14th, 1779.

Sir,

A decent time having now elapsed since the Declaration of his Catholic Majesty against the King of Great Britain, it seems proper to apply to the Spanish Court to know whether they are inclined to enter into the alliance, which Congress have agreed to. At the same time, it appears to me that to ask Count de Vergennes' opinion of such a step, before I take it, would be an agreeable and useful mark of confidence in this Court. But as I think such an application cannot with propriety be made to his Excellency, by any one but you as minister here, I must beg you to take the trouble of consulting Count de Vergennes, both upon the propriety and manner of my applying upon this subject to the Court of Spain; and that you will have the goodness to communicate to me his opinion. I would very willingly apply myself, were I not persuaded that it would be a trespass against the deference due to your situation, and that the observance of this order in our proceedings will contribute to the attainment of the public object I have in view.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, August 24th, 1779.

Gentlemen,

I had the honor of writing you on the 10th, to inform Congress of the junction of the fleets of France and Spain, the disposition of the troops and ships of the latter for the blockade of Gibraltar, and the security of their commerce, with the preparations here for invading England. Since that, adverse winds have continually kept the combined fleet from entering the channel, and of course the embarkation for the invasion waits its approach and protection.

I am informed and believe, that the Empress of Russia has offered her mediation between the belligerent powers in Europe. Her partiality for England is certain, and it is to be feared, that from a partial mediatrix she may become a powerful ally, and draw with her perhaps Sweden and Denmark, with whom she is upon good terms, and who may not think it their interest to let the naval power of the House of Bourbon acquire such an ascendancy, by the destruction of that of Great Britain, as will destroy the balance and rivalship in Europe, so as to set up an unquestioned sovereign of the seas.

Our enemies are so much pressed and kept in check at present, that I do not see a possibility of their sending any further force against you for the next campaign, nor a probability of their being able to continue that which is already at New York and Rhode Island. But as the interposition of other powers is an event always to be kept in view, and that interposition will not only render the issue of the war uncertain, but place the day of peace far distant, I cannot help signifying my most earnest hope, that the wisdom of Congress will employ that respite in so arranging and reforming the administration of the public finances, and strengthening the country both by sea and land, as to be able to maintain the sovereignty and independence of the United States, in spite of any European combination, that may be formed against it.

The English papers tell us, that the *Count d'Estaing* of ten guns and fourteen swivels, with

despatches from Congress, was taken the 14th of July off Cape Finisterre, and that the despatches fell into their hands.

The uncertainty of what will be the final resolution of Congress regarding me upon the review of foreign affairs, and after all the licentious means, that I perceive have been employed to injure my character, has determined me to wait their ultimate commands at this place. These will either save me from an ineffectual journey to Madrid, or fortify me with full instructions and a reassurance of that confidence, which it has been the endeavor of my enemies to withdraw from me.

I have the honor to be, &c.

ARTHUR LEE.

*P. S. August 26th.* The combined fleet was as far up the channel as Plymouth on the 18th, and had taken the Ardent of sixtyfour guns. This being a proper time of the moon for the embarkation of the troops, it is probably executing at this moment, and our enemies will soon taste of those miseries, which they have so wantonly visited upon us.

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TO THE PRESIDENT OF CONGRESS.

Paris, September 10th, 1779.

Sir,

I have seen in the Journals of Congress, transmitted to me by the Committee of Foreign Affairs, that Mr Paca, Mr W. H. Drayton, and Mr Carmichael have been permitted to lay before you intelligence and information concerning me,<sup>[48]</sup> and that at a moment in which Congress were to decide without hearing me, on what materially concerned my honor and reputation, both in America and Europe.

I may venture to say, Sir, without fear of contradiction, that this is a new mode of judicial proceeding in a country contending for liberty and justice; a mode of which every man in or out of Congress would complain if applied to himself; and under which it is impossible that any man's character can be safe from the attempts of malice and falsehood.

Congress will permit me to request, that they will order copies of that intelligence and information to be transmitted to me, that I may be able to do myself, though late, the justice of answering them.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 19th, 1779.

Gentlemen,

I had the honor of receiving your letter of the 16th of July, with the Journals of Congress, in which I see with sorrow the proceedings with regard to those, who in no moment of their lives ever neglected to do the utmost in their power for the public good.<sup>[49]</sup>

For myself I trust, that time and maturer consideration will alter the opinion of those gentlemen, who appeared desirous of fixing upon me a most public mark of suspicion and censure, with some little precipitation, they will permit me to say, as it was before I had been heard. Among those gentlemen there are some, whose education and profession should, in a peculiar manner, have taught them, that it is laid down as a fundamental maxim of justice, that he who gives judgment, the one party being heard and the other not, though he should happen to be right in his decision, commits an act of injustice.

I should have expected, that not only Congress but every member of it, my accusers excepted, would have been my advocates, because your records are filled with proofs of my early and unremitting endeavors to serve the public. Congress will bear with me while I express my surprise, that the delicacy observed in wording Mr Deane's recall was reversed in the proceedings against Mr Izard, my brother, and myself; unless it were intended to hold us up to the world as persons, who had been proved guilty of offences against their country; which, if it were, may God in his infinite mercy forgive.

I am fully persuaded, that time and riper information will show you, that as nothing could have given a deeper wound to the honor and interests of the United States, than harmony among your Commissioners in doing ill, there were use and merit in the suspicions and dissensions, that arose among them. In any event, they who consider, that suspicions and dissensions may and have existed among the best of men, will mix some moderation with the judgment they pass upon them. They who know with what long suffering and frequent forgiveness I endeavored to prevent them, will not impute the blame to me.

I will trouble Congress no more upon this vexed and unworthy business. Sensible as I was of the honor of your confidence, I was equally sensible of the sacrifice I made of my private affairs to the public service. I received your commission therefore not as a favor; I do not retain it as a favor; I will do my duty while I keep it, and resign it when it is your pleasure, without a moment's

regret. When times less critical will admit of less reserve, it will be my duty to prove to my country and to the world, as I have done to you, that your confidence in me was not misplaced. This I trust I shall be able to do by evidence, that will carry conviction to all, and confusion to many.

Congress will permit me to hope, that long before this, they have honored me with full instructions relative to the additional articles, and the boundary between the territories of Spain and the United States, on which I asked their commands as long ago as February and April, 1778. It is fortunate, that I have not yet been called upon on that subject. But it is impossible to say how long it will be delayed; and no heavier misfortune could befall me, than to be left uninstructed in a business of such moment.

I have the honor to be, &c.

ARTHUR LEE.

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BENJAMIN FRANKLIN TO ARTHUR LEE.

Passy, September 30th, 1779.

Sir,

I received but yesterday morning, just as I was going out of town, the letter you did me the honor of writing to me, dated the 26th instant, respecting my supplying you with money for your support in Spain. As I cannot furnish that expense, and there is not, in my opinion, any likelihood at present of your being received at that Court, I think your resolution of returning forthwith to America is both wise and honest.

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

B. FRANKLIN.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, October 13th, 1779.

Gentlemen,

I have certain intelligence, that Admiral Rodney is to sail immediately from England, with five sail of the line, to take the command of the fleet in the West Indies. I am well informed, that the plan he proposed was by dividing his fleet into three divisions, with some landed forces on board of each, to block up and harass continually the whole of our coast. It is probable they have adopted his plan with him. His abilities and activity are great. Count d'Estaing is expected here in the winter with twelve ships, which will leave the enemy a decided and dangerous superiority. Our hope is, that by some mortal blow on New York before his departure he will in a great measure frustrate their intentions.

The combined fleet is ordered into the British channel, and the troops to prepare for the invasion of England. Upon the issue of this will depend the continuance of the war.

I have not yet received any instructions from Congress relative to Spain, nor any answer from that Court relative to my reception there. The public funds, which were in my hands, being nearly exhausted, and Dr Franklin having positively declined supplying my expenses at that Court, I must beg Congress to take some immediate order in this business, so that it may not remain in the power of any individual to counteract their intentions, and drive gentlemen away from Europe, who are so unfortunate as not to be in his good graces.

I have the honor to be, &c.

ARTHUR LEE.

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COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.

Philadelphia, October 13th, 1779.

Sir,

This is officially to convey to you the knowledge of the appointment of a Minister Plenipotentiary, in lieu of a Commissioner, at the Court of Spain, and also a Resolve of Congress of this day, upon the reading of your letter of the 31st of May.<sup>[50]</sup>

Mr Jay will probably be in a short time in Europe, to execute his commission.

I am, Sir, your most humble servant,

JAMES LOVELL,  
*For the Committee for Foreign Affairs.*

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, October 21st, 1779.

Gentlemen,

It may be material for Congress to know, that all disposition in the Court of England towards

peace seems at present to be removed. The appointment of Lord Bute's son upon an extraordinary embassy some time since, to the Court of Turin, announced a desire in the English cabinet to engage mediators; and the late Ambassador from Spain to the Court of London had taken up his residence here, apparently to embrace the more readily the opportunity of negotiating, which that mediator might offer. But the embassy of Lord Mountstewart is talked of no more, and Count d'Almadovar has within these few days quitted this place entirely, and returned to Madrid.

It is no new alliance, as far as is known, that has inspired this confidence and hardiness into the British Ministry. Probably they flatter themselves, that as this campaign has passed away without their suffering much from the great superiority of the combined fleet, and the land armaments prepared against them, they will continue to be equally fortunate. I compute, that with the supplies for the next campaign their debt must amount fully to 200,000,000.

The siege of Gibraltar goes on in form, both by sea and land, nor does there seem any probability of their saving that important place.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, November 6th, 1779.

Gentlemen,

The campaign in Europe seems to be concluded, and the resolution of the enemy unabated. The siege of Gibraltar continues.

I am yet without any instructions for Spain, or overtures from that Court relative to the conclusion of a treaty. I am satisfied that the same means have been employed, and by the same persons, to injure me there as here. With what success, my inquiries have not yet been able to discover. By the advice of those, in whose knowledge and integrity I can most confide, among whom is the late Ambassador from this Court, now a Minister, I have not entered into any vindication of myself to the Spanish Minister.

Disagreeable as it is to me to remain here, after what has passed, it is, in my best judgment, more proper than going thither without definite instructions, and without new credentials to show that the calumnies of my enemies have not withdrawn from me the confidence of Congress, which by no means appears from my *only being not recalled*. I must therefore entreat Congress to decide distinctly upon the accusations, that have been brought against me, and either declare them unjust, or commit the public business to a fitter person, and give me leave and leisure to vindicate my character to my country and to the world.

Unless a demand on the part of the Spanish Court should make it necessary, I will not hazard the public interest and my own honor, in undertaking the negotiation, uninstructed, unvindicated, and unsupported. Is it possible that any one gentleman in Congress can help feeling the unexampled cruelty of leaving me in such a situation?

Uncertain as the decisions of all public bodies are, yet conscious that there was not any colorable pretence for impeaching my conduct, I could not but flatter myself, that the last despatches would have brought an explicit censure of Congress against the indecent attempts, that have been made to injure it. Insomuch that I thought it my duty to consult this Court through your Minister here, upon the propriety of my moving the Court of Spain on the negotiation with which I was intrusted, so that I might avoid giving offence to that Court by my silence and inactivity, and yet receive in time your final instructions, and a renewed assurance of your confidence.

Though I have constantly transmitted to Congress triplicate copies of the invoices and bills of lading, which account for the expenditure of the small sum of public money that was in my hands, yet as the order of the 6th of August is general, I have had triplicate copies made out of the whole, which, when there is a proper person to authenticate them, will show how the money has been expended. With regard to the funds, with which I was jointly intrusted with Dr Franklin and Mr Deane, my absence in Spain and Germany, with the orders for the application of a great part, which my colleagues thought proper to give without consulting me, disables me from furnishing any further vouchers than the accounts of the banker and of Mr Williams, which I have also transmitted to Congress.

I perceive by the journals, that a Committee is appointed for framing a plan of a foreign loan. It is my duty to say, that there is not the least probability, in the present situation of things, of obtaining any adequate loan in Europe, and to beseech Congress not to let the vain expectation of that divert their attention from trying every resource at home. It is necessary, that the impressions to our discredit, which have arisen from the unsuccessful attempts that have been already made, should be allowed to wear off, and some favorable event occur, such as the enemy being obliged to draw off their troops, before it will be possible to succeed in such a plan. In the meantime, the repetition of ineffectual attempts will only debase your credit more, and especially, if they are accompanied with the offer of more than ordinary interest, which ever augments the suspicion of the insecurity of the principal, and that the borrowers are themselves conscious of their insufficiency.

It gives me pain to mention what regards myself so often; but Congress will permit me to

repeat, that if it should not please them to recall me, it is absolutely necessary that some provision should be made for the support of my mission, independent of Dr Franklin. If, in the meantime, the State of Virginia should reimburse me what I have advanced for them, that will be a fund, and I will immediately give Congress advice of it. I must also beg, that Congress will fix a sum for my expenses, both that I may not exceed what is thought reasonable, nor have my time and attention employed in keeping accurate accounts of expenses, which I never did do, nor ever shall to my own satisfaction, or I believe to that of any one else. So that if this is expected, it will expose me to censure, which I wish to avoid.

The little time that remains from daily attention to public business, and in collecting and digesting what relates to it, I wish to devote to private correspondence and reading. I have, therefore, thought it always sufficient to proportion my expenses in general to my situation and means, without a minute attention to them in detail. Whatever Congress fixes as reasonable will be the rule of my conduct, and it will spare both them and myself a great deal of, as I conceive, unnecessary trouble.

I cannot learn with any certainty, what probability there is of any other powers entering next year into the present war. On that subject, your Minister here, as his situation gives him the means, will furnish you with earlier and surer information than it is possible for me to obtain. But the following are nearly the plans of the French and British cabinets for the next campaign. Fourteen ships of seventyfour guns, and 8000 troops, are to be sent from hence to the West Indies. The twelve expected home with Count d'Estaing, being refitted with eight new ones, added to the sixteen remaining of those which form the present fleet, and fifteen Spanish ships, will make fiftyone sail, which are to convoy fifty thousand troops from Brest, where they are all to be collected, to whatever part of the coast of England is fixed upon for a descent. By this disposition of the fleet and army, it is expected that the delay and disappointments which render this campaign abortive will be avoided. The bulk of the Spanish fleet is to secure the Mediterranean and press Gibraltar, while the army continues its approaches by land.

The English cabinet are resolved to send all the troops they can possibly collect, which they say will amount to 8 or 10,000 against you, and stand upon the defensive at home. Their situation, however, is not a little embarrassing. The Irish nation are so generally determined upon having a free trade, that the Court was obliged to allow it to be inserted in the address of both Houses, that a free trade is their right and they must have it. To support this, there are, besides the unanimous voice of the people, upwards of 15,000 men, in volunteer companies actually in arms, without the permission or control of government. To delay or refuse the granting of free trade, will endanger a general and most formidable insurrection in that kingdom. To grant it, will produce commotions of no less magnitude in England, of which they have already had some fearful examples in and about Manchester. These insurrections, whenever they happen, will be exasperated by great and real distress. For the fact is, that if it be refused to Ireland, that country will be undone, and if it be granted, the woollen and other manufactures of England will be ruined. In such a situation, it is difficult to imagine a medium by which the violences will be prevented, that must otherwise call for the troops at home, which they have destined for us.

In Scotland the discontent is such, that a highland regiment actually seized the castle of Edinburgh, and shut the gates against their officers. This mutiny has been quelled, but the spirit that produced it is not altered.

The inactivity of this campaign has left their credit unimpaired, and their fleets have generally got in safe from all quarters. They will, therefore, find money for the next campaign, but it is not probable, that with all their efforts they will be able to equip a fleet equal to that which will go against them. Without some accident, therefore, they must either suffer the French army to land, or hazard an unequal combat, which, if they are overcome, will leave their coast at the mercy of invaders. To add to their counsels, already enfeebled by the death of the only man of ability and business among them, Lord Suffolk, they have put Lord Stormont, the most insufficient man in the kingdom, into his place. Such is the present situation and prospect of things in Europe.

Congress will, I hope, consider, that various events may change or delay the plans above stated, and not let it impeach the veracity of the intelligence, that they are not executed. Much, for example, will depend upon Count d'Estaing's movements and success, which were not foreseen when these plans were formed. His expedition is entirely of his own planning, and, therefore, could not be taken into consideration here.

I enclose a copy of the Spanish ultimatum, which by mistake was omitted being sent sometime ago. The following passage in the manifesto, published by the Court of Great Britain, in answer to that of France, seems to me a proof how little she herself expects from the war with us.

"Two years have not passed since the day the rebels declared their criminal resolution of shaking off the yoke of the mother country, and this term has been filled with the events of a bloody and obstinate war. Success has been balanced, but the army of the king, which occupies the most important maritime cities, has continued to menace the interior provinces. The English flag predominates in all the American seas."

When all they can boast of, as the fruit of two years' bloody and obstinate war, in which, though they do not choose to say it, all Europe knows they have expended forty millions of treasure, and sixty thousand lives, is a balanced success, and the possession of a few maritime towns, from whence they threaten us, it is plain enough, that they themselves have not a hope of success. Their war, therefore, is a war of desperate vengeance, which nothing can justify.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, November 30th, 1779.

Gentlemen,

Since my last, of the 6th and 25th, some material changes have taken place in the British Ministry. Lord Bathurst is made Lord President of the Council; Lord Hillsborough Secretary of State; and Lord Carlisle first Lord of Trade. Lord Gower and Lord Weymouth are out.

I communicate this change to you, because it marks the entire ascendancy of that influence which began this war, and which will assuredly continue it to every extremity. The two ex-ministers are chiefs of the Bedford party, which of late has been for peace with us.

I know they are using every means with Russia and the German Princes, to procure troops against you; but I cannot learn that they have succeeded. It is impossible to say, what changes in the politics of those powers the very unexpected inefficacy of this campaign may produce. One thing is sure; that as it confirms their credit, it will supply them with money, and enable them to continue the war in a manner that appeared impossible six months ago. New York and Charleston, if they can compass the possession of this latter, are the strong holds from whence they purpose carrying continual desolation and distress through all the States. The driving them from New York is, therefore, an object of the last importance to the welfare of our country.

It is certain that Holland will remain neuter, and under that neutrality furnish us supplies, and, I hope, free from that unexampled extortion in price, and imposition in quality, to which we have been subjected from other quarters.

I still wait here for instructions, and must repeat to Congress, that the refusal of Dr Franklin to furnish any money for my expenses should I go to Spain, makes it necessary, if I am to serve, that some other means of supplying me should be adopted; and I beg it may be with a sum fixed, that future discussions and disputes may be avoided.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 8th, 1779.

Gentlemen,

I have the honor of transmitting to you the King of England's speech to his Parliament, and a memorial from his Ambassador at the Hague, demanding assistance from the United Provinces. It is not probable he will obtain it.

The speech shows, what I before wrote you was resolved in the British Cabinet, a determination to continue the war. His total silence about alliances seems as if he had not formed any, which I believe to be the fact.

I have the honor to be, &c.

ARTHUR LEE.

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TO COUNT DE FLORIDA BLANCA.

Paris, December 16th, 1779.

Sir,

Your Excellency will have the goodness to permit my recalling to your consideration what I have already had the honor of stating to you, relative to the plan of the common enemy to establish themselves in Georgia and South Carolina, in order to carry on more effectually the war against the possessions of Spain in America, and against the United States. I have most undoubted intelligence, that they are more and more determined on pursuing this plan. The good intentions of Count d'Estaing to drive them from Georgia having unfortunately failed, and the departure of the French fleet having left them again a decided superiority on our coast, must give them fresh encouragement to prosecute their enterprise, and will render the assistance of his Catholic Majesty's squadron at the Havanna absolutely necessary to prevent its succeeding. Suffer me, therefore, to entreat most earnestly your Excellency's attention to this, if other more near and important objects of the war should have hitherto diverted it.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 25th, 1779.

Gentlemen,

I this day had the honor of receiving yours of the 13th of October, notifying me, by the Resolve of Congress of the same date, of Mr Jay's appointment and my recall. As Mr Jay is not yet arrived, I suppose it my duty to wait his coming, that I may communicate to him what is in my knowledge, that concerns the public in his department. It does not appear that it has pleased Congress to give any orders about the immediate return of the Confederacy, and taking me on board, without which it may be many months before I can find a passage in any other manner. Mr Izard has been waiting at Amsterdam for two months to get even to St Eustatia on his way home.

The plans of the enemy, of which I advised you in mine of the 13th of October and the 6th of November, are going into execution with vigor.

Admiral Rodney has probably sailed by this time. The ministry appear to be tottering, but unfortunately for us if they do go out they will give place to men by far more formidable to us in wisdom, economy, popularity, and confidence, both foreign and domestic. I feel it, therefore, in the strongest manner my duty to conjure Congress to prepare for a campaign which, in all human probability, will be urged with the utmost vigor, and to call forth every resource at home for the support of the public credit, without any reliance on foreign assistance. Such assistance is too precarious to hazard our cause on, and strong exertions on our part will give it, should it exist, a surer and more speedy effect. Congress may rely upon it, that on no terms whatsoever will our independence be acknowledged at present by Great Britain.

There are granted, for the service of the ensuing year, 178,950 men, including 4200 militia, and it is supposed that 97000 will be employed in America and the Islands. The removal of all restrictions on the export of wool, woollens, and glass ware from Ireland to Asia, Africa, and America, the United States excepted, it is probable will prevent any immediate commotions in that kingdom, and it is certain that the British Court have not such apprehensions from that quarter, as to prevent them from pursuing their operations against you in their utmost extent.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 19th, 1780.

Gentlemen,

Having signified to the Count de Vergennes the resolution of Congress, assenting to my return, his Excellency proposed my taking leave of the King in form, and upon my doing so, that minister presented me his Majesty's picture set in diamonds.

I thought it my duty to decline accepting it, upon which his Excellency told me it was a mark of his Majesty's esteem, and was never refused. After this it appeared to me improper to persist in the refusal, and I received it with a determination to leave it to the disposal of Congress. It is sufficient for me, that the giving it is a distinguished proof of the untruth of what has been asserted, that this Court was disgusted with me and dissatisfied at my conduct. The present itself I shall dispose of according to the pleasure of Congress. His Majesty's portrait is graven upon my mind by the justice and virtue which constitute his character, of which gold and jewels cannot enhance the value.

Permit me from this example to remark, for the sake of the ministers, that this law should be explained so as not to leave them to the disagreeable alternative of an ungracious refusal, or an acceptance that may expose them to censure.

An expedition with ten thousand of the enemy's best troops will take place in about two months from Ireland, and though from the profound secrecy observed, I have not yet been able to discover its destination with certainty, yet I have sufficient reason to think that Boston is the object of it.

I have the honor to be, &c.

ARTHUR LEE.

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TO JOHN JAY MINISTER FROM THE UNITED STATES OF AMERICA  
AT MADRID.

L'Orient, March 17th, 1780.

Sir,

I had not the honor of receiving your favor, dated 26th of January, till this day, and at this place, from which I am to embark as soon as the Alliance is ready. Your letter had a double seal upon it, the undermost seeming to be a head, and the one above being a coat of arms, but what I cannot clearly make out. I mention this, that you may judge whether these seals were of your applying.

Give me leave Sir, to take this opportunity of expressing my concern for the dangers and sufferings, which you and your family experienced in your passage, and to congratulate you and my country on your safe arrival in Europe.

I waited some time in Paris, after I received notice of your appointment, in expectation of your arrival, that I might communicate many things to you in a personal interview, which cannot be

committed to paper. It would have given me very great pleasure to obtain for you those recommendations to the confidence of some of the first persons at the Court of Madrid, that were promised me, which might have been effected by making you personally acquainted with those, who were to give them.

The copies of memoirs, and the letters, which I wrote to Congress, contained in general what you do me the honor of asking. I have reason to believe, that you will find a favorable disposition where you wish. There is no Court in Europe, at which secrecy will so much recommend a negotiator, as that to which you are destined. Insomuch, that as far as you can keep the capital parts of your negotiation entirely to your own breast, you will have reason to think it prudent. You are to negotiate with a people of honor and a Ministry of wisdom. They will propose fairly and perform faithfully. You will not be embarrassed by intrigue, at least, none of Spanish origin, nor will it be advantageous to employ any. These considerations, together with the good sense and great abilities for which you are distinguished, make me hope, Sir, that you will accomplish with facility the important purposes of your mission; to the advantage of our country and to your own honor.

The house of Gardoqui has executed what was intrusted to them with diligence, and as far as I can judge, with fidelity. They therefore deserve your confidence. There is due to them from the public 12,000 livres, which they advanced for the freight of goods sent to Congress; and which, as it was done without my knowledge, I had made no provision for, and therefore could not repay it. The part of the prize money due to the public for the prizes sent into the ports of Spain, by Captain Cunningham, was never remitted to me, nor has the account been settled to my knowledge.

Accept my thanks for your care of the letters for me. As I shall certainly have quitted Europe before they can reach me, I must beg the favor of you to enclose them to Mr Lovell with the first despatches, which you send to Congress.

If an entire stranger may be permitted to offer his homage to your lady, I beg the favor of you, Sir, to make mine acceptable to Mrs Jay.

I have the honor to be, &c.

ARTHUR LEE.

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TO THE PRESIDENT OF CONGRESS.

Philadelphia, October 7th, 1780.

Sir,

I must trouble your Excellency to inform Congress of my arrival in this city; and that I shall obey their commands, in giving them information in my power relative to the conduct of their private affairs.

Your Excellency will permit me to deposit with you the picture of the King of France, set with diamonds, which the Minister of that monarch presented to me, as a mark of his Majesty's esteem, upon my taking leave of the Court of Versailles. But as it was in consequence of my having been a Commissioner of Congress at that Court, I do not think it becomes me to retain this present, without the express approbation of Congress.

It is with infinite pain, that I feel myself obliged to mention to Congress, that the manner of my dismissal from the service of the United States implies a censure upon my conduct abroad, and is injurious to my character. I have already laid before Congress the fullest evidence of the untruth and malice of the insinuations made against me. And as they all appear at length abandoned by those who made them, and the single assertion maintained of my having been disesteemed at the French Court, I desire to lay before Congress a copy of a letter from Count de Vergennes in direct contradiction to that assertion; with two letters from my colleague, Mr John Adams, as testimonials of my conduct, to which he was witness.<sup>[51]</sup>

Should any doubt remain in Congress, that the insinuations made against me were groundless and malicious, and that I have discharged the public trust reposed in me with zeal and fidelity, I must beg of their justice to give me a full hearing at their bar, upon the whole of the proceedings, that concern my public conduct.

I have the honor to be, &c.

ARTHUR LEE.

*P. S.* I have brought with me the original vouchers, to show the manner of the expenditure in public supplies, of the money intrusted to me, particularly for the public use. These vouchers I shall lay before Congress as soon as it is their pleasure to receive them.

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TO THE PRESIDENT OF CONGRESS.

Philadelphia, December 7th, 1780.

Sir,

I received in due time the letter, which your Excellency did me the honor of writing me, on the 26th of October, enclosing a resolution of Congress, by which I am directed to lay before them all

the information in my power, relative to their affairs in Europe.

As a citizen of the United States, I should have immediately complied with the desire of that respectable body, had I not felt myself embarrassed by the dubious light in which the manner of my dismissal from the public service had placed my conduct.<sup>[52]</sup>

The information Congress requires should comprehend the conduct, character, views, and dispositions of the Courts and Ministers with which these United States are connected, and the proceedings of the servants of Congress in Europe. It is hardly to be expected, that I should commit to paper what I know and think of the former; and of the latter, the disputes which have been artfully excited and fomented, make it a painful task to speak even the truth.

In my letter of the 21st of May, 1779, I have written as far as I might of the state of Europe, and the most material alterations since, are the declaration of Spain against Great Britain, upon a distinct ground, and the league of the neutral powers, planned by the Empress of Russia, to maintain and enlarge the rights of neutral ships. But the real policy of this plan was to prevent the House of Bourbon, as well as Great Britain, from acquiring a dominion of the seas, dangerous to the liberties of the rest of Europe.

The ineffectual attempts, which have been made in Europe for obtaining money, and the disposition which I observed on that subject, satisfied me, that however essentially necessary it may be at this juncture, it will be infinitely difficult to succeed. The Court of France in particular will not, I am of opinion, assist us with any adequate sum, but from being fully impressed with the indispensable necessity of it to the maintenance of our independence, and that we are by wise and honest systems retrieving the public credit, and establishing funds, which may soon relieve them from the burthen of supplying us.

With regard to loans from the public at large in Europe, you will permit me, Sir, to repeat what I had the honor of writing to the Committee of Congress, November 6th, 1779. "I perceive by the journals, that a committee is appointed for framing a plan of a foreign loan. It is my duty to say, that there is not the least probability in the present situation of things of obtaining any adequate loan in Europe, and to beseech Congress not to let the vain expectation of that divert their attention from trying every resource at home. It is necessary, that the impressions to our discredit, which have arisen from the unsuccessful attempts, that have been already made, should wear off, and some favorable event occur, such as the enemy being obliged to draw off their troops, before it will be possible to succeed in such a plan. In the meantime the repetition of ineffectual attempts will only debase your credit more, and especially if they are accompanied with the offer of more than ordinary interest, which ever augments the suspicion of the insecurity of the principal, and that the borrowers are themselves conscious of their insufficiency." Since the time the above was written, the successes of the enemy against us have necessarily increased the improbability of our having credit to found a foreign loan.

From the experience I have had of your foreign affairs, as well as from the example of all other States, the establishment of a Secretary of State for Foreign Affairs, who may digest them into system, and conduct them with regularity, seems absolutely necessary.

There remains one object of the last importance to the most essential interest of these States, in the final settlement of the present contest, that is the Court of Petersburg. The vast power of the Russian Empire, the wisdom and extensive views of its Ministers, and the respectability of its Empress, give that Court the greatest weight among the confederate neutral powers. These certainly hold the balance in this war, and most probably will dictate the terms of a general pacification. The wisdom of Congress will, therefore, perceive, that it is of the greatest consequence, that the views and opinions of that Court in this question should be known to them, and measures taken to impress the Empress and her Council with a favorable opinion of our cause. And this more especially, as the Empress has been hitherto left entirely to English impressions, and some degree of disrespect shown her in applications to other powers. I have the honor to be, &c.

ARTHUR LEE.

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# THE CORRESPONDENCE OF WILLIAM LEE,

COMMISSIONER FROM THE UNITED STATES  
TO THE COURTS OF VIENNA AND BERLIN.

William Lee was a native of Virginia, but at the commencement of the revolution he had resided several years in London as a merchant. Notwithstanding his foreign birth, he acquired so much popularity in London, that he was chosen an Alderman, which post he held at the breaking out of the war.

His high toned whig principles, and his zeal in the American cause, had made him conspicuous, and pointed him out to the Congress as a person suitable to engage in their interests abroad. At the beginning of the year 1777, the commercial concerns of the United States in France, particularly at the port of Nantes, became important. For various reasons they were not well managed in the hands of the first agent, Mr Morris, and the Committee of Secret Correspondence appointed Mr William Lee as a joint commercial agent. He was informed of this appointment in April by a letter received in London from Mr Deane. Being detained by his private affairs, he did not arrive in Paris till June 11th. Here he found no commission to act as commercial agent, nor any other notice of his appointment, than what had been communicated to Mr Deane in a letter from the Committee of Congress.

Not deeming it expedient to act upon this authority alone, he remained in Paris till August 2d, when, by the recommendation of Dr Franklin and Mr Deane, he repaired to Nantes. The disagreements between the agents there had brought the public business into disorder, which Mr Lee was desired to use his influence in correcting. He staid in Nantes two months, and then returned to Paris, not yet having received any formal commission as commercial agent.

Meantime on the 9th of May, Mr William Lee had been elected by Congress a Commissioner to the Courts of Vienna and Berlin. His commission and instructions were waiting for him in Paris on his arrival, October 6th. The commission was dated July 1st, and gave him "full power and authority to communicate and treat with his Imperial Majesty the Emperor of Germany, or with such person or persons as shall be by him for such purpose authorised, of and upon a true and sincere friendship, and a firm, inviolable, and universal peace for the defence, protection, and safety of the navigation and mutual commerce of the subjects of his Imperial Majesty, and the people of the United States." He had a separate commission to the Court of Berlin, worded in the same manner.

The state of things at that time in Europe was not such, as to warrant Mr Lee in rendering himself at either of the Courts of Vienna or Berlin. He remained nearly a year in Paris, waiting the issue of events. At length he went to Frankfort in Germany, where he took up his residence, as a point convenient for his operations, till the time should arrive for some decided step with reference to the main object of his mission. On the 4th of September, 1778, he agreed to a plan of a treaty between the Netherlands and the United States. This was done at Aix la Chapelle, where he met M. de Neufville, the Dutch agent. But as M. de Neufville acted only in his private capacity, this treaty was never ratified nor matured.

In March, 1779, Mr Lee was in Paris, endeavoring to engage the French ministry to aid him in advancing his views in Germany. Failing in this purpose, he returned again to Frankfort, where he continued to reside during the remainder of his mission. He was recalled by a resolution of Congress, dated June 9th, 1779, but not required to come to the United States. Towards the end of the year he retired to Brussels, where he continued to live with his family for some time afterwards.

It is a little remarkable, that during the whole of Mr Lee's public agency in the service of the United States, he was still an Alderman of the city of London. He sent his resignation to the Common Council, but they declined accepting it, on account of the difficulty of finding a successor, whose principles agreed with those of the majority.

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## THE CORRESPONDENCE OF WILLIAM LEE.

INSTRUCTIONS TO WILLIAM LEE.

Philadelphia, July 1st, 1777.

Sir,

Herewith you will receive Commissions from the Congress of the United States of North America, authorising and appointing you to represent the said Congress as their Commissioner at the Courts of Vienna and Berlin. You will proceed with all convenient expedition to those Courts; visiting that first, which, on consultation with the Commissioners at the Court of France, shall be judged most proper. You will lose no time in announcing in form to those Courts the declaration of independence made in Congress on the fourth day of July, 1776. The reasons of this act of independence are so strongly adduced in the declaration itself, that further argument is unnecessary. As it is of the greatest importance to these States, that Great Britain be effectually obstructed in the plan of sending German and Russian troops to North America, you will exert all possible address and vigor to cultivate the friendship, and procure the interference of the

Emperor and of Prussia. To this end you will propose treaties of friendship and commerce with these powers, upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the Courts of France and Spain, by our Commissioners, and which were approved in Congress the seventeenth day of September, 1776, and not interfering with any treaties, which may have been proposed to, or concluded with, the Courts above-mentioned. For your better instruction herein, the Commissioners at the Court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed to Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration, than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten, in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reasons to suppose, that his Prussian Majesty makes commerce an object, you will not fail to place before him, in the clearest light, the great advantages, that may result from a free trade between the Prussian dominions and North America.

You will seize the first favorable moment to solicit, with decent firmness and respect, an acknowledgment of the independence of these States, and the public reception of their Commissioner as the representative of sovereign States. The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress by every opportunity.

It may not be improper to observe, that these instructions, and all others, which you may receive from time to time, should be kept as secret as circumstances will admit.

JOHN HANCOCK,  
*President of Congress.*

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TO THE PRESIDENT OF CONGRESS.

Paris, October 7th, 1777.

Sir,

Your goodness I trust will excuse me, for requesting the favor of you to inform the honorable Congress of the United States of America, that this moment (on my arrival here from Nantes, where I have been discharging the public trust reposed in me by the Secret Committee of Congress) were put into my hands the instructions, and appointment of me as Commissioner at the Courts of Vienna and Berlin, but not having had an opportunity of a conference on the subject with the Commissioners here, it is not in my power at present to enlarge on the business, more especially as I am told, that this express is to be immediately despatched. I understand another will be sent in ten or twelve days, by which opportunity I shall write fully. I have only further to entreat, that you will assure the honorable Congress of my steady attachment to that respectable body, and to the rights of America, which I shall invariably and on all occasions endeavor to support and maintain.

I am, with the truest respect and esteem, &c.

WILLIAM LEE.

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TO CHARLES THOMSON, SECRETARY OF CONGRESS.

Paris, November 24th, 1777.

Sir,

Be so good as to inform the honorable Congress of the United States of America, that I have received the commissions, whereby they have done me the honor of appointing me their Commissioner and Representative to the Courts of Vienna and Berlin. In consequence of their instructions, I have applied to their Commissioners at the Court of Versailles for a copy of the treaty originally proposed by Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side, which I presume they will furnish me with, and in the meantime I have been taking, and shall continue to take, measures to get the best possible information, which of these Courts it will be most for the interest of the United States, that I should visit first, in order to accomplish the most urgent object of Congress, that of preventing Great Britain from obtaining more German troops to send to America. For this object, my views shall be extended to Russia, as far as the situation of affairs in Europe will admit.

Colonel Faucet, the British Agent, has been most of the year in Germany, and about two months ago, General Haldiman, who was appointed and embarked to go and succeed General Carleton as Governor of Quebec, was recalled and sent to Germany, as it is supposed to aid Colonel Faucet in obtaining more German troops. What success they will meet with, I cannot at present speak of with certainty, but you may rely on every exertion in my power to obstruct their operations, and I have some hopes of succeeding so far as to prevent their obtaining more than to make up the number, that the States of Hesse, Brunswick, and Anspach, have formerly contracted to keep in the pay and service of Great Britain in America. It would certainly add to their difficulty, and embarrass the British Ministry, if there were only an appearance of beating up for men for the United States, in some of the free towns in Germany, where all the world by

custom is permitted to recruit and enlist men. Something of this sort might be attempted, sufficient to give a great alarm and create a diversion in your favor at a very little expense, if prudently managed.

I shall pay strict attention to my instructions, and embrace the first favorable opportunity of prevailing upon the Courts of Vienna and Berlin to receive the Commissioner of Congress, as the Representative of a sovereign State, which will necessarily carry along with it an acknowledgment of the Independence of the Thirteen United States of America; though in this business I apprehend the other powers of Europe will wait for France and Spain to take the lead, as they are known every where to be friendly to the American States, and to have received hitherto greater advantages from the American commerce than any other kingdoms, and still have not determined as yet to receive the American Commissioners, as the representatives of a sovereign State. I hope I shall be excused for observing, that neither my commission nor instructions authorise me to conclude any treaty with the Courts of Vienna and Berlin, even if I should find those Courts at any time disposed for such a measure. Congress will determine whether it may be prudent to enlarge those powers, when they consider the distance between the two countries, and the time it will take to write to Congress, receive their answer, return to them the treaty, and then again receive their ratification.

It occurs to me, that it will be extremely proper for me to have a cypher, to carry on my correspondence with Congress, more especially if any supplies of cordage, arms, cannon, or ammunition are purchased in the Northern Countries, where it is beyond a doubt they may be had infinitely better in quality, and very considerably cheaper, than what have been sent already, or may be sent from France or Spain; particularly iron and brass ordnance, ball, shot, fusils, woollen and linen cloth for soldiers' clothing, and tents, sailcloth, and cordage. Ways and means may be contrived to ship any of these things from the northern ports, as easily as from the southern ones. If this idea is approved by Congress, any cypher you send me shall be used when necessary. As there is no particular mode pointed out in my instructions, how I am to correspond with Congress, I have adopted the method of addressing myself to you as their Secretary, it being the usual practice in similar cases in Europe, but if I am wrong, I shall hope to be better informed by the next despatches I receive.

I am, &c.

WILLIAM LEE.

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TO CHARLES THOMSON.

Paris, December 18th, 1777.

Sir,

Enclosed is a copy of what I did myself the honor of writing to you, by the Independence, Captain Young. Be pleased to inform the honorable Congress, that, upon application being made to his Prussian Majesty, he has prevented the Hesse and Hanau recruits, for reinforcing the British army in America, from passing through his territories on the Rhine, which has kept those troops still in Germany, who otherwise would, by this time, have been on their voyage to America, and it is now doubtful whether they will ever be permitted to go. Our friends at Court here are of opinion, that it will be better for me to visit the Court of Vienna first, as it may be of use to strengthen and unite all the branches of the family compact, in the measures they have determined to take here in our favor; therefore, as soon as the ceremony (which is a pretty essential one) of *signing* and *sealing* has taken place, I shall set out for Vienna, as it is thought most advisable to wait till something decisive is absolutely concluded with the Court of Versailles, because on *that* must be grounded my operations at Vienna and Berlin.

With respect to the latter, trade must be the principal object, though the friendship of the king of Prussia will be of use to keep Russia quiet, and to prevent Great Britain from getting any material aid from that quarter in case of an European war, while she is mad enough to continue the war with America. Nothing material relative to commerce can be effected in the north till late in the spring, because their ports are all frozen up during the winter. His Prussian Majesty seems well disposed to our cause, and I trust will give us every encouragement in time that we can wish; but in a country where there is very little foreign commerce, it must be raised gradually and by experimental conviction of its benefits. To me it seems evident, that the commerce between America and the Prussian dominions must be considerable, because the natural productions of the former will come to as good a market in the latter, as almost any part of Europe; those from the latter are what we have been heretofore obliged to get from England. I shall omit no safe opportunity of informing Congress of my proceedings, and with due consideration and regard,

I am, Sir, &c.

WILLIAM LEE.

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TO CHARLES THOMSON.

Paris, January 2d, 1778.

Sir,

I had the honor of writing to you by the Independence, Captain Young, a copy of which went

since.

It is with infinite pleasure, that I congratulate Congress and America on the favorable change in our affairs in Europe, since advice was received of the noble and spirited exertions of the northern army and militia, in making General Burgoyne and his army prisoners. The purport of the last and present despatches from the Commissioners at the Court of Versailles, will show how pleasing and encouraging the prospect before us is in this country at the present moment.

I must beg you to lay before Congress, that though we had received repeated assurances from the king of Prussia of his good wishes for our success, and indeed had experienced his operations in our favor, by his forbidding his officers to permit the Hesse and Hanau recruits for the British army in America to pass down the Rhine, yet, since the late advices, his prime Minister writes more decidedly than before, for he says, "I can assure you, Sir, his Majesty will not be the last power to acknowledge the independence of the Americans, but you must be sensible it is not natural for him to begin it; and that at least France, whose political and commercial interests are more immediately connected with yours, should set the example."

From this, I conclude, that as soon as France has entered into a treaty with you, the king of Prussia will not hesitate to do the same. This shows, that my former opinion was well founded when I observed to you, that it was probable, most if not all the European powers would follow the example of France and Spain, in acknowledging the independence of America. I have so far been able to prevail with the Emperor, by negotiations with his Minister, as to get his Imperial Highness to discountenance the practice of the German princes hiring their troops to Great Britain, for the purposes of the American war. I have been waiting some time for the conclusion of certain affairs here, on which I presume the Commissioners at this Court will write fully. When they are clearly decided, signed, and sealed, I shall then immediately set out for Vienna, where it is thought my first visit will be most proper and beneficial, and then I shall proceed to Prussia, where I can venture to assure Congress, that American merchant ships will be now freely admitted for commerce.

Emden is a convenient port, where many American articles will come to a fine market, such as tobacco, furs, rice, and indigo, of that quality which is most like the St Domingo kind. The returns in woollens, linens, naval stores, arms, and ammunition, will be greatly beneficial to America. I shall, by all safe opportunities, regularly inform Congress of my proceedings, continuing to address my letters to you until I have other directions, having not received any instructions on that head as yet. It will certainly be of great use to keep me regularly advised, and as early as possible, of all the material occurrences in America. I cannot omit to mention it as my opinion, that let the events in Europe be what they will, you ought to prepare for another vigorous campaign, in which, if Great Britain is foiled, you may assuredly compute on the war being at an end. I have the pleasure to inform Congress, that from the best intelligence, I learn that Great Britain has hitherto been very unsuccessful in her attempts to hire fresh German troops for the American war, but the diligence of the Ministry is greatly increased in endeavoring, by every artifice and allurements, to raise men in England, Scotland, and among the Roman Catholics in Ireland. I am inclined to think, that even there they will find themselves a good deal disappointed; but a few weeks will show their chance of success with certainty. At all events, the troops they raise will be raw men, and not able to encounter your veterans, aided by a well disciplined and spirited militia. The plan of the next campaign is, I believe, as yet to be settled; the earliest information I can get on that head, which is to be depended on, shall be immediately transmitted to Congress.

I am, with all due regard, &c.

WILLIAM LEE.

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TO THE PRESIDENT OF CONGRESS.

Paris, January 22d, 1778.

Sir,

Be so good as to inform Congress, that I have communicated to them, by several letters addressed to Charles Thomson their secretary, my proceedings hitherto, in consequence of their appointing me their Commissioner at the Courts of Vienna and Berlin. I am now to add, that having lately had a conference with the Imperial Ambassador at this Court, he observed immediately an imperfection in my commission, as it only authorises me to treat with the Emperor of Germany, and not with his mother, who is the reigning and sovereign Prince over all the Austrian dominions, as well in Germany and Flanders as elsewhere.

She is extremely jealous of her power and authority, not permitting her son to interfere in any manner in the government of her dominions. Her title is, "The Most Serene and Most Potent Princess Maria Theresa, Queen of Hungary and Bohemia, Arch Duchess of Austria, &c. &c." The Emperor, her son, though heir to her dominions, is at present only Commander in Chief of his mother's army, and as Emperor is the head of the German empire. I therefore beg leave to submit to Congress, whether it may not be proper to send another commission to treat with the Queen of Hungary, &c. since, in fact, there are two Courts to negotiate with, though they both reside in the same city, viz. with the Emperor, so far as relates to the German empire, such as obstructing Great Britain from procuring German troops to send to America; and with his mother, for the purposes of commerce with the Austrian dominions, &c. &c.

There is every reason to believe, that our affairs will be finally settled here, and the compact

signed and sealed in a few days, after which I shall immediately set off for Vienna, since from that quarter we have most to apprehend, as there has been always a particular intimacy between that Court and the Court of London, at least for the present century, which has not been interrupted but during the last war with France.

Notwithstanding the promising appearance of things at present, I cannot forbear giving it as my opinion, that every possible exertion should be made to prepare for a vigorous campaign next summer.

I am with sincere esteem, &c.

WILLIAM LEE.

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TO THE PRESIDENT OF CONGRESS.

Paris, February 28th, 1778.

Sir,

The unexpected return of Mr Simeon Deane gives me the opportunity of enclosing you a copy of my last, which went by an express from Spain, to which be pleased to refer. I should before this have set off for Vienna, but the Commissioners at this Court have not yet found time to examine the papers relative to the commercial concerns of Congress, taken from the private papers of the late Mr Thomas Morris, as Mr Deane's card of this date (a copy of which is enclosed) will show. As soon as that business is finished, I shall immediately set out to execute your commands in Germany, where, I am sorry to inform you, there are now appearances of an approaching rupture between the Emperor and King of Prussia, relative to the possession of the late Elector of Bavaria's estates. The Elector Palatine, who is the rightful heir, has agreed by treaty, signed the 12th ult. between him and the Emperor, on the division of the Bavarian estates, but the King of Prussia is not satisfied, because he has not a share; he has therefore commenced a negotiation with Great Britain, and the Princes in Germany, to support his pretensions to some parts of Germany, founded on claims of right that go several generations back. Great Britain, you may be sure, will instigate him to go on, because if war ensues, France will probably take part with the emperor, which will render their meditated attack on her more likely to succeed; but I still hope peace will be maintained by negotiation in that quarter.

The British ministry are now fairly pushed to the wall; after exerting every effort to procure men for the ensuing campaign, both at home and abroad, and finding it impracticable any where, so odious are they and their measures, they have recourse to acts of Parliament, which are so presumptuous and treacherous, that it is hardly possible to say in which they excel. You will have the two bills by this conveyance, which are too plain to be misunderstood by any one who knows the framers; therefore, I shall only observe, that by the first the *right* of taxing you is explicitly enacted, though suspended for the present, which is going something further than the declaratory act, for by that the right of taxation was only implied. By the second bill, the Commissioners are vested with full powers to do all possible mischief to you, and no possible good, until it is confirmed by Parliament. Under these circumstances I do not well see how any treaty can be commenced, nor perhaps will it be prudent, in the moment of their weakness and distress, to agree to a cessation of hostilities by land, unless your enemies will remove all their troops to Europe.

The situation of Spain, her millions being yet on the sea, and the circumstances in Germany beforementioned, I believe induce this Court still to continue the injunctions of secrecy relative to the treaties; but if war is not declared before, I do not see how it can be avoided as soon as you publish them, which I suppose will be done as soon as they come to hand, or at least such parts as will announce the fact to the world in such a manner that it cannot be doubted.

The number of French troops that are now on the coast, in Brittany and Normandy, with the powerful naval preparations both in this country and Spain, would effectually prevent Great Britain from sending any more troops to America this year, even if she could get them.

I have the honor to be, &c.

WILLIAM LEE.

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Mr Deane presents his compliments to Mr Lee. As tomorrow is fixed by the minister for sending off the despatches, it will be impossible for him to attend the examination of Mr Morris's papers before his brother sets off. As Mr Deane had the honor of mentioning before, it shall be his first business after the despatches are gone.

*Saturday Morning.*

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TO THE PRESIDENT OF CONGRESS.

Paris, March 23d, 1778.

Sir,

To the enclosed copy of my last be pleased to refer. I have the pleasing satisfaction of congratulating you and my country on the independency of the thirteen United States of America being now openly acknowledged by the Court of France, which must soon put a glorious end to

all our troubles. About fourteen days ago the French Minister in London formally avowed to the British Ministry the treaty, which His Most Christian Majesty had made with you, and on the 20th inst your Commissioners were, in form, introduced to the King and his Ministers at Versailles, as the representatives of a sovereign State, and on Sunday last they were introduced to the Queen and all the royal family.

The British Ministry, as usual, have blustered a good deal, but have not ventured to declare war, that we know of. If they do, our business may the sooner and better be finished. I set off tomorrow for Germany, where the prospect of a war between Austria and Prussia seems to thicken, although this Court uses all its influence to prevent one, and has explicitly declared to both parties, that she will not in any manner aid or assist either side, as she is determined to exert all her force in supporting her new alliance with the States of America. I have already claimed the King of Prussia's promise to acknowledge our independence as soon as France has done so; his answer I shall meet in Germany, and as far as one can judge at present, there is a greater probability of my being sooner openly received at Berlin than at Vienna, but on this head, and at this critical moment, it is impossible for any man in the world to form a decisive opinion, because the issue will depend on events that are yet in the womb of time; therefore, all that is in prudence for me to do is, on the spot to seize the first opening that is made on either side in our favor; and I shall take care to give you the earliest intelligence of every thing material, that occurs in my department.

I have the honor to remain, &c.

WILLIAM LEE.

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THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM LEE.

York, May 14th, 1778.

Sir,

Your favors of November 24th and December 18th, reached us only the 2d of this month, with the letters of our other friends at Paris, from whom we had not received a regular packet for eleven months. You will readily conceive how much we have wished to hear from you, and how very agreeable your information would have been at an earlier period. It is evident, that you were yourself in a degree of doubt as to the conduct of France, even after the conference of our Commissioners in December; you will, therefore, be naturally led to give us due credit for the resolute manner, in which we proceeded upon the two draughts of bills which the British Ministry had hurried over to America. Be assured we were unacquainted with the spirit of the French Court. The decisive part it has taken was really unexpected, judging from the accounts we had collected from travellers. The dates of the papers herewith sent will enable you to put this matter in a clear point of view.

The turn of affairs in Europe will make it needless for us to attempt the finesse of recruiting in Germany, which you hint at, and which would have a good effect in case of necessity. Mr Arthur Lee's letters make it quite probable, that your commission will prove successful at Berlin, and there appears the best agreement between the King of Prussia and the Emperor.

The enclosed Resolve of Congress, of the 7th instant, will show their intentions with regard to your support, which was not properly attended to when your commission was made out. <sup>[53]</sup>

Other papers herewith sent will give you a general idea of our situation. You may be assured that independence is firmly adopted by the States; and the unanimity of Congress is truly emblematic of all America. Nova Scotia has long ago expressed its wishes to be adopted by us, and now afresh solicits. Canada will be greatly affected by the news of our alliance with its former parent State. In short, Sir, every thing which could be added to our own determination of being free and independent, is insured by this eclaircissement of the Court of Versailles. Our army is growing daily, so that if we are to negotiate with Britain we shall do it in a proper posture. There are some reports of her drawing away her troops, that she may with a better grace enter into parley. But this must be done without disguise, or no treaty can be held; for surely no one can suppose, that we shall now give up a point, which we had made a preliminary, before we knew what powerful friendship was secured to us in Europe.

The powers which had been given to our Commissioners in France, and our great anxiety to keep perfect faith in treaties, induced a caution with regard to the powers given in after appointments, which is now become unnecessary. Perfect equality being the basis of our present treaties, without any exclusive privileges to France, there can be no chance of discontent from the conclusion of similar treaties with other powers of Europe; therefore, we shall doubtless soon forward to you more full powers than were sent with your commission. As you seem to think it may be advantageous to have a cypher for correspondence, we would propose the same which has been mentioned to Dr Franklin formerly by Mr Lovell, and this is the rather chosen, because it may serve between the doctor and you or any number of your friends, taking a different key-word for each.

We are, with great regard, &c.

R. H. LEE,  
JAMES LOVELL,  
ROBERT MORRIS.

*P. S.* You are to have a plenipotentiary commission with instructions,

*not* limiting the term of the proposed treaties of amity and commerce.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 12th, 1778.

Gentlemen,

I have just arrived here from Germany, and finding the bearer of this about to set off in a few hours, I cannot omit saying a word or two, though it will be impossible to be so full as I could wish. I wrote to the President of Congress from Vienna the 30th of May last,<sup>[54]</sup> which was forwarded from hence, to which be pleased to refer; since then I have received your first and only letter, dated from Yorktown the 14th of May last, wherein you acknowledge the receipt of mine of the 24th November and the 18th of December; but I am surprised at your not receiving also two other letters from me, dated the 28th of February and 23d of March last, which were sent by Mr Simeon Deane, and addressed to the President of Congress.

Since my last of the 30th of May, when the war broke out between the Emperor and the King of Prussia, on consultation with the French Ambassador at Vienna, it was agreed to be most advisable for me to retire to Frankfort, and wait there until the several powers in Germany and the rest of Europe had taken a decided line in this war, when we might be able to direct our operations to the most advantage for America, since it was evident, that neither the Court of Vienna, nor that of Berlin could, in their critical situation, take an open part with us, for fear of throwing Hanover, with a body of thirty thousand men, into the scale of the adversary, especially too as France had declared a neutrality, on the urgent application of the House of Austria for aid, under the treaties subsisting between them and France; to which however France replies with truth, that the case does not exist as specified in the treaty, which obliges them to aid the House of Austria. The two mighty powers have been in the field opposed to each other ever since the beginning of July, when the King of Prussia entered Bohemia with his army, but no battle has yet been given, or anything material passed on either side. There have been perpetual skirmishes between the foraging parties and advanced posts, which on the whole seem rather in favor of the Prussians. In the course of the winter or spring, we hope things will take such a turn as to enable me to operate to advantage with one or the other of the parties, but at present I think you may be assured, that such measures have been taken as will effectually prevent our enemies from obtaining any further aid from any part of Europe, if they should continue the war against us another year, which I can hardly expect they will do, for I am informed, and have reason to believe my information true, that orders have been already sent to their Commissioners in America to acknowledge our independence, if nothing else will answer, in order to commence a treaty and make a peace.

After my arrival at Frankfort, finding an opportunity offered to me of negotiating a Treaty of Commerce with the United States of Holland and West Friesland, I embraced it, and have proceeded so far as to agree on the draught of a treaty, with the regular representative of the Pensionary and Burgomasters of the city of Amsterdam, of which I have not time to send you a copy by this conveyance, but I am sure you would approve of it, as it contains all the substantially advantageous articles of the commercial treaty with France, and some beneficial and agreeable additions.

So far, the business has been conducted on both sides with great secrecy, which is absolutely necessary in order to procure final success with the United States here, for though the city of Amsterdam and the States of Holland pay, it is supposed, about five sixths of the whole taxes for the support of the government, which consequently gives them very powerful weight and influence, yet they have no power, by their constitution, of entering into such a treaty, without the concurrence of the other United States, in some of which the Prince of Orange has an over due influence, and all the world knows his blood connexions with the king of England, as well as that he has the same designs against his country, that have been attempted to be carried into execution against us, and which he hopes to succeed in by the aid of his cousin of England, with whom he is in the strictest intimacy. This renders secrecy of the last importance, until the patriots in Holland have secured success, before the business is agitated in the General Assembly of the States, where it must come, to have full authority.

Here I find myself embarrassed, because I have no power to sign such a treaty, and I know not how to determine as yet about communicating it, in the present situation of things, to those who have a power to sign it in your name, because it is well known that some of the most important negotiations and proceedings here, relative to your affairs, have sometime past been very speedily communicated in England, and I have not yet been able to learn that the old channel is stopped. I shall, however, proceed in the manner, that shall on the maturest reflection appear the best to forward the wishes of Congress, and advance the prosperity of our country.

In a week or ten days I shall return to my station in Germany, and watch with careful attention over my charge there, and when any thing material occurs you shall be duly advised.

I have the honor to be, &c.

WILLIAM LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Frankfort, October 15th, 1778.

Gentlemen,

I have the honor of forwarding to you herewith a third copy of a plan of a treaty of amity and commerce, between the Seven United Provinces of the Netherlands and the United States of America, which you will perceive was settled by M. de Neufville, as the representative of Mr Van Berckel, Counsellor Pensionary of the city of Amsterdam, and myself. The Burgomasters of Amsterdam had authorised Mr Van Berckel to treat in this business in their name, and the Pensionary regularly authorised M. de Neufville, a capital merchant of Amsterdam, to treat with me. I forwarded two copies of this plan from Paris last month, where I went to communicate what had been done to the Commissioners there, as I did not think myself authorised to proceed any further alone.<sup>[55]</sup> They were fully informed by me of the state of politics in Holland, and that a great deal of management and secrecy in the present stage of the business would be requisite to complete it successfully, because the English party having the Prince of Orange at its head is very powerful, and might effectually obstruct the progress, if the negotiation comes to their knowledge before the Pensionary and Burgomasters have made sure of carrying the point in the Assembly of the States-General.

The further progress in this business your Commissioners at Paris will no doubt communicate to you. However, it appears to me of no inconsiderable importance, that I have obtained from the Pensionary an engagement, that the States-General shall not take any measures that may be injurious to the United States of America, provided America shall not take any measures injurious to Holland. This engagement the Pensionary is alone capable of complying with, because his single negative is sufficient to prevent the States-General from entering into any such measures, and consequently the States will be prevented from giving any aid to Great Britain against our good ally, France.

I have so often given you a full account of the situation of affairs in this quarter of the world, that I have little to add on that subject. Though the king of Prussia was prevented, by the critical situation of politics here, from complying with the promise he had made of acknowledging our independence as soon as France had done so, I thought it proper to write to his Minister to know whether our privateers and armed vessels would be permitted to enter and refit in the Prussian ports; to which he replied, that his Majesty's absence from Berlin, and his continual application to the great object in which he is engaged, prevents him from being able at present to make me a favorable reply, but he hopes that circumstances will soon enable them to make us more advantageous proposals than they have already done.

The campaign is ended for this year, and nothing material has passed. There are some politicians who think the winter negotiations will produce peace, and if they do, I think the king of Prussia will not then hesitate to enter into a treaty with us. As to the Court of Vienna, you know my commission only authorised me to treat with the Emperor, who has been since the beginning of April with his armies in Bohemia; however, while I was at that Court our affairs could not be advanced there, because both the Emperor and the King of Prussia stand in the same predicament with respect to Hanover, which has now increased its army to near thirty thousand men. The Emperor wishes to keep Hanover neuter, and the King is exerting all his political abilities to have the Hanoverian army active on his side. This winter will, it is generally believed, decide the part that Hanover will take if the war continues in Germany, in which case the opposite party will soon join issue with us; in the meantime, we must have patience, as at present neither side can in prudence enter into any measures with us, unless France makes a point of it.

With the advice of the French Ambassador at Vienna I shall remain here, as being a central place for Germany, until we can see with more precision how to direct our future operations. I understood from his Excellency Count de Vergennes, when I saw him at Versailles last month, that he thought our business by and by would go forward at Vienna. As the Court of Versailles can at any time influence that of Vienna with respect to us, I presume some plan of that sort is now in agitation, of which I expect due information from his Excellency the Baron de Breteuil at Vienna; but I must remind you, that under my present commission, I have no authority to conclude, or even to treat of any thing with this Court. This I explained fully to you in my letters last winter, which you must have received.

I am, Gentlemen, with the highest esteem and regard, &c.

WILLIAM LEE.

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PLAN OF A TREATY WITH HOLLAND.

*Plan of a Treaty of Commerce, to be entered into between their High Mightinesses the States of the Seven United Provinces of Holland, and the Thirteen United States of North America.*

The parties being willing to fix in an equitable and permanent manner the rules, which ought to be followed relative to the correspondence and commerce, which they desire to establish between their respective countries, states, subjects, and people, have judged, that the said end could not be better attained, than by taking for the basis of their agreement the most perfect equality and reciprocity, and by carefully avoiding all those burdensome preferences, which are usually the sources of debate, embarrassment, and discontent; by leaving, also, each party at liberty to make, respecting commerce and navigation, such interior regulations as it shall find most convenient to itself, and by founding the advantage of commerce solely upon reciprocal utility, and the just rules of free intercourse, reserving withal to each party the liberty of

admitting at its pleasure other nations to a participation of the same advantages.

On these principles the parties above mentioned have, after mature deliberation, agreed to the following articles.

#### ARTICLE I.

There shall be firm, inviolable and universal peace and sincere friendship between their High Mightinesses, the States of the Seven United Provinces of Holland, and the United States of North America, and the subjects and people of the said parties; and between the countries, islands, cities, and towns situated under the jurisdiction of the said United States of Holland, and the said United States of America, and the people and inhabitants thereof, of every degree, without exception of persons or places.

#### ARTICLE II.

The subjects of the United States of Holland shall pay no other duties or imposts in the ports, havens, roads, countries, islands, cities, and towns of the said United States of America, or any of them, than the natives and inhabitants thereof shall pay, but shall enjoy all the other rights, liberties, privileges, immunities, and exceptions in trade, navigation, and commerce, in passing from one part thereof to another, and in going to and from the same, from and to any part of the world, which the said natives or inhabitants enjoy.

#### ARTICLE III.

The subjects, people, and inhabitants of the said United States of America, or any of them, shall not pay any other duties or imposts in the ports, havens, roads, countries, islands, cities, or towns, subject to their said High Mightinesses, the States of the Seven United Provinces of Holland, than the natives and inhabitants of those countries, islands, cities, or towns shall pay; but shall enjoy all the other rights, liberties, privileges, immunities, and exemptions in trade, navigation, and commerce, in passing from one part thereof to another, and in going to and from the same, and to and from any part of the world, which the said natives or inhabitants enjoy.

#### ARTICLE IV.

The subjects and people of each of the aforesaid confederates, and the inhabitants of countries, islands, cities, or towns belonging to either of the parties, shall have liberty freely and securely, without license or passport, general or special, by land or by water, or in any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns, walled or unwalled, or fortified ports, dominions, or territories whatsoever, of the other confederate, there to enter, and return from thence, to abide there or pass through the same, and in the meantime to buy and purchase as they please all things necessary for their subsistence and use, and they shall be treated with all mutual kindness and favor; provided, however, that in all matters they behave and comport themselves conformably to the public laws, statutes, and ordinances of such kingdom, country, province, island, city, or town, in which they may be and live, and converse with each other friendly and peaceably, and keep up reciprocal concord by all manner of good understanding.

#### ARTICLE V.

The subjects and people of each of the parties, and the inhabitants of the countries, islands, cities, or towns, subject or belonging to either of them, shall have leave and license to come with their ships or vessels, as also with the goods and merchandise on board the same, (the trade or importation whereof is not prohibited by the laws or ordinances of either country) to the lands, countries, cities, ports, places, and rivers of either side, to enter into the same, to resort thereto, to remain and reside there without any limitation of time; also to hire houses, or to lodge with other people, and to buy all kinds of lawful merchandise and goods where they think fit, from the first workman or seller, or in any other manner, whether in the public market for the sale of things, in mart towns, fairs, or wheresoever those goods or merchandise are manufactured or sold. They may also lay up, and keep in their magazines or warehouses, and from thence expose to sale, merchandise or goods brought from other ports; neither shall they in any wise be obliged, unless willingly and of their own accord, to bring their said goods or merchandise to the marts or fairs; on this condition, however, that they shall not sell the same by retail or in shops, or anywhere else. But they are not to be loaded with any impositions or taxes on account of the said freedom, or for any other cause whatsoever, except what are to be paid for their ships, vessels, or goods, according to the laws and customs received in each country, agreeable to the stipulations in this treaty. And, moreover, they shall have free leave and permission, without any kind of hinderance or molestation, to remove themselves, also if they shall happen to be married, their wives and children, if they have any, and their servants, if they are willing to go with their masters, together with their merchandise, wares, goods, and effects, either bought or imported, whatsoever or whithersoever they shall think fit, out of the bounds of each country, by land or by sea, on the rivers and fresh waters, notwithstanding any law, privilege, grant, immunity, or custom, in any wise importing the contrary.

#### ARTICLE VI.

In the business of religion, there shall be entire liberty allowed to the subjects of each of the confederates, as also if they are married, to their wives and children; neither shall they be compelled to go to the churches, or to be present at the religious worship in any other place. On the contrary, they may, without any kind of molestation, perform their religious exercises after their own way, in churches, chapels, or houses, with open doors; moreover, liberty shall be

granted to bury the subjects of either party, who die in the territories of the other, in convenient and decent places to be appointed for that purpose, as occasion shall require; neither shall the dead bodies of those that are buried be any ways molested.

#### ARTICLE VII.

Furthermore, it is agreed and concluded as a general rule, that all and singular the subjects of their said High Mightinesses, the Seven United Provinces of Holland, and of the said United States of America in all countries and places subject to their power on either side as to all duties, impositions, or customs whatsoever, concerning goods, merchandise, persons, ships, vessels, freights, seamen, navigation, and commerce, shall use and enjoy the same privileges, liberties, and immunities at least, and have the like favor in all things, as well in the courts of justice as in all such things as relate either to commerce, or to any other right whatever, which any foreign nation the most favored has, uses, and enjoys, or may hereafter have, use, and enjoy.

#### ARTICLE VIII.

Their High Mightinesses, the States of the Seven United Provinces of Holland, shall endeavor, by all means in their power, to protect and defend all vessels and the effects belonging to the subjects, people, or inhabitants of the said United States of America, or any of them, being in their ports, havens, or roads, or on the seas near to their countries, islands, cities, or towns, and to recover and cause to be restored to the right owners, their agents, or attorneys, all such vessels and effects, which shall be taken within their jurisdiction, and their ships of war, or any convoys sailing under their authority shall, upon all occasions, take under their protection all vessels belonging to the subjects, people, or inhabitants of the said United States of America, or any of them, or holding the same course, or going the same way, and shall defend such vessels as long as they hold the same course, or go the same way, against all attacks, force, and violence, in the same manner as they ought to protect and defend vessels belonging to the subjects of their said High Mightinesses, the States of the Seven United Provinces of Holland.

#### ARTICLE IX.

In like manner, the said United States of America, and their ships of war sailing under their authority, shall protect and defend, conformable to the tenor of the preceding article, all the vessels and effects belonging to the subjects of the said Seven United Provinces of Holland, and use all their endeavors to recover and cause to be restored to their right owners, the said vessels and effects, that shall have been taken within the jurisdiction of the said United States of America, or any of them.

#### ARTICLE X.

Their High Mightinesses, the States of the Seven United Provinces of Holland, will employ their good offices and interposition with the King or Emperor of Morocco or Fez, the Regency of Algiers, Tunis, or Tripoli, or with any of them, and also with every other Prince, State, or Power on the coast of Barbary in Africa, and the subjects of the said King, Emperor, States, and Powers, and each of them, in order to provide as fully as possible for the benefit, conveniency, and safety of the said United States and each of them, their subjects, people, and inhabitants, and their vessels and effects, against all violence, insult, attacks, or depredations on the part of the said Princes or States of Barbary, or their subjects.

#### ARTICLE XI.

It shall be lawful and free for merchants and others, being subjects either of the said Seven United Provinces of Holland, or of the said United States of America, by will or any other disposition made either during the time of sickness, or at any other time before, or at the point of death, to devise or give away to such person or persons as to them shall seem good, their effects, merchandise, money, debts, or goods, movable or immovable, which they have, or ought to have, at the time of their death, or at any time before, within the countries, islands, cities, towns, or dominions belonging to either of the said contracting parties; moreover, whether they die, having made their will, or intestate, their lawful heirs, executors, or administrators, residing in the dominions of either of the contracting parties, or coming from any other part, although they be not naturalised, and without having the effect of this concession contested or impeded, under pretext of any rights or prerogatives of provinces, cities, or private persons, shall freely and quietly receive and take possession of all the said goods and effects whatsoever, according to the laws of each country respectively; the wills and rights of entering upon the inheritances of persons dying intestate must be proved according to law, in those places where each person may happen to die, as well by the subjects of one as of the other contracting party, any law, statute, edict, custom, ordinance, *droit d'aubaine*, or any other right whatsoever notwithstanding.

#### ARTICLE XII.

The goods and estates of the people and subjects of the one contracting party, that shall die in the countries, islands, lands, cities, or towns of the other, shall be preserved for the lawful heirs and successors of the deceased, the right of any third person always reserved, and such goods and effects, together with the papers, writings, and books of accounts of such deceased persons, shall be put into an inventory by the Consul or other public Minister of such party, whose subject has so died, and put into the hands of two or three reputable merchants, that shall be named by such Consul or public Minister, to be kept for the heirs, executors, administrators, or creditors of the deceased, nor shall any judiciary whatever inter-meddle therein, until applied to according to the forms of law by such heir, executor, administrator, or creditor.

#### ARTICLE XIII.

It shall be lawful and free for the subjects of each party to employ such advocates, attornies, notaries, solicitors, or factors, as they shall think fit; to which end, the said advocates and others above mentioned may be appointed by the ordinary judges if it be needful, and the judges be thereunto required.

#### ARTICLE XIV.

Merchants, masters of ships, owners, mariners, men of all kinds, ships and vessels, and all merchandise and goods in general, and effects of one of the confederates or of the subjects thereof, shall not on any public or private account, by virtue of any general or special edict be seized or detained in any of the countries, lands, islands, cities, towns, ports, havens, shores, or dominions whatsoever of the other confederate for public use, for warlike expeditions, or for any other cause, and much less for the private use of any one shall they be detained by arrests, compelled by violence or under any color thereof, or in anywise molested or injured. Moreover, it shall be unlawful for the subjects of either party to take anything, or to extort it by force from the subjects of the other party, without the consent of the person to whom it belongs, and it be paid for with ready money; which, however, is not to be understood of that detention and seizure, which shall be made by the command and authority of justice, and by the ordinary methods of account of debt or crimes, in respect whereof, the proceedings must be by way of law, according to the forms of justice.

#### ARTICLE XV.

It is further agreed and concluded, that it shall be wholly free for all merchants, commanders of ships, and other subjects of their High Mightinesses, the States of the Seven United Provinces of Holland, in all places subject to the dominion and jurisdiction of the said United States of America, to manage their own business themselves, or to employ whomsoever they please to manage it for them; nor shall they be obliged to make use of any interpreter or broker, nor to pay them any salary or fees unless they choose to make use of them; moreover, masters of ships shall not be obliged, in loading or unloading their ships, to make use of those workmen that may be appointed by public authority for that purpose; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such persons in loading or unloading the same as they shall think fit, without paying any fees or salary to any other whomsoever; neither shall they be forced to unload any sort of merchandise, either into other ships, or to receive them into their own, or to wait for their being loaded longer than they please, and all and every the subjects, people, and inhabitants of the said United States of America, shall reciprocally have and enjoy the same privileges and liberties in all places whatsoever, subject to the dominion and jurisdiction of their High Mightinesses, the States of the Seven United Provinces of Holland.

#### ARTICLE XVI.

A dispute arising between any commander of the ships on either side and his seamen, in any port of the other party, concerning wages due to the said seamen or other civil causes, the magistrate of the place shall require no more from the person accused, than that he give to the accuser a declaration in writing, witnessed by the magistrate, whereby he shall be bound to answer that matter before a competent judge in his own country, which being done, it shall not be lawful for the seamen to desert the ship, or to hinder the commander from prosecuting his voyage. It moreover shall be lawful for the merchants on both sides, in the places of their abode or elsewhere, to keep books of their accounts and affairs in any language or manner, and on any paper they shall think fit, and to have an intercourse of letters in such language or idiom as they shall please, without any search or molestation whatever; but if it should happen to be necessary for them to produce their books of accounts for deciding any dispute or controversy, in such case they shall bring into Court the entire books or writings, but so as that the judge, or any other person may not have liberty to inspect any other articles in the said books, than such as shall be necessary to verify and authenticate the matter in question, or such as shall be necessary to give credit to the said books; neither shall it be lawful under any pretence, to take the said books or writings forcibly out of the hands of the owners, or to retain them, the case of bankruptcy only excepted.

#### ARTICLE XVII.

The merchant ships of either of the parties, which shall be making into a port of the other party, and concerning whose voyage and the species of goods on board her there shall be any just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports and havens, not only her passports, but likewise certificates expressly showing that her goods are not of the number of those, which have been prohibited as contraband.

#### ARTICLE XVIII.

If, by exhibiting the abovesaid certificates, mentioning the particulars of the things on board, the other party should discover there are any of those sorts of goods, which are prohibited and declared contraband by this treaty, and consigned for a port under the obedience of his enemies, it shall not be lawful to break up the hatches of such ship, or to open any chest, coffer, pack, cask, or any other vessel or package found therein, or to remove the smallest particle of the goods, whether such ship belongs to the subjects of their High Mightinesses, the States of the Seven United Provinces of Holland, or to the subjects or inhabitants of the said United States of America, unless the loading be brought on shore in presence of the officers of the Court of Admiralty, and an inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner, until after that due and lawful process shall have been had against such prohibited goods, and the Court of Admiralty respectively shall, by a sentence

pronounced, have confiscated the same; saving always as well the ship itself, as any other goods found therein, which by this treaty are to be esteemed free; neither may they be detained on pretence of their being, as it were, infected by the prohibited goods, much less shall they be confiscated as lawful prize; but if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor who has discovered them, in such case, the captor having received those goods shall forthwith discharge the ship, and not hinder her by any means from freely prosecuting the voyage on which she was bound; but, in case the contraband merchandise cannot be all received on board the vessel of the captor, then the captor may, notwithstanding the offer of delivering him the contraband goods, carry the vessel into the nearest port, agreeable to what is above directed.

#### ARTICLE XIX.

On the contrary, it is agreed that whatever shall be found to be laden by the subjects, people, or inhabitants of either party on any ship belonging to the enemy of the other, or to their subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated in the same manner as if it belonged to the enemy himself, except such goods and merchandise as were put on board the ships before the declaration of war, or even after such declaration, if it so be that it was done without the knowledge of such declaration, so that the goods of the subjects and people of either party, whether they be of the nature of such as are prohibited or otherwise, which as aforesaid were put on board any ship belonging to an enemy before the war, or after the declaration of the same, without knowledge of it, shall no ways be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same; but so as that if the said merchandise be contraband, it shall not be any ways lawful to carry them afterwards to any ports belonging to the enemy. The two contracting parties, that the terms of six months being elapsed after the declaration of war, their respective subjects, people, and inhabitants, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

#### ARTICLE XX.

And that more effectual care may be taken for the security of the subjects and people of either party, that they do not suffer any injury by the men of war or privateers of the other party, all the commanders of the ships of war and the armed vessels of the said States, of the Seven United Provinces of Holland, and of the said United States of America, and all their subjects and people shall be forbid doing any injury or damage to the other side, and if they act to the contrary, they shall be punished, and shall moreover be bound to make satisfaction for all matter of damage, and the interest thereof by reparation, under the pain and obligation of their persons and goods.

#### ARTICLE XXI.

All ships and merchandise of what nature soever, which shall be rescued out of the hands of pirates or robbers on the high seas, shall be brought into some port of one or the other party, and shall be delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.

#### ARTICLE XXII.

It shall be lawful for the ships of war, privateers, or armed vessels of either party, freely to carry whithersoever they please the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the Admiralty or any other judges, nor shall such prizes be arrested or seized when they come to and enter the ports of either party; nor shall the searchers or other officers of those places search the same, or make examination concerning the lawfulness of such prizes, but they may hoist sail at any time, and depart and carry their prizes to the place expressed in their commissions, which the commanders of such ships of war, privateers, or armed vessels shall be obliged to show. On the contrary, no shelter nor refuge shall be given in their ports to such as shall have made prize of the subjects, people, or property of either of the parties; but if such shall come in, being forced by stress of weather or the danger of the seas, all proper means shall be vigorously used that they go out and retire from thence as soon as possible.

#### ARTICLE XXIII.

If any ships or vessels belonging to either of the parties, their subjects or people, shall, within the coasts or dominions of the other, stick upon the sands, or be wrecked, or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof; and letters of safe conduct shall likewise be given to them for their free and quiet passage from thence, and the return of every one to their own country.

#### ARTICLE XXIV.

In case the subjects or people of either party with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking shelter and harbor, to retreat and enter into any of the rivers, creeks, bays, havens, roads, ports, or shores, belonging to the other party, they shall be received and treated with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves, at reasonable rates, with victuals and all things needful for the sustenance of their persons or reparation of their ships and conveniency of their voyage; and they shall no ways be detained or hindered from returning out

of the said ports or roads, but may remove and depart when and whither they please without any let or hinderance.

#### ARTICLE XXV.

For the better promoting of commerce on both sides, it is agreed, that if a war should ever happen to break out between the said contracting parties, six months after the proclamation of war shall be allowed to the merchants, subjects, and people on either side, in countries, cities, and towns where they may happen to reside, in which time they themselves may retire, together with all their families, goods, merchandise and effects, and carry them whithersoever they shall please, as likewise, at the same time, the selling and disposing of their goods, both movable and immovable, shall be allowed them freely and without any disturbance, and, in the meantime, their goods, effects, wares, and merchandise, and particularly their persons, shall not be detained or troubled by arrest or seizure, but rather in the meantime, the subjects and people on each side shall have and enjoy good and speedy justice, so that during the said space of six months they may be able to recover their goods and effects, intrusted as well to the public as to private persons; and if anything be taken from them, or any injury be done by either party, or the people, or subjects on either side, full satisfaction shall be made for the same by the party committing such injury or doing such damage.

#### ARTICLE XXVI.

No subjects of their High Mightinesses, the States of the Seven United Provinces of Holland, shall apply for or take any commission or letter of marque for arming any ship or ships to act as privateers against the said United States of America, or any of them, or against the subjects, people or inhabitants of the said United States, or any of them, from any Prince or State with which the said United States of America shall happen to be at war; and if any person of either nation shall take such commission or letter of marque, he shall be punished as a pirate.

#### ARTICLE XXVII.

It shall not be lawful for any foreign privateers, not belonging to the subjects of their High Mightinesses, the States of the Seven United Provinces of Holland, nor to the citizens of the said United States of America, which have commissions from any other Prince or State in enmity with either of the contracting parties, to fit their ships in the ports of either the one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatsoever to exchange their ships, merchandise, or any other lading; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that Prince or State from which they have commissions.

#### ARTICLE XXVIII.

It shall be lawful for all and singular the subjects of their High Mightinesses, the States of the Seven United Provinces of Holland, and the citizens, people, and inhabitants of the said United States of America, to sail with their ships with all manner of liberty and security; no distinction being made who are the proprietors of the merchandise laden therein, from any port to the places of those who now are or hereafter may or shall be at enmity with the said States of the Seven United Provinces of Holland, or the said United States of America. It shall be also lawful for the subjects and citizens aforesaid, to sail with the ships and merchandise aforementioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforementioned, to neutral places, but also from one place belonging to an enemy, whether they be under the jurisdiction of one and the same power, or under several. And it is hereby stipulated, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading, or any part thereof should appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are soldiers, and in the actual service of the enemies.

#### ARTICLE XXIX.

This liberty of navigation and commerce shall extend to all kinds of merchandise, excepting those only, which are distinguished by the name of contraband or prohibited goods, and under this name of contraband or prohibited goods, shall be comprehended arms, great guns, bombs, with their fusils, and other things belonging to them, fire balls, gunpowder, match, cannon balls, pikes, swords, lances, spears, halberts, mortars, petards, grenades, saltpetre, muskets, musket balls, helmets, headpieces, breastplates, coats of mail, and the like kinds of arms proper for arming soldiers, musket rests, belts, horses, with their furniture, and all other warlike instruments whatever. The merchandise which follows shall not be reckoned among contraband or prohibited goods, that is to say, all sorts of cloth, and all other manufactures made of wool, flax, hemp, silk, cotton, or any other materials whatever. All kinds of wearing apparel, together with the species whereof they are used to be made, gold and silver, as well coined as uncoined, tin, iron, lead, copper, brass, as also wheat and barley, and every other kind of corn and pulse, tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, cider, sugars, syrup, and all sorts of salt; and in general, all provisions which serve to the nourishment of mankind and the sustenance of life; furthermore, all kinds of cotton, hemp, flax, tar, pitch, turpentine, ropes, cables, sail, sailcloths, anchors, and any parts of anchors; also ships' masts, planks, boards, and beams of what trees soever, and all other things

proper either for building or repairing ships; and all other goods whatsoever, which have not been worked into the form of any instrument or thing prepared for war, by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use; all which shall be wholly reckoned among free goods; as likewise all other merchandise and things, which are not comprehended or particularly mentioned in the foregoing enumeration of contraband goods, so that they may be transported and carried in the freest manner by the subjects and citizens of both confederates, even to places belonging to an enemy, such towns and places being only excepted as are at that time besieged, blocked up, or invested.

#### ARTICLE XXX.

To the end, that all manner of dissension and quarrels may be prevented and avoided on both sides, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or citizens of the other ally must be furnished with sea letters, or passports, expressing the name, property, or bulk of the ship, or vessel, as also the name, place, or habitation of the master, or commander of the said ship, or vessel, that it may appear thereby, that the ship really and truly belongs to the subjects, or citizens of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year, that is if the ship or vessel happens to return home within the space of a year. It is likewise agreed, that such ships or vessels being laden are to be provided not only with passports, as above mentioned, but also with certificates containing the several particulars of the cargo, the place from whence the ship sailed, and whither she is bound, that so it may be known, whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship or vessel set sail, in the accustomed form; and if any one shall think it fit or advisable to express in the said certificates the persons to whom the goods on board belong, he may freely do it.

#### ARTICLE XXXI.

The ships or vessels of the subjects or citizens of either of the parties coming upon any coasts belonging to either of the said confederates, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, shall not be obliged to give an account of their lading, unless they should be suspected on some manifest tokens of carrying to the enemy of the other ally any prohibited goods called contraband, and in case of such manifest suspicion, the said subjects and citizens of either of the parties shall be obliged to exhibit in the ports, their passports and certificates in the manner before specified.

#### ARTICLE XXXII.

If the ships or vessels of the said subjects, or people of either of the parties, shall be met with sailing along the coasts, or on the high seas, by any ship of war, privateer, or armed vessel of the other party, the said ships of war, privateers, or armed vessels, for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats on board the merchant ship, which they shall so meet with, and may enter her, to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport, concerning the property of the ship or vessel made out according to the form annexed to this present treaty, and the ship or vessel, after such passport has been shown, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, to give her chase or to force her to quit her intended course.

#### ARTICLE XXXIII.

It is also agreed, that all goods when once put on board the ships or vessels of either party shall not be subject to any further visitation; but all visitation and search shall be made beforehand, and all prohibited goods shall be stopped on the spot, before the same be put on board the ships or vessels of the respective parties, their subjects or people; nor shall the persons or goods of the subjects or people of their said High Mightinesses, the States of the Seven United Provinces of Holland, or the said United States of America, be put under any arrest, or molested by any other kind of embargo for that cause; but only the subject of that power, by which the said goods have been or shall be prohibited, who shall have presumed to sell or alienate such sort of goods, may be duly punished for the offence, according to the laws, customs or ordinances of his own country.

#### ARTICLE XXXIV.

The two contracting parties grant to each other mutually the liberty of having, each in the ports of the other, consuls, vice consuls, agents and commissioners of their own appointing, whose functions shall be regulated by particular agreement, whenever either party chooses to make such appointment.

This is a rough plan of a treaty of commerce, which, in consequence of the appointment and instructions of the Honorable Engelbert Francis Van Berckel, Counsellor Pensionary of the city of Amsterdam, to me John de Neufville, citizen of the said city of Amsterdam, I have perused, considered, and settled with William Lee, Commissioner of Congress, as a proper treaty of commerce to be entered into between their High Mightinesses, the States of the Seven United Provinces of Holland, and the United States of America.

This done at Aix la Chapelle, the 4th of September, 1778.

JOHN DE NEUFVILLE.

Philadelphia, October 28th, 1778.

Sir,

The enclosed resolve it is hoped will be productive of singular advantage, so far as relates to you, who must depend greatly for American intelligence on your connexions in Paris. Congress have been and are exceedingly loaded with business, and of late have met with some singular interruptions in the intended general arrangement of their foreign affairs, so that they have yet only decided in respect to Dr Franklin, their Minister Plenipotentiary at the Court of France.

Our first and most pressing business is the appreciation of our currency. This point accomplished, our enemies themselves will acknowledge their hopes of conquering us at an end. The British Commissioners, sent on a foolish and wicked errand to America, are returning home completely disappointed; and there is reason from appearances to think, that the land forces of Britain are gradually withdrawing from these States. It is probable, that the Marquis de la Fayette, by whom this letter goes, will obtain in Boston further knowledge than we now have of the destination of a fleet lately departed from New York, amounting to about one hundred and fifty sail.

We shall desire Mr Adams to give you all possible information on the arrival of this packet, and shall soon despatch other letters from this port.

With hearty prayers for your welfare, we are, Sir, your affectionate friends,

R. H. LEE,  
JAMES LOVELL.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Frankfort, February 25th, 1779.

Gentlemen,

I have the honor of enclosing to you with this a fourth copy of the plan of a treaty, arranged as you will see between M. John de Neufville, on the part of the Pensionary and Burgomasters of Amsterdam, and myself on the part of the United States of America. This plan, I presume, will meet with the approbation of Congress, and if it can be carried through in the General Assembly of the Seven United States of the Netherlands, America cannot have any just grounds of complaint. If any further steps are taken by you in this business, it will be necessary to authorise some person to complete it in your name, who must advance it with the States-General as he finds the temper of the times and politics, for it is to be observed, that by their constitution, in all cases of treaties, alliances, peace, or war, the unanimous consent of all the States is requisite; however, it is with pleasure I inform you, that in consequence of the negotiation with Amsterdam, and the correspondence I have kept up with the parties, that city (by far the most important member of their union) has with infinite firmness and resolution opposed all the intrigues of Great Britain, countenanced as it is said by the Prince of Orange, to involve the Republic in a war against France, and consequently against America.

The efforts of Amsterdam have at last prevailed on the States-General to come to a resolution lately much in our favor, that is, that they insist upon Great Britain's strictly adhering to the treaty of 1674, whereby the Dutch commerce is allowed to be entirely free; and if Great Britain will not accede to this, they will convoy their trade with ships of war, and repel force with force. They are accordingly making a very respectable addition to their navy, the care of which Amsterdam has taken on herself.

With respect to Germany, our affairs seem to wear a more promising aspect, than they have done for some time past. Letters of good authority from Vienna, Berlin, and Breslaw, the present residence of the King of Prussia, speak with confidence of the terms of peace being fully settled between the House of Austria and Prussia, under the mediation of France and Russia, that of Great Britain being equally slighted by both parties. There has been about ten thousand men raised in this country, under the title of free corps, for the two contending powers, all of whom will be dismissed as soon as peace is signed, and will be ready to enter into any service that will pay them. It will require infinite address, industry, and management to prevent Great Britain from gaining advantage from this circumstance, which will no doubt be attempted by their agent, General Faucet, who is now in this country, endeavoring to buy more human flesh to sacrifice to the demon of tyranny in America. To this object I shall apply at present my principal attention, at the same time keeping a watchful eye upon the Courts of Vienna and Berlin, to take advantage of the first favorable opening for as that appears at either.

I think it most probable, that one or both of those Courts will begin a negotiation with us, in a very little space of time after the peace between them is finally settled; however, for the present the King of Prussia has formally engaged, by a letter from his Minister, who writes in the King's name, the 17th instant, "that the merchants of North America, who should come with their merchant vessels into the ports of his Majesty to trade there, in merchandise that is not prohibited, should have full liberty, and should be received in all respects, as the merchants of other countries." This looks to me, as if they wished the trade to be commenced between America and the Prussian dominions, but the European merchants, and especially those who are not accustomed to a foreign commerce, which is almost universally the case with the merchants in the Prussian dominions, are cautious, and do not care to venture hastily in a trade, which they do

not understand. A vessel or two from America, arriving in the port of Emden, would convince the Prussian merchants more of the practicability of this commerce, than a volume of the most demonstrative reasoning, that ever was written. You will judge then of the propriety of encouraging the American merchants to undertake a trial of this commerce.

This will be delivered to you by Samuel W. Stockton of New Jersey, who has been with me some months, in the capacity of Secretary to the Commission, at the Courts of Vienna and Berlin, for which purpose he left London in May last, where he had been some years pursuing the study of the law. He now returns to his country, because we do not see clearly how the expense of a Secretary is to be supported, since the American Commissioners at the Court of Versailles have lately demurred at paying my draft on them for my expenses, conformably to the resolve of Congress, and though they have allowed me some money, I am given to understand, that it is the last I am to expect from them; therefore, if you should agree in opinion with most others on the propriety of keeping up the Commissions in Germany, it will be quite necessary to establish some sure funds to support the expense. Mr Stockton has received from me 3732 livres for his expenses, and I am obliged to refer him to Congress for such further consideration as they may judge he deserves, not having it in my power to make him that compensation for his services to the public, which I think him entitled to. However, justice calls upon me to say, that he merits consideration and esteem for his zeal and readiness to serve his country, whenever it was in his power, and therefore I am sure Congress will render him ample retribution.

To Mr Stockton I refer you for further information relative to the general state of political affairs in this quarter of the world, and expecting shortly another opportunity, I shall write again, when I hope to be able to give you very pleasing accounts of the progress of my negotiations in this country. I have not received any letter or intelligence from you of a later date than May last, therefore I have no reply to make.

I have the honor to be, &c.

WILLIAM LEE.

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TO THE PRESIDENT OF CONGRESS.

Paris, March 16th, 1779.

Sir,

I have just had communicated to me the copies of two letters from Mr Silas Deane, addressed to Mr President Laurens, dated Philadelphia, October the 12th, 1778, and a separate paper relative to the 11th and 12th articles in the Treaty of Commerce between His Most Christian Majesty and the United States of America;<sup>[56]</sup> in which letters, so far as respects me personally, he has asserted nearly the same groundless charges as in his letter to the public, which has been already so fully replied to, and proved to be utterly repugnant to truth. Had Mr Deane made these very extraordinary assertions only once, he might have had some shadow of excuse, though it is a very bad one, by pleading a weak memory; but a deliberate repetition of them, after an interval of time amply sufficient for recollection, shows a heart and designs of such a complexion as all good men should avoid and guard against. Mr Deane concludes with the following assertions, by way of summary of all that he had before advanced.

1st. "That Mr William Lee never had a commission for the commercial agency." What Mr Deane may style a *commission* I do not know, but he knew by a letter to himself from Mr John Ross, in July, 1777, of which he knows I have a copy, that I had as sufficient authority to act in the commercial agency as Mr Thomas Morris, and that I did act in that department accordingly. But if Mr Deane knew I was not a commercial agent, how can he palliate so bold and daring an imposition on His Most Christian Majesty and his Ministers, as to represent me in that character to them, which he did do in the letter signed by him to his Excellency Count de Vergennes in February, 1778, requesting that the late Mr Thomas Morris's papers might be put into my possession, as then being the sole commercial agent of Congress. But, indeed, we ought not to be surprised at any imposition whatever on the part of Mr Deane, since he imposed himself on the King of France, his Ministers, and the whole world, as a Commissioner of Congress, on the 20th of March, 1778, when he confesses that on the 4th of that month he received a resolution of Congress, recalling him to America. I also refer for his conviction to the letters and proceedings of the Secret Committee.

2dly. Mr Deane says, "Mr Lee's caution was such, that he never even answered my letters to him in February or March, informing him that Mr Robert Morris had written to me, that he was appointed; nor did I hear anything from him of his intentions until he arrived at Paris the summer following, where also he acted with the greatest caution while he waited the return of his brother from Berlin." One cannot here omit observing the studied latitude of his expressions. Mr Deane talks of his letter in *February* or *March*, and that I came to Paris in the summer following. Will Mr Deane say how many letters he wrote? I never saw or heard of but *one*. Will he please to say whether that one letter was dated the 1st of February, or the 31st of March? For the difference of *two* whole months makes a very material alteration in the consequence he means to draw from the assertion. I will answer, that his only letter is dated the 30th of March, though he acknowledges his having received a *notification* from Mr Robert Morris in February of my appointment, and at the same time was desired to give me information of it *immediately*. It has been also proved by Mr Deane's letter to Mr Williams, on the same day, viz. March 30th, that he was plotting a contention and rivalry in this department, before it was possible for him to know my determination on the subject. Again, will Mr Deane specify what time in the *summer* I arrived

in Paris? Because here it is left to be understood, either the first day of June, or the last day of August, which is a still greater difference than the former expression. I will assert what I can prove, that I arrived in Paris the 11th of June, and that besides receiving a letter from me himself in the month of *May*, he was personally told by my brother, Arthur Lee, by my desire, in the beginning of May, that I would come over as soon as possible to execute my appointment, and so far from waiting in Paris for my brother's return from Berlin, I waited, by the express advice of Dr Franklin and Mr Deane, until the 31st of July, 1777, as their letter to me of that date will show, which was nine days after my brother's return from Berlin to Paris.

The manner in which Mr Deane sent me the letter, informing me of my appointment, joined with what is now manifest, a formed design in him and Dr Franklin to make Mr Williams (nephew of the latter, and who now appears connected with the former in private mercantile business) commercial agent,<sup>[57]</sup> in opposition to the Secret Committee's appointment, renders it evident that he expected either the interception of that letter or my answer would have subjected me to imprisonment and secured their plan. It is this disappointment that makes Mr Deane so outrageous against me, for not having committed so great an act of imprudence, situated as I was, as to be writing to him by the post upon such a subject. That this scheme of Mr Deane might be more effectual, notice of my appointment was circulated upon the Royal Exchange of London, before I received Mr Deane's letter; and not long after, it was published in the newspapers in authentic letters written from Paris. Now, as Mr Deane acknowledges that he received a letter announcing my appointment, it must have been by him, that others were enabled to write and publish it to all the world, while my life, liberty, and property were at stake. It is hardly in charity to believe, that these were not the intended victims of Mr Deane's conduct.

3dly. Mr. Deane says, "So far was he (meaning me) from ever executing, or publicly attempting to execute that agency, until after the news of General Burgoyne's defeat had arrived in France, that he did nothing that ever I heard of, which could have prevented his returning to the exercise of his Aldermanship in London."

If anything could astonish me, that comes from Mr Deane, surely here is abundant matter for astonishment. He had just before, from under his own hand, on the very same paper, acknowledged my having attempted to exercise that appointment, in the joint letter from Mr Thomas Morris and myself as commercial agents to himself and Dr Franklin, in August, 1777, which he calls *severe*, but which I aver is a very civil one, and that it does not contain a single harsh or offensive expression. He acknowledges, also, the conference I had with all the Commissioners in France in October, on the subject of the commercial business, when Mr Izard was present. He knew, also, that I had received a cargo publicly at Nantes, belonging to Congress, by the Abigail, Captain Jenne, which vessel was loaded again by me, and despatched back for America in three weeks, while other American vessels, of no greater size or importance, were detained at Nantes from two to three months. He knew, also, or ought to have known, that I had written a letter addressed to all the Commissioners, Dr Franklin, Mr Deane, and Mr Arthur Lee, on the 10th of November, 1777, which was delivered to Dr Franklin as eldest Commissioner the same day, wherein I requested a copy of the treaties, that had been proposed to the Courts of France and Spain, agreeably to my instructions from Congress, that I might not, as a Commissioner of Congress, propose anything repugnant thereto to the Courts of Vienna and Berlin. After these things, and a continued series of operations in the public service, (all of which Mr Deane was acquainted with) from the time I was permitted to act by himself and Dr Franklin, until the 4th of December, when the news of General Burgoyne's defeat arrived at Paris, with what face could Mr Deane make such an assertion as he has done? Most of these things also being of public notoriety, and capable of being proved by a multitude of witnesses, can any one suppose Mr Deane so totally ignorant of the laws of England, as to imagine he could think I might return "to the exercise of my Aldermanship in London," without being a madman desirous of hanging myself?

This gentleman attempts to excuse himself and Dr Franklin, for not answering the joint letter of Mr Morris and myself to them, by laying the blame on Mr Arthur Lee, not a syllable of which was mentioned at the conference I had in October, 1777, at Passy with the Commissioners, when Mr Izard was present, and which Mr Lee has answered himself; but he omits to say why my several letters from Nantes, as commercial agent on public business to the Commissioners, were not answered, and of which I not only complained at the conference but since. In order to invalidate what Mr Izard has written, he totally mistakes the purport of the letter, in which Mr Izard complains of Dr Franklin's and Mr Deane's refusing to write. This letter, as desired by me, was a general one to all captains and others, informing them that I was a Commercial Agent of the Secret Committee of Congress, and that in consequence, they ought to follow my directions and orders in all matters relative to the commercial business of the Committee.

So far from my proposing the suspension of Mr Morris, I never thought that the Commissioners had the least shadow of authority to do it. It is certain, that Mr Deane not only proposed the suspension of Mr Morris at this conference, but at several other times. As a confirmation of this assertion, I beg leave to give the following extract of Mr Deane's letter to me, dated, "Passy, December 18th, 1777. My advice before your appointment (as was well known) was to supersede Mr Morris, and appoint another until the pleasure of Congress should be known; I was always of the same opinion after your appointment, that you ought to conduct the business alone; these are well known to have been my uniform sentiments."

Mr Deane labors much to throw an odium on me, as wishing to monopolise to myself the places both of honor and profit. Probably, from the weakness of his memory he forgot, that in the commencement of his address to the public, he states, that before September, 1776, he "had the

honor to be the *Commercial* and *Political Agent* of America in Europe." He also forgets, that the first cause of any difference between us was his usurping the exercise of the Commercial Agency, to which Mr Morris and myself were appointed by the Secret Committee, while he was not only one of the Commissioners to the Court of Versailles particularly, but generally authorised to treat with every power in Europe; the influence and patronage of which very expensive commission, he was perpetually endeavoring to retain entirely to himself. He also seems to be ignorant of what I suppose is known to most people in Philadelphia, that his "venerable friend," as he calls him, Dr Franklin, is at this moment not only sole Minister Plenipotentiary to the Court of Versailles, but also in fact sole superintending Commercial Agent in all Europe.

I have the honor to be, &c.

WILLIAM LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, March 25th, 1779.

Gentlemen,

Be pleased to refer to the foregoing copy of my letter to you of the 25th ult. by Mr Stockton, which may not get to hand as soon as this.

On the 10th instant an armistice was published between the Emperor and King of Prussia, and the same day the conferences were opened at Teschin in Austrian Silesia, to consolidate and reduce into form the treaty of peace between the two contending powers, the important articles of which have been already agreed upon by both parties. The operations of war have consequently ceased, but perhaps the final signature of the peace may not take place for some weeks.

The principal objects of my coming here, were to engage this Court to aid and assist me in adopting the most speedy and efficacious measures to prevent our joint enemies from reaping considerable advantage from the peace in Germany, by engaging a vast number of the free corps that have been raised for this war, to the number of fifteen or twenty thousand men, that will all be disbanded as soon as the peace is signed, and to aid me in endeavoring to get the German powers to acknowledge the independence of America, which would certainly have a decided influence on Great Britain, and induce her King and Ministers to make peace with us on the footing of independence.

As it is the regular and usual mode in Europe for one nation to treat with another on public business, through the medium of their public ministers, I applied to Dr Franklin on my arrival here, as the American Minister at this Court, to go with me to his Excellency Count de Vergennes to consult with him on these points. The doctor declined doing so, saying he was so little acquainted with German affairs, that he could not meddle with them. I told him that it was not his knowledge or idea of the German politics, that was to be communicated to the Minister, but mine, on which the Minister would form his own judgment with respect to the propriety of my propositions, but unless they were made to him in the regular mode by the Minister of Congress at this Court, it could not be expected that he would pay much attention to what came from me, as an individual unauthorised by Congress to treat with him on great political subjects. The doctor still refused either to go with me, or to write by me on the subject to Count de Vergennes. I shall, however, do every thing that is in my power to accomplish these desirable ends, and from the present appearance of things, it appears to me most probable I shall succeed in one, if not both the objects in view, if I can obtain the aid and concurrence of the Ministry here.

These are certainly objects of high importance, especially with respect to the troops, as the British Ministry have now several officers in pay in Germany waiting to engage them. Our enemies it seems are determined to prosecute the war against us, at least for this year; their plan must be begun before this gets to hand, and therefore opened to you, which renders it unnecessary for me to mention any thing on that subject.

With this, is a letter to President Jay, covering my reply to the allegations of Mr Silas Deane against me, in his letter to Congress of the 12th of October, to be laid before Congress, which I flatter myself will, in the mind of every impartial person, be not only a full vindication of my conduct, but also prove how little credit is due to any assertions of Mr Deane. As to myself personally, I am perfectly at ease with respect to the weak and wicked attempts of Mr Deane to injure me, for I am shielded with the invincible armor of innocence; but the injury his daring publication<sup>[58]</sup> has done to the common cause of America in Europe is not easily to be delineated, and I can assure you with truth, that our enemies are more elated at it, than they would have been with a capital victory. The reason for their exultation is too evident to require mentioning. Besides, it has created a diffidence in the minds of the Europeans, which will embarrass extremely every attempt at public negotiations, since few Ministers will treat with a people, who permit every thing that passes to be wantonly published to the world with impunity. I trust, however, the wisdom of Congress will not let its attention be drawn off from the great and principal object of providing effectually for defeating the open and secret efforts of our enemies against us, and finally to force them to an honorable peace; which I am convinced they will not accede to until they are driven off the continent.

I have the honor to be, &c.

WILLIAM LEE.

RALPH IZARD AND ARTHUR LEE TO WILLIAM LEE.

Paris, June 22d, 1779.

Sir,

We had the honor of receiving your favor of the \_\_\_\_\_, in which you ask our advice relative to an application to the King of Prussia to comply with his promise, made through his Minister, Baron de Schulenburg, "that he would acknowledge the independence of the United States as soon as France had done so," and whether it would be proper to change the channel of application from Baron de Schulenburg to the Minister of Foreign Affairs.

It is with great pleasure, that we contribute whatever is in our power to assist your judgment in what so materially concerns the public good.

We are of opinion, that in the present state of expectancy from Spain, it will be prudent to wait till her example also has given encouragement to the Court of Berlin, and contributed to counteract the motives from Russia, which withhold that Court from pursuing its interest and inclination in openly espousing our cause. That when it may be proper to move the question, the promises should be touched with delicacy, by stating, that the good will towards us, which the King had formerly declared, having been suspended in its operation by the war in Germany, you hope that their objection being now removed, he will not delay to give the world a decided proof of his sentiments, in the acknowledgment of the independency of the United States of America, which cannot fail by the weight of such an example to stop the further wanton effusion of blood.

As the King of Prussia is in fact his own Minister, we should imagine, that it might have a bad effect to change from Baron de Schulenburg, whom he seems to have appointed to transact this particular business. But in this, a knowledge of the actual situation of that Court must decide, and of that we are not informed.

We wish you every success in this important negotiation, and are, with the greatest esteem, dear Sir, yours, &c.

RALPH IZARD,  
ARTHUR LEE.

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JAMES LOVELL TO WILLIAM LEE.

Philadelphia, July 17th, 1779.

Sir,

The Committee of Congress for Foreign Affairs are officially instructed to inform you, that on the 8th of June last past, it was resolved to recall you from the Courts of Vienna and Berlin, to which you had been appointed. But you are also to be informed, that it is the sense of Congress, that you need not repair to America.

You may see the proceedings at length, respecting this business, in their Journals, printed authoritatively by David C. Claypole, and being in the hands of Dr Franklin or Mr Arthur Lee at Paris.

We are, Sir, with sincere regard, &c.

JAMES LOVELL,  
*For the Committee of Foreign Affairs.*

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Francfort, September 28th, 1779.

Gentlemen,

I have not had the honor of receiving any answer to the various letters I have written to you since my coming to this country, nor any letter from you since May, 1778, except a short one of the 28th of October last, which, added to my never receiving intelligence, information, or assistance of any kind from your Minister at the Court of Versailles, has rendered my situation extremely embarrassing; and, therefore, if my success has not been so complete as could have been wished, I shall hope for the indulgence of Congress, especially when it is considered, that the general system of affairs in Europe, for eighteen months past, has been so very critical as to puzzle the deepest and most refined politicians.

Not being able to prevail on your Minister at the Court of Versailles (as I mentioned to you in March last) to aid me, in getting the French Ministry to exert themselves in endeavoring to obtain a declaration of American independence by all the northern powers of Europe, that were interested in the Congress held at Teschin in Silesia last spring, I was consequently disappointed in the full hopes I entertained of obtaining so desirable a point, which there was the greatest prospect of succeeding in, if the Court of Versailles had made a point of it; at least I am assured, that the King of Prussia would not have had any objection, and from the very great influence he has in the Cabinet of Petersburg, there is little doubt but that he could easily have prevailed with the Empress of Russia to have given her consent. Had this point been gained, our enemies would have been deprived of every ray of hope of obtaining any assistance to continue the war against us, for the great object of their European politics has been, and is still, to draw the Empress of

Russia into their quarrel.

We had not in this country got sufficiently quieted, after the signing of the peace of Teschin, on the 10th of May last, to make it prudent for me to take any public steps under the commissions I have from Congress, before the negotiations for peace under the mediation of Spain were drawn to a conclusion, but as the rescript delivered in June by the Spanish Ambassador to Lord Weymouth, in London, said not one word in our favor, but rather seemed to look on the Thirteen United States of America as being still colonies, or provinces, belonging to Great Britain, it became absolutely necessary for me to wait until this enigma could be cleared up, and till I could get sure information of the real designs of Spain, and the measures she intended to pursue.

As soon as I had got this information, I made a formal requisition to the Prussian Minister, hoping that, as the late war in Germany had prevented his Majesty's former declarations in our favor from being carried into effect, and as that obstruction was now removed, his Majesty would not delay to acknowledge the independence of the Thirteen United States of America, which might be the means of putting a stop to the further wanton effusion of human blood. To this requisition I received the following answer from the Minister. "With respect to the declaration, which you again desire of the King, in favor of the independence of the Americans, I have frequently explained, that his Majesty having, by the position of his dominions and those of his neighbors, very different interests from those powers that are properly called maritime ones, he had no right to expect a direct influence in maritime affairs, and that he could not in wise policy take any measures in those affairs, because they would always be unfruitful, as they could not be supported by a warlike marine. The support of the maritime powers will make the balance incline in your favor more effectually, than all the declinations in the world, and Spain, by joining with France to make war on England, renders you the most essential services, without having acknowledged your independence. The King, in making the declaration now which you desire, would only embroil himself with England, without rendering the smallest service to your country. These are the reasons, which induce the King to confine himself at present to the facilities, which his Majesty has offered at different times with respect to commerce, in assuring you, which I do again, that merchant vessels of America, that choose to enter into the ports of the King, to sell their goods and to buy ours, shall be received in a friendly manner, and treated on an equality with the merchants of any other country."

It has long been one object of my policy to engage the King of Prussia to act in our favor as a mediator for peace, whereby, if his mediation was agreed to, he might render us much more effectual service than by sending an army of fifty thousand men into Hanover, which step he could not take without arming the Emperor and the whole German empire against him. I have good reason to believe, that the King is much disposed to act in the quality of a mediator, but he is too wise to offer his services without being previously assured, that they would be accepted by both sides; however, we may expect very essential benefits from his influence with the Court of St Petersburg, who, it is said with confidence, has offered its mediation, and that it is accepted by the parties. I am informed, that the first proposition to be made to England by the mediating powers, as the commencement of the negotiation, is that America shall be treated as independent.<sup>[59]</sup> There is a strong inclination in Prussia to enter into the American commerce, and there is now a scheme in agitation under the direction of the Minister to make the trial, which, if the commencement is successful, will be carried on upon a very large scale, and will more effectually engage the King in our interests than any thing else. For this purpose, I think it would be of most essential service if two or three American vessels were to enter into the port of Emden, which is a good harbor, lying between Hamburgh and Amsterdam, and as easily got into as any of the ports of Holland.

I have continued my correspondence at Vienna, but having no powers to treat with the Empress Queen, who is still sole sovereign over all the dominions of the House of Austria, and the Emperor being much disgusted with some proceedings during the late war, and more so with its conclusion, is become of course much more disposed in favor of our enemies than he was, and consequently less inclined to serve us; therefore, little advantage can be expected from that quarter at present. Our friends in Holland increase every day, and I am still in regular correspondence with those who regulated with me the form of the treaty of commerce, copies of which have been sent you by various conveyances, and even now if the Stadtholder were to refuse to receive an American deputy, I have no doubt of his meeting a cordial reception from the city of Amsterdam, whose weight and decisive influence in their association you must be fully informed of.

Letters of good authority from England say, that the British Ministry would willingly agree to give up the independence of America to obtain peace, but it is feared that the obstinacy and folly of their master will prevent them from executing their plan; however, I am still firmly of opinion, that the best security and success of America will depend on her own efforts, her wise, steady, and uniform conduct. As the obtaining a fresh supply of troops from this country has been a favorite point with our enemies, I have paid continual attention to that object, and have the pleasure to inform you, that at present there is not any prospect of their obtaining fresh troops from this part of the world, as they have hitherto been defeated in all their various negotiations for that purpose; but as this campaign has passed away without any blow being struck in Europe, all the English fleets from the different parts of the world arrived safe without the least molestation, and the King's hands are so much strengthened by the exertions of all parties in England to repel the invasion, which they have been threatened with all the year, that I think it is most probable the war will continue another year at least, for which, I suppose, proper provision

will be made in America.

I have the honor to be, &c.

WILLIAM LEE.

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TO THE PRESIDENT OF CONGRESS.

Brussels, February 10th, 1781.

Sir,

Be pleased to inform Congress, that I have received information, which I think is to be depended on, that the British cabinet has lately determined not to send any more troops for this campaign to North America. I therefore submit to the wisdom of Congress the propriety of making every possible vigorous effort this year to expel the British troops from the continent, for there may be reason to apprehend if this is not done, and Great Britain can by any means extricate herself from the irresistible northern storm she has raised against her, by the mad and foolish attack she has made on the Dutch, that her whole force will be employed next year against America, especially if she does not meet with some signal losses there this campaign.

The secret proposals for peace, which Great Britain is now making at Versailles and Madrid, are altogether insidious, and only intended to impede the active operations of France and Spain this year, whereby they hope, by getting the start, that they may obtain some decisive advantages in the East and West Indies, for which countries their expeditions are all now on the wing. The King of Prussia has been our steady friend, though wisely so, and has been of much service to us; therefore, from motives of gratitude as well as of justice and sound policy he ought not to be much longer neglected, for it is most certain that his wisdom directs greatly the present system of Europe.

I have the honor to be, &c.

WILLIAM LEE.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Brussels, April 12th, 1781.

Gentlemen,

Not having received any answers to various letters I have written to you, covering my account as Commissioner to the Courts of Vienna and Berlin, I take the liberty of again enclosing in this a copy of that account, No 4, but having understood that Congress had adopted another mode in settling Mr Izard's account, I have stated another account, No. 2, conformable to that mode as I understand it, which is also enclosed, leaving it with your justice and discretion to determine which of them to lay before Congress.<sup>[60]</sup>

It is impossible to avoid observing, that the prevailing sentiments in America, and the situation of public affairs, which occasioned the resolution of Congress of the 20th of September, 1776, were very different from those, which dictated the resolution of August 6th, 1779.<sup>[61]</sup> Indeed, one difference is pretty remarkable, for at the first period, the office of a commissioner was so far from being esteemed a profitable and honorable appointment, that on the contrary it was refused, as the journals of Congress will show; but at the latter period there was such a change in the situation of the affairs of America, that similar appointments were sought after with great eagerness and much solicitude. It surely cannot be thought unreasonable, that this should be considered in rewarding those, who accepted of the appointments at the different periods, as well as the situations and stations in life that were quitted, and the personal losses that were sustained by entering into the public service. As to myself, I can solemnly aver, that my pecuniary loss from engaging in the service of my country exceeded the sum of £6000 sterling. This I do not mention as a peculiar merit, because I have no doubt there are others who have voluntarily made as great, if not much greater sacrifices in so good a cause; but as my family now feel not only that loss, but the want of that portion of my private fortune, which I was necessarily obliged to expend in the public service, I have reason to hope that the settlement of my account will be speedily determined, and I must further hope and request, that the payment of whatever sum Congress shall please to allow me may be ordered to me in Europe.

I have only to solicit, Gentlemen, your kind intercession that this business may be brought to as quick a decision as possible, in which you will confer a singular obligation on him, who has the honor to be, with the highest esteem, respect, and consideration, Gentlemen, your most obedient and obliged humble servant,

WILLIAM LEE.

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JAMES LOVELL TO WILLIAM LEE.

Philadelphia, September 20th, 1781.

Sir,

The decision of Congress respecting your letter of April 12th, which came to hand only the 4th of this month, is herewith transmitted. The period of payment will perhaps be more distant than you wish; but I am at liberty to assure you from the Superintendent of our Finances, that it is his

intention to take the earliest possible opportunity to close this business.<sup>[62]</sup>

With much regard, I am, &c.

JAMES LOVELL,  
*For the Committee of Foreign Affairs.*

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Brussels, March 31st, 1782.

Sir,

Although I have not the honor of a personal acquaintance with you, yet I trust that this letter being on subjects which concern the interests of our country in general, I shall not stand in need of any apology for writing it.

You will be informed, probably, both by the newspapers and private letters, before this gets to your hands, of the late revolution in the British Ministry; the old set having given place to a new Ministry, composed of the Rockingham, Shelburne, and Grafton parties. This change has been forced on the king, very much against his inclination, and that of his secret advisers, Lords Bute and Mansfield, by the general exertion of almost the whole body of the people of England, both in and out of the House of Commons, who ardently wish for a peace, especially with America, and it appears that independence will not now be any great impediment, though they will endeavor to barter, as a consideration for acknowledging it for a beneficial treaty of commerce, the Newfoundland fishery and some other points.

It seems evidently to be the general wish of the nation, that a peace with America should be immediately made almost on any terms, and on that principle it is that they have forced the present Ministry into place; but as I am not quite clear that the principles of Lord Shelburne, or those of his friend, Mr Dunning, are in any manner friendly to America, and the king's inveteracy continuing as great as ever, it is not possible to say how far the negotiations for peace may be traversed and impeded by secret manœuvres and intrigues; therefore in my opinion it will be wise in America to be well on her guard, and take her present measures, as if the war was yet to continue some years. I have not yet heard of his departure, but the 22d instant was fixed for General Carleton to leave Portsmouth in the *Ceres*, of thirtytwo guns, for New York, to take upon him the command in chief in America. The late British Ministry died as they lived, for one of their last official acts was to give the traitor Arnold, by patent, one thousand pounds sterling pension per annum for his and his wife's lives.

It has been mentioned to me by a gentleman in the government here, that the Emperor is disposed to enter into a commercial treaty with America, and afterwards that a Minister or resident from Congress should reside at the Court here, this being the principal commercial country belonging to his Majesty. Though this communication was not official, yet it appears as if it had been made to me from their knowing, that I was formerly a Commissioner of Congress at the Court of Vienna; therefore I think it my duty to inform Congress of the circumstance through you, that they may take such measures in it as they think proper.

I will not presume to advise on the propriety or impropriety of appointing a Minister to treat with his Imperial Majesty, because Congress must be sufficiently informed, that the capital manufactures of this country in woollen, linen and cotton, and coarse hats, and the iron and steel manufactures at Leige, will be of great utility at all times in America; and the consumption of tobacco, indigo, rice, furs, skins, and salt fish is not only very considerable in this country, but in the adjacent inland ones, that always draw their supplies through the ports here. I will only venture to say, in my opinion, fifteen thousand livres tournois per annum would be a sufficient appointment for an American minister to reside at this Court, for his salary and expenses together. Should such a minister be appointed, his commission should run thus; "To negotiate, agree upon, conclude, and sign a treaty of, &c. &c. &c. between his Imperial and Apostolic Majesty Joseph the Second, Emperor of Germany, King of the Romans, of Hungary, Bohemia, &c. &c. &c. and the Congress of the United States of America, and afterwards to reside as Minister from the said Congress at the Court of Brussels, in the Austrian Netherlands, to transact such affairs as may be given to him in charge." I mention this because there was a capital mistake in the original commission sent me to treat with the Court of Vienna, which I took the liberty of pointing out at the time.

You will find enclosed with this a copy of the London Gazette, and sentence of the Court Martial on Captain Dundass of the *Boneta*, which prove pretty explicitly a breach of the articles of capitulation at Yorktown by Lord Cornwallis and Captain Symonds. I do not know that the situation of affairs will render it necessary to take notice of this breach on the part of the enemy, but it appears to me proper that Congress should be informed of the fact.

With the highest consideration and respect, I have the honor to be, &c.

WILLIAM LEE.

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# THE CORRESPONDENCE OF RALPH IZARD,

COMMISSIONER FROM THE UNITED STATES  
TO THE GRAND DUKE OF TUSCANY.

Ralph Izard was a native of South Carolina. He was residing in Paris with his family, when appointed by Congress a Commissioner to the Court of Tuscany. He had lived much in England and other parts of Europe. His Commission was dated July 1st, 1777. The state of European politics became such, that he did not visit the Court to which he was destined; nor did he leave Paris during the whole period of his agency. Congress recalled him on the 8th of June, 1779, and he returned in a few months afterwards to America. By correspondence he attempted to procure a loan in Italy, but without effect. It does not appear, that his services were in any way successful.

## THE CORRESPONDENCE OF RALPH IZARD.

### INSTRUCTIONS TO RALPH IZARD.

Philadelphia, July 1st, 1777.

Sir,

Herewith you will receive a Commission from the Congress of the United States of North America, authorising and appointing you to represent the said Congress, as their Commissioner at the Court of the Grand Duke of Tuscany. You will proceed with all convenient expedition to the Court of the Grand Duke, and will lose no time in announcing in form the declaration of Independence made in Congress, the fourth day of July, 1776. The reasons of this act of independence are so strongly adduced in the declaration itself, that further argument is unnecessary.

As it is of the greatest importance to these States, that Great Britain be effectually obstructed in the plan of sending German and Russian troops to North America, you will exert all possible address to prevail with the Grand Duke to use his influence with the Emperor and the Courts of France and Spain to this end.

You will propose a treaty of friendship and commerce with the said Grand Duke, upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the Courts of France and Spain, by our Commissioners, and which were approved in Congress, the seventeenth day of September, 1776, and not interfering with any treaties, which may have been proposed to or concluded with the Courts abovementioned. For your better instruction herein, the Commissioners at the Court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed by Congress to be entered into with France, together with the subsequent alterations, that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration, than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reason to suppose, that his Royal Highness makes commerce an object of his attention, you will not fail to place before him, in the clearest light, the great advantages, that may result from a free trade between Tuscany and North America.

You will seize the first favorable moment to solicit, with firmness and respect, an acknowledgment of the independence of these States, and the public reception of their Commissioner as the representative of a sovereign State.

The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress, by every opportunity.

It may not be improper to observe, that these instructions, and all others, which you may receive from time to time, should be kept as secret as circumstances will admit.

JOHN HANCOCK,  
*President of Congress.*

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, October 6th, 1777.

Gentlemen,

I had the honor of receiving by the Independence, Captain Young, a commission and instructions from Congress, the objects of which I shall use my utmost endeavors to accomplish.

The powers of Europe seem to be waiting for the determination of the Court of Versailles, respecting the acknowledgment of the independence of America. As soon as she sets the example, it will I believe be followed by all those whose interest makes them wish for the diminution of the power of England. In this description may be comprehended every State, that can be of any service to us. It is very much the interest of most of the powers of Italy, that the

strength of the British navy should be lessened; some of their ports, particularly those of Naples, and Civita Vecchia, have been frequently insulted, and all of them are liable to be so, by a nation not remarkable for its moderation. I think, therefore, that they must be disposed to afford assistance to the States of America, privately, either by subsidy or loan. Congress will be pleased to honor me with their instructions on this point; and, in the mean time, I shall endeavor to procure every information on the subject in my power. Should the proposition be approved of, they will furnish me with proper powers. If I should be so fortunate as to succeed in procuring money, I should be glad to know how it should be disposed of, whether in the purchase of such articles as are wanted, or remitted in specie.

I hope to be frequently favored with the proceedings of Congress, and with the state of affairs in America, which will be of importance to me, and cannot fail of giving weight to the appointment they have honored me with.

I have the honor to be, &c.

RALPH IZARD.

*P. S.* The Committee will be pleased to direct their despatches to me, to the care of Dr Franklin, or whatever Commissioner may be resident at the Court of France.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, December 18th, 1777.

Gentlemen,

Since my letter of the 6th of October, I have cultivated an intimacy with the Tuscan Minister, resident at this Court. He is a man of honor, of considerable abilities, and extremely friendly to our country. I proposed to him, that I should immediately set out for Italy, and desired his opinion and advice. He dissuaded me from executing my intentions for the present, assured me of the good disposition of the Grand Duke towards us, and promised me to use his utmost endeavors to promote our interest with him. He thought, that my presence at this time might produce some embarrassment at his Court, which would not long be the case. He is since gone to Florence, and I am convinced, that no services that he can render the States will be withheld.

This gentleman is a great favorite, and I am well assured is more in the confidence of the Grand Duke than any of his Ministers. I flatter myself, therefore, that I have acted according to the wishes of Congress, in conforming to his advice. I have repeatedly pressed him on the subject of the German troops, recommended to me by Congress, and he has done every thing I could wish him to do. I have the satisfaction to learn, that the King of Prussia has refused to let a body of Germans, intended for America, pass through his dominions, and it is said, that he was induced to take this step at the desire of the Emperor. I expect letters very soon from Florence, which will regulate my conduct. Every thing in my power has been done to execute the trust that has been reposed in me by Congress; and it will make me extremely happy, whenever an opportunity offers of rendering any service to my country.

The irresolute and indecisive state of the politics at the Court of France, has for some time kept all Europe in suspense. The late success of our arms against General Burgoyne has given a fortunate turn to our affairs in this kingdom, and the conduct of the French Ministry has confirmed me in an opinion I have long had, that the establishment of our liberties must depend upon our own exertions. One successful battle will gain us more friends, and do our business more effectually, than all the skill of the ablest negotiators. I repeat my request, that I may be furnished from time to time with the proceedings and resolutions of Congress, and likewise with the state of affairs in America, which will be highly useful to me.

I am, &c.

RALPH IZARD.

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ARTHUR LEE TO RALPH IZARD.

January 28th, 1778.

Sir,

You may if you please mention to the other Commissioners, that I have asked your opinion of the proposition of setting all our exports to the French Islands, against the molasses imported from them, in a perpetual exemption from duties. If your arguments should convince them, I am still ready to co-operate in preventing the article from taking effect, and think there is yet time. But a day may render it irrecoverable.

I am, &c.

ARTHUR LEE.

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TO BENJAMIN FRANKLIN.

Paris, January 28th, 1778.

Dear Sir,

Mr Lee has asked my opinion on an article, which he informs me has been under the consideration of the Commissioners, viz, whether an exemption from duty on molasses is an equivalent for a total exemption from duty of all the exports of North America to the French West India Islands?

In answer to this question I am clearly of opinion, that it is not, and if that article should be agreed to by the Commissioners, without an absolute necessity, I cannot help thinking it will be a sacrifice of the general interests of America to those provinces which import molasses. I shall not be suspected of partiality, or of being actuated by any motives but those of the public good, when it is known that South Carolina, the province in which all my property lies, imports a considerable quantity of molasses for distillation. Should the article in question be agreed to, the French might lay what duty they pleased upon their European exports, and even upon their sugar, coffee, and other productions of their Islands, without our having any check upon them whatever. For if, in consequence of any such duty imposed by them, a duty were to be laid by America on any of her exports to France, the French vessels would have nothing to do, but to clear out for the West Indies, and sail directly for Europe, or touch first at one of their Islands. This will certainly at least open a door for smuggling, and may occasion a discontinuance of that friendship and harmony, which ought to subsist between the countries. This article seems the more extraordinary to me, as I do not think there is the least probability of any duty being ever laid by the French upon molasses, as the distilling it into rum would materially interfere with their brandy, and therefore a duty would endanger a diminution of the consumption of it.

I am very sensible, that the decision of this business is committed entirely to the Commissioners at this Court. At the same time I cannot help thinking it my duty, not only as a gentleman of considerable property in America, but likewise as one whom Congress has thought proper to honor with a commission similar to your own, though at another Court, to endeavor to prevent the execution of an article, that I think injurious to the interests of my country. I prefer this application to you singly as a friend, to one addressed to all the Commissioners, and I hope the latter will be unnecessary.

It is very painful for me to write to you in the language of complaint, but I feel myself hurt, and it is proper that I should tell you of it. It does not appear to me to be possible, that any inconvenience could have arisen, if you had mentioned to me the proposition of an exemption of all duties on our exports, as a compensation for the exemption of the duty on molasses alone. When I had the pleasure of seeing you last at my house, I spoke to you in general about the treaty, and particularly about the article of molasses, and expressed my fears, that the French Ministry would not consent to have such a restraint put upon their power, as was contained in the article of the original treaty. I asked you whether you were under any injunctions of secrecy, which prevented you from satisfying me. You replied, that certainly secrecy was necessary to be observed, but that as I was myself a Commissioner, you thought that you might without any impropriety talk with me on the subject, and informed me that the objection, which I apprehended, had been made, and that the article was to be given up. Not a word was mentioned about an equivalent. As you thought at that time, that my being a Commissioner entitled you to speak to me on the subject, I cannot conceive what impropriety there could possibly have been in your doing it, when so material an alteration was under consideration.

The instructions sent to me by Congress came through your hands, and it will be hardly necessary to remind you, that though the conclusion of the treaty with this Court is intrusted to you, and the other gentlemen joined with you in the Commission, I am directed by the same authority under which you act to apply to you for a copy, not only of the original treaty, but likewise of "every subsequent alteration, that has been *proposed* on either side." It appears therefore to me, that as soon as the alteration was *proposed* it ought to have been communicated to me. Had you made such communication, I should have thought it my duty to have called your attention to the principles of the treaty, and should have requested you to consider whether you were not going to act in direct violation of them. My reason for thinking so is, that I am instructed to "propose to the Court of Tuscany a treaty on the same commercial principles as are the basis of the treaty, which you are directed to propose to the Court of France." What this basis, and these principles are, is clearly explained to me in the following instructions. "It must never be forgotten in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured." This matter gives me a great deal of uneasiness, and I am extremely anxious to know, if there be yet a possibility of stopping the execution of the article. You will therefore excuse my requesting, that you will favor me with an answer to this letter as soon as possible.<sup>[63]</sup>

I have the honor to be, with great regard, dear Sir, your most obedient humble servant,

RALPH IZARD.

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BENJAMIN FRANKLIN TO RALPH IZARD.

Passy, January 29th, 1778.

Dear Sir,

I received yours late last evening. Present circumstances, which I will explain to you when I have the honor of seeing you, prevent my giving it a full answer now. The reasons you offer had before been all under consideration. But I must submit to remain some days under the opinion you appear to have formed, not only of my poor understanding in the general interests of America, but of my defects in sincerity, politeness, and attention to your instructions. These

offences, I flatter myself, admit of fair excuses, or rather will be found not to have existed. You mention, that you *feel yourself hurt*. Permit me to offer you a maxim, which has through life been of use to me, and may be so to you, in preventing such imaginary hurts. It is, "always to *suppose* one's friends *may be right*, till one *finds* them wrong, rather than *to suppose them wrong*, till one *finds* them right." You have heard and imagined all that can be said or supposed on one side of the question, but not on the other.

I am, nevertheless, with sincere esteem, dear Sir, your most obedient and humble servant,

B. FRANKLIN.

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TO BENJAMIN FRANKLIN.

Paris, January 30th, 1778.

Dear Sir,

I was yesterday favored with your letter, containing a maxim, which though a very old one, I am bound to thank you for, and can assure you, that so far from disapproving it, it has been one of the constant rules of my life. If you will be pleased to recollect the most extraordinary inattention, to say the least of it, with which I have been treated during the six months I have been in Paris, you will I hope think I have profited by it. You will be pleased likewise to recollect, that after having borne this for a considerable time, I complained to you of it. Forced as I was into this complaint, it was, however, not made without studying how it should be done in a manner least likely to give you offence. I should have been extremely glad, if you had attended to the maxim yourself yesterday. Had you done so, I should not have been supposed to have formed an opinion, that you had a poor understanding in the general interests of America, or that you were insincere. My letter had no such meaning, neither can any such construction be fairly put upon it.

I shall give you another proof of my attention to your maxim, by not being offended at your assertion, "that I have heard and imagined all that can be said or supposed on one side of the question, but not on the other." You may depend upon it, you have adopted an erroneous opinion, and what that is I will inform you when you favor me with the explanation promised in your letter. You will do me the justice to remember, that it has been my constant endeavor to accommodate the differences, that I found prevailing to a very great degree upon my arrival here. I shall be extremely sorry, and think it a misfortune, if I should be drawn into any with a gentleman of whom I have so high an opinion as I have of you, and for whom I feel so strong a disposition to continue an esteem and friendship. This I hope will not be expected to be done at too great an expense; by my being silent when I think it my duty to speak.

I cannot conclude without again requesting, that you would reconsider the article, which was the subject of my last letter. If it is determined, that it shall stand in its present form, can there be any inconvenience in its not being finally concluded, till it has undergone the consideration of Congress? If this proposition is inadmissible, I sincerely wish, that the treaty may be for a term of years only, which is very customary in treaties of commerce, that if the mischiefs, which I apprehend, should not prove imaginary, they may have some limitation, and not be entailed on us for ever.

I have the honor to be, with great regard, &c.

RALPH IZARD.

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THE COMMITTEE OF FOREIGN AFFAIRS TO RALPH IZARD.

York, February 5th, 1778.

Sir,

Your letter from Paris, of October 6th, last year, being read in Congress, afforded much satisfaction, as it signified your acceptance of the commission, which had been sent by Captain Young, and also held up a prospect of your obtaining a loan of money in Italy. Our apprehensions of danger to our liberties are reduced to the one circumstance of the depreciation of our currency, from the quantity which we have been obliged to issue. The different States are sinking their own emissions, and going largely into taxation for continental purposes; but it will require more time than we wish, before the good policy of taxation can have full effect upon the currency; therefore Congress have given, in regard to you, the same instructions as to the gentlemen at the Courts of France and Spain, and we doubt not of your best exertions.

We wish you success in the business of the enclosed resolves, as well as in every other undertaking for the good of the public, for your own personal felicity. We must leave you very much from time to time to receive intelligence of our affairs from the other Commissioners, to whom we shall have a more ready channel of conveyance, than to you.

We are, with much regard, &c.

J. WITHERSPOON,  
J. LOVELL.

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TO HENRY LAURENS,  
PRESIDENT OF CONGRESS.

Paris, February 16th, 1778.

Dear Sir,

I mentioned in my last letter what good effects the successes of the American arms had produced here. Nothing could have happened more seasonably. Our affairs were in a very unpromising state, and had our military operations failed, our Commissioners would not have found themselves more acceptable here than at St James's. This, however, affords a very satisfactory reflection to every American who loves his country; which is, that she owes her liberty and happiness to her own virtuous exertions.

The Commissioners will by this opportunity send to Congress the treaty of commerce, which was signed here a few days ago. This treaty has not been much altered from the one agreed upon by Congress, in September, 1776, and transmitted to the Commissioners to be proposed to the Court of France. The principal alteration is that respecting molasses. The 12th article in the original treaty requires, that "no duty shall be imposed on the exportation of molasses from any of the Islands of The Most Christian King, in the West Indies, to any of the United States." When this proposition was made to the French Ministry, it was objected, that this would be laying the king under a disagreeable restraint, and would be in fact making him not master in his own dominions; but that the States might be perfectly easy on that point, as it was inconsistent with the policy of France ever to lay a duty on molasses. One of the Commissioners still discovered a great inclination to have the article inserted in the treaty, and the Ministry believing from this circumstance, that Congress had made a point of it, thought it a good opportunity to secure an exemption of all duty upon tobacco exported to every part of the French dominions, and proposed it as an equivalent. The Commissioners objected to any particular article being selected, lest it might be complained of as a partiality, and offered to exempt from duty not only tobacco but every other production of the United States, that should be exported to the West Indies, provided molasses should be exempted from duty. This was so advantageous a proposal, that it was immediately accepted by them.

While this matter was depending, it appeared to me, that a very disadvantageous bargain was about to be made on our part, and I did every thing in my power to prevent it. Mr Lee, and his brother, who is Commissioner for the Court of Vienna, agreed with me perfectly in opinion. The execution of the treaty being left entirely to the Commissioners at this Court, neither Mr William Lee nor I had any vote in the business. Dr Franklin and Mr Deane continuing determined to have the molasses exempted from duty, the article was agreed to, and now forms part of the treaty. I understand, however, that if Congress objects to it, there is a verbal promise on the part of France, that it shall be expunged.

Mr Lee has received a commission for the Court of Madrid; and the successes of America have once more put the French Ministry into good humor, so that our affairs will I hope now go well. My gout, which has been very severe, is a great deal better, and as soon as the weather grows a little milder, I intend setting out for Italy.

Ships have been despatched to America, without the least notice given to me, that I might get my letters ready; intelligence received from Congress, whatever the nature of it, has never been communicated to me but by report, and when the important news of General Burgoyne's surrender was received, Dr Franklin and Mr Deane did not think proper to give me any information about it, though I was confined to my bed. It did not seem decent, that such an event should be communicated to me from any other quarter. These circumstances you will allow to be not very agreeable. I was determined, however, not to quarrel; it seemed to me better to bear with them, than to risk an addition to those animosities, which I have already mentioned, and which I am convinced have been very prejudicial to our public affairs. That there might, however, be no excuse for the continuance of such conduct, I wrote a note to Dr Franklin, appointed an interview, and with studied moderation, mentioned such parts of his conduct as I disapproved of. He acknowledged everything, apologized for everything, and promised, that in future I should have no reason to complain. He has not thought proper to be so good as his word, and his proceedings since have been more exceptionable than before. As far as he and Mr Deane have had it in their power, they have concealed from Mr William Lee and me every proceeding respecting the treaty of commerce, which has for some time been negotiating, and I heartily wish they had carried it through without my having occasion to interfere. I thought it my duty so to do, and have sent you my letter to Dr Franklin on the subject, with his trifling answer, and my reply.

[64] This is all that has passed between us on the business, and the only satisfaction that I have in the matter is, that the French Minister has, in consequence of this correspondence, given the verbal promise already mentioned.

Should Congress be informed by either of the Commissioners, that there would have been danger of the miscarriage of the treaty if this article had not been inserted, you may depend upon it, that is not true. The Ministry were very willing to have the article respecting the molasses left out, and likewise that, which has been agreed to by the Commissioners as an equivalent. The instructions from Congress, which accompanied the treaty, did not authorise them to offer any equivalent. Congress seemed not to be much interested in the fate of the article, and the Commissioners, instead of being empowered to offer such a sacrifice in favor of the New England Provinces, were expressly enjoined to give up the article, if any objection was made to it, taking it for granted, I suppose, that it never could enter into the heart of a Frenchman to lay a duty on a commodity, that without the American market would be totally useless to them. These are the words of their instructions. "The twelfth and thirteenth articles are to be waved, if you find that the treaty will be interrupted by insisting on them." How those gentlemen could take it upon

them to act so directly in opposition to this instruction, I cannot conceive. It is true, they were both born in New England, but it is not to be supposed, that they could be so forgetful of their duty to the public, as to suffer themselves to be biassed by any such motives.

I understand they mean to exert themselves in support of what they have done, and that they expect their arguments will prevail upon Congress to approve of the article. For my part I am convinced, that the article is injurious to America, and, therefore, I have not only given myself but you a great deal of trouble about it, and bespeak your attention to it, and hope, that if you agree with me in opinion, you will not only oppose it yourself, but likewise make all the interest you can to get it expunged.

If you are acquainted with Mr Duer, I should be glad that you would communicate the contents of this letter to him, as I shall not be able to write to him by this opportunity. Every thing seems to bear the strongest appearance of war in this country, and every Frenchman seems to be desirous of it. England on her part is making great preparations, and in all likelihood there will be a very bloody contest, as the two nations are exasperated against each other to a great degree. England entered foolishly into this business at first, and she does not yet seem perfectly convinced of her error, as she is going to plunge deeper into misfortune, without men, money, or allies. Russia and Portugal are the only connexions that she has. One of these powers is in such a state as rather to require than afford assistance, and the other will have enough upon her hands from the Turks. Holland has manifested very unfriendly dispositions towards her, and the King of Prussia has given the most explicit and unequivocal assurance, that he will be the second power in Europe to acknowledge the independence of America.

The death of the Elector of Bavaria was a circumstance, that occasioned some alarm here, as it was feared that France might be forced into a continental war, in support of the succession of the Elector Palatine. This, however, in some degree has passed over, and I hope the German Princes will be left to settle their differences by themselves.

In one of my letters I informed you, that Congress had neglected to furnish Mr William Lee and me with funds to support us in the characters they had done us the honor of investing us with. We were informed, that the Commissioners at this Court were possessed of a very large sum of money belonging to Congress, and therefore applied to them for a letter of credit on their banker, to the amount of two thousand louis d'ors, each of us, on the public account, which they gave us.

You will see how improper it will be for me to depend upon these gentlemen for information respecting the proceedings of Congress, and the state of affairs in America. You will I hope take care, that they be regularly transmitted to me, as it will be of great importance to me not to be neglected.

I am, dear Sir, with great regard, &c.

RALPH IZARD.

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BENJAMIN FRANKLIN TO RALPH IZARD.

Passy, March 27th, 1778.

Sir,

The bearer says he is a native of Charleston, South Carolina, and he wants a pass to go into Italy. I do not well understand the account he gives of himself. He seems to be lost and to want advice. I beg leave to refer him to you, who will soon be able to discover whether his account is true.

I have the honor to be, &c.

B. FRANKLIN.

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TO BENJAMIN FRANKLIN.

Paris, March 29th, 1778.

Sir,

I have seen the person you referred to me, and who is desirous of my recommending him to you for a passport to go into Italy. He says that he was born in South Carolina, but has been so long out of it, that he neither knows anybody there, nor does anybody know him. He left London with an intention of going to Italy, and came to Paris to see the world, before he settled with a merchant, to whom he is engaged as a clerk, at a place he hears is called Livorno. As this account did not appear very satisfactory, I desired him to excuse my troubling you with any recommendations, until he put it in my power to do it with propriety.

You will give me leave to remind you, that I had the honor of addressing you on the 30th of January, in reply to yours of the 29th, and requested the favor of you to reconsider the article in the treaty then negotiating, respecting the exports of North America, which had given me much uneasiness, and in which I think myself greatly interested. From your letter of the 29th I had reason to hope, that in a few days you intended to give me an explanation on certain points, wherein I thought myself injured, and to show me that I was mistaken. In vain have I expected this satisfaction. I am very desirous of receiving it, and when the dates referred to are considered, I hope I shall not be thought too importunate, in requesting that it may be soon. At

the same time, you will be so good as to inform me, why no answer has been given to my letter to you, and the other Commissioners at this Court, of the 5th of this month, and whether I am to expect any.

I have the honor to be, &c.

RALPH IZARD.

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BENJAMIN FRANKLIN TO RALPH IZARD.

Passy, March 30th, 1778.

Sir,

From the account you give me of the man who pretends to be of Carolina, as well as from my own observation of his behavior, I entertain no good opinion of him, and shall not give him the pass he desires.

Much and very important business has hitherto prevented my giving you the satisfaction you desired, but you may depend upon my endeavoring to give it to you as soon as possible. An answer was written to your letter of the 5th of this month, and signed by us all, which I thought had been sent to you till Mr Lee informed me that having communicated to you the contents, you told him it would not be satisfactory, and desired it might be reconsidered, and he had accordingly stopped it for that purpose. We have not since had an opportunity of reconsidering it, and as the end is now answered by the communication of the treaty, perhaps it is not necessary.

I condole with you sincerely on the great loss sustained in Charleston by the fire in January last, said to have destroyed six hundred houses, valued with the goods at a million sterling.

I have the honor to be, &c.

B. FRANKLIN.

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TO BENJAMIN FRANKLIN.

Paris, March 31st, 1778.

Sir,

I received yesterday the treaty of alliance, and the alterations that have been made in the treaty of commerce proposed by Congress, from the hands of your grandson, and likewise a letter from you, which informs me that much and very important business has hitherto prevented your giving me the satisfaction respecting your conduct which I desired, but that I might depend on your endeavoring to give it to me as soon as possible. While you were engaged in settling the treaty, I avoided giving you any additional trouble, especially as I am persuaded that the satisfactory explanation you have promised will require no uncommon exertion of your abilities. I conceive you have acted unjustifiably; you think that I am mistaken, and I shall be heartily rejoiced to find myself so. You will excuse my requesting that the explanation I have desired may be given soon.

I have the honor to be, &c.

RALPH IZARD.

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TO HENRY LAURENS.

Paris, April 1st, 1778.

Sir,

I am but this moment informed by report, that Mr Gerard, who is appointed Minister Plenipotentiary from this Court to Congress, is immediately going to set out for America. It would have been improper that this should have been publicly known, as the Court of England might have endeavored to intercept him. Dr Franklin and Mr Deane were, however, acquainted with it, and as usual concealed it from Mr Lee and myself.<sup>[65]</sup> I shall make no comment on this behavior. If it does not upon the bare recital of it strike you as unjustifiable, and disrespectful to Congress, in not acquainting us whenever they knew of proper opportunities to write, nothing that can be said will make you think so.

I congratulate you most heartily on the presentation of the three Commissioners at this Court, as representatives of a sovereign and independent State. This happened on the 20th of March. I should immediately after have left this city for Italy. My inclinations lead me most strongly to do it, but I am sorry to inform you that a little longer delay is become absolutely necessary. I am assured from Florence, of the favorable dispositions of the Grand Duke towards us, and I had no doubt but immediately after the acknowledgment of our independence here, the example would have been followed in Tuscany.

Most unfortunately the death of the Elector of Bavaria has thrown all Germany into convulsions. The claims of the House of Austria to part of that Electorate, and the coldness lately shown by France towards the Emperor on that account, are likely to dispose the latter towards England in the approaching war. I say likely, for nothing is certainly known yet respecting these matters. My letters, however, from Florence give me reason to fear, that my reception there in a public character will depend upon the proceedings of the Court of Vienna. I have acted hitherto

without paying the least regard to my own inclinations, in perfect conformity to what I have thought the wishes of Congress, and I shall continue to act in the same manner to the best of my judgment. It will make me very happy to be assured of the approbation of Congress.

Mr Deane, I understand, accompanies Mr Gerard, and has received a present from the French Ministry. This is a thing of course; he may, however, make use of it with Congress as a reason why he should return. I shall avoid entering into particulars respecting this gentleman, and shall only in general give you my opinion of him, which is, that if the whole world had been searched, I think it would have been impossible to have found one on every account more unfit for the office into which he has, by the storm and convulsions of the times, been shaken.<sup>[66]</sup> I am under the fullest persuasion, that the Court of France might long ago have been induced to stand forth in our favor, if America had had proper representatives at this Court. I must repeat what I have done in some former letters, that whatever good dispositions were shown by Mr Lee, they were always opposed and overruled by the two eldest Commissioners.

If Congress are desirous of having a representative in Italy, it may be proper to send a commission for the Court of Naples. It would be agreeable to me to have such a commission, so that I might be either there or in Tuscany, as occasion might require. This I only mention to you in case of such a thing being thought of. I wish not to solicit any thing for myself, neither do I desire my friends to trouble themselves much about me. Whenever they think of me without any application on my part, I look upon myself as the more obliged to them.

I am, dear sir, &c.

RALPH IZARD.

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TO BENJAMIN FRANKLIN.

Paris, April 4th, 1778.

Sir,

It is with reluctance, that I find myself compelled to be again troublesome to you. Your conduct has given me great uneasiness. I have repeatedly complained to you, and you have several times verbally and by letter promised me an explanation of it. It is of great importance that I should have this satisfaction, and that it should be no longer delayed; you will therefore be so good as to write me by the gentleman, who is the bearer of this, when I may expect you to comply with your promise. I must also request that you will give me in writing the reasons, which at Chaillot you told me induced you to think, that Congress did not intend I should have the alterations proposed in the treaty of commerce communicated to me. This you assured me, at the time, should be done within a day or two, and though several weeks have elapsed, I have heard nothing from you on the subject. I mention this matter to you now, because I believe my conversation with you has been misrepresented. If this has been done by mistake, I am desirous of having it corrected.

I am, Sir, &c.

RALPH IZARD.

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BENJAMIN FRANKLIN TO RALPH IZARD.

Passy, April 4th, 1778.

Sir,

If I continue well, and nothing extraordinary happens to prevent it, you shall have the letter you so earnestly desire some time next week.

I am, Sir, &c.

B. FRANKLIN.

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TO HENRY LAURENS.

Paris, April 11th, 1778.

Dear Sir,

I send copies of my letters whenever I hear of an opportunity, in hopes of some of them getting safe to your hands.

Mr Adams arrived in Paris two days ago, and it is no small disappointment to me, that he has brought me no letters from you. I was at first afraid that my despatches by the Benjamin, which Mr Folger had the charge of, had been stolen, as well as Mr Lee's, but am very glad to find, by a letter from Mr Lovell to Dr Franklin, that all my letters got safe. What a very extraordinary piece of villany this must have been. I have the strongest suspicion who the person is that was at the bottom of it, but will not take upon me to mention his name. I most sincerely hope, whoever he is, that he may be discovered and brought to light. It is much to be feared, that this will prove a difficult matter, as the person, who could be capable of it, must be sensible how dangerous it must be for him to be discovered, and, therefore, without doubt, the utmost cunning and precaution have been employed to conceal himself.

I think myself much obliged to my friends in Congress, who have assigned me the department

of Tuscany; I prefer it to any of the Courts except France or England. The former, it is probable, will be filled by one of the present Commissioners. Should England in two or three years acknowledge the sovereignty and independence of the States, it would be very agreeable to me if Congress thought me worthy of being their representative at that Court. I flatter myself with the hopes of having your approbation; at the same time, I must repeat what I have mentioned in a former letter, that I would wish to be as little troublesome to my friends as possible.

It is particularly distressing to me, as I am living at the public expense, to be obliged so often to inform you, that it still continues improper for me to go to Florence. I have consulted this Court on the subject, and they are of opinion, that I should wait here until a more favorable opportunity offers. In following this advice, I think that I am acting according to the wishes of Congress, and you may depend upon it, that I shall upon all occasions continue to do so to the best of my judgment. I have not written lately to the Committee of Foreign Affairs. As I have written to you by every opportunity, I thought it unnecessary, and I should be obliged to you if you would give that reason to them. I have never had any instructions on this point from Congress, and whenever you receive anything from me, which you think necessary to be laid before those gentlemen, I should be obliged to you if you would be so good as to communicate it to them. You will be so good as to let me have your opinion on this point, whether it will be necessary for me to write to the Committee, or if it will be sufficient for me to write to you only.

The Commissioners at this Court have not yet been received into the *Corps Diplomatique*, because they have not had proper letters of credence from Congress. When those letters are sent to them, you will be so good as to let them be sent to me and also to Mr William Lee. The title of Commissioner is not at present used, as formerly, at the Courts of Europe. I will venture to give you my opinion privately on this subject, which is, that the representatives from the States of America at the Courts of France and Spain should be Ambassadors, and at the others Ministers Plenipotentiary. The last title is in general use; the persons possessed of it take rank below envoys, and therefore I would prefer it because it will probably prevent all disputes. I mention this solely to yourself, and you will either make use of it or not, as you think proper.

Mr William Lee has a commission not only to the Emperor, but likewise one to the King of Prussia. This is a very unlucky circumstance, as those two princes are, in all probability, on the point of going to war with each other. Mr Lee is gone into Germany, without being fully determined which Court he should present himself at first. I am inclined to think, that it will be that of Berlin. Congress, in the commission which was sent out for the Court of Vienna, forgot to mention the Empress Queen. This was a great mistake, as she is during her life the sovereign of all the hereditary dominions of her family, and the Emperor is only head of the German Empire. I do not know whether Mr Lee has mentioned this in his letters to Congress, but it is of considerable importance, and should be attended to whenever a new commission is sent out.

I have the honor to be, &c.

RALPH IZARD.

*P. S.* The seal, that I shall make use of in all my letters to you, will either be my coat of arms, which is on this; or a rattlesnake with this motto, "don't tread on me."

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TO BENJAMIN FRANKLIN.

Paris, April 25th, 1778.

Sir,

It is with the utmost astonishment, that I find myself so often obliged to remind you of your engagement to me. You have repeatedly given me the strongest assurances, that you would justify your conduct to me in writing, but you have not kept your word. Dr Bancroft and your grandson have both told me, that this justification has long ago been begun, and you have several times been employed about it.

The cautious manner in which you concealed the departure of M. Gerard, the French Plenipotentiary, and Mr Deane, from those who have complaints against you, manifest on your part no inclination to discontinue the causes of them. The losses of the public despatches to Congress, by accident at sea, by the capture of the enemy, and by the villany or negligence of those to whose care they have been intrusted, ought to have deterred you from concealing so safe an opportunity from those, whose duty requires them to write. It might have been very proper, that the port from which they were to sail should have been concealed, as well as the manner of their going, but it appears to me to have been your indispensable duty to inform those gentlemen, who have the honor of holding commissions from Congress, whenever you know of a safe opportunity of writing to America.

It may not be necessary to discuss this point with you, as it will probably be laid before Congress, and they will form a proper judgment, both of the fact and your motives. My business with you at present respects your conduct previous to the departure of M. Gerard and Mr Deane, and I wish that neither your attention nor mine may be drawn from it. Mr Lloyd has informed me, that you told him there would be an opportunity of writing soon to America. I must request, that you will no longer attempt to amuse me with promises and excuses, but that you will give me the explanation, which you have so often bound yourself to give that it may be laid, by that opportunity, if necessary, before the representatives of my country, or that you will let me know in writing, that you will not give it me.

## JOHN J. PRINGLE TO RALPH IZARD.

Paris, April 26th, 1778.

Sir,

In compliance with your request I waited on Dr Franklin and delivered to him your letter; he had scarcely read it when he said, "Mr Izard has written me a very angry letter; please to tell him, that he has only made use of general assertions of my having done wrong, which I cannot otherwise answer than by denying. If I have given him any causes of offence, he should let me know what they are." To this I replied, "that you had been kind enough to form so good an opinion of me, as to admit me into a share of your confidence, therefore I could take upon me to say, that you were persuaded you had clearly stated, in the several letters he had received from you, circumstances affording sufficient grounds of offence." He said, "he should be glad to know what those circumstances were." I answered in the first place, "that conceiving it your duty as a member of the States, having a considerable fortune there, and intrusted with a commission from Congress, to communicate as occasion offered all the intelligence you could, you found this communication greatly obstructed by a concealment on the part of Dr Franklin of proper opportunities, when it was quite unnecessary, or when the end of secrecy might be answered, though you had been intrusted with the knowledge of them." Upon which Dr Franklin told me, "that you had only complained of this in the present letter, and as to the particular opportunity you mentioned by Monsieur Gerard, or Mr Deane, he had not himself looked upon it as a good or proper one, and had not himself made use of it to write."

As another ground of complaint I observed, "that while the commercial treaty was on the carpet, you considered one article as highly unreasonable and inexpedient, and therefore expressly objected to it; you had in a letter fully specified the reasons upon which your disapprobation was founded, and had sent this letter to Dr Franklin, in hopes of his removing your scruples, and setting you right if you were wrong, or letting your reasons and objections, if they were just, produce some good effect before the conclusion of the treaty, but you had never been favored with any answer on the subject, though you had repeatedly requested it." Dr Franklin alleged, "that he would have given a full and satisfactory answer, but he had been prevented by business and various avocations, that he was still willing to give one, but could not conceive why you should be so impatient. Suppose he could not give it for a month hence, what great inconvenience would it occasion?" I observed, "that the sooner you had it, you might be the better prepared to guard against any misrepresentation." Dr Franklin assured me, that he had not been, nor would he ever be, guilty of any misrepresentation; so far from it, that he had not even written anything concerning the matter. I told him, perhaps you might choose to lay it before Congress, and his answer might enable you to do it more fully and satisfactorily. Dr Franklin said you should have an answer, but you must be patient, for he really was very much engaged by other business, and interrupted by people continually coming in upon him, though some upon frivolous errands, as was the case with the two Frenchmen, just gone away, who came only to ask him to buy cloth.

I suggested as a third ground of complaint, that you had been directed by the Congress to propose to the Court of Tuscany a commercial treaty similar to the one concluded with this Court, which you therefore required as necessary for your regulation, in pursuance of the instructions of Congress, who directed you should have, not only the original treaty, but also the alterations which might be proposed; both were nevertheless withheld from you by Dr Franklin without the least regard to your applications. Dr Franklin replied, "did he go into Tuscany? Has not the treaty been sent to him?" I said, you had good reasons for staying; that the treaty was kept from you till the other day, when perhaps it was necessary for you to have had it as early as possible, even previous to your departure, to give it the maturer consideration, and because there might be explanations you would like to have made here, or observations might occur to you, which you might think it advisable to communicate to Congress, to have their further instructions as soon as you could.

I do not recollect, that Dr Franklin made any direct reply to this. He observed, that he was clear he had not given you any just cause of offence, or reasonable grounds of complaint, that he was studious to avoid contention; he acknowledged that he owed you an answer, but though he was in your debt he hoped you would be a merciful creditor; he would say, as the debtor in the Scripture, "have patience and I will pay thee all;" that you certainly ought to give him time, as you had urged so much matter as would require a pamphlet in answer. I told him, that I was sure it was far from your disposition to court quarrels, that if the reasons he gave in his answer to you were just and satisfactory, you would undoubtedly allow them their full weight; that satisfaction you were desirous of having, and were anxious to have the affair ended. He said he should endeavor to do it as soon as possible; in the mean time, he hoped to have no more such angry letters from you; his answer he promised should be a cool one, and that people who wrote such angry letters should keep them, till they sufficiently reflected on the contents, before they sent them.

The above is nearly, to the best of my recollection, the substance, if not for the most part the words, of the conversation, which passed between Dr Franklin and myself, upon delivering him your letter today.

I have the honor to be, &c.

JOHN JULIUS PRINGLE.

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COMMITTEE OF FOREIGN AFFAIRS TO RALPH IZARD.

York, May 14th, 1778.

Sir,

Your favor of December the 18th came to hand the 2d of this month, with the despatches of our Commissioners at the Court of Versailles, from whom we had received nothing regularly for about a whole year.

The decisive part, which His Most Christian Majesty has at length taken in our cause, must greatly influence other crowned heads in Europe, not immediately allied to Britain, to desire a portion in our friendship and commerce, and must prepare the way for your welcome reception at the Court of Tuscany. We are pleased to find, that you have formed a connexion with one, who promises to be so friendly to your Commission as your correspondent, the favorite Minister of the Grand Duke, and we think you could not have done better than in following his past advice.

The enclosed resolve of Congress of the 7th inst will remove any doubts about your support, which may have arisen in your mind from an omission on our part, which did not occur to us until we received a hint of it from the gentlemen at Paris, in their letter of February the 16th.

Other papers herewith sent will convey to you a general idea of our affairs, and we hope you will be particularly industrious to expose those attempts of our enemies, which are calculated to lead Europe to think we are not thoroughly fixed in our plan of independence. You may observe, that we proceeded on the draughts only of two intended bills, which had been sent to America by the British Ministry. We should not have done this, but from a conviction of insidious intentions founded upon former attempts to hurt our character abroad. We were so well satisfied of the spirit of these States to persevere in a noble cause, that we should have waited for the bills themselves, if we had not been anxiously attentive to the good opinion of Europe and the rest of the world. We were altogether strangers to the happy state of our affairs in France, accident and knavery having suppressed the despatches of our friends, as our former letters will prove, if any attempts shall be made to attribute our late determined conduct to a knowledge of our new alliance. Congress unanimously ratified the treaties on the 4th, and the people have showed their satisfaction, wherever the knowledge of the proceeding has reached. The army also, which is daily increasing in strength, has expressed its joy, and is now prepared either for honorable peace, or a continuation of the just war.

We shall endeavor to procure an enlargement of your powers, and shall immediately forward them to you. There can be no danger of any clashing of future treaties with those now made, provided the plain principles of mutual benefit, without any exclusive privileges, are made the basis. We send you the first volume of the Journals of Congress, another will be out in a few days, and shall be forwarded also. We recommend to you the frequent communication of your proceedings, and we wish you every felicity, being, Sir, your affectionate humble servants,

R. H. LEE,  
JAMES LOVELL,  
ROBERT MORRIS.

*P. S.* You are to have Plenipotentiary Commissions, with instructions not limiting the terms of the proposed treaties of amity and commerce.

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TO ARTHUR LEE.

Paris, May 18th, 1778.

Dear Sir,

The fifth article of the treaty of alliance has given me a great deal of uneasiness, as it seems to have been intended to exclude the United States of America from possessing themselves of the two Floridas. The article is as follows. "If the United States should think fit to attempt the reduction of the British power remaining in the *northern parts of America*, or the Islands of Bermudas, those countries or islands, in case of success, shall be confederated with or dependant upon the said United States." I had the honor of stating my apprehensions to you and the other Commissioners at Passy, on the 3d instant.

Dr Franklin did not think they were well founded, nor that any such construction could possibly be put upon the article. North America, he said, strictly speaking, comprised all parts of the Continent north of the Equator, and the Floridas being in the latitude of thirty degrees north, would be comprehended within the meaning of the words "northern parts of America." I thought it would be best to put it out of all doubt by getting that explanation of the words under the hands of the French Ministry, especially as they would at least admit of dispute, and might in future produce disagreeable consequences. Dr Franklin said, that Congress had given some instructions respecting the cession of part of Florida to Spain, and objected to making any application on the subject to the French Ministry, as it might be taken ill, and added, if my apprehensions were ever so just, it was too late for any remedy in France, but that the Commissioner for the Court of Madrid might guard against any bad consequences in the treaty, which he had to conclude with that Court.

The resolution of Congress of the 30th of December, 1776, to which Dr Franklin alluded, extends only to the town and harbor of Pensacola, and circumstances are much changed in America since that resolution was made. It declares, "that if His Catholic Majesty will join with the United States in a war against Great Britain, they will assist in reducing to the possession of Spain, the town and harbor of Pensacola." Had Spain complied with the request, had she stood forth our friend in the day of distress, the offer made by Congress might with propriety have been claimed. She did not declare war against Great Britain, and I do not know, that she has done anything yet to entitle her to any great share of our regard. It appeared to me, that if the French Ministry understood the words, as explained by Dr Franklin, they could not take it ill, that such an explanation should be required of them, but if they intended to have them understood as I feared they did, this was the proper place to have the doubts cleared up. If the words were meant to exclude the United States of America from the acquisition of the Floridas, it must have been intended for the benefit of Spain, and therefore the less likely was it to obtain any satisfaction from that quarter.

North America, strictly speaking, according to Dr Franklin, comprises all parts of the Continent north of the Equator. By the same rule it may be said to extend to the ninetieth degree of latitude. Considered in this point of view, no parts to the southward of fortyfive degrees can with propriety be called the *northern parts of America*. But the article seems to have no relation to so extensive a signification, and expresses the intentions of the framers of it very clearly. "*If the United States should think fit to attempt the reduction of,*" not the northern parts of America, but "*the British power remaining in the northern parts of America.*" This power, without taking notice of an inconsiderable settlement on the Mosquito shore, or of Hudson's Bay, may be said to have extended from the most southern point of Florida to the most northern part of Canada, and I am of opinion, that the United States of America will not be satisfied if any attempts are made to circumscribe their possessions within narrower limits.

The 9th article of the original treaty approved of by Congress in September, 1776, and transmitted by them to the Commissioners at this Court, not only confirms me in this opinion, but throws great light upon the intentions of the French Ministry. It is as follows; "The Most Christian King shall never invade, nor under any pretence attempt to possess himself of Labrador, New Britain, Nova Scotia, Acadia, Florida, nor any of the countries, cities, or towns on the Continent of North America; nor of any of the Islands of Newfoundland, Cape Breton, St Johns, Anticosti, nor any other island lying near to the said Continent in the seas, or in any gulf, bay, or river, it being the true intent and meaning of this treaty, that the said United States shall have the sole, exclusive, undivided, and perpetual possession of all the countries, cities, and towns on said continent, and of all islands near to it, which now are, or lately were under the jurisdiction of, or subject to the King or Crown of Great Britain, whenever they shall be united or confederated with the said United States." These words admit of no mistake, no hidden meaning is concealed under them, nor could there be any possibility of contentions respecting the countries therein described, had they been inserted in the treaty.

With all due deference to Dr Franklin, I cannot help declaring, that I am firmly persuaded that the Court of France would not have substituted the 5th article in the place of the above, if they had not had some designs contrary to the intentions of Congress, so clearly expressed in their 9th article. His Most Christian Majesty, in the 11th article of the Treaty of Alliance, does not guaranty *generally* to the United States their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now, or heretofore possessed by Great Britain in North America, but stipulates that the guaranty shall only be *conformable to the 5th and 6th articles*. The latter of these contains nothing but a renunciation on the part of France of the Islands of the Bermudas, and of the whole continent of North America. As France does not pretend to any claim upon the Floridas, this renunciation can in no respect affect those Provinces. Spain, who was at the peace in 1763 obliged to cede them to Great Britain, may be desirous of resuming them, and the 5th article in the Treaty of Alliance seems to lay the foundation of such a claim. Should that event ever take place, it would prove extremely prejudicial to the interests of the United States in general, but particularly to those of the South. Spain would by that means have a direct communication with the Indians on our frontiers, and have it in her power to disturb our settlements whenever she pleased.

Lieutenant Governor Moultrie, in his letter from Augustine, of the 4th of October, 1775, to General Grant, which was intercepted and published by Congress, among other reasons why General Gage should protect Florida, gives the following; "Consider, says he, that this is the best and only immediate communication between Great Britain and our red brothers," the Indians. What a horrid use our enemies have made of this communication, you are well acquainted with. Florida was never of any advantage to Spain when in her possession, nor is it probable it ever would be, were it so again; but it will be of the greatest importance to the States of America, on account of security, which in all negotiations has been thought a sufficient reason for a claim, though no right existed, which is not the case in the present instance. In the 11th article, France guaranties to the United States, "their possessions and the additions or conquests, that their confederation may obtain during the war from any of the dominions now, or heretofore possessed by Great Britain in North America, conformable to the 5th and 6th articles." In the 6th article, I observe, that "The Most Christian King renounces forever the possession of the Islands of Bermudas, as well as of any part of the continent of North America." Nothing is said about Newfoundland, St Johns, Cape Breton, and the other islands on our coasts. Were they understood to be included in the renunciation and guarantee? Congress, in their original treaty, did not choose to trust to any future constructions, but mentioned each of these islands particularly by name. Whatever power may be in possession of them will in a great measure command the

fishery.

This is a matter of great consequence, but, however just my apprehensions may be on this point also, I fear it is now too late to receive any satisfactory explanation respecting it at this Court, and we must again turn eyes towards you for relief. If the Court of Madrid could be prevailed upon to guaranty the Floridas, and these islands also to the United States, you would render an essential service to your country. I have upon many occasions experienced, that whenever her welfare has stood in need of your exertions, you have been ready to afford them, and, therefore, I cannot doubt but you will also do it in the business, which I have just laid before you.

I have the honor to be, &c.

RALPH IZARD.

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ARTHUR LEE TO RALPH IZARD.

Chaillot, May 23d, 1778.

Dear Sir,

I have received your favor of the 18th, and remember well the conversation you mention. The 5th article stood originally thus. "Si les Etats Unis jugent à propos de tenter la conquête de la Canada, de la Nouvelle Ecosse, de Terrenueve, de St Jean, et des Bermudes, ces conquêtes en cas de succès appartiendront aux dits Etats Unis." Even this did not appear to me adequate to the intentions of Congress; I therefore proposed that it should be as extensive and explicit, as was marked out to us in the 9th article of the plan proposed by Congress. My colleagues did not agree with me, and I remember perfectly Dr Franklin's answer was, that Congress had receded from those claims since, by the concessions directed to be made to Spain. I submitted mine to the opinion of my colleagues.

I have already asked the commands of Congress, relative to conceding anything to Spain agreeably to the instruction of the 30th of December, 1776, which you mention, and you may be assured that I will never subscribe the cession of one inch of what Congress has claimed in the 9th article of their plan, without their express orders. I shall make no observations respecting the degree of gratitude to which Spain may be entitled, but the leaving of articles so loose as to occasion disputes, or making cessions which may plant a thorn in the side of any of the United States, is not the manner I should choose of showing it. How the 5th article came changed so much from what it was at first I never could learn. In my own justification I must observe, that from the conduct of one of my colleagues, and the intrigues of the other, I was furnished with a kind of half information, and secretly counteracted, so as to render it very difficult for me to be of any utility whatever in this negotiation.

I have the honor to be, &c.

ARTHUR LEE.

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TO BENJAMIN FRANKLIN.

Paris, June 17th, 1778.

Sir,

Mr Pringle, who was the bearer of my last letter, has given me an account of his conversation with you on the subject of it. It would have been much more satisfactory to me, if, instead of speaking to him about the contents of it, you had done me the honor of writing an answer to it. Words which pass in conversation are sometimes forgotten and sometimes misunderstood. Misrepresentations are sometimes the consequence, which though produced by mistake, to a mind affected by ill treatment, of which neither the occasion can be learned nor the progress stopped, may pass from effects proceeding from either causes. I enclose you a copy of Mr Pringle's letter. You will be so good as to correct any mistakes that may be found in it. Some there probably are; I do not, for instance, think it likely you could have said that you did not know what I complained of, at the same time that my complaints appear so numerous, that it would require a pamphlet to answer them. It is impossible that both these assertions can be true; and though I cannot agree with you in either, I shall not dispute about them, but refer you to the several letters which I have written since the receipt of your favor of the 29th of January.

I have requested to be informed of your reasons for withholding from me all communications respecting the treaty of commerce during the negotiation, contrary to an express instruction of Congress. You have constantly, in spite of every endeavor on my part to get your reasons in writing, wrapped yourself up with caution, and notwithstanding the repeated breach of your engagement with me, have not been ashamed to make promises of the same kind and break them again, to amuse me till Mr Deane had an opportunity of going privately away. I shall not examine your inducements for so carefully avoiding to commit yourself to paper on this subject, but only observe that this determination compels me to mention the reasons given by Dr Bancroft and your grandson, which it would have been more agreeable to me to have had under your own hand. Those gentlemen have informed me, that some proposals which Mr Lee had made to you and Mr Deane, respecting his brother and me, made you apprehensive, that it was intended to have us admitted into all consultations, and that every question should be carried by a plurality of voices; that this had determined your conduct with respect to communications to me; but that if

you had been ever so well inclined to communicate anything relative to the treaty, you lay under such strong injunctions of secrecy from the French Ministry, that it was out of your power to do it.

With respect to the first of these reasons I shall observe, that if Mr Lee ever made any such proposal, it was entirely unknown to me. I have spoken to him on the subject, and he declares that he never said anything that could in the least justify such an apprehension. There does not indeed seem the least probability that such a proposal could have been made. The unfortunate dispute in which he was engaged with you and Mr Deane, and the decided majority of which you were possessed, would have made such an attempt on his part too weak for a man of common understanding. With regard to the injunctions of secrecy, which the French Ministry are said to have laid you under, I answer, that you had no right to lay yourself under any such injunctions. Before you can avail yourself of that excuse, you should show that you had reminded the French Ministry of there being at that time in Paris two other Commissioners of Congress, to whom your duty required you to communicate not only a copy of the treaty originally proposed by Congress, but also whatever subsequent alterations might be proposed on either side. Had this been done, and had they expressed a desire that those Commissioners also should be unacquainted with the transaction, rather than the smallest obstruction should have been thrown in the way of the negotiation, I should have been contented to have had it kept from me as long as you thought proper.

Having examined these reasons, and I hope at least shown the probability of their being only pretended ones, I shall proceed to state what appears to me to be the true cause of your conduct, and as it will be necessary to trouble you with a dull narrative, you will I hope excuse it on account of the importance of it. I received a letter in October last from Mr William Lee, one of the joint commercial agents for conducting the affairs of the Congress in this kingdom, desiring my attendance at your house at Passy, and informing me, that he had something of importance to lay before the Commissioners. I accordingly attended, and heard an account of some very extraordinary abuses and embarrassments in the commercial department, owing to the misconduct of Mr Thomas Morris, late one of the joint commercial agents, and to the claim which certain persons made to the management of the affairs of the Congress at Nantes. Mr Lee complained of great obstructions, which he had met with from these circumstances, that so far from receiving any assistance from the Commissioners, they seemed to have encouraged the persons who opposed him in the discharge of his duty, and that he had repeatedly written to the Commissioners for their support, without ever having been able to obtain the favor of an answer. He expressed his desire of returning to Nantes, and using his endeavors to prevent the repetition of such abuses as had been stated, and did not doubt but with the support of the Commissioners he should be able to render this material service to the public. The support which he required was a letter from the Commissioners, addressed to all such captains of ships as were in the service of the United States, informing them, that he was an agent properly authorised by Congress to manage their commercial concerns in this country, and that it would be proper for them to follow his instructions. This request, which appeared to me extremely reasonable, was to my astonishment rejected both by you and Mr Deane.

This appeared the more extraordinary to me, as you both acknowledged, that you were perfectly convinced of the truth of what Mr Lee had stated to you, and said you had laid these abuses before Congress, and complained in the strongest terms against Mr Thomas Morris, whose misconduct had occasioned some of them; that Congress had given you a tacit reproof, by taking no notice of the complaints you had made, and that Mr Robert Morris, a member of the committee for foreign affairs, had given you *a rap over the knuckles* for having made them. I begged you to consider that the silence of Congress, which you had construed into a reproof, might have been occasioned by the multiplicity of business they had to transact, or they might have attended to it, and their letter on the subject have miscarried. This you said could not have been the case, as the complaints to Congress against Mr Morris made but part of your letter; there were several other matters contained in it, which were all answered, and as the complaint against Mr Morris was the only part unnoticed, you considered it as a reproof to you for having written to Congress about it. You had attempted once to correct the abuses, which every body knew were practising at Nantes to a very scandalous degree. Mr Robert Morris had misrepresented your good intentions, and had insinuated in his letter to Mr Deane of June 29th, that your complaints against his brother were made from interested motives, and that you wished him removed to make way for your nephew. As your conduct had in one instance, relative to the abuses at Nantes, been thus misrepresented, you were determined it should in no other, by adhering to your resolution of not meddling with them.

Your reasons did not appear at all satisfactory to me, and I took the liberty of telling you so, which gave you very great offence. I was extremely sorry for it, but did not at that time, nor have I upon the most mature deliberation since been able to conceive how it could have been avoided consistent with my duty. I requested you to consider how unreasonable it was, to allow your resentment against the Committee for a supposed tacit reproof, and against Mr Robert Morris for what you called *a rap over the knuckles*, to operate to the prejudice, perhaps to the destruction of the commercial concerns of your country. Your answer was direct and positive; "If these consequences should happen, Mr Robert Morris and the Committee must be answerable for them, but you were determined not to meddle with the matter." In this determination Mr Deane co-operated, and we parted without Mr Lee's having been able to obtain any satisfaction on the subjects of his complaints, except a promise on your part to countermand an order you had given relative to the sale of one of the prizes at Nantes. This promise, however, I understand was not fulfilled. I most solemnly protest, that I believe this interview to have been the cause of your

excluding me from all communications.

Perhaps it may be said, that you were not required by Congress to make those communications. This may be considered in the nature of those injuries against which no positive law can be produced, but which are, notwithstanding, known to be injuries by all the world. Had the directions of Congress, however, in these points, been as explicit as words could make them, I doubt not but you would have found the means of evading them, as you have in others, if it suited your purpose, and have drawn arguments for your justification from every source. I shall trouble you with my reasons for thinking so. I requested of you at Chaillot, to let me know why you had disregarded the instructions of Congress respecting the treaty; you expressed your doubts whether Congress intended to have anything communicated to me, except the treaty after it was *concluded*. I referred you to the words of the instruction itself, which I had quoted to you in my letter, and asked you if you thought it possible, that the gentlemen who had written them could have been so ignorant, as not to know the distinction between a *proposition* and a *conclusion*. Other doubts arose. If I had been at Florence, the department which was assigned me by Congress, it might have been inconvenient to have followed the strict letter of the instructions, by sending every alteration of the treaty, that might have been proposed on either side, on account of the danger of their being intercepted.

In this I agreed with you perfectly, and told you that if I had been at Florence, you would have had an excuse which at that time was of service to you. I am sorry to be obliged to refer to words spoken in conversation; I have wished to avoid it, but you have put it out of my power. Had you written down what I have just related, which you promised me to do, it might have been of service to you in one instance. You would have recollected having already given it as your opinion, that if I had been at Florence, it would have been improper to have sent me the alterations proposed in the treaty, and would probably not have mentioned to Mr Pringle a reason in your justification totally the reverse of this. As you have, however, done it, it will be necessary to remind you that my not having gone to Florence has been entirely owing to reasons given me by the Tuscan Minister at this Court, which I have informed Congress of. These reasons were also communicated to you and the other Commissioners, and you thought they ought to be complied with.

You observed to Mr Pringle, that I had written you an angry letter. When you reflect upon your proceedings towards me, that ought not to surprise you. Having considered myself injured by you, I make a complaint to you in writing; you deny that it is well founded, and promise me an explanation of your conduct. Relying upon your word, I suffer myself to be amused from time to time by promises and excuses, till Mr Deane, who has supported you in all your measures, sails for America. Would it not have been fair and honorable to have given me your reasons in justification of your conduct before that gentleman's departure, that I might have had an opportunity either of being convinced by them or of refuting them, and that his verbal representations in America might not be made without having anything from me to oppose them.

I am very gravely told, that as a proof of your not having thought it a good opportunity, you had not yourself written by Mr Deane. Is there a man of common sense in the world, who will not see, that as Mr Deane is a party concerned in the contest, which has unhappily subsisted between us, and of course will be interested in your justification, there was no absolute necessity for your writing, but that the very reverse was the case with me? Having thus blown up a flame about me, you are unreasonable enough to be surprised at my being warmed by it. Does not this resemble the conduct of the tyrant Kouli Khan, who, having cut the tendons of a man's legs with his sword, would afterwards have compelled him to dance? I must be very plain in telling you, that I envy not the feelings of that man, be his reputation ever so highly exalted, who can with coldness either offer or receive an injury.

I have been told by a gentleman, that the French Ministry had desired that Mr Arthur Lee and myself, *expressly mentioned by name*, might have certain matters concealed from us. I cannot take a step in this business without having some insinuation to encounter. My informant was not so explicit as I wished him to be. He did not acquaint me with the points intended to be concealed, whether they related to the treaties or to the departure of Mr Deane. I must beg the favor of you, therefore, to let me know if you were desired by the French Ministry to conceal either or both the matters from me *by name*, or whether, as I believe to be the case, you had no such injunctions at all. There is reason to believe, that the insinuation is injurious both to the French Ministry and to us. I have never, by any part of my proceedings, subjected myself to be refused admittance into their presence. I have never been compelled to have recourse to any person to soothe and deprecate their resentment, excited by transactions, which they thought obliged them to make use of expressions highly reflecting on the honor of my country, at the very time when perhaps the interests and even the safety of America might have been affected by that resentment. Will you undertake to make the same declaration? If you do, it shall appear, that I do not deal in insinuations; and if the Ministry were inclined to show any marks of their dissatisfaction, the world will judge who were the persons most likely to experience them.

If after having been made acquainted with the instructions of Congress relative to the treaty, the Ministry desired to have the proposed alterations concealed from me, and there was any danger of an obstruction to your negotiation if the directions of Congress were insisted on, I shall endeavor to learn what could have induced them to such a conduct. The mischievous tendency of some parts of the treaty might have been pointed out, had they been communicated to me before it was too late, and a troublesome and ineffectual application to the Court of Spain for relief might have been rendered unnecessary.

I am, Sir, &c.

TO HENRY LAURENS,  
PRESIDENT OF CONGRESS.

Paris, June 28th, 1778.

Dear Sir,

The treaties are expected to arrive soon in France, as Congress received them by the *Sensible*, a French frigate, in the month of April. In some of my letters I informed you of my sentiments on one or two of the articles in the treaty of commerce, and of the ineffectual steps, which I took in consequence of them. Whether Congress has been made acquainted with these sentiments, or whether they approve of them, I know not, as I have not received a letter from you, from the Committee, nor from any member of Congress, since my arrival in France. The treaties were not communicated to me till the 30th of March, when they were half the way over to America, and of course too late for any alterations to be made until they had undergone the inspection of Congress.

From the dispositions of the principal parties concerned in the negotiation, and from the manner in which my application respecting the eleventh and twelfth articles of the treaty of commerce was received, there is very little reason to think, that any objections, however justly founded, would have made any impression. I have, however, done every thing in my power, and I shall be very happy if any good effects should be produced by my endeavors. It has been my constant wish to avoid contentions of every kind; it has been particularly my desire to avoid them with Dr Franklin from every consideration. His abilities are great, and his reputation high. Removed as he is at so considerable a distance from the observation of his constituents, if he is not guided by principles of virtue and honor, those abilities and that reputation may produce the most mischievous effects. I send you by this opportunity some papers, which I desire may be communicated to my countrymen from South Carolina, who are members of Congress, and if it is your opinion, that they or any part of them should be laid before Congress, you will be so good as to do it. If, on the contrary, you think the situation of affairs will make it improper to trouble Congress with them, you will withhold them. It is my wish, however, that you may approve of their being communicated to Congress. Whatever may be your determination, I shall think I have acted right in communicating them to you. You will find from them with what caution the treaties were concealed from me, while they were negotiating, and even after they were signed. When Dr Franklin thought Mr Deane had been gone long enough to get to America, before any observations could be written on the contents of them, they were sent to me. The article respecting molasses, in the treaty of commerce, may be productive of considerable mischief.

I can, however, account for that transaction from natural causes. Two of the gentlemen engaged in it were born in New England. That part of America is possessed of very few articles of export, and the great use which is made there of molasses makes it a very desirable object, that it should be perpetually exempted from duty. The articles in the treaty of alliance, which I have complained of, are infinitely more mischievous, and when I attempt to account for the conduct of the gentlemen, who have concluded them, and at the same time set aside the clear and unequivocal article on the same subject, transmitted to them by Congress, I am utterly incapable of doing it without suspecting the most dishonorable practices, which I cannot think they have been guilty of.

It appears the more unaccountable, when the instructions, which were transmitted by the Congress to the Commissioners at the time the original treaty was sent, are examined. Congress judged, that some alterations might be found necessary, and explained their intentions in the following manner. "It is the wish of Congress, that the treaty should be concluded, and you are hereby instructed to use every means in your power for concluding it, *according to the plan you have received*. If you shall find that to be impracticable, you are hereby authorised to relax the demands of the United States, and to enlarge their offers, *according to the following directions*." In these instructions, such articles as it was thought would admit of alteration are pointed out. But the ninth article is not among the number. It seems indeed essential to the safety of the United States, that the countries and islands therein expressly mentioned, should be in their possession. There is a most uncommon degree of effrontery in Dr Franklin's declaring, that the fifth article of the treaty of alliance could not possibly admit of such a construction, as I apprehended might be put upon it. I have not the least doubt but it was intended to leave an opening for negotiating Florida into the possession of Spain, if the successes of the House of Bourbon against England should put it in the power of the former to dictate the terms at the conclusion of a general peace. It is more than probable likewise, that what I have hinted at in my letter to Mr Lee, respecting Newfoundland, and the other Islands on our coasts, and the fishery, may in future be productive of a great deal of trouble, if proper explanations are not obtained in time.<sup>[67]</sup>

If anything was necessary to make the effrontery, which I have just taken notice of, complete, it was Franklin's observation, that if my apprehensions were ever so just, it was now too late for any remedy here. His tricks and chicanery put it out of my power to make any objections before the treaties were signed and sent to America, and then he gives that as a reason, why no remedy should be attempted against the evil, which is pointed out. In my conscience, I believe him to be an improper person to be trusted with the management of the affairs of America in this kingdom. If he were sent to the Court of Vienna he could not have an opportunity of doing any harm. No affront could be taken at this exchange, as that Court is in general looked upon to be the first in

Europe, and it is improper for the same person to have a commission both for Vienna and Berlin.

The English newspapers have given us the proceedings of Congress on the 22d of April, respecting the conciliatory bills. I am very anxious to know what reception the Commissioners have met with, and the extent of their powers. It is much to be lamented, that they have not been enabled by Parliamentary authority to acknowledge the independence. The Ministry are fully convinced themselves, that nothing else will do, and yet they continue to act under the same dreadful infatuation, which has already produced so many calamities to their country, and refuse to adopt any measures, however salutary, till it is too late. I most ardently wish for peace, provided it can be obtained upon terms, which Congress may think proper to be accepted.

Mr William Lee has been some weeks at Vienna. He writes me, that the French Ambassador advises him "to wait there with patience, till the prospect of things open a little more than they do at present." I have informed you in several of my letters, that my reception in Tuscany depends entirely upon the proceedings of the Court of Vienna. The Emperor and the King of Prussia are each at the head of a powerful army in Silesia, and within a few miles of one another. A negotiation has been for several weeks constantly carrying on with respect to the succession of Bavaria, and it is astonishing, that nothing is yet concluded. Each of those princes has two hundred and fifty thousand regular troops, and more are continually raising. The Emperor has, besides, the Hungarian nobility and their dependants, who may upon occasion be called upon to serve. They are supposed to form a body of about three hundred thousand men, and may be looked upon as militia.

The King of Prussia, although negotiating with the Emperor, is not idle in other matters. He is using his utmost endeavors to excite the northern powers to join him against the House of Austria, and if he succeeds in bringing about an accommodation between the Russians and the Turks, the Czarina will certainly afford him very powerful assistance. Whether either the Emperor or the King of Prussia will be connected with England does not yet appear. Neither of them seems inclined to offend her at present. The troubles in Germany have certainly produced this effect on the King of Prussia, for he made the clearest declaration before the death of the Elector of Bavaria, that he would be the second power in Europe to acknowledge the independence of America.

I am, dear Sir, &c.

RALPH IZARD.

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TO HENRY LAURENS,  
PRESIDENT OF CONGRESS.

Paris, July 25th, 1778.

Dear Sir,

The treaties were received by the Spy on the 9th instant, I am glad to find that the 11th and 12th articles of the treaty of commerce appeared to Congress in the same light that they did to me. The Committee of Foreign Affairs, in their letters to the Commissioners here, of May 14th and 15th, made nearly the same observations that I did to Dr Franklin, in my letter to him on that subject.

I have not however the satisfaction of knowing whether the part I have acted has been approved of, or even whether any of my letters got to your hands, as I have not been favored with a line from you since your arrival in Congress. I shall not complain, but follow Dr Franklin's maxim in his letter of January 29th, which is, "to suppose our friends right, till one finds them wrong, rather than to suppose them wrong, till one finds them right." It is possible that my letters to you, and yours to me, may have been lost or stolen. The tricks that were played with Mr Lee's letters, and the public despatches, that were sent by Folger, will justify any suspicion. I shall take it for granted, that if you have written, your letters have miscarried, or if you have not written, that you were prevented by business of greater importance. It is however very unfortunate, and you cannot but be sensible how mortifying it must be to me, who have been engaged in distress and trouble, in consequence of my doing my duty to the public, not to find attention and support from a quarter, where I had every reason to expect it.

I had just written thus far when Mr Adams sent me your letter of May 19th, which was enclosed to him; and I thank you heartily for the very friendly expressions contained in it. You mention, that you intended to write me more fully by the same opportunity; but as that letter is not come to hand, I suppose it was too late for the conveyance. I am very anxious to see it, and hope to find by it that my proceedings have met with your approbation. The ratification of the treaties by Congress has put the ministry and the whole nation into as good spirits, as our countrymen were put by them. Except the parts which I have mentioned to you, they seem to be very fair and equitable, and I really believe that if a certain gentleman had thought less of his infallibility, they might have been made unexceptionable. The ministry made no objection to the alteration respecting the molasses, and I most sincerely wish, that Congress in their hurry had not passed over the other articles, which I am convinced will occur to them, when perhaps it may not be so easy to get them altered as at present.

The war in Germany is already begun. The King of Prussia, finding that his negotiations proved fruitless, has marched his forces into Bohemia, and that unhappy country, the constant seat of misery, will in all probability experience more calamities than ever. The wisdom of the Congress, and the valor of our countrymen, will I hope soon remove the war from our continent,

and I pray to God that the blessings of peace may be at no great distance.

I cannot help expressing to you my astonishment, upon reading the account given of the interview between the Commissioners here and M. Gerard, on the 16th of December, printed in the Yorktown Gazette of May 4th. The part I allude to is the following. The French Plenipotentiary, speaking of the King, says, "he should moreover not so much as insist, that, if he engaged in the war with England on our account, we should not make a separate peace for ourselves, whenever good and advantageous terms were offered to us." This account I understand was given to Congress by the Commissioners, and therefore it must be presumed to be true. How then can it be reconciled with the 8th article of the treaty of alliance? Suppose England should offer to acknowledge the liberty, sovereignty, and independence of America, upon condition that she should make a separate peace. The question is, can we in honor do it? Monsieur Gerard, Royal Syndic of Strasbourg, and Secretary of his Majesty's Council of State, informed the Commissioners on the 16th of December, *by order of the King*, that the only condition his Majesty should require and rely on would be this, "that we, in no peace to be made with England, should give up our independence, and return to the obedience of that government." The 8th article of the treaty of alliance declares directly the contrary, although the second says expressly, *Le but essentiel et direct de la présente alliance défensive, est de maintenir efficacement la liberté, la souveraineté, et l'indépendance des Etats Unis*. I most ardently wish for peace; at the same time the preservation of our national honor must be attended to. The virtue and wisdom of the representatives of our country in Congress will be shown, if this question should ever be agitated.

You will find by my letter to the Committee of this day's date, that the situation of affairs has not allowed me yet to go into Italy. My own inclinations, if they alone had been consulted, would have carried me there long ago. Mr William Lee was right in going to Vienna. That Court acts from its own opinion without control, and might possibly have been prevailed on to receive him publicly. The event has not proved answerable to our wishes. The conduct of the Empress Queen has certainly been occasioned by a resentment against the Court of France, for not contributing, contrary to their own interest, to the aggrandisement of the House of Austria. A resentment so ill founded and unreasonable may perhaps not continue long; in the mean time, however, it is exceedingly provoking to me, as I am living at the public expense, without having it in my power to fulfil the objects of my commission. Perhaps, indeed, my having been in Paris may not prove altogether useless; and I hope the papers I have transmitted to you may not be thought unworthy the attention of Congress. After having had the facts stated to them relative to the situation of affairs in Europe, they will judge what instructions are proper to be sent to me. If they are positive, at all events they shall be followed; if discretionary, I shall act to the best of my judgment.

You are so good as to assure me in your letter of the 19th of May, that you will upon all occasions have at heart my honor and interest, and that you will by every opportunity keep me acquainted with the state of affairs. I feel very sensibly these friendly assurances, and promise you that amidst the troubles and vexations in which I have been engaged, I derive considerable comfort and satisfaction from them. You say nothing of your son. I heartily rejoice at his promotion. He must have informed you, that he was very desirous of going into the Prussian army. I dissuaded him from it, and advised him, if he was determined upon becoming a soldier, to take Marshal Saxe and the Chevalier Foland's Commentaries upon Polybius into his hands, and go to America, where an ample field would be open to him. I am happy to find, that he has had no cause to repent of having followed my advice.

My wife offers you her compliments, and joins me in desiring that they may be presented to him. We have heard nothing very lately from his family in England; by the last accounts Mrs Laurens was well, and the child very much improved.

I am, dear Sir, &c.

RALPH IZARD.

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FROM THE ABBÉ NICCOLI TO RALPH IZARD.

Translation.

Florence, July 28th, 1778.

Sir,

Although M. Favi, who knows my attachment for you, regularly informs me concerning you, yet I was very much pleased with receiving a letter directly from yourself, dated the 11th instant, and to find thereby that the gout had left you at last, and that your little family were well. I beg you to embrace them for me.

I have often wished for you all at Florence, during my stay here, and to partake with you the delights that are to be enjoyed beneath a fine sky, and under the protection of good laws. I have tortured myself to find some means to induce you to come here; my conscience and honor have always dictated the counsels I have given you, so contrary to my inclinations, but most conformable to your situation and the circumstances you are placed in. I wish very much that the order you have received to effect a loan in Italy might furnish you with a plausible reason to make me a visit, but I see so many difficulties in this design, that I dare not flatter myself with hopes. You will permit me to mention those, which present themselves on the part of Tuscany. Tuscany, which has been deprived for upwards of two centuries of an active commerce, is but

just emerging out of the languishing and exhausted state into which she was plunged. There has indeed been for some years a large quantity of cash in circulation, but although my countrymen are convinced of the solvency of the United States, of their honesty in keeping their word, and that they consider their independence as established, they will not however lend their money, because they can employ it in a much more lucrative manner under their own eyes. To give you an evident proof of it, I send you the extract of an edict of his Royal Highness. You will find the inducements to be infinitely superior to anything the United States can offer.

I propose also to send you shortly an abridgment of the immunities, privileges, and liberties granted for fourteen years past by the Grand Duke to his subjects. You will see in it his system of administration, and you will judge whether, in a State favored as ours is, it can be reasonably expected to amass money to put it out to interest. I will moreover give you a proof of what has happened under his administration, and of which I am an eye witness. Cultivation of land has increased double, and landed property, if there is any for sale, is purchased at double the price it sold for before. The Grand Duke, who has reimbursed almost the half of the State debts, which he found at his accession, has the consolation to see the manner in which this money has been employed.

I confine myself, Sir, to one single point, to show you the little probability there is of accomplishing your object in Tuscany, leaving it to you to judge whether in the present circumstances government would not be blamed, should it permit a loan to be opened here for the United States. I know not whether they would permit such a thing for the Emperor.

This is enough respecting Tuscany. As to the other States of Italy, I see none in a condition to comply with your views excepting the Republic of Genoa. In this State, being strictly connected with France, you may not meet with the same difficulties on the part of the government, and as the Genoese have almost all their property in ready money, and are accustomed to lend to every body, I am persuaded you may find it with them, especially if the Ministry of France interposes favorably. I imagine that they will demand large interest, with security, perhaps, and guaranteed by the King of France. You will do well, before you open this negotiation, directly to speak about it to the Count de Vergennes; and he should speak to the Marquis Spinola, the Genoese Envoy. If you have not this recourse, I know not how you can fulfil the commission of Congress, because all Europe being in a convulsed state, money becomes scarce and dear. You know that the Empress Queen has opened a loan in her States of Brabant; perhaps, should the troubles not cease, she will open one likewise in Milan. Thus, my friend, you have my opinion; I am sorry that I cannot furnish you with some better hints, and more conformable to your wishes and mine. I say nothing respecting myself, and I know not yet what the Grand Duke will do with me; whenever he shall determine, you shall not be among the last who are informed of it. Communicate always good news of your country to me, and be assured of the perfect and sincere attachment with which I have the honor to be, Sir, &c.

NICCOLI.

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TO THE COMMISSIONERS.

Paris, August 25th, 1778.

Gentlemen,

In a letter, which I have lately received from Florence, and which I have had the honor of laying before you, it is recommended that an endeavor should be made to interest the Ministry in favor of any loan, that may be attempted in Genoa for the United States, as it is probable the Genoese may require the security of the Court of France for the payment of such sums, as they may have it in their power to lend. The Ministry must be convinced of the ability of America, in a few years after the establishment of peace, to discharge any pecuniary engagements she may at present have occasion to enter into, and the connexion, which subsists between the two countries, will, I hope, induce them to afford us every assistance in their power. I shall be glad to know whether you think I ought to apply to Count de Vergennes on the subject, or that the application should be made first by you; in either case, I shall be ready to co-operate with you, or act in any manner that shall appear most likely to produce the desired effect.

Captain Woodford, who has lately arrived in this city from Leghorn, informs me that there are some merchants there inclined to enter into the American trade. He is to command a vessel from that port, and is apprehensive of meeting some of the cruisers belonging to the States of Africa. This danger will probably deter many Americans from entering into the Mediterranean trade, and if possible it should be removed. The King of France, in the 8th article of the Treaty of Commerce, has engaged to employ his good offices and interposition with the Emperor of Morocco, and with the Regencies of Algiers, Tunis, and Tripoli, and every other power on the coast of Barbary, in order to provide as fully as possible for the convenience and safety of the inhabitants of the United States, and their vessels and effects against all violence, insult, attacks, or depredations, on the part of the said Princes and States of Barbary, and their subjects.

You will be so good as to inform me, whether any steps have been taken by the Court of France, for the security of the inhabitants of the United States, in consequence of the above article.

I have the honor to be, &c.

RALPH IZARD.

Passy, August 25th, 1778.

Sir,

We have the honor of your letter of this date, and shall give the earliest attention to its contents.

We apprehend there would be no impropriety at all in your application to his Excellency the Count de Vergennes, concerning the subject of a loan in Genoa, and we wish that you would apply. As we wish however to do everything in our power to procure you success, we shall do ourselves the honor to propose the subject to his Excellency the first time we see him, which will probably be tomorrow, when we shall make an application to him also upon the other subject of your letter, the interposition of His Majesty with the Emperor of Morocco, and with the Regencies of Algiers, Tunis, Tripoli, and every other power on the coast of Barbary.

We have the honor to be, &c.

B. FRANKLIN,  
ARTHUR LEE,  
JOHN ADAMS.

*P. S. August 27th.* Since writing the foregoing, we have spoken of the Genoese loan to Count de Vergennes, who gave us no encouragement to hope that France would engage for us in that affair. The other matter will be the subject of a proposed written memorial.

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TO THE ABBÉ NICCOLI.

Paris, September 1st, 1778.

Dear Sir,

Your favor of the 28th of July affords no very flattering prospects to us from Tuscany. My expectations and hopes from that quarter were high, and I confess that I am disappointed. All Europe appears to me to be interested in the success of our cause, and Italy will certainly receive no inconsiderable share of the benefits resulting from the establishment of the independence of the United States; it is, therefore, not a little to be wondered at, that she should refuse to stir a finger towards the accomplishment of that event. I am well aware, that the revenues of the Grand Duke are not equal to those of the King of France; something, however, is certainly in his power; and we are taught by Scripture to set a proper value on a single mite, when it is proportioned to the ability of the donor.

The Grand Duke, you say, has discharged almost half the debt with which he found the State encumbered at his accession. This is a proof of the wisdom and good government of his Royal Highness, and shows how well founded the opinion is, which the world has entertained of that excellent Prince. It shows also, that his State is in a very flourishing condition. I have been lately informed, that his Royal Highness intends shortly to discharge another part of his debt, to the amount of three millions of French livres. If this payment could be postponed, and the money lent to the United States, it would be of considerable service to them. You will excuse me for pressing this subject with earnestness, as I have the greatest desire to execute the business, which the Congress have done me the honor of putting into my hands.

Captain Woodford has lately arrived here from Leghorn; he informs me that some merchants at that port are determined to enter into the American trade, and that he is to command a vessel from thence bound to Virginia, which he thinks will be ready to sail in the course of a few weeks. He is a man of a very good character, and I hope he will succeed, which will probably induce many others to follow his example. He has charged himself with the delivery of this letter, and I do not doubt but that you will give him any advice or assistance in your power to facilitate the execution of his plan.

My wife and family join in offering you their compliments, and I am, dear Sir, &c.

RALPH IZARD.

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TO COUNT DE VERGENNES.

Paris, September 2d, 1778.

Sir,

I am directed by the Congress to endeavor to procure a loan of money in Italy, and have in consequence done everything in my power to obtain proper information on the subject. My correspondent in Tuscany gives me no hopes of procuring any there, as that country is just beginning to emerge from a state of languor, under which it has suffered for two centuries.

No other part of Italy seems to afford a more agreeable prospect except Genoa, and I am told, that even there, the security of the Court of France will probably be expected, for any sum which the inhabitants of that Republic may have it in their power to lend to the United States. The value of the paper currency of America has sunk, on account of the great sums which it has been absolutely necessary to issue in the prosecution of the war against Great Britain. If the loan can be obtained, the Congress will be enabled to reduce the quantity in circulation, and at the same

time raise and establish the credit of the remainder. This will be of such important service to our country, that I am induced to hope your Excellency will be so good as to afford us your assistance in it, and speak to the Marquis Spinola, the Envoy from Genoa, on the subject. I shall be extremely happy to have it in my power to inform the Congress, that by your Excellency's assistance, I have been enabled to execute the trust which they have committed to me.

I have the honor to be, &c.

RALPH IZARD.

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TO HENRY LAURENS,  
PRESIDENT OF CONGRESS.

Paris, September 12th, 1778.

Dear Sir,

My last letter to you was dated the 25th of July, and yours of the 19th of May still continues the only one I have been favored with from you. My letter of the 28th of June was accompanied by several papers, which appeared to me proper that you and every other friend of our country should be acquainted with. Five sets of them were sent to you, and it will be very unlucky if one of them does not get safe to your hands.

The molasses business would certainly have proved the source of continual disputes if it had not been altered, but the mischief, which might have been expected from that, is beyond comparison less than what is pointed out in my letter to Mr Lee of the 18th of May. My apprehensions on this subject were communicated to the Commissioners at this Court, but I am sorry to say that they made no impression upon them. Mr Lee alone seemed to think it possible I might be right; the other two gentlemen were perfectly satisfied. Dr Franklin's usual consciousness of infallibility was apparent, and Mr Adams insinuated, that the business of the treaties was put entirely into the hands of the Commissioners at this Court, and nobody else had any right to give their opinions about them; that he understood that I had objected to the 11th and 12th articles of the Treaty of Commerce respecting molasses, but he believed I should find myself greatly mistaken in that matter; that he did not doubt but those articles would be extremely popular in Congress, and that they would be very angry when they were informed that I had objected to them. I answered, that I was sensible the conclusion of the treaties was committed solely to the gentlemen he mentioned, but that the principles in which I had been educated militated against the other part of his opinion; that I had thought it my duty to oppose the proceedings of the King and Parliament of Great Britain when they were injurious to my country, that the same motives had occasioned my opposition to the articles in question; that I had submitted my objections to the treaty to the President, and hoped he would make them known to Congress; that if they thought I had acted wrong, I should of course be informed of it by him; that I should in that case look upon myself to be no longer fit to be employed, when my opinion differed so totally from that of my employers, and should request the favor of the President to procure the leave of Congress for me to return into my own country.

I have had the satisfaction, however, of finding that Mr Adams, as well as his countrymen, Dr Franklin and Mr Deane, have been mistaken in their expectation, that Congress would be inattentive to the interests of nine States of America to gratify the eaters and distillers of molasses. I am yet to learn whether the arguments made use of in the abovementioned letter of the 18th of May have had any weight with you, and the other gentlemen to whom I desired you to submit them, but I am very sorry to inform you that my apprehensions were too well founded. The letters, which Mr Lee has lately received from Spain, leave not the least room to doubt what the expectations of that Court are respecting the Floridas. For my own part, no such additional proof was necessary after having compared the 5th article of the Treaty of Alliance with the 9th article of the original treaty, transmitted by Congress.

The conduct of Spain has been full of ambiguity; she has been arming with all possible diligence, and at the same time sent an Ambassador to London, who has hitherto made use of no other language but that of peace and mediation. England, who seems to have lost her common sense at the same time that she parted with her humanity, does not appear to suspect that the delays of Spain may possibly be intended only to make her blow more certain and effectual. Some politicians believe, that the delays of Spain have been occasioned by her being averse to the independence of America. Nothing can be more absurd than such an opinion. Spain can have nothing to apprehend from us alone, equal to what she had reason to fear from the united strength of Great Britain and America. When the present war is ended, I hope the blessings of peace will be long enjoyed. Should Spain be suffered to get possession of the Floridas, perpetual causes of quarrel may be expected, and therefore I hope the wisdom of Congress will guard against this evil.

When my apprehensions on this subject were communicated to the Commissioners at this Court, a proper explanation I believe might have been obtained from the Ministry under their hands, as the ratification of the treaties was not arrived, and it is certain they were very much alarmed about them, and expected they would have undergone a much severer scrutiny than they did. The limits, which Congress have prescribed in the 9th article of their original treaty, are such as I am convinced we ought to have, and I hope that nothing will happen to make it necessary that they should be altered. Mr Lee will, I suppose, inform Congress of the contents of his letters from Spain on this subject. It appears of so much consequence to the Southern States, that I think they should be consulted separately on the subject of ceding the Floridas to Spain,

before the question is brought before Congress.

In my letter to the Committee of Foreign Affairs, of the 25th of July, I enclosed them two letters, which I had written to the Abbé Niccoli at Florence, on the subject of money. I now send you his answer, by which you will find that there is no very flattering prospect of obtaining any there. I send you likewise enclosed several other papers, which will show you that I have done everything in my power to fulfil the wishes of Congress; nothing has been left unattempted to promote the success of what I have had constantly at heart. I have had an interview with Count de Vergennes, Secretary of State for Foreign Affairs, and endeavored to prevail upon him to offer the security of the Court of France for any money, which might be borrowed in Italy for the use of the United States. He refused affording any assistance in the matter. I then wrote him the enclosed letter of the 2d of September, without promising myself much hopes of success from it. The King of Prussia during the last war received a subsidy from Great Britain, of between seven and eight hundred thousand pounds sterling. The object to be obtained was certainly much less considerable, than what France has already got by the dismemberment of so great a part of the dominions of her natural enemy, and yet the States of America, her allies, whose exertions have procured so desirable an event for her, have no subsidy, and even her assistance in effecting a loan is refused. France has certainly great demands for money herself; she might, however, have been more liberal than she has been, and I am of opinion she would have been so, had things been properly conducted by those who ought to have thought less of themselves and more of the public.

I have in this, and some of my former letters, given you my opinion on such parts of the treaties as appeared likely to prove injurious to us. The Southern States are most affected by the articles, which have been already taken notice of. The 9th and 10th articles of the Treaty of Commerce contain matter which will, if I am not much mistaken, prove the subject of great uneasiness to the States of New England. The gentleman, whose presumption and self sufficiency I have already complained of, may in this instance, I believe, be acquitted of having any design. Whatever there may be improper in these articles can be only attributed to the want of information, and to their not being acquainted with the subject.

When the peace of Paris in 1763 was concluded, I was in London, and heard the subject of the fishery much discussed; the French pretended that by the 13th article of the treaty of Utrecht, they had an exclusive right to fish on all that part of the island of Newfoundland, which extends from Cape Bonavista to Point Riche. The English Ministry would not admit of any such explanation of the article, and accordingly the French have enjoyed no such exclusive right since. The words "indefinite and exclusive right" are not to be found either in the treaties of Utrecht or of Paris, yet they were inserted in the 10th article of our treaty of commerce, and that it may seem as if no innovation was intended, that right is claimed as having been *designed* by the treaty of Utrecht, and the whole is to be conformable (not to the words,) but to the *true sense* of the treaties of Utrecht and Paris. I do not think that the States of New England would be very well contented, if they should find themselves excluded from the right of fishing on any part of the coast of Newfoundland. I have endeavored to get all the information I could on this matter, and am confirmed in my opinion that it is intended.

The discussion of this business will probably not be entered upon till the conclusion of peace, and that event I fear is not very near at hand. It is however of importance, that those persons who are likely to be affected by this matter should be acquainted with what I have written to you about it, that they may consider it and be prepared.

The commercial business of America in this kingdom continues still in confusion. You were fully informed on this point sometime ago, and I recommended Mr Lloyd strongly as a proper person to set these matters right. I believe him to be a very capable merchant, and I have the highest opinion of his integrity and attachment to the cause of America. These are qualities at all times to be valued, but in the present situation of our affairs, at the distance the commercial agent is placed from the seat of inquiry, the difficulty there is of preventing the plunder of the public money, and the detecting of it after it is done, are additional motives with me for wishing to see the commercial business of our country in his hands. He is going to America, and I expect that he will see you at Congress. Dr Franklin is still endeavoring to place his nephew in that office.<sup>[68]</sup> Whether he is a proper person I shall not take upon me to decide. Mr Lee thinks he is not, and I suppose will offer his reasons to Congress.

I have lamented exceedingly that the situation of affairs has not permitted my going into Italy. Perhaps my having been here, and the observations that I have sent you respecting the treaties, may not prove useless; should my countrymen think so, it will give me great satisfaction.

I am, dear Sir, &c.

RALPH IZARD.

*P. S.* I have communicated my sentiments to Mr Lee and Mr Adams respecting the fishery, and I hope they will write on the subject to their friends. It will, however, I think, be very proper for you to speak to the New England delegates about it, that they may have time to consider it, and consult their constituents.

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THE COMMITTEE OF FOREIGN AFFAIRS TO RALPH IZARD.

Philadelphia, October 28th, 1778.

Sir,

It is unnecessary to say anything to you about the particular foundation of the enclosed Resolve. We hope you will experience good consequences from it, in a point very interesting to you while in Tuscany. There, you certainly must depend greatly on our correspondents in France for American intelligence, which will be much more frequently sent from hence to them than to you. We shall enjoin it upon them to furnish you, and particularly upon Mr Adams, while he remains at Paris.

Mr A. Lee will communicate to you the purport of some papers, which are sent to him, and in which you are jointly concerned. It was not possible for us at this time to send you extracts from them.

You will be pleased at knowing that the British Commissioners are convinced of the folly of their errand to America, and are returning home. It is probable that the British army will follow them soon, or at least go to the West Indies. Of this, however, the Marquis de la Fayette, the bearer, may gain fuller information before he sails from Boston. Though a pressing load of other business has till this time prevented Congress from taking up the whole consideration of their foreign affairs, yet that must be the speedy consequence of their appointment of Dr Franklin Minister Plenipotentiary at the Court of France. All the papers of this Committee are on their table, and we shall despatch packets upon any material decision.

In the mean time we wish you every success, and are with much regard, Sir, your friends and humble servants,

RICHARD H. LEE,  
JAMES LOVELL.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, January 28th, 1779.

Gentlemen,

I have had the honor of informing Congress, that the political state of Europe has prevented the Grand Duke of Tuscany from receiving me in the character of their representative, and as I thought it would be injurious to them if I had resided at his Court in any other character, I have remained in France, ready to embrace the first opportunity of obeying the orders of Congress, if any change of circumstances should put it in my power to do so.

In consequence of a resolution of Congress, "that the Commissioners at the other Courts in Europe be empowered to draw bills of exchange from time to time, for the amount of their expenses, upon the Commissioners at the Court of France," I drew a bill of exchange on the 12th instant for five hundred louis d'ors, on the Commissioners at this Court, and I waited on them at Passy with it myself for acceptance. I presented it to Dr Franklin, as eldest, who refused to accept it. He said the two thousand louis d'ors, which I had already had, were so extravagant a sum, that he was sure I could not have spent it, and if I had, he saw no reason why Congress should support my family. Congress will be pleased to recollect, that my commission is dated the 1st of July, 1777, and that I received it the September following. Dr Franklin added, that the resolution of the 7th of May, 1778, to which I referred him, directed that the Commissioners *at* the other Courts of Europe should draw bills for the amount of their expenses, but as I was not *at* Florence, he was determined not to consent that any more money should be paid me, and I might protest the bill if I pleased. I desired that he would favor me with his reasons in writing, which he promised to do; but though I wrote to him eight days after about it, and received a repetition of his promise under his hand, he has not to this day paid the least regard to it. Congress will judge, when they consider the differences, which have for some time past unhappily subsisted between us, by what motives Dr Franklin has been actuated in the conduct, which I have just stated, and will, I hope, take such measures as will for the future prevent any such unjustifiable proceedings.

As the Commissioners at the other Courts of Europe are directed to draw bills of exchange for their support, on the Representatives of Congress at the Court of France, the situation of the former will be very deplorable, if the latter are allowed the liberty of disobeying those orders of Congress, whatever may be the pretence for such disobedience. At the time of Dr Franklin's refusal to accept my bills for five hundred louis d'ors, there were in the hands of the public banker between two and three hundred thousand livres. Dr Franklin is not empowered to judge of the propriety of my going into Italy, or staying in France. I consulted him however about it, and it was his opinion, that the situation of affairs did not admit of my going to Florence. After Dr Franklin had refused to accept the bill, I presented it to Mr Lee and Mr Adams, who accepted it immediately. It is with reluctance that I lay this matter before Congress, but it is my duty to do it, as it is an evil that requires an immediate remedy. Our disagreements are much to be lamented by every friend to our country; I can, with the most perfect truth declare, that I have done every thing in my power to prevent them, but I have found it impossible. I have a most grateful sense of the goodness of Congress to me, in appointing me one of their Representatives in Europe; it has been my constant wish to prove myself worthy of the confidence with which they have honored me, and I consider it as my greatest misfortune, that I have not had it in my power to render them any service.

As there does not appear to be any prospect of my being received in my public character at Florence, nor any other means of my being of service, I am desirous of returning to America. I should take the first opportunity of doing so, but do not think myself at liberty to leave Europe

without the permission of Congress; you will very much oblige me if you will be so good as to obtain that permission for me, and send me copies of it by several opportunities.

I have the honor to be, &c.

RALPH IZARD.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, March 4th, 1779.

Gentlemen,

I had the honor of writing to you on the 28th of January, and have since received your letter of the 28th of October, informing me of the appointment of Dr Franklin to be Minister Plenipotentiary at the Court of France, and enclosing a resolution of Congress of the 22d of the same month. The respect, which I owe to the Representatives of my country in Congress, would make me follow any advice which I might receive from them. I am most perfectly convinced, that the cultivation of harmony and good understanding between the Ministers, Commissioners, and Representatives of Congress, is necessary for the honor and interest of the United States, and I have acted to the utmost of my power in conformity to that opinion.

Congress will be enabled to judge how far their other servants have done so, from the papers which have already been, and will be, laid before them. I beg leave to repeat again the high sense I have of the honor that Congress did me, in appointing me one of their Representatives in Europe, and to request that you will be so good as to obtain their leave for me to return to America, as I see no prospect of my having it in my power to render them any service in this part of the world. I should embrace the opportunity of going under the convoy of the Alliance frigate, but do not think myself at liberty to leave Europe without the permission of Congress.

I have the honor to be, &c.

RALPH IZARD.

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THE COMMITTEE OF FOREIGN AFFAIRS TO RALPH IZARD.

Philadelphia, July 17th, 1779.

Sir,

Your letter of March 4th was read in Congress three days ago, being then only first received by the Committee of Foreign Affairs. We should have been very happy to have received it before the 8th of June,<sup>[69]</sup> as it would, undoubtedly, have founded a resolve of Congress more agreeable to us to communicate officially, than that to which we must now refer you in their journals, printed authoritatively by David C. Claypole, and which are in the hands of Doctor Franklin, or Doctor Arthur Lee, at Paris.

We have till now omitted to forward to you that resolve for your recall from the Court of Tuscany, as we daily expected a settlement of a definite recompense for your services to these United States. But the modes of doing business in such an assembly as Congress will not warrant our detaining, until such settlement, some important papers committed to us to be sent to the Court of France.

I am, with sincere regard, &c.

JAMES LOVELL,  
*For the Committee of Foreign Affairs.*

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, September 29th, 1779.

Gentlemen,

I have lately been favored with your letter of the 17th of July, referring me to a resolution of Congress of the 8th of June, by which I find that they have been pleased to recall me. It has long been my wish to resign a commission, which did not put it in my power to be of any service to America; and, therefore, if Congress had had the goodness to have expressed their resolution in such a manner as not to have conveyed a censure, which my conscience tells me I have not deserved, it would have given me a great deal of pleasure.

You say that if my letter, of the 4th of March, had been received before the 8th of June, it would have founded a resolve of Congress more agreeable to you to communicate than the one referred to. I have received, likewise, the resolution of Congress of the 6th of August, respecting the allowance to be made to the Commissioners. Upon my applying to Dr Franklin to know if he had received any directions from Congress to pay me any money, and whether he thought himself authorised by that resolution to do it, he answered me, that he had received no orders about it. "On the other hand, (said he) there is a part of it which directs, that every Commissioner, who has been intrusted with public money, shall transmit without delay his accounts and vouchers to the Board of Treasury in order for settlement. Till such settlement is made, I conceive it cannot be known what, or whether anything, is due to you." I was in hopes, that after what I had already written to Congress on this subject, it would have been unnecessary to trouble them any more

about it. Their resolution of the 7th of May, 1778, directs, "that the Commissioners appointed for the Courts of Spain, Tuscany, Vienna, and Berlin, should live in such style and manner at their respective Courts, as they may find suitable and necessary to support the dignity of their public character, keeping an account of their expenses, which shall be reimbursed by the Congress of the United States of America." I have repeatedly informed Congress of my reasons for not going into Italy. Had those reasons not been satisfactory, they would doubtless have signified their pleasure to me on the subject, which should have been the rule of my conduct.

I do not conceive that the resolution of the 6th of August, which directs that those who have been intrusted with public money shall transmit their accounts and vouchers to the Board of Treasury to be settled, can have any reference to me. I have received two thousand five hundred louis d'ors of the public money, exclusive of the clothes and education of my children. This latter circumstance I should not have mentioned, had not Dr Franklin told me, that he saw no reason why Congress should maintain my family. I cannot believe, that Congress intended any such distinction when they sent me a commission, nor when they entered into the resolution of the 7th of May, 1778; neither can I think, that, by calling for the accounts and vouchers of those who have been intrusted with public money, their intention is to enter into an examination of my butcher's, baker's, or apothecary's bills. I hope they will be satisfied with being informed, that my expenses during the two years, that I have had the honor of being in their service, have amounted to sixteen hundred louis d'ors a year. The resolution of the 6th of August set forth, that the *reasonable expenses* of the Commissioners shall be paid. It is impossible for me to tell what ideas may be affixed to those words; but I am sure, that whatever Congress may think reasonable will be perfectly satisfactory to me, let the sum be what it will. All I desire is, that I may not be subjected to be ill treated by a man, who is become my enemy, because I have done my duty to the public.

I have the honor to be, &c.

RALPH IZARD.

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TO THE PRESIDENT OF CONGRESS.

Philadelphia, August 6th, 1780.

Sir,

In several letters which I wrote to Congress from Paris, I acquainted them with my reasons for not going into Italy. It will give me great pleasure to be informed, that those reasons and my conduct have been approved of by the Representatives of my country. Permit me, Sir, to request, that you will be pleased to inform Congress of my arrival in this city, and that I shall be ready, whenever it is their pleasure, to give them any information in my power respecting their affairs in Europe.

I have the honor to be, &c.

RALPH IZARD.

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# THE CORRESPONDENCE OF HENRY LAURENS,

## COMMISSIONER FOR NEGOTIATING A TREATY OF AMITY AND COMMERCE WITH HOLLAND.

Henry Laurens was a native of Charleston, South Carolina, and born in the year 1724. He was among the foremost in embracing the cause of the Revolution, which he maintained to the end with extraordinary integrity, zeal, and firmness. As President of the first provincial Congress of Carolina, which assembled in 1775, he showed a determined spirit, that never forsook him afterwards, even in times of severe trial and suffering. He was a prominent member of the Continental Congress, and chosen President of that body on the resignation of Hancock. In the year 1779, the finances of the United States became so low, that it was found necessary to use every effort to procure foreign loans, and Mr Laurens was appointed a Commissioner to negotiate a loan in Holland. On the first of November following, there was joined to this commission another, which authorised him to negotiate a treaty of amity and commerce with the United Provinces.

Various reasons prevented his leaving the country, till the last of August, 1780. Meantime the Commission for a loan had been assigned to John Adams, and Mr Laurens was exclusively charged with the negotiation of a treaty. A few days after he sailed, the vessel was taken by a British man of war, and carried into St John's, Newfoundland. From this place Mr Laurens wrote to Congress, but he was immediately sent to England, where he was closely imprisoned in the Tower for nearly fifteen months. He was at length released, in exchange for Lord Cornwallis. His papers were thrown overboard when the vessel was taken, but they did not sink before they were secured by the enemy. Being forwarded to London, their contents became the chief cause of a war between England and Holland.

After his release from the Tower, Mr Laurens went over to Holland, where he met Mr Adams, and proposed to engage in the business of his mission, but did not find by Mr Adams's instructions, that he was authorised to proceed in such a measure. In reply to his request for a recall, Congress informed him, that his services were still needed in Europe, and directed him to join Messrs Franklin, Adams, and Jay at Paris, to assist in the negotiations for a general peace. This duty he performed, as far as the precarious state of his health would admit. Between the signing of the preliminary and definitive articles he spent much time in London, and rendered essential service by the intelligence he communicated to the British Ministry, and leading men of the government party, respecting the feelings of the people in the United States, particularly in regard to matters of trade, and a commercial treaty, which were then agitated in the British councils. He had several interviews on American affairs with Mr Fox, to whom he expressed his mind freely, as he had formerly done to Lord Shelburne.

Mr Laurens returned to the United States in the summer of 1784, and retired to his native State. No solicitations could induce him afterwards to accept any public office. He died on the 8th of December, 1792, at the age of sixty-nine.

## THE CORRESPONDENCE OF HENRY LAURENS.

### INSTRUCTIONS TO HENRY LAURENS.

In Congress, October 26th, 1779.

Congress took into consideration the report of the Committee on Instructions to the person appointed to negotiate a loan in Holland; whereupon

*Resolved*, That he be instructed to borrow a sum not exceeding ten millions of dollars, at the lowest rate possible, not exceeding six per cent per annum.

*Resolved*, That he be empowered to employ, on the best terms in his power, some proper mercantile or banking house in the city of Amsterdam, or elsewhere, in the United Provinces of the Low Countries, to assist in the procuring of loans, to receive and pay the money borrowed, to keep the accounts, and to pay the interest.

That he be also empowered to pledge the faith of the United States, by executing such securities or obligations for the payment of the money, as he may think proper; and also that the interest shall not be reduced, nor the principal paid, during the term for which the same shall have been borrowed, without the consent of the lenders or their representatives.

That he be directed to give notice to Congress of any loan made by him, or under his authority, and to direct the house by him employed to accept and pay the bills of exchange, which may be drawn under the authority of Congress.<sup>[70]</sup>

### COMMITTEE OF FOREIGN AFFAIRS TO HENRY LAURENS.

Philadelphia, December 11th, 1779.

Sir,

By the enclosed resolves of Congress, you will find that we are become more dependent upon your vigorous exertions for the amelioration of our currency, than you perhaps expected when

you left Philadelphia.<sup>[71]</sup> We think it of so much importance, that you should be early apprized of the measure determined upon respecting bills of exchange, that we do not choose to omit this good opportunity of conveying them, though unattended with a full explanation of the reasons which urge Congress to draw, more especially as you are so well enlightened by your late presence in that assembly.

We are, with every wish for your prosperity, &c.

JAMES LOVELL,  
ROBERT R. LIVINGSTON,  
WILLIAM HOUSTON.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Charleston, January 24th, 1780.

Gentlemen,

On the 11th instant I had the honor of receiving your commands of the 11th ultimo, accompanied by two Acts of Congress, one of the 23d of November, 1779, for drawing bills of exchange "on Mr John Jay for one hundred thousand pounds sterling, and on Mr Henry Laurens for a like sum," and for appointing a Committee to report, &c. the other of the 29th of November, for carrying the first Act into effect by modes therein specified. Neither of these Acts intimates where the intended drafts are to be paid, nor where Congress expects me to be at the presentation of the bills, which are to be assigned for my acceptance, nor directs me to funds for discharging them; nor do the contents of your said favor of the 11th of December elucidate these ambiguities.

Probably, however, it might have been expected, that although I am to cross the Atlantic single, and the bills in quadruplicate, and although I am not yet honored with the Act of Congress appointing me to negotiate a loan in Europe, which should have been lodged in my hands as the corner stone for my proceeding, nor with means for procuring or paying for a passage thither, nor with other necessary and promised acts and letters from Congress, I am to meet one bill of each set in some part of the United Netherlands.

Taking for granted, therefore, that the bills are not to be presented to me in any part of America, I shall embark for Europe by the first opportunity, and, if it please God, that I arrive in safety, I shall proceed to Paris and Amsterdam with all possible despatch, when I shall expect to receive further and more explicit commands from Congress for enabling me to make those vigorous exertions, on which you are pleased to say the credit of our paper currency, or which is the same thing, the credit of these United States depends. Had I been apprized in proper time, that this quick step in accommodation bills had been in embryo, I should not have had resolution to face them. Should there now be any failure, it will not be the result of delinquency in any respect on my part.

I entreat you, Gentlemen, to inform Congress that I have engaged for a passage to France on board the French frigate Chimere, commanded by the Chevalier Durumain, who, at the special request of this State, is gone on a short cruise on the coast, in company with three of the Continental frigates, with a prospect of intercepting some of the enemy's transport ships and troops from New York, intended for Georgia. Immediately after the Chimere arrives at the bar of Charleston, whither she is to return for necessary stores for her voyage, I shall embark. If any accident shall prevent her return, I will embrace the very next earliest opportunity of proceeding, either direct for Europe, or by way of the West Indies, without regard to my own private interest or indulgence. No vessel has sailed from this port for Europe, since my arrival here.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Charleston, February 14th, 1780.

Gentlemen,

My last address went forward, under the 31st ult. by Mr Renshaw, one of the corps of escorts. The 10th instant, General Lincoln was on the point of ordering the Ranger frigate to conduct me to France. Governor Rutledge had given his consent, and I believe there would have been no opposition in Council, but on the 11th we received authentic intelligence of the arrival of the enemy's troops from New York, at and near Tybee, and the next day of their having landed a large detachment on John's Island, within sixteen miles of this capital. We heard yesterday, that another detachment had landed, and repossessed Beaufort, and we know that two ships of the line, two frigates, and several armed vessels, are cruising near the bar of this harbor. Thus environed an attack upon Charleston, very illy prepared for defence, may be every hour expected.

In these circumstances, were I to study my own private interests and desires, I should remain here, and stand or fall with my country. Whatever her fate may be, exceedingly heavy losses to me will be the consequence of my absence at this critical conjuncture, but the Governor and other judicious friends urge me to use every endeavor for obtaining a passage through some other channel. Duty dictates the same measure. I shall therefore proceed to North Carolina, where are four vessels belonging to this port, and embark immediately on board of one of them.

In the mean time, I shall omit no opportunity of acquainting you with my circumstances.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Charleston, February 24th, 1780.

Gentlemen,

I had the honor of intimating on the 14th instant, by a public messenger, my purpose of seeking a passage to Europe from North Carolina, but upon inquiry into the circumstances of the four vessels alluded to, I judged it best to embark at this port. General Lincoln has hired a swift sailing brigantine, the *Adriana*, Josiah Hill master, to conduct me to Martinique, and the government has relaxed the embargo on the vessel, and such cargo as she will be laden with, which will be no more than sufficient to ballast her. By agreement, this vessel should have sailed on the 20th instant, but bad weather and distracted times have been impediments. She will be ready for sea tomorrow. Nothing that I foresee will then detain her, unless the wind shall be unfavorable.

The General has contracted to insure the value of the vessel, with the condition of shipping such quantity of goods on Continental account, as I should judge proper, freight free; but I must pay for the use of the cabin, this being the perquisite of the master; and although it is small and very inconvenient, I suppose it will cost me forty or fifty guineas. I cannot yet bring Captain Hill to be explicit in his demand, but it shall be ascertained before I embark. Considering that the circuitous voyages, which I must make, will be attended with great expense; that Congress would have furnished me with means for defraying my expenses had it been in their power; that they had in contemplation when I left Philadelphia to raise a fund abroad, by the exportation of indigo; that I had an opportunity of shipping that and other articles free from freight, and at very moderate prices, compared with those of the staples of other States, I presumed that it would be pleasing to Congress that I should make such an export, on account of the United States, as will appear in the enclosed invoice and bill of lading. The indigo alone will probably yield upwards of £3200 sterling, at some market in Europe. The whole shall be faithfully accounted for, and I trust that Congress will enter into a resolution for indemnifying me, and order the amount of the invoice to be placed to my credit. If it please God to conduct me in safety, a part of the money arising from the sale of the goods may be very acceptable to Mr Jay, or other gentlemen in the service of these States abroad.

The vessel in which I am to embark is esteemed so good in this town, as to induce underwriters, notwithstanding she is to sail in the face of British men of war, to insure on her at 25 per cent; coming into this port she was pursued by those very men of war and their tender, but escaped them; she is now clean, and barely in ballast for sailing, and will go out in an evening. My long delay is a subject of grief to me, but Congress will be pleased to recollect, that I made my coming to Charleston, in order to present myself at the tribunal of my country, the *sine qua non* of my acceptance of a new mission. The first opportunity that offered for Europe was the *Chimere*, Commodore Durumain. I have already informed you of the causes of my disappointment. I had not thought it possible, that the Commodore would have induced a junction of two Continental frigates with his little squadron of three ships, under an excellent plan for a ten days' cruise, unless he had been fully determined to perform his part in the execution. A contrary proceeding exposed those frigates to imminent danger, which they narrowly escaped. What has happened since the Commodore's departure, respecting my intended embarkation, Congress have been informed of.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE COMMITTEE OF FOREIGN AFFAIRS.

Vestal—British Frigate, }  
St. John's, Newfoundland, September 14th, 1780. }

Gentlemen,

I had the honor of writing to the Board of Admiralty, from on board the *Mercury* packet, the 23d ult.<sup>[72]</sup> by Captain Young, at parting with the *Saratoga*. On the 3d instant, the *Vestal* came in view, and after a pursuit of some five or six hours, Captain George Keppel took possession of the packet. Mr. Young, Captain Pickles, and myself, were conducted on board this ship, and yesterday we arrived here.

Certain papers, among which were all those delivered to me by Mr Lovell, and the board of Admiralty, fell into Captain Keppel's hands. These papers had been enclosed in a bag, accompanied by a considerable weight of iron shot, and thrown overboard, but the weight proved insufficient for the purpose intended. Admiral Edwards, Governor of this Island, and commander of the stationed squadron, has ordered me to England in the sloop of war *Fairy*, under the command of Captain Keppel. Mr Young and Captain Pickles will probably go in the same vessel.

I should be wanting in justice, and indeed deficient in common gratitude, were I to omit an acknowledgment of Captain Keppel's kindness to myself, and to everybody captured in the

Mercury. Captain Pickles' conduct, while he had the command of that vessel, was perfectly satisfactory to me.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE PRESIDENT OF CONGRESS.

Tower of London, December 20th, 1781.

Sir,

Almost fifteen months have I been closely confined, and inhumanly treated, and even now have not a prospect of relief. The treaty for exchange is abortive. There has been languor, and there is neglect somewhere. If I merit your attention, you will no longer delay the only speedy and efficacious means for my deliverance. Enter this if you please, and what it may produce, on your Secret Journal, and pardon the omission of ceremony.

I am, full of love and respect for you,

HENRY LAURENS.

*P. S.* A friend will trace the direction in ink.

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TO THE PRESIDENT OF CONGRESS.

Amsterdam, May 30th, 1782.

Sir,

From the 6th of October, 1780, to November, 1781, I remained a close prisoner in the Tower of London, without hearing of any steps taken for my release, or for my support or consolation in that distressed state, either by Congress or by any of their servants.<sup>[73]</sup> In the latter month I learned that Mr Edmund Burke had, some very little time before, applied to Dr Franklin to effect an exchange between Lieutenant General Burgoyne and myself, that the Doctor had replied that he had in his possession a resolution of Congress for that purpose, a copy of which he then transmitted to Mr Burke; and about the same time, a letter from Dr Franklin to Mr Hodgson, or to Mr Vaughan, I forget which, was put into my hands in the Tower. In this letter, the Doctor expressed some satisfaction in having heard from "high authority," that I was well satisfied with the treatment I had received in my imprisonment, (the contrary was notorious to the whole world) and he directed the pittance of one hundred pounds to be paid to me, if I should stand in need. To the first part I desired it might be answered, that the Doctor had been most egregiously misinformed, and imposed upon by the "high authority," and that the second was to me, after thirteen months imprisonment, *like a drop of water from the very tip of Lazarus' little finger*. But I heard no more from Dr Franklin on these subjects, or any other, while I was in confinement, nor till four months after my enlargement, and I have received no money from him at any time.

On the 20th of December last, being still a close prisoner, I penciled a few lines to Congress, informing them of the ill usage I had suffered in the Tower; that the proposed treaty for exchange had proved abortive, slightly intimating there had been a neglect of me somewhere, and entreating that the only efficacious measure might be adopted for my release. I penciled seven copies of this letter, passed the whole into the hands of a friend in London, and desired he would forward them to Holland, and France, in moiety, for distribution on board eight vessels bound to America. From this precaution, I trust one has gained the place of address.

Within a day or two after the British Ministry had determined against accepting Lieutenant General Burgoyne in exchange for me, an inquiry was made of me, from them as I believed, whether Doctor Franklin had power to exchange Lord Cornwallis for me, to which I could give no positive answer, and there the subject dropped. On the 31st of December, being, as I had long been, in an extreme ill state of health, unable to rise from my bed, I was carried out of the Tower to the presence of the Lord Chief Justice of England, and admitted to bail, "to appear at the Court of King's Bench, on the first day of Easter term, and not to depart thence without leave of the Court." This measure it seems had been preconcerted, and determined upon without my solicitation or knowledge, but I refused to enter into that, or any other obligation, until I had previously made the following declaration to Mr Chamberlain, Solicitor of the Treasury, (who had been sent by the Secretaries of State to notify me in the Tower of their intention to enlarge me upon bail) in the audience of several officers of the Court, the Governor and Deputy Governor of the Tower, and other persons who attended upon the occasion, at Sergeant's Inn. "In order to prevent, or to save trouble, as I do not know the nature of the obligation to be required of me, I think it necessary to premise, that I will do no act that shall involve me in an acknowledgment of subjection to this realm, and that I save and reserve to myself all the rights and claims of a citizen of the united, free, and independent States of North America."<sup>[74]</sup> This solemn second abjuration of the King, in one of his own Courts, was going as far as decency would permit, and I was at that moment in so very low and languishing a state, that I could express myself no further. None but God knows what I suffered, and I expected nothing less than to be remanded immediately to the Tower. The Solicitor concluded by saying, that some violence had been done to the laws for my relief.

About ten or twelve days before the first day of Easter term, being still in a very bad state of health, I obtained permission to leave England, in order to hold a conference with Mr Adams,

having a warrant from under the hand of Lord Shelburne to leave England, and for putting off the day first assigned for my appearance at the Court of the King's Bench. Mr Adams met me at Haerlem, (within twelve miles of Amsterdam) and, in a conversation of a very few minutes, confirmed me in opinions, which I had firmly and uniformly delivered to the British Ministry, that the United States of America would not enter upon any treaty with Great Britain, but in terms of the treaty of alliance between France and America. On the 23d of April I returned to London, and repeated the next day to Lord Shelburne, what I had formerly assured his Lordship on that head, in which his Lordship had supposed, or perhaps only hoped, that I had been mistaken for want of better information. I left his Lordship apparently disappointed and chagrined.

On the 25th, I peremptorily declared my intention to surrender myself to the Court of King's Bench, the Court being then sitting, to discharge my bail, and submit my person to the will and disposition of the Court. This having been signified to Lord Shelburne, his Lordship sent to me by the hands of Mr Oswald, one of my bail, an ample discharge on the 27th. Reflecting that there had been frequent attempts, while I was in the Tower, to discharge me under a pardon, even privately, and to be effected by some contrivance without my own concurrence and knowledge, I questioned Mr Oswald before I would accept the discharge, whether it proceeded in any degree from a grant of pardon, to which he answered in the negative upon his honor. Lord Shelburne having, before I had been to visit Mr Adams, proposed to grant me a full and unconditional discharge, I had replied to his Lordship, that I dared not accept of it myself as a gift, that Congress would make a just and adequate return for my enlargement, that having once offered a British Lieutenant General in exchange for me, I was under no doubt they would give for my ransom an officer of the same rank. And I have reason to believe that after my refusal to accept the gift, his Lordship understood and expected that such a return would be made, although from the nature of my commitment, it was pretended he could not formally enter into a stipulation. Therefore, immediately after receiving the discharge on the 27th, I wrote to Dr Franklin, and solicited his concurrence for discharging Lieutenant General Lord Cornwallis. Hitherto I have not received the Doctor's answer. Should he concur in my opinion, and join in the necessary act for that purpose, I trust we shall receive the approbation of Congress.

On the 10th instant I received from Doctor Franklin a formal notification of my appointment in the commission for treating with Great Britain, and also a copy of the said commission. I left London on the 11th, and arrived at Ostend on the 15th, from whence I informed Doctor Franklin, that I declined the honor of that office,<sup>[75]</sup> but that I should proceed to the Hague, and inquire of Mr Adams whether I could be serviceable in the business originally charged upon me by Congress, in which, if there was an opening, I would engage with diligence and fidelity. Upon my arrival at the Hague, I related to Mr Adams the purpose of my journey, adding, that I was ready to enter upon my duty, provided I was included in his commission, observing that my own had been destroyed at the time of my capture. Mr Adams at first intimated a hearty desire to accept the offer of my service, and said, "We will look into the commission." At our second meeting, without speaking of the commission, he informed me that he had already taken the necessary measures in the business, by employing proper mercantile houses to borrow money on account of our United States. From the tenor of these answers it remains to me uncertain, whether I am included in the subsequent commission or not, but from his forbearing further to invite it, I conclude he thinks my attention is not requisite, and that it could only be productive of unnecessary expense to the public, which I neither wish nor would encourage. I shall, therefore, after having paid an indispensable debt of friendship and humanity, by visiting my distressed relations in the South of France, from whom I have been separated upwards of seventeen years, and after having recovered by a change of climate and respite from fatigue a better state of health, return to America, and present, if required, a much more minute account of my conduct, to Congress. And I flatter myself with hopes of convincing them, that notwithstanding the rigorous close confinement which I suffered in the tower, I made many opportunities even there, of rendering essential service to the interests of my country, without permitting my ardor to be in the least degree checked by considerations of neglect.

Permit me humbly to say it was I, though in close confinement, who first urged the propriety and utility of passing an act of Parliament for exchanging American prisoners. After my enlargement I further urged that business to its completion, visited those prisoners at a considerable expense to myself, administered to some of them relief from my own impoverished pocket, and obtained much greater for them from other persons. I first proposed to Lord Shelburne, and obtained his Lordship's promise to send those prisoners in cartel ships to America, and I had the good fortune to prevail on his Lordship to surmount the difficulty of doing this without the formality of pardons. I had declared that not the meanest of all the American prisoners at Portsmouth or Plymouth should accept pardon, and in my zeal for the honor of my country I presumed to add, "If they are discharged under that condition, not a British prisoner in America shall be enlarged without a pardon." I delivered my sentiments freely on the bill, which had been so very long in agitation for empowering the King to make a truce or peace with America, and declared it would not only prove inadequate, but offensive. The bill was frequently brought to me by members of Parliament, to receive hints for amendment. The only amendment, which I could propose, was annihilation, and I left it under various scratches and scars, in a languishing condition. My advice was, "If you mean to do the business of peace, it is vain to continue nibbling; do it fully and gracefully by an act to authorise the King to recognise or to acknowledge the independence of America; the fears which you affect to labor under, that America will become dependent upon any other power, will thereby be effectually removed." I was told, a new bill, which would be tantamount to my ideas, would be introduced into Parliament; but since I left England, intimations to me from private friends speak of their

continuing to hack at the old. I think, however, the temper of the present House of Commons will not give it passage without very great reform. This will probably be known before my letter enters upon its voyage.<sup>[76]</sup>

I shall conclude this head with the words of a friend, received since my arrival on this side of the water. "*They* (meaning the British ministry) *think your absence good company*". I believe this may be applicable to that part of the Ministry, who still hear with reluctance the doctrine of the total independence of America; a doctrine which I asserted in the Tower of London, and out of it, and always in the presence of their Lordships, as freely and as strenuously as ever I had done in Philadelphia, and to which I am assured I have made many converts amongst people of the first importance in England, and perhaps it would be no exaggeration instead of many, to say thousands. Even Lord Shelburne, in the last conversation I had the honor of holding with his Lordship, discovered his determination, if not to be reconciled, to submit to it. "I shall part with America, Mr Laurens, with great regret, because I think a total separation will not be for her good." As far as I am able to judge, the people of England, and I have lately been very much among them, are sincerely disposed to peace with America, and to accede to her absolute independence; and I have some grounds for hoping, that the day is not far distant when those, who have it more immediately in their power to breathe peace or war, will perceive it to be for the interest of their country to enter heartily into the same disposition. The terms and conditions they know, and they now know the terms and conditions must be complied with.

Mr Moses Young, whom I had engaged at my first appointment by Congress to attend me as a Secretary and assistant, has made a claim for five hundred and sixtyseven pounds, fourteen shillings and two pence, sterling, as due to him for salary to the 15th of February, 1782, when he entered the public service under Dr Franklin. I shall recommend the payment of the said sum to the Doctor. Mr Young's loss of time, loss of effects, and suffering in imprisonment, as well as his zeal and attachment in the cause of America, will be considered by Congress, and I hope, when he shall make a proper representation of his case, a further sum will be granted to him. While I remain in Europe, the honor and interests of the United States shall be always in my view, and though in a private character, I do not despair of being serviceable to my country.

I have the honor to be, &c.

HENRY LAURENS.

*P. S. May 31st.* The success of the British fleet in the West Indies may, and probably will, inflate the heart of his Britannic Majesty, and turn it from an immediate disposition to peace.

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TO THE PRESIDENT OF CONGRESS.

Nantes, September 5th, 1782.

Sir,

I had the honor of writing to Congress from Amsterdam on the 30th of May, by Captain Bacon. Copies of that address were sent by the vessels of Captain Briggs and Captain Smedly, and a third committed to the care of Mr Moses Young, to be despatched by a cutter from Ostend. At that time, I was in a deplorable state of health, and am now (after the practice of every proper means of abstemious regimen, bathing, medicine, and bleeding,) but beginning to recruit, still extremely weak and feeble. Notwithstanding such ill health, I hastened in the month of July from the south of France, even at the hazard of my life, to this port with a view of embarking for America. While I was employed seeking for a proper vessel, Mons. Labouchere suggested the imminent danger of a second capture, and the train of evil consequences, adding, that I was entitled to a safe conduct from England to one of the United States, in return for the exchange of Lord Cornwallis at his own door, and for that purpose, recommended a demand upon the Court of London.

The propriety of this gentleman's reasoning was apparent, the danger of capture was marked in every newspaper, by accounts of the havoc on both sides the Atlantic, by British cruisers upon American vessels. I consulted other persons, who unanimously concurred in Mons. Labouchere's opinion and advice. Wherefore, I requested certain friends in London to make the necessary application on my behalf, for permission to re-enter Great Britain to embark at Falmouth for New York, and for a passport to proceed thence to Philadelphia, not in terms of prayer from me, but by a representation of right to be submitted for consideration. This day I have received letters from London, importing that an application had been made, that Lord Cornwallis in particular had interested himself in the measure, and that a proper passport would soon be transmitted to me.

Doctor Franklin writes to me under the 19th of August, "though we are very sensible if you could get well to America, you might be of great service to the public, yet we think the hazard is too great, as it might be winter before you could come upon the coast, and perhaps at this juncture you might be equally useful in England; on these considerations, we agreed to advise your return thither." This advice I intend to pursue, and as I ardently wish to be in America, and present myself to Congress, I shall, if my health will permit, embark in the November packet; or otherwise defer the voyage to March or April, persuaded that neither my passing through England, nor even a few months necessary, perhaps unavoidable, residence in that kingdom, can possibly work any detriment to my country; I am therefore confident of the approbation of Congress.

Since my discharge from restraint in England, Doctor Franklin has very cordially pressed me

to take from him a supply of money for my expenses,<sup>[77]</sup> but from my knowledge of the state of our public finances, I have refused to lessen them, since from the fragments of my own funds, I shall be able to support myself in a frugal style while I am unfortunately detained on this side of the water.

I dare not presume, in my present private character, to give an opinion on the present state and prospect of our public affairs, but I entreat Congress to be assured, that my endeavors, even in this contracted sphere, have been exerted on proper occasions, and I hope with some good effect, for promoting the honor and interest of the United States. I have enjoyed a happy correspondence with men of liberal sentiments in England, as well as with the American Ministers at Paris and at the Hague. As it is possible I may be detained in Europe through the ensuing winter, should Congress have any commands for me, letters via Nantes or Bordeaux, directed to the care of Madame Babut Labouchere at this port, will obtain the quickest conveyance by way of Holland, to the care of Mr Adams. Under cover with this will be forwarded, at the request of Mr Adams, a copy of Mr Fitzherbert's full power to treat for peace.

With the highest respect and regard, I have the honor to be, &c.

HENRY LAURENS.

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ROBERT R. LIVINGSTON TO HENRY LAURENS.

Philadelphia, September 17th, 1782.

Sir,

Having learned by your letter to Congress, of your enlargement from your long and severe confinement, it becomes my duty to inform you, that Congress were pleased to appoint me their Secretary to the United States for their Department of Foreign Affairs, and to direct that all communications with them from their Ministers should be through me. In this view, Sir, I have the honor to open this correspondence, forwarding the annexed resolutions by the first of them, marked No. 1. You will learn that they are unwilling to deprive themselves of your assistance in the great business of negotiations for a general peace, which, though languid at present, cannot fail to be quickened by the first turn of fortune in favor of the allied powers, since the King and Ministry of England are evidently trusting to the weak hope, that some brilliant stroke will turn the popular tide in favor of the prosecution of the war. Should she, as she probably will, be disappointed in this, she will be compelled to fly to peace for refuge against impending ruin. The second resolution needs no comment. We have no intelligence here, but what I have written to some of the gentlemen in commission with you, or what may be found in the papers I do myself the honor to transmit to you.

I sent Doctor Franklin bills for two quarters' salary, drawn under your first commission. I shall, in future, in stating your account, consider you as acting under your second. As our Ministers are expressly prohibited by resolutions, transmitted by this conveyance, from making any disposition of money in Europe, it becomes necessary that they should have agents here to state their accounts, and vest the amount of their salaries in bills and remit them. I have taken this task upon me hitherto, and you will find by the bills drawn in your favor since January, that your advantage in this mode, from the low price of bills, will enable you without loss to pay an agent here. You will be so obliging as to transmit to me your receipt, and a state of your demands against the public, that I may get them discharged for you.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

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ROBERT R. LIVINGSTON TO HENRY LAURENS.

Philadelphia, November 8th, 1782.

Sir,

Your letter of the 5th of September, directed to the President of Congress, was received and referred in course to this office. If my letter of the 17th of September last, containing their resolution not to accept your resignation has reached you, I hope you will acquiesce in their determination, and see the propriety of remaining in France till their further order. In this expectation I have drawn for your last quarter's salary. The bills will be sent you, with a state of your account, by Mr Lewis Morris. A duplicate of my last letter with the resolution above referred to, will accompany this.

I send Mr Franklin such resolutions as refer to general objects, which may be of use to you in conducting your negotiations, presuming that he will communicate freely with you. There will be no necessity while you are together of multiplying them with respect to our affairs here; they have undergone no change. The number of resolutions passed by Congress and the different States, (copies of which have been transmitted to our Ministers) serve to show the fixed and unalterable determination of the rulers and the people on this side of the water, to adhere inviolably to their engagements. This will, I hope, open the eyes of the British, and show them the vanity of expecting to dissolve a confederacy, which is founded in mutual interest and honor.

With respect to intelligence, we have little of importance. The army is gone into winter quarters. The fleet, under the command of the Marquis de Vaudreuil, still remains at Boston. Fourteen sail of the line and eight frigates left New York the 26th ultimo. We have yet no account

of the evacuation of Charleston, though we have long expected it. I cannot turn my eyes to that quarter, without offering you my sincerest condolence on the untimely death of the gallant Colonel Laurens. It is not easy for those who knew his value to offer consolation. When time shall have turned the keen edge of your afflictions, you may find some mitigation of it in the cause and manner of his death, in the services he has rendered his country, and in the honor which he reflects on all who were connected with him.

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

ROBERT R. LIVINGSTON.

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TO LORD CORNWALLIS.

Paris, December 9th, 1782.

My Lord,

Often, since the 31st of May last, your Lordship must have charged me with want of decency and good manners, for a seeming delinquency to an address of that date, which your Lordship intended to honor me with. The bare apprehension has added to my unhappiness, notwithstanding my feelings of assurance that your Lordship will acquit me upon the instant of being informed, that only a few minutes have passed since Mr Oswald called upon me with the letter, and an apology for having mislaid and detained it so long.

Believe me, my Lord, though I was at a distance from Passy, I was not unmindful of accomplishing your Lordship's release from parole, in exchange for my discharge. My feelings on that occasion were always alive. I was never satisfied with my own enlargement, till I had written pressingly to Doctor Franklin, and had finally delivered my opinion upon an appeal from the Doctor, intimating that he would do "what I should think best." Without a moment's hesitation, I signified my ideas, both of the expediency and necessity of satisfying the well grounded expectations of the British Ministry. Your Lordship will find that the release followed, or that it was the consequence of previous applications on my part, and of Mr Oswald's assurance that an exchange was expected, that he himself had treated with me while I was a prisoner in the Tower of London for that purpose, by desire of the Administration, a fact, to which many others might be added, confronting an assertion respecting this affair, in a late letter from the British Commissioners at New York to General Washington. The assertion in that letter did great violence to candor, but as I am sure your Lordship could not possibly have been privy to the ground of that transaction, I forbear to enlarge upon the subject. Nor do I mean to touch the veracity of the Commissioners, who no doubt wrote as they had been instructed. Even the instruction, I charitably hope, was rather the effect of inadvertency than of premeditated *detour*.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Paris, December 15th, 1782.

Sir,

I have had the honor of receiving at several times, your official despatch No 1, of September 17th, its duplicate, and the undermentioned acts of Congress.

*Of the 14th of September.* Public monies committed to the disposal of the Superintendent of Finance.

*17th of September.* Enjoining the attendance of the Ministers Plenipotentiary for treating with Great Britain.<sup>[78]</sup>

*3d of October.* On the communication from the Minister of France.

*17th.* Enjoining American Ministers to transmit intelligence.

An extract of a letter from Sir Guy Carleton, of the 12th of September.

To which several acts, I shall observe the utmost respect and obedience.

Upon receipt of that of the 17th of September, without questioning the right of Congress to compel the service of a citizen of America, who had neither solicited nor accepted a commission, I proceeded with all the despatch which a very infirm state of health would admit of, and by travelling night and day, arrived here not only time enough to sign the preliminary articles, but in time to offer suggestions which my colleagues were pleased to accept and adopt as necessary.

I had considered my residence in England, not only as proper for recovering my health, but also as essential to the service of the United States. I embraced various opportunities of informing the people in general of the ground and nature of the dispute between the two countries, of which they had been amazingly ignorant, of contradicting false reports respecting America, and of convincing some of the most intelligent, as well as some of the most adverse to the doctrine, that a full acknowledgment of our independence was consistent with, and would eventually contribute to promote, the true interest of Great Britain, and I have some ground for believing that my labors in some degree facilitated the great business, which has been just completed, a formal acknowledgment from the King, and a full renunciation of all claim upon the United States; and I humbly think, if I were in England at this moment, I might be of more real

service to my country, than I can possibly perform in my present situation.

I thank you, Sir, for the newspapers. The melancholy intelligence, which they contained *for me*, must have reached me by some means. Your mode of conveying it was delicate and obliging. I have received value for the bills, which had been sent to Dr Franklin on my account, more particularly acknowledged in my letter of yesterday to Mr L. R. Morris. My thanks are also due for your trouble in stating my account. A charge for commission shall be most cheerfully admitted, but it is impracticable to comply with your recommendation by sending a statement of my demand, because I am ignorant of the vote of Congress for my salary, under both the old and new commission; nor is it needful, as I mean not to take up a further sum while I am in Europe. Indeed, if the late remittance had not been made, I should have persevered in paying my expenses from my own funds. I too well know the distresses of Congress, arising from a want of money, and therefore most earnestly wish to avoid adding to them. Enclosed you will find a loose receipt for the 20,000 livres, but it is not in my power to be special in the discharge.

Casting my eye this moment over the joint letter of the American Ministers, I perceive Congress are not there informed of a letter we have despatched to Mr Dana, at the Court of St. Petersburg, recommending to him to announce at that Court, and to foreign Ministers resident there, the signing of the preliminary articles between Great Britain and the United States; a copy of which, the separate article excepted, has been transmitted to him for that purpose. I could not refrain from giving this intimation, lest it should have escaped us all. This is not to be doubted, that recognitions by applications for commercial, and perhaps other treaties, will speedily follow from almost all the courts of Europe. There is already an instance in one of the principal trading kingdoms in the Baltic.

Shall I request the favor of you, Sir, with this to lay before Congress the enclosed copy of a letter, which I had occasion to write to the Earl of Cornwallis, on the third instant. It may tend to throw light upon the transaction in exchanging that officer, which I perceive has been very unfairly represented by the British Commissioners at New York. When Congress are informed of the precarious state of my health, and shall be pleased to reflect upon the long sufferings I have endured, that I have devoted almost the whole of my time, for eight years past, to the service of my country, detached from, and regardless of my domestic interests; and when they consider the very severe stroke lately fallen upon me, by the death of my eldest son, and the dispersion of the survivors in my family, for whom it is necessary I should endeavor to reprovide a home; I am confident my present determination to return to Bath, the only place in which I can hope to recover a part of my broken constitution, as soon as I can be spared from present duty, and from thence to America in March or April next, will not give offence. I shall indeed be much better pleased to receive in the mean time, and therefore now earnestly solicit, a formal permission, than to hazard their displeasure by an act, which, however necessary and unavoidable, may possibly be construed into an abandonment of their service, or even a slight of their orders.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Paris, December 24th, 1782.

Sir,

Permit me to refer to what I had the honor of writing by the present conveyance on the 15th instant.

Mr David Hartley, on the 19th, moved in the British House of Commons,

“That an humble address be presented to his Majesty, stating that his faithful Commons think it their indispensable duty, not only to return their grateful thanks to his Majesty for having adopted the sense of his Parliament and people, in having pointed all his views and measures, as well in Europe as in North America, to an entire and cordial reconciliation with those Colonies, but likewise to express to his Majesty that, whatever may be the result of the general negotiation for peace now depending, our conciliatory sentiments towards America remain unaltered, as presented in their humble address to his Majesty on that subject in the last session of Parliament, and therefore that this House will consider as enemies to his Majesty and this country, all those who shall endeavor to frustrate such beneficent dispositions of his Majesty, by advising or by any means attempting the further prosecution of the war on the continent of America.”

The motion was seconded by Colonel Hartley. Mr Secretary Townshend objected, by calling for the Journals, and ordering the Resolutions of February and March last to be read, which he alleged were to the same effect as the motion, and were still in full force.

Some debate ensued, and upon a division, the ayes for the motion were 13, and the nays 51. Perhaps it would have been better if the motion had never been forced to a vote, than being forced, to be lost. What were the recent inroads up the Santa Cumbahee, and other rivers in South Carolina? What is the retaining a garrison in Charleston and another in New York, but offensive war?

In my own mind, I have no doubt but that the Court of London would carry on an offensive or any other war, or make partial peace, or pursue any means and measures, which might best gratify its desires, and its apparent interests.

My letters from London of a late date speak the following language.

"We are of opinion, that a general peace is still far distant, and are not so eager for it; if the preliminary articles between this kingdom and America shall terminate hostilities between us two, let us shake hands, and be *reconciled* with our American brethren, and the nation *in general* will prefer a war to a dishonorable peace *with France*." Who is to interpret?

I am directed to give intelligence, not advice and opinions, but I trust Congress will not be offended with the few sentiments, which I shall presume modestly to urge.

The people of England still retain the idea of "OUR *colonies*," and of "*reconciliation*." Government gives all possible encouragement to their humor; it has been their incessant endeavor to detach us from our ally, and it is given out in London, that they have out-manœuvred the Court of France. God forbid that any future act or future supineness, on the part of the United States of America, should give the smallest degree of countenance to so dishonorable an insinuation. Every engine has been, 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. The United States of America are too wise to be duped, too honorable to commit any act, be their distresses what they may, that shall sully their good faith. Through their ally's assistance and their own virtuous perseverance, they attained to those preliminaries; they will virtuously persevere until they shall have performed every tittle of their engagements with that ally, against whom, I must declare for my own part, I see no cause for entertaining more particular jealousy than ought to be kept upon guard against every negotiating Court in the world, nor half so much as should at this moment be upon the watch against every motion arising from our new half friends. I had occasion to write to the same Mr David Hartley, that I should suspect every superfluous and every deficient word coming from that quarter. Nevertheless, I earnestly wish, and shall continue my utmost endeavors, for obtaining an honorable well founded peace with Great Britain. But I will not consent to *receiving her wooden horses, nor will I listen to her whispers*, or imbibe prejudices against a Court, which has been a friend to my country in need. Congress will be pleased to pardon this freedom, and accept the zeal of their faithful and most obedient servant,

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Paris, January 9th, 1783.

Sir,

I had the honor of addressing you on the 15th and 24th ultimo, by Captain Barney, in the ship Washington. Duplicates by way of Nantes. Shall I request you, Sir, with my humble respects, to inform Congress that my health has ever since been declining; that I am at this moment reduced to a deplorable state, scarcely able to walk across my chamber; that I should nevertheless have continued here at all hazards, had I not been strongly advised to visit Bath, the only place where I can hope to recover part of a constitution, broken down by sufferings and in the service of my country, and at the same time assured from proper authority, that there is too great a probability of an interval, before a definitive treaty will be seriously talked of, for performing my intended journey. Should the contrary happen, the earliest notice from hence, as well, as from London, will be forwarded to me, and if possible I shall return without delay. This interval strikes no alarm to me. I had, upon my first arrival here, intimated my apprehensions to all my colleagues.

Wherever I am, the honor and interest of the United States shall be my great and greatest concern.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

London, March 15th, 1783.

Sir,

My last is dated Paris, 9th of January. The original and three copies were, for conveyance, divided between Nantes and L'Orient. Five weeks use of the waters at Bath had so far recovered my health, as to induce me to come to London about eighteen days ago, in order to avail myself of opportunities for urging a definitive treaty between Great Britain and the United States, as well as the necessity for removing the British troops from New York. I have signified my opinion to the proper persons, that, until the latter is effected, America will not deem herself at peace. Wise and good men feel the impression, acknowledge the propriety of my observations, and while there was a government by a ministry, that point was attended to. But for some days past, the great struggle has been, who should be the persons to form a new administration. In the mean time, the momentous business in which we are concerned lies dormant, nor do I know where to apply for putting it in motion. The House of Commons had indeed introduced a bill for a "Provisional establishment, and regulation of trade and intercourse between the subjects of Great Britain and

those of the United States of North America." A printed copy was put into my hands, and my opinion asked by many members of that House. I objected generally to opening trade merely by act of Parliament, and especially to certain parts of the bill, but above all to an intercourse, until the citizens of New York shall be left in quiet and complete possession of their whole country, and all hostile troops withdrawn from the United States. That bill I am informed is annihilated and another projected. A copy of the new bill I am to receive tomorrow. I persevere in the same language; be the bill what it may, however suitable to the services of Great Britain, or speciously conducive to the mutual interests of Great Britain and America, I think there cannot be, I hope there will not be permitted on our part, any intercourse until the troops are effectually removed.

Why is not the definitive treaty concluded, and the important "*Then*" established, or why are not measures adopted for withdrawing the troops? Are the troops to be continued there *in terrorem*, to force a trade, or to compel us to measures respecting the people called loyalists? The late First Lord of the Treasury has not failed to boast of his success, in obtaining the provisional treaty without the participation or the concurrence of the Court of France, nor to talk of the happy effects which he hoped to derive from so great an advantage. I have endeavored to counteract his Lordship's virtuous designs, by observing that, admitting the fact, which I did not admit, the consequence might be disgraceful, possibly fatal, to the American ministers, but could work no injury to the United States. This appears at present to have the effect I wished for. Had his Lordship, who I believe is very angry with us, continued in office, I know not what evils might have attended us. To his influence I ascribe the delay of the definitive treaty, and consequently of the removal of the troops.

I am not backward, upon every proper occasion, to signify my apprehensions to active members of Parliament, and to every man in government, with whom I converse upon these subjects. You will perceive, Sir, that I find some employment here; were I in France, I should be totally idle. I shall remain in London about a fortnight longer. If at the end of that time, there shall be no better prospect of a definitive treaty, I shall immediately take measures for embarkation to America.

I am now to acknowledge the honor of your favor of the 8th of November, No. 2, and to thank you for the remittance of £16,666.13s. through your attention by Mr L. R. Morris.

I thank you, Sir, most sincerely for your kind condolence. I have not yet had resolution enough to inquire into the "cause and manner," nor dare I indulge myself in speaking of a subject, which too much occupies my thoughts and distresses my mind, in all the moments of retirement.

This will be delivered by Mr John Deas, a young gentleman, native of South Carolina, educated in Britain, who means to become a citizen in his own country. I have every ground for hoping he will be a valuable member of the community; hence I have encouraged him to expect a cordial and hospitable reception. I should observe in Mr Deas' favor, that he has been long endeavoring to return to America; he once embarked at Ostend, and suffered shipwreck on the coast of England, to his great loss and disappointment.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

London, April 5th, 1783.

Sir,

With this you will receive the triplicate of a letter, which I had the honor of writing on the 15th of March. I beg leave to refer to its contents. A third bill, called "an amendment for a provisional establishment, and regulation of trade, &c." had been brought into the House of Commons. My opinion was again solicited by different members, which, as usual, I thought it prudent to withhold; but being pressed, I at length framed a supposed American bill, for regulating commerce with Great Britain, and suggested that it had been received by a courier. This I held up as a mirror to some of the most active men in that House. From that time, the 22d of March, their own bill, which was to have been finished on the 23d, has slept with very little interruption, and is now, to all appearance, dead. I do not ascribe its demise to a sight of the supposed bill, a copy of which you will receive enclosed, although the gentlemen acknowledged themselves affected by it.

A new ministry is at length arranged, the Duke of Portland at the head, Mr Fox and Lord North, the latter of whom is universally charged with being the author of the late cruel war, Secretaries of State. The Duke of Richmond, who it is said detests the coalition, has resigned. It becomes not me to interfere with or censure an arrangement of servants in this kingdom. I am attentive to the honor and interests of the United States.

I have had a conference with Mr Fox, who has the Foreign Department, in which is included the United States as an Independent Power. It was stipulated, that nothing I should say as a matter of opinion or belief on my part, should either commit or pledge me. I judged it necessary to establish this foundation. Mr Fox was desirous of knowing, whether the American Ministers were authorised and disposed to open an intercourse and commerce upon terms of reciprocity without delay. I replied, I believed they were, although a late publication by a suspected hand, of the revocation of Mr Adams's commission, left me not so clear on that point, adding, that I could soon be informed from Paris. At the same time, I urged as necessary previous, or accompanying steps, the conclusion of a definitive treaty, and the withdrawing of all the British troops from the

United States. In answer to supposed difficulties in obtaining transport ships, I proposed the removal of the troops to Long Island or Staten Island, adding, that some powers might in a similar case insist upon hostages for their peaceable behavior and final removal. I thought it absolutely necessary, that the State of New York should be put in immediate possession of the city and port. Mr Fox, as the Duke of Portland had done before him, discovered a disposition to proceed to business with us with liberality and effect, and I place all proper confidence in their assurances. Upon the whole, Mr Fox asked if he might report, that I believed there was a disposition and powers on the part of the American Ministers to open an intercourse and commerce upon terms of reciprocity without delay? I assented, as my belief and opinion, under the reservations above mentioned. I shall proceed immediately to Paris, as my colleagues are desirous of my presence. David Hartley is, or it is said will be, appointed to join us in finishing our negotiations of a perfect peace. While I regret the loss of Mr Oswald on this occasion, the nomination of another honest man affords me great satisfaction. From France, or before I commence my journey, I shall transmit what may be further necessary.

I have the honor to be, &c.

HENRY LAURENS.

*P. S.* I take the liberty of enclosing letters for L. R. Morris, for the delegates from the State of South Carolina, and one for his Excellency General Washington.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

London, April 10th, 1783.

Sir,

I beg leave to refer you to the enclosed duplicate of my last, of the 5th instant. The "bill for a provisional establishment and regulation of trade," &c. seems to be dead indeed. Mr Fox yesterday moved for reading the titles of the act, commonly called the prohibitory act, and the act for granting Letters of Marque, which being read, he moved for leave to bring in a bill for repealing so much of said acts, as prohibit trade and intercourse with the United States of America, which was ordered accordingly. My anxiety to see the final turn of this business has detained me in London three or four days longer than I had intended. I shall call upon Mr Fox presently, and if anything new occurs it shall be noticed in a postscript. Immediately after sealing this packet, I shall begin my journey to Paris. Mr Hartley tells me he will follow upon the 15th instant. I shall enclose a copy of the amendment, called the third bill, for the information of Congress. Mr Darby, the gentleman who will be so good as to deliver this, has promised me also to deliver a packet of the latest newspapers.

I have the honor to be, &c.

HENRY LAURENS.

*P. S.* I have conversed with Mr Fox, from whom the body of merchants by deputation had just retired. Their errand, as I learned, was on the business of opening the communication between Great Britain and the United States. There is a general and pressing eagerness to that point. I repeated the propriety and necessity of withdrawing the troops, and of restoring to New York their city and port. Mr Fox in return gave the strongest assurances, that this should be done with the utmost despatch, and promised to send to the Ministers at Paris a copy of the orders to be given for that purpose; he further informed me, that he intended to introduce into the new bill the clause on page 4, in the bill No. 2, here enclosed, to which I made only a general reply, that when their plan was completed the American Ministers at Paris would give it due consideration, and that on our part every facility would also be given to reasonable propositions, consistent with our instructions. That in the present moment, I could not speak in positive terms to particular points.

H. L.

*P. S. April 16th.* Just arrived at Paris. Mr Hartley is expected the 19th. From the latest words with that gentleman, which happened subsequently to closing the above, I entertain apprehensions that his principal errand will be to open a trade between the two countries, with assurances that the troops shall be removed "as speedily as possible," and to take up the definitive treaty at more leisure. I afforded him no encouragement to hope for success in the former point singly.

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ROBERT R. LIVINGSTON TO HENRY LAURENS.

Philadelphia, May 8th, 1783.

Sir,

Congress have been pleased, in compliance with your request, to pass the enclosed resolution, giving you permission to return to America. I sincerely wish that your native air may confirm your health, which I hope has by this time amended by your residence at Bath, where I presume you

have been, though I have had no advice of it. The provisional treaty has been very well received, here, and has been ratified. The ratifications are sent to you and our other Ministers at Paris.

I presume you have by this time made some progress in, if not entirely concluded the definitive treaty, in which I dare say you have taken care to fix the day which is to deliver us from our troublesome guests, who cause great uneasiness to the unhappy people they keep out of their possessions. At present, we are quite at a loss to determine when this will be. We have returned them their prisoners, who amount to about six thousand effective men, so that you see we are not disposed to discover any distrust of the sincerity of our new friends, with whom we at present communicate on the former footing.

As I am uncertain whether this letter will reach you before you sail for America, I do not choose to enlarge or enter into any of those particulars relative to your late negotiations, on which however I have some inquiries to make, which I could wish to have answered by you. I wish you before you leave France to settle with Doctor Franklin, and to receive from him the amount of the bills remitted on your account, so that I may close my accounts.

I am, Sir,

ROBERT R. LIVINGSTON.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

London, June 17th, 1783.

Sir,

My last address is dated London, 10th of April, forwarded by the hands of Mr Darby, copy of the same with a postscript on the 16th, conveyed from Paris by Doctor Franklin. Permit me to refer to the several contents, and also to a despatch of the 6th of that month by Mr Hodge. Duplicate by Mr Darby, triplicate from Paris.

In order to meet the question of Mr Secretary Fox, "Whether the American Ministers were authorised and disposed to open an intercourse and commerce upon terms of reciprocity without delay," the Ministers of the United States, on the 29th of April, proposed to Mr Hartley the enclosed articles, marked A, which they were ready to confirm. Mr Hartley signified his approbation, but could not agree without consulting his Court. Indeed he had omitted to take with him his commission and full powers. A messenger was despatched to London, and upwards of three weeks were wasted in waiting for a return; the articles were not acceptable.

On the 21st of May, Mr Hartley on his part laid before us the enclosed article, marked B, and left it for our consideration. We judged it necessary, without intimating our own sentiments, to demand from him in writing, whether he was authorised to confirm his proposition? To save writing, Mr Hartley returned a verbal answer in the negative, and again despatched a messenger. In a word, it appeared that his full powers, which he had then received, authorised him to do nothing. I had in vain waited for the result of the second consultation to the 7th instant, when, at the request of my colleagues, founded upon a suggestion of my own, I proceeded to this city on special business, for easing if practicable the weight of public bills lately drawn upon Mr Grand, which probably the gentlemen at Paris will more fully explain.

I can say nothing yet of my hopes of success. My apprehensions of danger, in committing the United States in the present moment of uncertainty, deters me from acting as I might have done, had our treaties been concluded, or had I a prospect of their being soon brought to good effect. Those assurances, which I had the honor of communicating in my former letters, seem to have undergone a wonderful refinement. Reciprocity appears now to mean enjoyment on one side, and restrictions on the other. This change may have been wrought by the sudden and unexpected arrival of divers ships and cargoes from different ports in the United States. The British Minister at Paris cordially assured me that he was of this opinion.

In a conference with Mr Secretary Fox on the 14th instant, he informed me, that positive orders for the removal of the British troops from New York were actually despatched, that he had transmitted an answer to Mr Hartley's last consultation, and at the same time intimated upon a question from me, that in his opinion I might have time enough for taking some days' benefit of Bath, which my enfeebled limbs call loudly for. Hence I infer, that the last instructions to Mr Hartley are either calculated for gaining further time, or are such as the American Ministers cannot accede to; and I conclude that my absence from Paris, whether I make any attempts in the particular business of my journey hither or not, will prove no inconvenience to my colleagues. I intend therefore to go to Bath in two or three days, and while I am endeavoring to recover my health, the interests of my country shall be my principal study; at the same time I flatter myself with hopes of receiving from Congress the formal permission which I have solicited, to return to America.

I have the honor to be, &c.

HENRY LAURENS.

*P. S.* Besides the papers A and B, you will find enclosed a copy of an Order in Council of the 14th of May, 1783, and Mr Hartley's observations on his propositions of the 21st of May.

*P. S. 18th.* I have just received an intimation of the tottering state of the present Ministry from their own quarter. Should the late premier

recover the reins, which were plucked out of his hands, I apprehend everything in his power will be attempted to embarrass our proceeding.

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**A.**

*Articles proposed by the American Commissioners to Mr Hartley.*

ARTICLE I.

It is agreed, that as soon as his Britannic Majesty shall have withdrawn all his armies, garrisons, and fleets from the United States of America, and from every port, post, place, and harbor, within the same, as stipulated by the seventh article of the Provisional Treaty of the 30th of November, 1782, then, and from thenceforth, for and during the term of \_\_\_\_\_ years, all rivers, harbors, lakes, ports, and places, belonging to the United States, or any of them, shall be open and free to the merchants, and other subjects of the crown of Great Britain and their trading vessels, who shall be received, treated, and protected like the merchants and trading vessels of the States in which they may be, and be liable to no other charges or duties.

And reciprocally, all rivers, harbors, lakes, ports, and places, under the dominion of his Britannic Majesty, shall thenceforth be open and free to the trading vessels of the said United States, and of each and every of them, who shall be received, treated, and protected like the merchants and trading vessels of Great Britain, and be liable to no other charges and duties, saving always to the chartered trading companies of Great Britain, such exclusive use and trade of their respective ports and establishments, as neither the other subjects of Great Britain nor any of the most favored nations participate in.

ARTICLE II.

It is agreed, that such persons as may be in confinement in the United States of America, for or by reason of the part which they may have taken in the late war, shall be set at liberty immediately on the evacuation of the said States, by the troops and fleets of his Britannic Majesty.

And it is likewise agreed, that all such persons who may be in confinement, in any parts under the dominion of his Britannic Majesty, for, or by reason of the part which they may have taken in the late war, shall, at the same time, be also immediately set at liberty.

ARTICLE III.

The prisoners made respectively by the arms of his Britannic Majesty and those of the United States of America, both by land and sea, shall be immediately set at liberty without ransom, on paying the debts they may have contracted during their captivity. And each contracting party shall respectively reimburse the sums, which shall have been advanced for the subsistence and maintenance of their prisoners by the sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentic titles which shall be produced on each side.

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**B.**

*Mr Hartley's proposed Article of Agreement, delivered by him to the American Commissioners for their Consideration, May 21st, 1783.*

Whereas it is highly necessary that an intercourse of trade and commerce should be opened between the people and territories belonging to the Crown of Great Britain, and the people and territories of the United States of America. And, whereas, it is highly expedient that the intercourse between Great Britain and the said United States, should be established on the most enlarged principles of reciprocal benefit to both countries; but from the distance between Great Britain and America, it must be a considerable time before any convention or treaty for establishing and regulating the trade and intercourse between Great Britain and the said United States of America, upon a permanent foundation can be concluded; now for the purpose of making a temporary regulation of the commerce and intercourse between Great Britain and the United States of America,

It is agreed, that all the citizens of the United States of America shall be permitted to import into, and export from, any part of his Britannic Majesty's dominions in American ships, any goods, wares and merchandise, which have been so imported, or exported, by the

inhabitants of the British American Colonies, before the commencement of the war, upon payment of the same duties and charges, as the like sort of goods or merchandise are now, or may be subject and liable to, if imported by British subjects in British ships, from any British island or plantation in America, and that all the subjects of his Britannic Majesty shall be permitted to import and export from any part of the territories of the United States of America, in British ships, any goods, wares and merchandise, which might have been so imported, or exported by the subjects of his Britannic Majesty before the commencement of the war, upon payment of the same duties and charges, as the like sort of goods, wares and merchandise are now, or may be subject and liable to, if imported in American ships by any of the citizens of the United States of America.

This agreement to continue in force until \_\_\_\_\_. Provided always, that nothing contained in this agreement shall at any time hereafter be argued on either side, in support of any future demand or claim.

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*Observations and Propositions of Mr Hartley, left with the American Ministers, May 21st, 1783.*

A proposition having been offered by the American ministers for the consideration of his Britannic Majesty's ministers, and of the British nation, for an entire and reciprocal freedom of intercourse and commerce between Great Britain and the American United States, in the following words, viz.

"That all rivers, harbors, lakes, ports and places, belonging to the United States or any of them, shall be open and free to the merchants and other subjects of the Crown of Great Britain and their trading vessels, who shall be received, treated and protected like the merchants and trading vessels of the State in which they may be, and may be liable to no other charges or duties.

"And reciprocally, that all rivers, harbors, lakes, ports and places, under the dominion of his Britannic Majesty, shall be open and free to the merchants and trading vessels of the said United States, and of each and every of them, who shall be received, treated, and protected like the merchants and trading vessels of Great Britain, and to be liable to no other charges and duties, saving always to the chartered trading companies of Great Britain, such exclusive use and trade of their respective ports and establishments, as neither the other subjects of Great Britain, or any of the most favored nations participate in."

It is to be observed, that this proposition implies a more ample participation of British commerce, than the American States possessed even under their former connexion of dependence upon Great Britain, so as to amount to an entire abolition of the British act of navigation, in respect to the thirteen United States of America, and although proceeding on their part from the most conciliatory and liberal principles of amity and reciprocity, nevertheless it comes from them, as newly established States, and who, in consequence of their former condition of dependence, have never yet had any established system of national commercial laws, or of commercial connexions by treaties with other nations, free and unembarrassed of many weighty considerations, which require the most scrupulous attention and investigation on the part of Great Britain, whose ancient system of national and commercial policy is thus suddenly called upon to take a new principle for its foundation, and whose commercial engagements with other ancient States may be most materially affected thereby. For the purpose, therefore, of giving sufficient time for the consideration and discussion of so important a proposition, respecting the present established system of the commercial laws and policy of Great Britain, and their subsisting commercial engagements with foreign powers, it is proposed that a temporary intercourse of commerce shall be established between Great Britain and the American States, previously to the conclusion of any final and perpetual compact. In this intervening period, as the strict line and measure of reciprocity, from various circumstances, cannot be absolutely and completely adhered to, it may be agreed that the commerce between the two countries shall revive, as nearly as can be, upon the same footing and terms as formerly subsisted between them, provided always, that no concession on either side, in the proposed temporary convention, shall be argued hereafter in support of any future demand or claim. In the mean time, the proposition above stated may be transmitted to London, requesting (with his Majesty's consent) that it may be laid before Parliament for their consideration.

It is proposed therefore, that the unmanufactured produce of the United States should be admitted into Great Britain without any other duties, (those imposed during the war excepted) than those to which they were formerly liable. And it is expected in return, that the produce and manufactures of Great Britain should be admitted into the United States in like manner. If there should appear any want of reciprocity in this proposal, upon the grounds of asking admission for British manufactures into America, while no such indulgence is given to American manufactures in Great Britain, the answer is obvious, that the admission of British manufactures into America is an object of great importance, and equally productive of advantage to both countries, while, on the other hand, the introduction of American manufactures into Great Britain can be of no service to either, and may be productive of innumerable frauds, by enabling persons, so disposed, to pass foreign European goods, either prohibited or liable to great duties by the British laws, for American manufactures.

With regard to the West Indies, there is no objection to the most free intercourse between them and the United States. The only restriction proposed to be laid upon that intercourse, is prohibiting American ships carrying to those Colonies any other merchandise, than the produce of their own country. The same observation may be made upon this restriction as upon the former. It is not meant to affect the interests of the United States, but it is highly necessary, lest foreign ships should make use of the American flag, to carry on a trade with the British West India Islands.

It is also proposed upon the same principle to restrain the ships, that may trade to Great Britain from America, from bringing foreign merchandise into Great Britain. The necessity of this restriction is likewise evident, unless Great Britain meant to give up the whole navigation act. There is no necessity for any similar restrictions on the part of the American States, those States not having as yet any acts of navigation.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Bath, June 27th, 1783.

Sir,

I beg leave to refer you to the contents of a letter, which I had the honor of writing from London the 17th instant, by the hands of Mr John Vaughan, and a copy by Mr Thomas Stoughton. Two days ago, I had the pleasure of receiving your letter of the 8th of May, together with an act of Congress of the 1st of April, giving leave for my return to America, agreeably to my request, for which I make the most sincere acknowledgments.

I am happy to find the provisional treaty had received the plaudit and ratification of Congress, and should have been ready to have given the best answers in my power to the inquiries which you allude to, had you been pleased to extend them. I know not whether any steps have been taken toward a definitive or other treaty since the 7th instant, when I left Paris, having received no letters from my colleagues, but they no doubt will keep you regularly informed.

You will have seen, Sir, in several of my former letters, which must have reached you before this day, that no exertions of mine were wanting, for delivering you from those troublesome guests of whom you complain. I foresaw the great uneasiness, which their long continuance at New York would create. I regret exceedingly, that so free a communication as "on the former footing" preceded the accomplishment of that great and necessary work. I had entertained ideas, that my country would have treated it with more solemnity.

I have no account to settle with Dr Franklin, having received no money but from Mr Grand, viz. twenty thousand livres, and sixteen thousand six hundred and sixtysix livres, thirteen sols, which I believe are all the remittances you have made to me, and which I have already formally acknowledged. The latter sum, indeed, I have not actually received, but it stands to my credit with Mr Grand, and I soon shall have occasion to draw for it. I am at present in a poor state of health, but I hope Bath and sea bathing will be of service to me. The summer season being so far advanced, I shall prepare for embarkation early in October. No opportunity of serving my country in the mean time shall be slighted or neglected.

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

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Bath, July 17th, 1783.

Sir,

My present address will be accompanied by a copy of my last of the 27th of June, to which I beg leave to refer. The enclosed proclamation of the 2d of July, in the London Gazette of the 12th, seems to complete a commercial treaty with America on the part of Great Britain, "until further order." I am informed Mr David Hartley is soon expected from Paris, without having made any treaty with the American Ministers. I speak from report, but have received no advices from my colleagues.

This will be delivered to you by Thomas Carpenter, who is going with three other persons, under the auspices of Rev. Mr Wells of Broomsgrove, to offer themselves as settlers and citizens in the United States. Mr Wells and his concerns are strongly recommended to me by Dr Price, and by the Rev. Mr Wrenn, of Portsmouth. Upon this ground, permit me to crave your countenance and protection in favor of Mr Carpenter and his associates. I was informed yesterday, and though by pretty good authority I speak only as from report, that Mr Silas Deane, who has been in London about four months, has been an active hand in chalking out a treaty of commerce for us. I shall know more of this when I get to London, some ten days hence. I have not yet fully recovered my health, but am nevertheless taking measures for embarking early in October.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Bath, July 17th, 1783.

Sir,

A few hours after I had despatched an address to you of the present date, by the hands of Mr Carpenter, who, I hope, will also be the bearer of this, I received a letter from Doctor Franklin, in which he writes, "I want you here on many accounts, and should be glad of your assistance in considering and answering our public letters; there are matters in them, of which I cannot conveniently give you an account at present." Although I had flattered myself with the hope of being free, and however so long a journey at the present season may further impair my health, and the delay derange my measures for embarkation, I must not refuse to obey such a call. I shall begin my journey tomorrow morning, and, barring accidents, be at Paris in seven days, or sooner.

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

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

Washington, off Poole, August 2d, 1783.

Sir,

In pursuance of the determination signified in the preceding copy of my last, of the 17th ult, I proceeded to Paris, and arrived there on the 23d. The despatches being finished for captain Barney, by advice of Dr Franklin and Mr Jay, I embarked in the Washington, and am presently going on shore at Poole, from whence I shall immediately proceed to London, and apply to the Ministers at that Court for learning their resolutions, respecting the long pending treaties, and particularly for information, whether a Minister from the United States will be properly received there. Had the wind been unfavorable, I should have detained Captain Barney for conveyance of such answers as I may receive, but I have recommended to him to profit by the present easterly gale, without losing a moment. I am from sea sickness unable to add more, except that I shall advise by the earliest opportunities, and that,

I have the honor to be, &c.

HENRY LAURENS.

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TO L. R. MORRIS.

London, August 9th, 1783.

Sir,

On the 4th instant, I had the honor of receiving your very obliging letter of April the 18th, accompanied by "a state of Mr Laurens's account with the United States," &c. and a bill on Mr Grand for its apparent balance 7083 livres, 7s. which is said to be for three months' salary from the 1st of January, to the 31st of March 1783. For former quarter's salary, about 16,666 livres, 13s. had been remitted to me, wherefore I presume there is an error in the present article. I have not learned of any alteration made by Congress in the Ministers' salaries, except in the mode of calculating the exchange of dollars. If there is an error you will cause it to be rectified. Be pleased, Sir, to accept this as an acknowledgment of the receipt of the said bill for seven thousand and eighty-three livres and seven sols, and also of my best thanks for your goodness in forwarding the remittance. Besides the above mentioned error, the account is partial, confined probably to the administration of Mr Robert R. Livingston, or of Mr R. Morris, and an adjustment of the whole therefore must be deferred to a future day. I would also remark another omission, the commission for agency, due either to Mr Livingston or yourself, which may be deducted from a future bill, and will be admitted on my part with alacrity and thankfulness for your trouble.

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

HENRY LAURENS.

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TO THE MINISTERS OF THE UNITED STATES AT PARIS.

London, August 9th, 1783.

Gentlemen,

Availing myself of your consent and recommendation, I embarked at Lettavre, on board the Washington, and sailed from thence the 1st instant. On the 2d, 9 o'clock A.M. we were within six leagues of Poole, in Dorsetshire. The wind being very favorable, I quitted the ship, went on board a small hoy bound to Poole, and urged Captain Barney to proceed on his voyage, leaving my excellent post carriage to take its fate on the ship's deck, in preference to the risk of delaying him a single hour. Had the wind been westerly, I might have detained him a few days, for despatching to Congress the result of my application to the Ministers of this Court. I judge from the state of the wind since I parted with Captain Barney, that he was clear of the channel Sunday night the 3d, and that he is now 150 or 200 leagues advanced on his voyage.

I arrived in London late in the night of the 3d, and on the 5th had a conference with Mr Fox, which I committed to writing as soon as it had ended. I shall give it in a short dialogue, as the best way, not pretending to accuracy in every word, but fully preserving the sense and substance.

*Mr Fox.* I suppose, Mr L. you wish to forward the ratification of the provisional articles.

*L.* I could wish that was done, Sir, but it is not the particular business I have in charge.

*F.* I understood from Mr Hartley's letter, which you sent me, that it was, but he does not speak positively.

*L.* No, Sir, the only business I have in charge, is to inquire, whether a Minister from the United States of America would be properly received at this Court.

*F.* Most undoubtedly, Sir; I could wish that there was one here at present; I think we have lost much time from a want of a Minister from your side.

*L.* Then, Sir, will you be so good as to ask his Majesty, and inform me?

*F.* I will take the King's pleasure tomorrow, and you shall hear from me; I suppose there is already a conditional appointment of some person now in Europe.

*L.* Not that I know of, though I do not know the contrary, but I have an excellent opportunity of writing to Congress, and I have no doubt an appointment will be made immediately.

*F.* That is unlucky; there must be two crossings of the ocean then; if a Minister of Congress had been here, we might have done our business in half the time we have already spent, but I shall certainly inform you

tomorrow; this is the very time a Minister from your people is most necessary.

*L.* Though I have nothing particularly in charge except the business already mentioned, I regret the delay of both the commercial and definitive treaty. We had flattered ourselves with hopes in March and April, that both would have been finished in a few days.

*F.* Why, as to a definitive treaty, I cannot see any necessity for one, or not immediately. The provisional articles are to be inserted, and to constitute a treaty; a ratification of those, I apprehend, will answer all the purposes of a definitive treaty; they may be made definitive. The case with respect to France and Spain differs widely; several articles in our preliminaries with them refer to a definitive treaty.

*L.* I agree with you, Sir, that the provisional articles, mutually ratified, may, by the consent of the parties, be made definitive; but there may be additional articles suggested and agreed to for mutual benefit.

*F.* That is true; but I do not see any at present; I very much regret the want of a Minister from America.

*L.* Permit me, Sir, to ask you, is it intended by the proclamation of the 2d of July, to exclude American ships from the West India trade, between the United States and the British islands?

*F.* Yes, certainly, it was so intended, in order that we might have something to treat for, and this will be a subject for a commercial treaty.

On the 6th, I waited upon his Grace, the Duke of Portland. His Grace was equally clear and positive as Mr Fox had declared himself, that a Minister from the United States of America would be well received at this Court, and also regretted that an appointment had not earlier taken place. I touched upon the commercial and definitive treaty, referred to assurances in March and April, intimated my apprehensions of pernicious effects, which might arise from excluding American ships from a freedom between the United States and the British West India Islands, adding what I had learnt from Doctor Franklin of the commerce intended by the Court of France, between our America and the French Islands. I can only say, the Duke seemed to wish that everything had been settled to mutual satisfaction, and hoped that everything would soon be settled.

Yesterday, by the desire of Mr Fox, I called upon him again; he said he had not seen the King, but that he had transmitted an account to his Majesty of my application; that we might be perfectly satisfied, however, that a Minister from Congress would be well received; that the appointment of one was much wished for here; that he must take blame to himself in some degree for the long delay of a commercial regulation, but that business would now soon be finished; he had no objection himself to opening the West India trade to the Americans, but there were many parties to please, and you know, added Mr Fox, the people of this country very well. Yes, Sir, I know something of them, and I find not only the West India planters, but some of the most judicious merchants, anxious for opening the trade. I have been told by some of them, that they should be ruined without it. I believe all this, said Mr Fox, but there are other people of a different opinion. As to the definitive treaty, there may be, as you observed, new articles necessary for mutual advantage, and we may either add such to the provisional articles and make the whole definitive, or make a new treaty; but I understand it is expected this should be done under the eye of, or in concert with the Court of France, which for my own part I do not like, and cannot consent to. I replied, in my opinion a new treaty definitive would be best, as well for incorporating additional articles, as for clearing away some of the rubbish in the provisional, which contained, if not nonsense, more than a little ambiguity; that though I did not see the necessity for it now, yet I had been told it was expected our definitive treaty should be finished in communication with the French Court, but as I had formerly observed, I had received no charge on this head, and spoke only the sentiments of Mr Laurens to Mr Fox, and not to a Minister of Great Britain.

I have detailed facts as fully and freely as memory has enabled me. I leave them with you under this one remark, that we are cooler in the dog days than we were at the vernal equinox. The philosophy of Versailles and Passy may account for, and guard against the effect of extreme changes. I have found my presence here at this juncture of some use in explaining, or attempting to explain, the late mutiny at Philadelphia. The enemies of this country, and of the United States had exulted, the friends of both had too much abandoned themselves to dread, that the soldiery had assumed the reins of government, and that all the States of America

were rushing into anarchy. Captain Carberry and Lieutenant Sullivan, those rash young officers who led on the mutineers to the State House, arrived a few days ago. The former has been with me, expressing deep concern for his conduct, desirous of returning, with an assurance of personal safety, and wanting money for supporting daily expenses, alleging that the United States are indebted to him at least "twelve hundred pounds currency exclusive of land." I have recommended to him to return immediately, and demean himself to the laws of his country, and submit to the magnanimity of Congress. He expresses a dread of undergoing a trial. Could I afford it, and were to advance money for his living in London, should I not incur censure at home? I beg you will communicate such particulars of that disturbance and the event of it, as you may have learned, and your opinion for my conduct respecting these officers.

Mr Barclay will tell you of a display of the American standard under a triumphant British pendant at a very capital inland fair. Trifling as the insult may appear, it discovers a little leaven at the centre.

I have the honor to be, &c.

HENRY LAURENS.

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TO THE SECRETARY OF FOREIGN AFFAIRS.

London, August 9th, 1783.

Sir,

The annexed is a duplicate of a few lines, which I had the honor of addressing you, on the 2d instant, by Captain Barney, in the ship Washington, and enclosed with this you will find an exact copy of my letter of the present date, written to the Ministers of the United States at Paris, which will show in brief, what I have been doing since my return to London, and afford some information to Congress for their government in the appointment of a Minister at this Court. To both which I beg leave to refer.

I have received a letter of the 18th of April from Mr L. R. Morris, enclosing what is called a state of my account with the United States, and a bill on Mr Grand for its balance, 7083 livres, 7s. which, as far as it goes, appears to be right, though I have not yet had time for minute examination. I am much obliged for the remittance, but the account must rest to a future day for final settlement. I had formerly intimated my ignorance of the stipend Congress had determined to allow me, and having no information on that head it is not in my power to correct or confirm this, or to frame a new account. It may appear that my services were as valuable in the Tower of London, and after my release, antecedently to an appointment in the commission for peace, as they could possibly have been in any other station, notwithstanding the former might not have been quite so pleasant a sphere to myself; but I am in the judgment of Congress, and shall perfectly acquiesce in their will.

I shall go tomorrow to Bath, in hopes of confirming my lately recovered health, and shall be preparing for embarkation in October. I am in treaty for one of the cabins of the packets at Falmouth, and know but one circumstance that can detain me. My brother, who has resided upwards of six years in the south of France, had been many months past in a most deplorable state, every day expected to be his last, yet he lives. The prospect of leaving a widowed sister and my youngest daughter, who is with them, at such a distance without a protector is exceedingly distressing to me. Should my brother's unhappy condition be extended a month or two, I may be compelled to defer my voyage to the next spring; in such case, I shall hold myself discharged from the service of Congress, I mean so far only as respects salary. I shall miss no opportunity of serving my country while I am in Europe. No doubt Congress will admit a reasonable time for my return, and provide for the expense of my passage. Letters under cover to Richard Oswald will find me here, or overtake me.

I am, with the highest esteem, &c.

HENRY LAURENS.

*P. S.* Reviewing the above mentioned "state of account," I perceive only 7083 livres, 7s. have been carried to my credit, for three months from the 1st of January to the 30th of March, 1783, and only that sum remitted, which I presume is an error.

TO THE SECRETARY OF FOREIGN AFFAIRS.

London, September 11th, 1783.

Sir,

Permit me to refer to copies of my letter to yourself, and to the American Ministers at Paris, both of the 9th ult. which will accompany this. I was on the point of agreeing for the cabin of the packet, alluded to in my last letter, when I received a letter from my sister Laurens in the south of France, informing me that my brother, who has been long in a declining state, feeling himself approaching fast to dissolution, earnestly wished to see me before I should leave Europe. I cannot refuse to comply with the request of a dying friend, and besides this, humanity and gratitude forbid my leaving a widowed sister, who has been the foster mother of my daughters, at such a distance from her home, and unacquainted with the language of the country, without a friend and protector. I intend, therefore, to proceed immediately, trusting in the goodness of Congress for an exemption from censure in this singular case. When it is considered how exceedingly detrimental to my own interest the delay will be, it must appear that I submit to it from necessity. The journey, going and coming, will probably take up two, perhaps three months, allowing a reasonable time for detention at Vigan; hence I have no prospect of embarking before the next Spring. I should have been already advanced on my journey, but I wait the arrival of Mr Jay and Mr Hartley, who are daily expected from Paris.

Yesterday I received from Dr Franklin a copy of a letter written the 31st of August to Congress, which shows that the definitive treaty amounts to nothing more than a re-confirmation of the Provisional Articles, which I much regret. As it is possible this may arrive before the advices from France, I think it proper to enclose the copy abovementioned.

A Mr Edmund Jennings has been long hovering over, and as often as he could find opportunity, penetrating into American councils on this side of the water, and there is good reason for believing, notwithstanding all his pretensions to friendship, that his chief business has been to create dissensions, and also that he has been the principal contriver and manager of anonymous letters, calculated for that purpose. As I had detected Mr Jennings in some very improper conduct of this sort, and therefore refused him my countenance any longer, he, knowing no medium between familiarity and enmity, pricked by his own conscience, and enraged by my silence, took an opportunity in my absence of printing about forty pages of misrepresentation and falsehood, which he circulated in a private way, with a view, I suppose, of injuring me, and I am informed he has sent a large quantity of his paper to America, under the patronage, as I have reason to believe, of Dr Bancroft. Congress, and my fellow citizens in general, are too wise to condemn before they hear; therefore, I have taken the liberty to send you for their information, forty two copies of "a true state of the case," packed in a box put under the care of Captain Josiah, the bearer of this. I write this "state of the case" in very great haste, and might have said much more to Mr Jennings's disgrace, but there is enough to show, that he is not worthy of public trust, and that he is a dangerous confidant to a Minister of State.

Readers of Mr Jennings's paper, from the profusion of his charges against me of animosity, enmity, uncalmness of temper, &c. &c. would suppose there had been much altercation between us, either by letter or verbally. On the contrary, I have neither corresponded with, or seen him but twice passing in the streets, since the sixth of January last, and nothing is more evident than my carefully avoiding to relate to those whom he alludes to as his particular friends, the discovery of his folly in asserting a lie upon his honor, unless he means to include Mr Adams as one of them; a sense of duty to my country, and a sincere regard for Mr Adams, led me to attempt to open his eyes, and I judged it equally necessary to inform Dr Franklin and Mr Jay. But I shall trouble you no longer on this subject. Congress will be possessed of the two papers, and I shall submit to their judgment. I do not esteem it a trifling affair, to remove a wicked and mischievous favorite from his influence in our councils.

I have the honor to be, &c.

HENRY LAURENS.

*P. S.* You will receive with this two of the latest Gazettes, and divers other newspapers to this day inclusive.

TO THE SECRETARY OF FOREIGN AFFAIRS.

Dover, September 16th, 1783.

Sir,

In my way to France, I found here the sloop Olive Branch, on the point of sailing to Philadelphia. By her I trouble you with the preceding copy of my last address of the 11th instant, and also a couple of newspapers. Mr George Taylor goes in this vessel, recommended by that very worthy man, Granville Sharpe, than whom the United States have not a warmer friend in Europe. Shall I therefore request you, Sir, to countenance this young gentleman, and assist him in his virtuous pursuits? I think he can have no other in view, going from Mr Sharpe.

Mr Hartley was with me yesterday morning, and said he had hopes "things would do yet," alluding to the Commercial Treaty. I am sure he means well, but I put "all proper confidence" in everything they say. "Things will indeed do yet," provided we take care of ourselves.

With the highest regard and respect, I have the honor to be, &c.

HENRY LAURENS.

TO CHARLES THOMPSON.

Bath, March 28th, 1784.

Sir,

Doctor Franklin lately conveyed to me a copy of your letter of the 5th of January last, directed to the Ministers of the United States for treating with Great Britain. It found me at this place in a very ill state of health. Ill as I was, I should have repaired immediately to Whitehall, had not Mr David Hartley, who still retains his commission, happened to have been present, and just going to London. I requested him to propose to Lord Carmaerthen, a convention for extending the stipulated term for exchanging ratifications of our definitive treaty of the 3d of September, and for that purpose I would without delay repair to London, for executing it on the part of the United States, if necessary; to add that if the formality might be dispensed with, without prejudice to either of the contracting parties, I desired the assent of the minister should be signified to me in writing. This morning brought me a letter from Mr Hartley, a copy of which will accompany this. I flatter myself, that the contents will afford the same satisfaction to Congress, as I feel upon the occasion.

Previous to the late dissolution of Parliament, a bill was passed, extending what is called the Intercourse Bill to the 20th of June, upon which probably will be grounded a new proclamation, for regulating the commerce between this kingdom and the United States. I have requested Major Jackson, who will do me the honor to take charge of this letter, to watch the London Gazette, and should a proclamation appear while he is in London, to enclose one of those papers to you, for the information of Congress. The West India merchants, and owners of estates in the British Islands, held several meetings and consultations, while I was in London, on the commerce in which they are particularly interested. I was frequently applied to, and delivered such sentiments as appeared to me to be necessary, particularly that I was firmly persuaded the United States separately, or in Congress, would retaliate every restriction, by which means we should have a treaty of commerce by acts of Parliament on one part, and acts of Assembly or of Congress on the other, and bring the great question to a test, which country would sustain the most damage or inconveniency by partial or total prohibitions.

I have just received a letter from a very eminent merchant in London, in which he writes,

"I could have wished to have given better accounts of the administration, touching the American Intercourse Bill, but there are strong remains of the old leaven among us, and the same disposition of monopolising the trade and navigation of the world to ourselves."

That there is a continuance of the old leaven, on this side, may be concluded from the following sentiments of a gentleman, who writes as a professed friend to America, in opposition to Lord Sheffield.

"There is not yet that stock of good temper in either people, that could be wished."

"The English are yet sore from their disappointment, and though they

have lost a part of their dominions, they have not lost the recollections of having been masters, and expect something like the usual deference to be paid to them." Hence I am not surprised at anything published by an inveterate enemy, whose design seems to be to declare commercial war in the first instance, possibly for introducing his "chain of stout frigates from Halifax to Bermuda."

I went from hence the middle of January, determined to prepare for embarkation, and to be at sea about the 20th instant, but was taken very ill upon the road, and have continued ever since incapable of business. After being confined seven weeks in London, I returned to Bath, in hopes of receiving benefit again from the waters, but if I were perfectly in health, a recent circumstance would retard my progress. My brother lately died in the South of France, and I am constrained to wait the arrival of his widow. The affairs of two distressed families demand my attention, and as neither expense, nor as I apprehend other detriment, to the public will be sustained by my absence, the delay of a month or six weeks longer I trust will not give offence. Be pleased, Sir, to lay this before Congress, with assurances of my utmost respect, and continued attention to the interests of the United States.

I have the honor to be, &c.

HENRY LAURENS.

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DAVID HARTLEY TO HENRY LAURENS.

Golden Square, March 26th, 1784.

Dear Sir,

It is with great satisfaction, that I am able to inform you, that it is not thought necessary on the part of Great Britain, to enter into any formal convention for the prolongation of the term, in which the ratifications of the definitive treaty were to be exchanged, as the delay in America appears to have arisen merely in consequence of the inclemency of the season. I took care to express on your part, the motives of candor and attention to this country, which were the ground of your offer, and it gives me pleasure to assure you, that they were received with equal candor and attention on the part of the British Ministers. My compliments and best wishes always attend yourself and family.

I am, dear Sir, with great respect and esteem, your most obedient, humble servant,

DAVID HARTLEY.

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TO THE PRESIDENT OF CONGRESS.

London, April 24th, 1784.

Sir,

I had the honor of addressing Congress, under directions to Mr Secretary Thompson, the 28th ultimo, by Major Jackson, and a copy by the packet from Falmouth, and the 8th instant by the same packet, copy by Sir James Jay, to which I beg leave to refer. Mr Hartley went off for Paris the 17th, preferring that spot to this for the exchange of ratifications. I am told there is a pretty handsome stipend annexed to each journey.

The London Gazette of the 17th instant, a copy of which will be enclosed with this, contains a proclamation of the 16th, for extending the American intercourse to the 20th of June next, in terms, almost verbatim, a repetition of the antecedent. The friends of administration say, that the present Ministers are afraid of attempting enlargements before the meeting of the new Parliament. At present, from the best information I can collect, their utmost view is to a restricted trade in small vessels, of sixty or eighty tons, of American property, between the United States and the British West Indies. The tonnage on their part to be unlimited.

I have the pleasure of conversing often with men the most judicious and experienced in commercial affairs; all agree with me, that precise retaliation would produce good effects; possibly retaliation may be the very wish of our implacable enemies; certainly there is a majority still in council mumbling the Thistle,—of which wise men think they have already had enough. What new maggot has bitten them? "See," say they, and reason upon the falsehood, "there is already a secession of four States; only nine could be collected for ratifying the treaty; New York we know is unrepresented, Connecticut is also unrepresented, (then

presume upon two other States) they are all in confusion, weary of their independence, and will soon return to Great Britain upon her own terms." I allude to no person eastward of Charing Cross. I cannot impute such conduct to ignorance; they will not be convinced, although they have Moses and the Prophets; in my mind, it proves a determination in that majority, not to *return* to America with any degree of cordiality or generosity to urge a commercial, hoping in time to provoke a more hostile war, and to improve upon what they call the errors of the last. I am assured, that the last commander in chief of the British troops in America is a principal adviser. Mr Brooke Watson is added. To bring the King and people in general to consent to war with the United States will be a work, however, requiring no small exertion of skill. "His Majesty was dragged into the late war, as reluctantly as ever a bull was dragged to a baiting. I have seen the Queen shed floods of tears in the cruel progress, and have heard her Majesty say, I do not interfere in politics, but I think the Americans are an injured people. The King has often expressed to me his regret at the shedding of so much blood, but, said his Majesty, what can I do? They drew me in little by little; I have been deceived, I have had more truth from you, W. than from all of *them* together. The King has been, and is willing to send to, and receive from the United States Ambassadors, (this part is undoubtedly a fact) and wishes for a liberal intercourse and commerce with them. Those men, who were called the King's friends, for promoting the war, from the old Rubicon Peer, to the one always supposed to have been the invisible counsellor, (naming them specially) are now his enemies, because he has acknowledged the independence of the States. Had a late violent measure succeeded, and *that party* gained the power aimed at, a voluntary abdication was determined upon, arrangements were absolutely made for that purpose. I can live, said the King, in an humbler state and be happy. The heir apparent would have mounted the throne, a question on the right of *alienating the Prince of Wales's inheritance* would have been brought forward, a war as soon as possible commenced for recovery, mistakes and errors of the last to be avoided." I might add &c. &c. but that must rest to a future day.

I think it my duty, Sir, to communicate these memorable circumstances to Congress. If the intelligence merits attention, they will make proper application, but for the sake of our friend who delivered it to me, from no second hand report, upon whose honor and veracity all America would place the highest confidence, who could have no motive to a studied unprofitable falsehood, I humbly request it may not become suddenly a subject of out door conversation.

Two of my friends, characters highly esteemed in the United States, have been with me at several times within these three days past; whether they are in the secret of the above written history I know not, but rather believe the contrary, each confirmed that part relative to an intended breach, trusting, however, in the resistance of the people. If I trust at all, it is in their imbecility. The people may, by "exertions of skill," be taught to believe, that going to war will mend their fortunes and recover national glory; let us contrast some of the late addresses of thanks with the later elections, and we shall see the inconsistency of conduct in the "first city in Europe," and many other instances will appear. It may be asked how they can support a war under such a load of debt? It is averred by competent judges, that ragged and deranged as the finances of this country are, they are infinitely better than those of the neighboring maritime powers. A determination may be founded upon the comparative essay of resources; but I am under no apprehension from all they can do, provided timely, wise precautions are taken on our part. If all the people called loyalists were scattered in America, they would not do so much mischief as they do here; we could manage them best at home. I have employed a person to look out for a proper ship for my passage to America, hoping to embark in the course of next month.

With great respect and regard, I have the honor to be, &c.

HENRY LAURENS.

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TO THE PRESIDENT OF CONGRESS.

London, April 30th, 1784.

Sir,

Under cover of this will be found a copy of my last despatch, dated the 24th. I have only to add, that the more I converse with intelligent men, the more I am confirmed in believing, that there is a core of bitterness and pride against the United States in this kingdom, which

cannot easily be dissipated; and which will break out whenever the parties have, or shall fancy they have, power. It is true, indeed, "Englishmen cannot lose the recollection of having been masters, and expect something like the usual deference to be paid to them, they are yet sore from their disappointment." (Quoted in a former letter to Mr Thompson.) I have asked when were Englishmen masters of their brethren in America? When were the Americans subject to Englishmen? We were once fellow subjects under one King, now separated forever; willing, nevertheless, in peace to be friends, ready at the same time to resent injuries of whatever kind or degree. I do not presume to touch your navigation laws, but I maintain the right of the United States to follow good examples; to speak of retaliating any restrictions in commerce, is held to be the height of arrogance. It is assured me, that Mr Deane is an active counsellor against us, and Mr Galloway, no doubt all the old Governors, Mr Smith of New York, and others have their influence. Mr Smith, I am informed, has reported very extraordinary things, which I shall not repeat without further confirmation.

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

HENRY LAURENS.

## END OF THE SECOND VOLUME.

### Footnotes

[1] Richard Henry Lee.

[2] The name of Lieutenant Governor Colden of New York, to whom this and two other letters are directed, was doubtless assumed by Mr Lee for the purpose of disguise, in case the letters should fall into the enemy's hands. Colden was a royalist.

[3] See the Journal of Congress for January 2d, 1776.

[4] See an account of Dr Church, in Washington's Official Letters, vol. i. p. 36.

[5] There are only two fragments of the original of this letter remaining, but there is in the office a copy of the whole, endorsed as follows.

"Copy of A. Lee's letter to the Committee of Secret Correspondence, dated June 3d, 1776, and taken from the original in the cover of a Dictionary, which was delivered to the Secretary of Congress, by Robert Morris, on the 4th of September, 1778, and to the Committee of Foreign Affairs, 7th December following."

This copy, as well as the endorsement, is written in Mr Lovell's hand, and attested, *James Lovell*.

[6] This suspicion was ill founded, as events proved. No man gave more substantial testimonies of his patriotism, and ardent zeal in the cause of his country, than Joseph Reed. The suspicion grew out of the circumstance, that Mr Reed had corresponded with Lord Dartmouth a year or two before, respecting the state of the Colonies.

[7] This record was entered at the time on the Journal of the Committee, but was not made public.

[8] There is no reply to this letter on record. It is probable, that a verbal message was communicated in reply by M. Gerard, as may be judged from the letter directed to him, which immediately follows.

[9] This intelligence, which was entirely erroneous, was probably sent into France by design, with a view of creating there a false impression as to the real plans of the British Government.

[10] The following extract of a letter from the Commissioners to the Committee of Secret Correspondence, will show the origin of Mr Lee's journey to Spain.

*Paris, February 6th, 1777.*—"Finding that our residence here together is nearly as expensive as if we were separate, and having reason to believe that one of us might be useful in Madrid, and another in Holland and some Courts further northward, we have agreed that Mr Lee go to Spain, and either Mr Deane or myself (Dr Franklin) to the Hague. Mr Lee sets out tomorrow, having obtained passports, and a letter from the Spanish Ambassador here, to the

Minister there. The journey to Holland will not take place so soon. The particular purposes of these journies we cannot prudently now explain."

[11] This blank should probably be filled up with the name of Count d'Aranda, the Spanish Ambassador in France.

[12] Although the above Memorial purports to have been *presented to the Court of Spain*, it would appear, that it was put into the hands of the Marquis de Grimaldi while he was at Burgos, and that he returned an answer probably without consulting the Court, when he met Mr Lee shortly afterwards at Vitoria.

[13] This answer seems to have been a verbal one.

[14] At the bottom of this letter, and of the Memorial to the Court of Spain, Mr Lee signs himself, "*Commissioner Plenipotentiary from the Congress of the United States of America.*" But this must have been for the greater formality, as he had not yet received any appointment to Spain from Congress, but only went there by the advice of the Commissioners in Paris. [See p. 40, of this volume.](#)

[15] For a copy of Dr Franklin's Commission from Congress to the Court of Spain, see the *Secret Journal of Congress*, Vol. II. p. 42, under the date of January 2d, 1777.

[16] [See above, p. 59, Gardoqui's letter of April 28th.](#)

[17] Memorial to the Court of Spain, dated Burgos, March 8th.—[See above, p. 41.](#)

[18] This letter was drawn up and communicated in the French language.

[19] Caron de Beaumarchais.

[20] In another part of his correspondence, Mr Lee speaks as follows on this subject.

"Three months before Mr Deane's arrival, (in Paris) M. Beaumarchais settled with me in London the sending these supplies of money and munitions of war, by the Cape, under the firm of Hortalez & Co., and that I should apprise Congress of it, which I did by Mr Story and other opportunities, as the gentlemen of the Secret Committee know. Upon M. de Beaumarchais' return to Paris, he wrote me several times concerning these supplies, mentioning the difficulties which arose in the execution, from the timidity of the Court, but that he was putting it into the mercantile train, which would soon overcome all difficulties. I did not fail to press the despatch of them, and proposed too the sending some ships of war to protect our coast, exactly similar to what we were afterwards instructed by Congress to obtain.

"I do not state this to assume any merit to myself for these supplies. I had none. M. de Beaumarchais sought me out in London. He found me by means of Mr Wilkes, and communicated to me what I was to convey to Congress; that the sum of two hundred thousand louis d'ors from this Court were ready for our support. It was therefore no address of mine, that procured this aid. I was only the instrument of conveying this intelligence. As far as I know, the merit is due to M. de Beaumarchais. I never refused it to him. But I objected to his making demands directly contrary to what he had repeatedly assured me, and not only desired but urged me to report to Congress."

On the 16th of September, 1778, Count de Vergennes wrote as follows to M. Gerard, at that time French Minister in the United States.

"Mr Franklin and his colleagues wish to know what articles have been furnished to them by the King, and what M. de Beaumarchais has furnished on his own account; and they have insinuated to me, that Congress is in the belief, that all the articles which have been sent, of at least a great part of them, were on his Majesty's account. I have just answered them, that the King has furnished nothing; that he has simply permitted M. de Beaumarchais to be provided with articles from his arsenals, upon condition of replacing them."

[21] This letter was agreed upon by the Commissioners, and sent by them conjointly as a circular "To the Captains or Commanders of all ships of war, armed vessels, and privateers from the United States of North America."

[22] Dr Berkenhout had been formerly a friend of Arthur Lee in London, and was employed by the government as a secret agent to

endeavor to obtain from the Commissioners in Paris the terms of an accommodation with England.

[23] From Baron de Schulenburg.

[24] A particular account of the 11th and 12th articles of the treaty, and the manner in which they were proposed and adopted, will be found above, in Silas Deane's Correspondence, Vol. i. p. 155.

[25] For this Memorial and the letter, see [p. 41](#) and [p. 45](#) of the present volume.

[26] Secret Journal, Vol. II. p. 38.

[27] Mr Lee seemed to be somewhat less certain afterwards, having in the mean time conversed repeatedly with M. de Beaumarchais on the subject. Writing to Mr Pringle, July 4th, 1779, he says, "I absolutely do not know whether Beaumarchais is right or wrong, and while it is doubtful, one would not impeach his character."

[28] See also on this subject [p. 98 of the present volume](#); and for some further particulars respecting Count Lauragais, see Vol. 1. p. 150.

[29] This letter is directed to Henry Laurens, who had recently been chosen President of Congress.

[30] The reason why the sailing of the French fleet, and the Mission of M. Gerard, were not made known to Mr Lee by Dr Franklin and Mr Deane, seems to have been, that they had not the permission of the French Court to communicate the intelligence to him. It does not appear, that Dr Franklin answered the above letter.

[31] The reason was, as previously stated, that Franklin and Deane were not authorised by the French Court to make known to any person the sailing of the fleet.

[32] This Memorial was printed and circulated in Holland by the friends of the American cause.

[33] Missing.

[34] The insinuation here, that Dr Franklin was disposed to favor Mr Williams, because he was his nephew, seems to have been made without just grounds. The contrary indeed would appear from the following extract of a letter, written by Dr Franklin to Mr William Lee, March 6th, 1778, when Mr Lee proposed to him that the Commissioners should appoint Mr Williams as a commercial agent at Nantes.

"Your proposition," says Dr Franklin, "about appointing agents in the ports, shall be laid before the Commissioners when they meet. In the mean time, I can only say, that as to my nephew, Mr Williams, though I have from long knowledge and experience of him a high opinion of his abilities, activity, and integrity, will have no hand in his appointment, or in approving it, not being desirous of his being in any way concerned in that business.

"I am obliged to you for your good opinion of my nephew, manifested in your intention of nominating him as above, and I beg you to accept my thanks, though for particular reasons, which you know, I do not wish him to accept the employment."

[35] For a full explanation of all the charges contained in this letter, see Silas Deane's Correspondence in the present work, Vol. I, p. 139, under the date of October 12th, 1778,—also, p. 148 of the same volume. And for a further notice of Mr Williams's accounts, see p. 172.

[36] This relates to military articles for the State of Virginia, which Mr Lee was authorised to procure. The correspondence concerning this subject will be found in the first volume of the *Life of Arthur Lee*.

[37] Both missing.

[38] "*In Congress, December 3d, 1777.* The great quantity of paper money, issued to defray the necessary expenses of the war, having at length become so considerable as to endanger its credit, and Congress apprehending, that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves, that the method of paying the interest by bills on France does not fill the loan office so fast as the urgent calls of war demand,

"*Resolved,* That the Commissioners at the Courts of France and Spain be directed to exert their utmost endeavors to obtain a loan of two millions sterling on the faith of the United States, for a term not less than ten years, with permission if practicable to pay the same sooner if it shall be agreeable to these States, giving twelve months' previous notice to the lender, of such intention to return the money. That the Commissioners be instructed to consider the money hereby directed to be borrowed, as a fund to be applied, unless Congress direct otherwise, solely to the purpose of

answering such drafts as Congress shall make for the purpose of lessening the sum of paper money in circulation.

“That in order more effectually to answer the good purposes intended by this plan, the Commissioners be also instructed to keep as secret as the nature of the thing will admit, whatever loan they shall be able to obtain for this purpose on account of the United States.”

[39] Several of these letters are missing.

[40] This letter was forwarded to Count de Florida Blanca, through the agency of Count d’Aranda, Spanish Ambassador in France.

[41] When Mr Deane’s address reached Paris, Mr Lee ascertained that it was intended to be published in the *Courier de l’Europe*, and he wrote to Count de Vergennes requesting him to order it to be suppressed. The following answer was returned.

Versailles, February 9th, 1779.

Sir,

I received the letter, which you did me the honor of writing to me the 7th instant. I had no knowledge of the writing it mentioned, and yesterday I was about taking measures that it should not be inserted in the *Courier de l’Europe*, just as that paper was sent to me, wherein I found the writing in question, so that it was out of my power to second your wishes. Do not doubt, Sir, of the regret I experience on account of this disappointment.

I have the honor to be, &c.

DE VERGENNES.

[42] See Silas Deane’s Correspondence, Vol. I. p. 139, 148.

[43] Mr Lee wrote a very long letter to the President of Congress, dated February 10th, vindicating himself against statements of Silas Deane. This letter, somewhat altered, was published under the title of “*Extracts from a Letter written to the President of Congress, by the Honorable Arthur Lee, in Answer to a Libel published in the Pennsylvania Gazette, of the 5th of December, 1778, by Silas Deane; in which every Charge or Insinuation against him in that Libel is fully and clearly refuted. Philadelphia, 1780.*”

[44] In a letter to Mr Lovell, one of the Committee of Foreign Affairs, dated June 2d, 1779, Dr Franklin writes as follows.

“I have never meddled with the dispute between him (Mr Deane) and Mr Lee, but the suspicion of having a good will to him has drawn upon me a great deal of ill will from his antagonist. The Congress have wisely enjoined the Ministers in Europe to agree with one another. I had always resolved to have no quarrel, and have, therefore, made it a constant rule to answer no angry, affronting, or abusive letters, of which I have received many and long ones from Mr Lee and Mr Izard, who, I understand, and see by the papers, have been writing liberally, or rather illiberally, against me, to prevent, as one of them says here, any impressions my writing against them might occasion to their prejudice. But I have never before mentioned them in any of my letters.”

[45] Missing.

[46] This letter was accompanied by another, dated April 23d, and entitled “*A Memorial respecting the Conduct of Mr Williams,*” which was afterwards printed under the title of “*Observations on certain Commercial Transactions in France, laid before Congress. By Arthur Lee. Philadelphia, 1780.*” To these observations is prefixed a preface, which is not attached to the Memorial first transmitted to Congress.

[47] On the 25th of June, Mr Lee wrote to the Count de Florida Blanca, as follows.

“I do not press your Excellency about my coming to Madrid. I know your Excellency’s wisdom, and the maturity of judgment with which his Majesty’s councils are conducted. I therefore trust, that when such a step is thought to be proper, you will have the goodness to signify it to me through his Majesty’s Minister at this Court.”

I have the honor, &c.

ARTHUR LEE.

[48] Journal of Congress, April 30th and May 3d, 1779.

- [49] Journal of Congress, June 10th, 1779.
- [50] *"In Congress, October 13th, 1779.* A letter of the 31st of May last, from A. Lee, was read, whereupon,  
*"Resolved,* That Mr A. Lee be informed of Mr Jay's appointment to the Court of Spain, and that, agreeably to his request, he is at liberty to return to America."
- [51] For these letters see above, [p. 224](#), [227](#), and [249](#).
- [52] *December 1st.* "Resolved, That Mr Lee be informed, that Congress approve of his retaining the picture; that he be further informed, in answer to his letter, that there is no particular charge against him before Congress properly supported, and that he be assured his recall was not intended to fix any kind of censure on his character or conduct abroad."
- [53] *"May 7th, 1778.* Resolved, that the Commissioners appointed for the Courts of Spain, Tuscany, Vienna and Berlin, should live in such style and manner, at their respective Courts, as they may find suitable and necessary to support the dignity of their public character; keeping an account of their expenses, which shall be reimbursed by the Congress of the United States of America;  
"That besides the actual expenses of the Commissioners, a handsome allowance be made to each of them as a compensation for their services;  
"That the Commissioners of the other Courts in Europe be empowered to draw bills of exchange from time to time for the amount of their expenses upon the Commissioners at the Court of France."
- [54] Missing.
- [55] For letters from M. Van Berckel and M. Dumas on this subject, see the Correspondence of the Commissioners in France. Vol. I. pp. 456, 457, 476, 480, 488.
- [56] See these letters and paper in Mr Deane's Correspondence, Vol. I, pp. 129, 139, 148, 155, of this work.
- [57] For a correction of an error here, in regard to the imputed designs of Dr Franklin respecting his nephew, [see the note on p. 164, of the present volume.](#)
- [58] His Address to the American People, published in the Pennsylvania Gazette, of December 5th, 1778.
- [59] This was not true in regard to the "mediating powers," but it was the invariable reply of France to all the propositions made by other powers for a mediation between her and England, that the independence of the United States must be assumed as a previously established point.
- [60] Both missing.
- [61] *"August 6th, 1779,* Resolved, that an allowance of 11,428 livres tournois per annum be made to the several Commissioners of the United States in Europe for their services, besides their reasonable expenses respectively;  
"That the salary, as well as the expenses, be computed from the time of their leaving their places of abode to enter on the duties of their offices, to be continued three months after notice of their recall, to enable them to repair to their families respectively."
- [62] *"September 12th, 1781.* The committee to whom was referred a letter of the 12th of April last from Mr William Lee, report,  
"That upon principles admitted by Congress in the settlement of an account similar to that transmitted by Mr Lee, there appears to be due to him a balance of 42,189 livres tournois; whereupon,  
"Ordered, That the account be referred to the Superintendent of Finance, to take order for payment of the balance, with interest, at the rate of six per cent per annum from this day, as soon as the state of the public finances will admit."
- [63] See the history of the 11th and 12th articles of the treaty, in Mr Deane's letter of the 12th of October, 1778, Vol. I. p. 166; also in Arthur Lee's, letters, Vol. II, [p. 127](#).
- [64] See the [three preceding letters](#).
- [65] They were not permitted by the French Court to make it known.
- [66] In reply to this letter, see Mr Deane's letter to the President of Congress, dated October 12th, 1778, Vol. I. p. 129.
- [67] Succeeding events proved all these suspicions and speculations to have been erroneous.

[68]

For the correction of an error here, respecting Dr Franklin's designs in regard to his nephew, see the present volume, [p. 164, note](#).

[69]

*In Congress, June 8th, 1779.* "According to the order of the day, Congress proceeded to the consideration of the report of the Committee of thirteen on Foreign Affairs; and on the question, shall Mr Izard be recalled?—resolved in the affirmative.

"A motion was then made, that Mr Izard be informed, that it is the sense of Congress that he need not return to America;—resolved in the affirmative."

[70]

For an account of the appointment of Henry Laurens to "negotiate a foreign loan," and also as a "Commissioner to negotiate a treaty of amity and commerce with the United Provinces of the Low Countries," see the *Secret Journal of Congress*, Vol. II. pp. 283, 285, 290, 314, 320.

[71]

*In Congress, November 23d, 1779.* Committee reported, "that bills of exchange be drawn on John Jay to the amount of £100,000 sterling, and on Henry Laurens to the amount of £100,000 sterling, payable at six months sight, and that the same be sold at the current rate of exchange."

*November 29th.* "Congress took into consideration the report of the Committee appointed to report the manner in which the resolution of the 23d instant, relative to the drawing bills of exchange on Mr Jay and Mr Laurens, shall be carried into execution; whereupon

"*Resolved*, That the bills be prepared under the direction of the Board of Treasury, and with such checks as they may devise to prevent counterfeits, and be signed by the Treasurer of Loans.

"That so many of the bills as the Treasury Board shall, from time to time think proper to issue, be put into the hands of the Continental Loan Officer in the State of Pennsylvania, or of any other State; and that the Board of Treasury direct the lowest rate of exchange at which the same may be sold.

"That the Board of Treasury may, at their discretion, suspend the sale of such bills, reporting to Congress their reasons for so doing, that they may receive directions thereon.

"That the Committee of Foreign Affairs be, and they are hereby directed to write to Mr Jay and Mr Laurens, informing them of the drafts that will be made upon them, and explaining fully the reasons that urge Congress to draw, directing them to keep up a mutual correspondence, and afford each other every assistance in procuring money to pay the bills.

"That 1.8 per cent on monies received in payment for the said bills shall be allowed to the persons intrusted with the sale thereof.

"That no bill be drawn for a less sum than the amount of £50 sterling."

[72]

This letter is missing, nor does it appear from the Correspondence at what time, or from what place Mr Laurens sailed. On the 20th of June, 1780, it was resolved in Congress, that, as circumstances had prevented his departure, the commission to negotiate a loan in the United Provinces and the Low Countries, should be transferred to John Adams. And on the 7th of July, it was resolved, "That the commission, which was agreed to on the first day of November, 1779, for the honorable Henry Laurens, as a Commissioner to negotiate a treaty of amity and commerce with the States-General of the United Provinces of the Low Countries, be delivered to him; and that the consideration of the instructions relative to the negotiation of the treaty be for the present deferred; and that Mr Laurens, on his arrival in Holland, inform himself of the state of affairs in that country, and advise Congress particularly thereof, that they may be able to decide with more certainty upon the terms on which such treaty ought to be settled."

[73]

The following letter merits insertion in this place. It was written to Count de Vergennes by the Marchioness de Lafayette, wife of the Marquis de Lafayette, immediately after she heard the news of the capture of Mr Laurens. It is translated from the original, which I found among the American papers in the Archives of Foreign Affairs in Paris. It should be premised, that, after the Marquis de Lafayette was wounded at the battle of Brandywine, Mr Laurens, then at Philadelphia, took him in his carriage to Bethlehem, and provided for him a safe and comfortable retreat, where he remained till his wound was healed. This letter to the Count de Vergennes, is equally a proof of the gratitude and tenderness of its fair author.

"Paris, October 18th, 1780.

"Pardon, I pray you, Sir, my importunity, and permit me to address you with the confidence with which your kindnesses to M. de Lafayette have inspired me, and to speak to you of an affair, which interests me deeply. The capture and detention of Mr Laurens in England has sensibly afflicted me. He is the intimate friend of M. de Lafayette, and took care of him during the time of his wound in a manner truly touching. His misfortune seems to me overwhelming, and when we consider the high station he has held in America, it is probable that it may become still more so. I know not if any means can be found to prevent it, or even to soften the actual rigors of his captivity; but I am persuaded, Sir, if there are any such, that they will be known to you. Should it be possible, let me entreat you earnestly to put them in use.

"Permit me also to speak to you of an idea which has occurred to me, and which is not perhaps entirely unworthy of consideration. M. de Lafayette has friends, that are on intimate terms with Mr Fitzpatrick, who is himself well known. Among the ladies of my acquaintance are some, who are the confidential friends of Lady Stormont. May not something be done through these parties in favor of Mr Laurens? And what must be said to them? I beg you a thousand times to pardon my importunities, and give me in this affair your kind interest and counsels. You will perhaps think me very ridiculous, and very unreasonable, but the hope, however ill founded, of rendering some good service to the unfortunate friend of M. de Lafayette, has prompted me to run this risk, and make this experiment upon your indulgence, which, at least, I must desire you to accord to me. This will add yet more to the lively and sincere acknowledgment, with which I have the honor to be,

Sir, your very humble, and very obedient servant,

NOAILLES DE LAFAYETTE."

[74] I have been often assured, that this declaration had a very great effect upon the minds of the people in England in favor of American independence.—*Note by Mr Laurens.*

[75] I might assign various reasons, all valid, for this determination. The following single consideration, I trust, will be satisfactory to Congress. Five persons are nominated in the commission, not conjunctly, but severally and respectively, fully empowered. Whence it evidently appears, that Congress had not in view or expectation that the whole would act; therefore, as there are three of those persons besides myself, and all of superior abilities upon the spot, were I to thrust myself in, merely to make a fourth figure, I should feel guilty of a species of peculation by putting the public to unnecessary expense, without any well grounded hope of rendering public service.—*Note by Mr Laurens.*

[76] I have replied to my friend, who wrote to me on this subject, as follows; "As to the peace bill, let them shape it as they please, Wisdom is justified of her children; if they will act foolishly, be the consequences to themselves. I have said and done all that became me."—*Note by Mr Laurens.*

[77] In his letter of May 30th, ([see above, p. 464](#)) Mr Laurens insinuates, that Dr Franklin had neglected him while he was in the Tower. The following letter and extract, written by Dr Franklin, will show that this suspicion was groundless.

"TO SIR GREY COOPER, BARONET,  
SECRETARY TO THE TREASURY OF GREAT  
BRITAIN.

Passy, November 7th, 1780.

"Sir,

"I understand that Mr Laurens, an American gentleman, for whom I have a great esteem, is a prisoner in the Tower, and that his health suffers by the closeness and rigor of his confinement. As I do not think that your affairs receive any advantage from the harshness of this proceeding, I take the freedom of requesting your kind interposition, to obtain for him such a degree of

air and liberty, on his parole, or otherwise, as may be necessary for his health and comfort. The fortune of war, which is daily changing, may possibly put it in my power to do the like good office for some friend of yours, which I shall perform with much pleasure, not only for the sake of humanity, but in respect to the ashes of our former friendship.

“With great regard, I have the honor to be, &c.

B. FRANKLIN.”

On the 14th of May, 1781, he writes to the President of Congress.—“Agreeable to the vote of Congress, I have requested the assistance of this (the French) Court, for obtaining the release of Mr President Laurens. It does not yet appear that the thing is practicable. What the present situation is of that unfortunate gentleman, may be gathered from the enclosed letters.”

The letters here alluded to are, one from Sir Grey Cooper, dated November 29th, 1780; and another from Charles Vernon, Lieutenant Governor of the Tower of London, dated November 27th. They may be found in Dr Franklin’s Correspondence under these dates.

[78]

“*In Congress, September 17th, 1782.—Resolved*, That the honorable Henry Laurens be informed, in answer to his letter of the 30th of May, 1782, that the reasons which induced the United States in Congress assembled, to appoint him to be one of their Ministers Plenipotentiary for negotiating a peace still existing, his services in the execution of that trust cannot be dispensed with.

“*Resolved*, That the honorable John Adams, Benjamin Franklin, John Jay, and Henry Laurens, be respectively informed, that it is the pleasure and express direction of Congress, that they punctually attend and assist in the negotiations for peace; and that each of them be instructed, upon receiving information of the time and place appointed for opening the negotiations, immediately to give notice thereof to the rest, that may be in Europe, in order that each may have a seasonable opportunity to take part in the trust reposed by the said commission, and earnestly enjoined by this act.”

#### Transcriber's Notes:

Antiquated spellings have been preserved.

Typographical errors have been silently corrected but other variations in spelling and punctuation remain unaltered.

A series of underscores (\_\_\_\_) is used to represent blank spaces in the original text.

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